

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

June 25, 2019

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

6:30 PM

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

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

- *Anyone wishing to speak during public comment or on a particular item should fill out a green slip and submit it to the Secretary.*
- *Comments will be limited to 5 minutes. Speakers will be alerted when their time is up. Speakers are then to return to their seats and no further comments will be permitted.*
- *In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.*
- *Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.*
- *The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.*
- *Please turn off all communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.*

ROLL CALL

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

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

- 1) Seating of new Commissioner Nicola Ricci

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of May 28, 2019, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV19-010: A Development Plan to construct 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by the City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential. This item was continued from the May 28, 2019 Planning Commission meeting.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-011:

A Development Plan to construct 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential. This item was continued from the May 28, 2019 Planning Commission meeting.**

A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-012:

A Development Plan to construct 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential. This item was continued from the May 28, 2019 Planning Commission meeting.**

PUBLIC HEARING ITEMS

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

PLANNING COMMISSION ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT18-001**: A Tentative Parcel Map (PM 19936) to subdivide 51.9 acres of land into two parcels, located at 5100 East Jurupa Avenue and 5171 East Francis Street, within the (IH) Heavy Industrial and (UC) Utilities Corridor zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) 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: 238-132-24) **submitted by New-Indy Ontario, LLC.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15315

2. File No. PMTT18-001 (Parcel Map)

Motion to Approve/Deny

- C. ENVIRONMENTAL ASSESSMENT AND VARIANCE REVIEW FOR FILE NO. PVAR19-003**: A Variance to deviate from the minimum front building setback, from 30 feet to 25 feet, and from the interior side setback, from 10 feet to 5 feet, in conjunction with the construction of an attached duplex on 0.141 acres of land located at 519 North Grove Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) 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: 1048-451-09) **submitted by GMK Construction.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15305

2. File No. PVAR19-003 (Variance)

Motion to Approve/Deny

- D. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-001 (PM 19993) AND PDEV19-004**: A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, in conjunction with a Development Plan (File No. PDEV19-004) to construct one multitenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The environmental impacts of this project were previously

reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously 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); (APN: 0210-204-27) **submitted by Ontario Covenant Group, LLC.**

1. CEQA Determination

No action necessary – use of previous Mitigated Negative Declaration

2. File No. PMTT19-001 (Parcel Map)

Motion to Approve/Deny

3. File No. PDEV19-004 (Development Plan)

Motion to Approve/Deny

E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-019 AND PCUP19-007: A Development Plan (File No. PDEV19-019) and Conditional Use Permit (File No. PCUP19-007) to establish and construct a nonstealth wireless telecommunications facility (Verizon Wireless) on an existing SCE transmission tower and related equipment enclosure on 4.7 acres of land located at 3210 East Merrill Avenue, within the SCE Corridor land use district of the Subarea 29 Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) 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: 0218-052-20) **submitted by Verizon Wireless.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15303

2. File No. PCUP19-007 (Conditional Use Permit)

Motion to Approve/Deny

3. File No. PDEV19-019 (Development Plan)

Motion to Approve/Deny

F. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA18-009: A General Plan Amendment (File No. PGPA18-009) to:

- 1.) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designation on 1.02 acres of land from General Commercial to Low-Medium Density Residential (5.1-11 DUs/Acre) and changing the land use designation on 0.46 acres of land from General Commercial to Hospitality, located at the southwest corner of G Street and Corona Avenue; and
- 2.) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change.

Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. 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). (Related File PZC18-003) (APNs: 0110-241-18, 0110-241-56 & 0110-241-57) **submitted by LHL Investment Group, LLC. City Council action is required.**

1. CEQA Determination

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

2. File No. PGPA18-009 (General Plan Amendment)

Motion to recommend Approval/Denial

G. ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC18-003: A Zone Change (File No. PZC18-003) request to change the zoning designation on 1.02 acres of land from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential) and to change the zoning designation on 0.46 acres of land from CC (Community Commercial) to CCS (Convention Center Support), located at the south west corner of G Street and Corona Avenue. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. 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). (Related File PGPA18-009) (APNs: 0110-241-18, 0110-241-56 & 0110-241-57) **submitted by LHL Investment Group, LLC. City Council action is required.**

1. CEQA Determination

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

2. File No. PZC18-003 (Zone Change)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Met on June 13, 2019
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT


- 1) Monthly Activity Report

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

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



I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **June 21, 2019**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Gwen Berendsen, Secretary Pro Tempore



Cathy Wahlstrom, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

May 28, 2019

CONTENTS	PAGE
PLEDGE OF ALLEGIANCE.....	2
ANNOUNCEMENTS.....	2
PUBLIC COMMENTS.....	2
CONSENT CALENDAR	
A-01. Minutes of April 23, 2019.....	2
A-02. PDEV18-037	3
A-03. PDEV19-010	3
A-04. PDEV19-011	3
A-05. PDEV19-012	4
PUBLIC HEARINGS	
B. File Nos. PVAR18-006 & PDEV18-025	4
C. File Nos. PCUP18-028 & PDEV18-027.....	6
D. File No. PDCA19-001	8
MUSEUM BUILDING ASSESSMENT AND MASTERPLAN PRESENTATION	9
MATTERS FROM THE PLANNING COMMISSION.....	9
DIRECTOR’S REPORT.....	10
ADJOURNMENT	10

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

MINUTES

May 28, 2019

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

COMMISSIONERS

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

Absent: None

OTHERS PRESENT: Planning Director Wahlstrom, City Attorney Duran, Assistant Planning Director Zeledon, Principal Planner Mercier, Senior Planner Noh, Senior Planner Mejia, Associate Planner Aguilo, Development Administrative Officer Womble, Assistant City Engineer Lee, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Reyes.

ANNOUNCEMENTS

Ms. Wahlstrom stated that the applicant for Items A-03 – A-05, on the consent calendar, has requested to continue their items to the June 25, 2019 meeting. She also stated that Conditional Use Permit for Item C has been broken down into two resolutions, one being recommended to City Council and the other being approved.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

Mr. Gregorek abstained from Item A-02, as his firm is doing work on the project.

Mr. Willoughby and Mr. Downs abstained from Item A-01, as they were not at that meeting.

A-01. MINUTES APPROVAL

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-037:

A Development Plan to construct 176 single-family homes (72 lane-loaded units and 104 conventional units), located on the north side of Ontario Ranch Road, west of Turner Avenue, within Planning Area 8A (Low Density Residential) of The Avenue Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan (File No. PSP05-003) EIR (SCH # 2005071109) certified by the City Council on February 16, 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). 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: 0218-201-26 and 0218-201-27) **submitted by Lennar Homes of CA, INC.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-010:

A Development Plan to construct 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by the City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-011:

A Development Plan to construct 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

- A-05. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-012:** A Development Plan to construct 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

PLANNING COMMISSION ACTION

It was moved by Reyes, seconded by DeDiemar, to approve the Consent Calendar, as written and continue Items A-03 (File No. PDEV19-010), A-04 (File No. PDEV19-011), and A-05 (File No. PDEV19-012) to the June 25, 2019 meeting. The motion was carried 6 to 0, with the noted abstention votes for each item.

PUBLIC HEARING ITEMS

Mr. Gregorek recused himself from Item B, as his firm is doing work on the project.

- B. ENVIRONMENTAL ASSESSMENT AND MINOR VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR18-006 AND PDEV18-025:** A Minor Variance (File No. PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66 (TM17931), in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (PSP05-002), Environmental Impact Report (SCH# 2002061047) certified by the City Council on February 6, 2007. 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); (APN: 0218-252-16) **submitted by Christopher Development Group, Inc.** This item was continued from the April 23, 2019 Planning Commission meeting.

Senior Planner Noh, presented the staff report. He described the location and surrounding area. He explained the reason for the Variance request is to make a permanent cul-de-sac rather than the temporary cul-de-sac, as originally proposed. He described the floor plans, elevations, and architectural design for the 100 two-story homes being proposed. He explained the parking, pocket park, and landscaping for the project. He stated that staff is recommending the Planning Commission approve File Nos. PVAR18-006 and PDEV18-025, 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 the fire department is in agreement with the cul-de-sac.

Mr. Noh stated yes that is correct and the cul-de-sac meets all the city standards.

Mr. Reyes wanted clarification on the park plans that were presented.

Mr. Noh stated that was correct, that the large shade structure shown was broken down into three smaller covered areas with umbrellas, to better fit the area.

Mr. Willoughby wanted clarification that the variance only affected lots 65 and 66.

Mr. Noh stated that was correct.

PUBLIC TESTIMONY

Mr. Patrick McCabe with Christopher Development Group appeared and stated he was available to answer any questions.

Mr. Reyes asked regarding the park rendering changes.

Mr. McCabe stated that they had updated the play structure and the eating areas, so they could be used by smaller groups.

Mr. Gage asked if Mr. McCabe agreed with the conditions of approval.

Mr. McCabe stated he had reviewed and agreed with them.

Mr. Willoughby asked about a target date for construction.

Mr. McCabe that they are eager to get started and will be starting the infrastructure once they get their encroachment permit.

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

Mr. Gage complimented the applicant on the total parking spaces provided, and he thinks the

cul-de-sac is a good thing for the community.

Mr. Reyes complimented staff and applicant on the revisions on the park and making these amenities important and helping to make a community rather than just houses.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Gage, to adopt a resolution to approve the Variance, File No., PVAR18-006, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.

It was moved by Reyes, seconded by Downs, to adopt a resolution to approve the Development Plan, File No., PDEV18-025, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.

C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV18-027 AND PCUP18-028:

A Development Plan (File No. PDEV18-027) to construct an 83,500-square foot hotel with conference rooms, fitness center, pool, and restaurant in conjunction with a Conditional Use Permit (File No. PCUP18-028) to establish: 1) a 124-room full-service hotel; 2) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption by hotel guests and their visitors (Type 70 ABC License – On-Sale General Restrictive Service); and 3) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption in conjunction with a restaurant (Type 47 ABC License – On-Sale General for Bona Fide Eating Place), on 2.25 acres of land located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. 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: 0210-192-24) **submitted by Cambria Ontario, LLC. City Council action is required.**

Associate Planner Aguilo, presented the staff report. She described the location and surrounding area, the access and circulation, parking and adjusted CC&R's. She described the hotel and its proposed amenities and the ABC licenses proposed. She described the elevations, contemporary design and landscaping. She stated that staff is recommending the Planning Commission recommend approval to the City Council for File No. PCUP18-028A and approve File Nos. PCUP18-028B and PDEV18-027, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Reyes wanted clarification on the Guasti Plaza Specific Plan's conditions that might

influence the landscaping or be incorporated into the project.

Ms. Aguilo stated the project is not tied to historic context as the historic core is to the south of the project site.

Ms. Wahlstrom stated there is an existing interpretive path along Guasti Road that will remain and there are provisions for the connection of the interpretive paths.

Mr. Gage explained about the corridor north of Guasti Road and the compromise that was made for the freeway frontage properties with the vineyard like landscaping in the parking lot, to tie it into Guasti city, and wanted to know if there was some sort of compromise like that within this project.

Ms. Wahlstrom stated there is currently not a vineyard theme, just the provisions to connect the pathways as development continues in the area.

Mr. Gage wanted clarification on how the pathway is a tie into Guasti vineyards.

Ms. Wahlstrom stated this is towards the end of the pathway that would connect all the developments, and since we don't know what development will be coming, it is hard to identify anything beyond the provision for the connection.

Mr. Gage stated that the street and the vacant lots are already landscaped with hedges and its disappointing that it wouldn't have any connection to the Guasti village.

Mr. Zeledon explained that when the Airport towers was approved it was required to have the interpretive pathway and the frontage walkway with 6 markers that tell the story of the Guasti history. He stated there was an effort to make the corner retail building a paseo and making it go from east to west and this is the end of the paseo. He stated the landscaping is consistent with the specific plan.

Mr. Downs wanted clarification on the west side shared parking and how that fits in.

Mr. Zeledon stated the parking lots to the west will be improved with this project and there will be reciprocal egress / ingress. He stated staff is confident there won't be any parking issues.

Mr. Downs wanted to know the type of business that may go in there.

Mr. Zeledon stated most likely everything to the west would be office.

Mr. Willoughby wanted to clarify that both properties have the same owner and that the shared parking agreement would be in the CC&Rs.

Mr. Zeledon stated yes.

PUBLIC TESTIMONY

Roger Barbosa of Milestone Management appeared and stated that he had read and agrees with the conditions of approval. He thanked staff for their guidance on the project and stated he was

looking forward to developing in the city. He stated that he heard the discussion regarding the parking on the CC&R's and will address and revise them if the need arises.

Mr. Gage asked about the pathway and the Guasti Specific Plan, and if the applicant was aware of it.

Mr. Barbosa stated he was aware of the concept and he was willing to make adjustments to landscaping to make it consistent with the concept.

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

Mr. Reyes stated he likes the building and it fits well in the location and on the site. He explained that he is glad the applicant is willing to work with staff regarding the landscaping so that it ties into the historical Guasti and vineyard theme, in little ways with trellises and vineyards. He stated he wants them to think beyond this site and the possible connection with the airport in the future, and what can be done to take it above amazing.

Mr. Gage stated he appreciated Mr. Reyes comments and glad the applicant would be willing to work with staff to put some things in that reflect the Guasti and vineyard themes.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Gregorek, to recommend adoption of approval and to approve a resolution for Conditional Use Permit, File No. PCUP18-028, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

It was moved by Gage, seconded by DeDiemar, to adopt a resolution to approve the Development Plan, File No., PDEV18-027, subject to conditions of approval and the condition that staff will work with applicant to incorporate Guasti themed landscaping. Roll call vote: AYES, DeDiemar, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA19-001:** A Development Code Amendment revising portions of Development Code Chapters 2 (Administration and Procedures), 4 (Permits, Actions and Decisions), 5 (Zoning and Land Use), and 9 (Definitions and Glossary), as they apply to Wireless Telecommunications Facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests. This project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder pursuant to Section 15061(b)(3) of the CEQA Guidelines. The 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); **City Initiated. City Council action is required.**

Principal Planner Mercier, presented the staff report. He described the need for adjustments to be made after the February Planning Commission meeting, at the recommendation of the city attorney. He explained in depth the changes that were made. He stated that staff is recommending the Planning Commission approve File No. PDCA19-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Downs wanted clarification regarding the placement of 5G system in commercial or residential areas.

Mr. Mercier stated in commercial for now but eventually into residential areas.

PUBLIC TESTIMONY

No one responded.

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

Mr. Willoughby wanted to clarify that any design standards will be brought to Planning Commission for review.

Mr. Mercier stated yes.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Downs, to recommend adoption of a resolution to approve the Development Code Amendment, File No., PDCA19-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

MUSEUM BUILDING ASSESSMENT AND MASTER PLAN PRESENTATION

Kimbro Frutiger of ARG Architects made a presentation for the master plan for the museum and the historic preservation issues and how to implement these changes over the next 20 years.

Museum Director John Worden stated it has been a real pleasure working with ARG and has enjoyed the collaboration with the other departments and leadership of the city.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet.

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

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

New Business

Mr. Gage, Mr. Reyes and Mr. Willoughby debriefed on the California Preservation Foundation Conference they attended in Palm Springs.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Ms. Wahlstrom stated the Monthly Activity Reports are in their packets.

ADJOURNMENT

Mr. Gregorek motioned to adjourn, seconded by Reyes. The meeting was adjourned at 8:02 PM.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

June 25, 2019

FILE NOS.: PDEV19-010, PDEV19-011 and PDEV19-012

SUBJECT: A request for the following Development Plan entitlements: [1] File No. PDEV19-010 — the construction of 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land; [2] File No. PDEV19-011 — the construction of 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land; and [3] File No. PDEV19-012 — the construction of 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land. The 21.15-acre project site is located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan; (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

PROPERTY OWNER: Brookcal Ontario, LLC

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PDEV19-010, PDEV19-011 and PDEV19-012, 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 encompassing three Development Plan applications, is comprised of 21.15 acres of land located at Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan, and is depicted in Figure 1: Project Location, right. The project site was historically utilized for agricultural dairy purposes. The site has been cleared of any structures utilized for agricultural purposes and has been mass graded and is presently vacant. The natural vegetation and soil conditions that once occurred throughout the project area have been significantly altered through agricultural uses, leaving little to no native



Figure 1: Project Location

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	2/22/2019

Hearing Body	Date	Decision	Action
DAB	5/20/19	Approve	Recommend
PC	6/25/19		Final
CC			

vegetation. In addition, the project area is relatively flat sloping to the south towards Ontario Ranch Road.

The areas surrounding the project site are comprised of vacant properties to the south and east, which are located within Mixed Use Districts PA 9A, PA 9B, and PA 6B, respectively, of the Rich Haven Specific Plan, and are intended for development with a mix of single-family and multiple-family residential development. The area north of the project site is located within the Rich Haven Specific Plan and is identified as a SCE Easement/Gas Easement. The area west of the project site The Avenue Specific Plan is within the Medium Density Residential district of The Avenue Specific Plan and is developed with a mix of single-family and multiple-family dwellings. The zoning land uses surrounding the project site are summarized in the Technical Appendix of this staff 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 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 February 20, 2018, the City Council approved an Amendment to the Rich Haven Specific Plan (File No. PSPA16-005) for the annexation of 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use district of the Rich Haven Specific Plan. The amendment included updates to the development standards, exhibits and text changes to reflect the proposed annexation and overall TOP Policy Plan compliance. The amendment also allowed the combining of units between Planning Areas 6A and 9A (Brookcal owned parcels) and Planning Areas 6B and 9B (Richland owned parcels) to meet residential density requirements (14.0 – 50 du/ac) (see Figure 2: The Rich Haven Specific Plan Land Use Plan).

On July 24, 2018, the Planning Commission approved a Tentative Tract Map (File No. PMTT17-003/TTM 20081) to subdivide 44.98 acres into 76 numbered lots and 62 lettered lots for residential and commercial uses, for Condominium Purposes as noted, public/private streets, landscape neighborhood edges, common open space and facilitate

the construction of three residential product types, including 6-Pack Cluster homes, Rowtown homes, and Courtyard Townhomes.

On May 20, 2019, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the proposed projects, 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.

On May 28, 2019, the applicant requested the subject applications be continued to the following Planning Commission Meeting, on June 25, 2019, to allow the applicant additional time to address project related issues.

[2] Site Design/Building Layout/Architecture — The proposed Development Plans are to allow for the construction of the 6-Plex Rowtown, 6-Pack Cluster and the 14-Plex Courtyard Townhome product types and are discussed further below:

[a] PDEV19-010 (6-Plex Rowtown). The proposed multiple-family Rowtown product proposes 34 six-unit complexes, for a total 204 units that includes three floor plans and two architectural styles. The proposed floor plans are further described below:

- Plan 1: 1,342 square feet, 2 bedroom (optional 3rd bedroom/den), 2.5 baths, and two-car garage;
- Plan 2: 1,396 square feet, 3 bedrooms, 2.5 baths, and two-car garage; and
- Plan 3: 1,507 square feet, 3 bedrooms (optional 4th bedroom/den), 2.5 baths, and two-car garage.

The proposed multiple-family Rowtown products have garage access from a private lane, with the main entrances of the units fronting the street or paseo (see Figure 3: Row Town Homes (Typical Plotting)). The paseos will be landscaped with accent trees, provide landscape planters, feature entry arbor structures for street adjacent paseos, and include private patios with 3.5-foot high walls for each unit, to provide

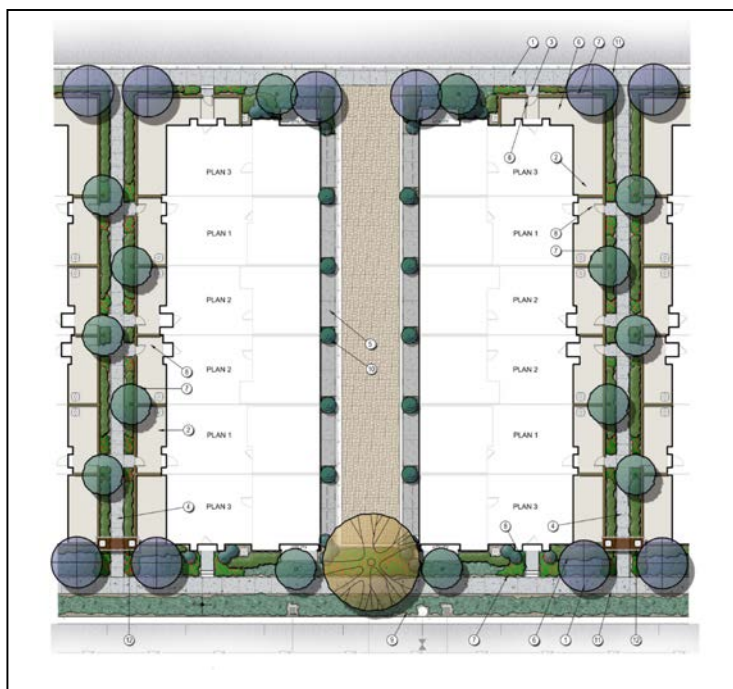


Figure 3: Row Town Homes (Typical Plotting)

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 transitional architectural style that combines elements of both traditional and modern architectural styles, creating an aesthetic that bridges both styles and brings them to a comfortable warm aesthetic. Transitional architectural styles incorporate modern materials and design elements into a traditional architectural styles form, elements and massing. The two transitional architectural styles proposed for the Rowtown homes include Spanish and Farmhouse, and incorporate the following features/elements:

- Spanish Transitional: Varying gable and shed roofs with flat concrete roof tiles; first and second story pop-out features; smooth stucco exterior; square and arched entry openings with brick veneer and stucco trim; decorative barrel clay tiles below gable ends; square window openings with stucco trim; decorative window sills; wood awnings over garage entries and windows; and horizontal fiber cement siding (see Figure 4: Rowtown Homes (Spanish Paseo Perspective)).



Figure 4: Rowtown Homes (Spanish Paseo Perspective)

- Farmhouse Transitional: Varying gable roofs with flat concrete roof tile; a moderate roof overhang; second story pop-out features; decorative wood out-lookers; stucco exterior; square entry openings with stucco surrounds; decorative vent accents below gable ends; square window openings with stucco trim; corbels; decorative window awnings; and vertical siding (see Figure 5: Rowtown Homes (Farmhouse Paseo Perspective)).



Figure 5: Rowtown Homes (Farmhouse Paseo Perspective)

[b] PDEV19-011 (6-Pack Cluster). The Development Plan proposes 61 single-family homes in a 6-Pack Cluster design, located along the eastern portion of Tract 20081. Each cluster lot has minimum exterior dimensions of 130 x145 feet and is divided into six lots, which range from 2,150 to 5,089 square feet in area. The 6-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 three distinct floor plans proposed for each cluster, with three elevations per plan. The rear and front units were designed to incorporate an 18-foot minimum driveway in addition to the required 2-car garage, providing a total of four parking spaces for those units (see Figure 6: 6-Pack Cluster (Typical Plotting)). The proposed floor plans are further described below:

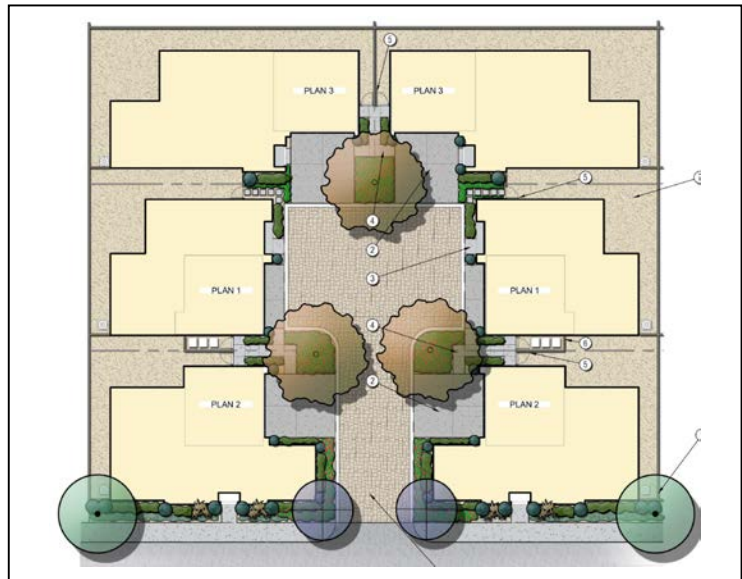


Figure 6: 6-Pack Cluster (Typical Plotting)

- Plan 1 (Center Lots): 1,943 square feet, 3 bedrooms, 1 loft, 2.5 baths, and two-car garage;
- Plan 2 (Front Street Facing Lots): 2,129 square feet, 3 bedrooms (optional 4th bedroom/den), 2.5 baths, and two-car garage; and

- Plan 3 (Rear Lots): 2,331 square feet, 4 bedrooms, 1 loft, 3 baths, and two-car garage. In a 6-Pack Cluster configuration, not all front building elevations are visible from the public street. Plan 2 units are oriented toward the public street, with front entry and walk facing the street and garage access taken from the private lane. The rectangular floor plan is configured with the living areas oriented toward the street and private yards. Plan 1 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 is square in shape, with the living areas oriented toward the private yards, and feature use easements that extend the side yard areas into Plan 3, creating a more useable yard area. Plan 3, 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 three 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.

The three transitional architectural styles are proposed for the 6-pack Cluster homes, including Spanish, Craftsman and Farmhouse, which incorporate the following features/elements (see Figure 7: Craftsman, Farmhouse and Spanish Architectural Styles):

- Spanish Abstract: Varying gable and shed roofs with flat concrete roof tiles; first and second story pop-out features; smooth stucco exterior; arched entry openings; decorative clay pipes below gable ends; square window openings with stucco trim; decorative window sills; vertical siding, recessed windows and corbels.
- Farmhouse Abstract: Varying gable roofs with flat concrete roof tile; a moderate roof overhang; first and second story pop-out features; stucco exterior; square entry openings; enhanced gable ends; brick veneer; decorative window sills; and vertical siding.
- Craftsman Abstract: Varying low pitched gable roofs with flat tile; roof overhangs; first and second story pop-out features; outlookers; horizontal siding, stucco exterior; gable and shed front entries; and multi-paned windows with decorative window sills.



Figure 7: Craftsman, Farmhouse and Spanish Architectural Styles

[3] PDEV19-012 (14-Plex Courtyard Townhome). There are twelve 14-unit complexes within the proposed project, which includes six floor plans and two architectural styles. The proposed floor plans are further described below:

- Plan 1: 972 square feet, 1 bedroom, 1.5 bath, and one-car garage.
- Plan 2: 1,466 square feet, 2 bedrooms, 2.5 baths, and two-car tandem garage.
- Plan 3: 1,529 square feet, 2 bedrooms, 2 baths, and two-car tandem garage.
- Plan 4: 1,698 square feet, 3 bedrooms, 2.5 baths, and two-car garage.
- Plan 5: 1,721 square feet, 3 bedrooms, 2.5 baths, and two-car garage.
- Plan 6: 1,803 square feet, 3 bedrooms, 2.5 baths, and two-car garage.

The proposed Courtyard Townhome product has garage access from an autocourt, 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 landscape planters to provide visual interest and promote pedestrian mobility (see Figure 8: Courtyard Townhomes (Typical Plotting)).

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 decks/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



Figure 8: Courtyard Townhomes (Typical Plotting)

autocourt, along with varied massing, second story projections over garages, recessed garage doors, landscaped finger planters, and varied roof lines.

The two transitional architectural styles proposed for the Courtyard Townhomes include Prairie and Farmhouse and incorporate the following features/elements:

- **Prairie:** Varying hip roofs with flat concrete roof tiles; tower features that provide articulation on all four elevations; smooth stucco exterior; arched and square entry openings; square window openings with stucco trim; horizontal siding, recessed multi-paned windows, wood railings, and entryways treated with a stone veneer (see Figure 9: Courtyard Townhomes (Prairie Paseo Facing Elevation)).
- **Farmhouse:** Varying gable and shed roofs with flat concrete roof tile; first and



Figure 9: Courtyard Townhomes (Prairie Paseo Facing Elevation)

second story pop-out features; stucco exterior; square entry openings with a trim surround; enhanced gable ends; multi-paned windows with trim surround; recessed windows and vertical and horizontal siding (See Figure 10: Courtyard Townhomes (Farmhouse Paseo-Facing Elevation)).

[4] Site Access/Circulation — The previously approved related Tentative Tract Map 20081, facilitated the construction of the backbone streets, internal public/private streets



Figure 10: Courtyard Townhomes (Farmhouse Paseo Facing Elevation)

and primary access points into Planning Area 6A of the Rich Haven Specific Plan, from Ontario Ranch Road and Haven Avenue, to accommodate all future development within the tract.

[5] Parking — A parking plan was completed for the previous Tentative Tract Map to demonstrate that sufficient parking will be provided throughout the project site. The parking plan required a total of 1,166 parking spaces to be provided, with 940 of those parking spaces to be provided within a garage. The parking plan also demonstrated that the required parking would be exceeded by 401 spaces. The additional parking spaces were shown to be provided throughout the site as on-street parking, driveway parking, and parking within private drive aisles. The parking plan demonstrated that there will be an average of 3.2 parking spaces per unit to accommodate both resident and visitor parking. The proposed Development Plans are consistent with the previously approved parking plan and the requirements for each Development Plan are further discussed below:

[a] PDEV19-010 (6-Plex Rowtown). 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 Development Plan is required to provide 511 parking spaces and is providing 652 parking spaces. Each unit will provide a two-car garage for a total of 408 enclosed parking spaces. Ten of the proposed Rowtown buildings will provide a two-car driveway for each unit, totaling 120 unenclosed parking spaces. Additionally, the project is providing 122 uncovered parking spaces within the parcels private drive aisles. The project is required to provide 35 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 141 spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

Parking Summary						
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
Rowtown - 2 Bedrooms (68 Units)	2 – Including 1-car garage (136 spaces)	1 space per 6 units (11 spaces)	147	2-car garage (136 spaces)	40 Driveway	176
Rowtown - 3 Bedroom (136 Units)	2.5 – Including 1- car garage (340 spaces)	1 space per 6 units (24 spaces)	364	2-car garage (272 spaces)	80 Driveway 116 Drive-aisle	468
Totals (204 units)	476 spaces	35	511	408	236	644
					3.20 spaces per unit	

[b] PDEV19-011 (6-Pack Cluster). The Rich Haven Specific Plan requires a two-car garage for each single-family home, which each unit provides. Additionally, Plans 2

(Front Street Facing Lots) and 3 (Rear Lots) also provide a driveway that accommodates two additional spaces per unit. Based on the Rich Haven Specific Plan parking requirements, the project will be over parked by 82 parking spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

Parking Summary						
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
Cluster (61 Units)	2 –car garage (122 spaces)	N/A	122	122	82 Driveway	204
Totals (61 units)	122 spaces	N/A	122	122	82	204
					3.3 spaces per unit	

[c] PDEV19-012 (14-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 438 parking spaces and 442 parking spaces are being provided (see Parking Summary shown below). Each complex will provide 26 garage spaces, for a total of 312 covered parking spaces. The project is providing 130 uncovered parking spaces within the parcels private drive aisles. Furthermore, the project is providing a surplus of 36 spaces within its project parcels, independent of the additional parking spaces provided throughout the overall tract.

Parking Summary						
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 - 1 Bedroom (24 Units)	1.75 – Including 1-car garage (42 spaces)	1 space per 6 units (4 spaces)	46	1-car garage (24 spaces)	130 drive-aisle	154
Courtyard Townhome - 2 Bedrooms (48 Units)	2 – Including 1-car garage (96 spaces)	1 space per 6 units (8 spaces)	104	2-car garage (96 spaces)	N/A	96
Courtyard Townhome - 3 Bedrooms (96 Units)	2.5 – Including 1-car garage (240 spaces)	1 space per 6 units (16 spaces)	256	2-car garage (192 spaces)	N/A	192
Totals (168 units)	378 spaces	28	406	387	130	442
					2.6 spaces per unit	

[6] Open Space/Landscaping — The previously approved related Tentative Tract Map 20081 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 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities. The future park design and amenities will require a separate Development Plan to be submitted for review and approval.

The Rowtown 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 autocourts 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 homeowners' 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.

[7] 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site 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 allocates a total of 4,256 dwelling units for the Rich Haven Specific Plan and 1,524 dwelling units within the Moderate Income range (10-24 du/ac). The project is proposing 61 single-family units and 372 multi-family units (204 Rowtown and 168 Courtyard Townhomes) within the Moderate Income range consistent and within the specified ranges and unit counts allowed within the Available Land Inventory.

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

ENVIRONMENTAL REVIEW: The environmental impacts of 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and this Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand Alone Residential Overlay)
<i>North</i>	Vacant/SCE Corridor	Open Space – Non Recreational	Rich Haven Specific Plan	SCE Easement/Gas Easement
<i>South</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 9A & 9B (Mixed-Use Overlay and Stand Alone Residential Overlay)
<i>East</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6B (Regional Commercial and Stand Alone Residential Overlay)
<i>West</i>	Residential Subdivision	Medium Density Residential	The Avenue Specific Plan	Medium Density Residential

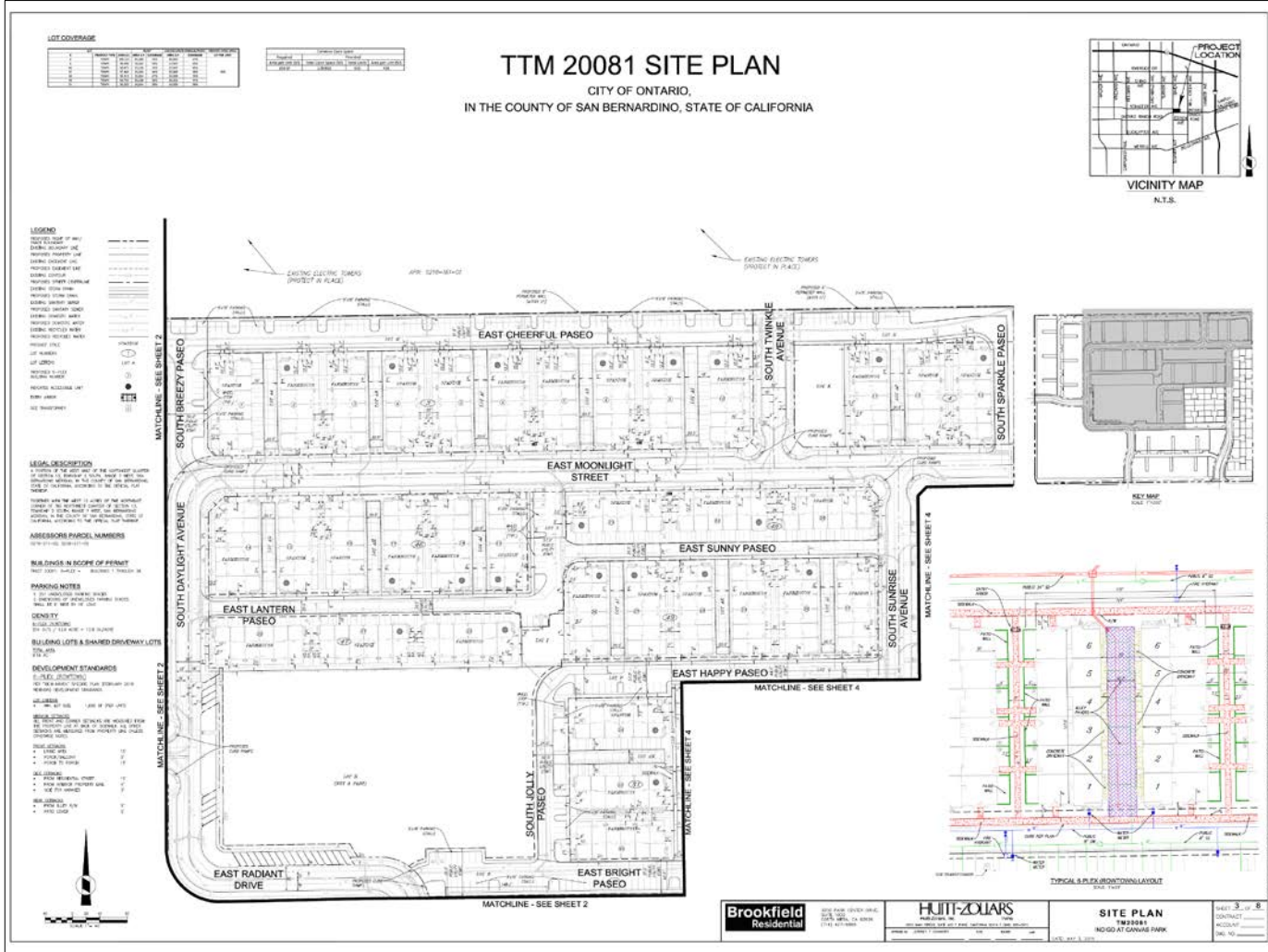
General Site & Building Statistics – 6-Pack Cluster:

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	65%	29%-61%	Y
<i>Front yard setback (in FT):</i>	Street: 10' Private Drive: 5'	Street: 10' – 30'-7" Private Drive: 5'-7"	Y
<i>Side yard setback (in FT):</i>	4'	4'	Y
<i>Rear yard setback (in FT):</i>	5'	5'	Y
<i>Maximum height (in FT):</i>	35'	28'	Y

General Site & Building Statistics – Rowtown and Courtyard Townhome:

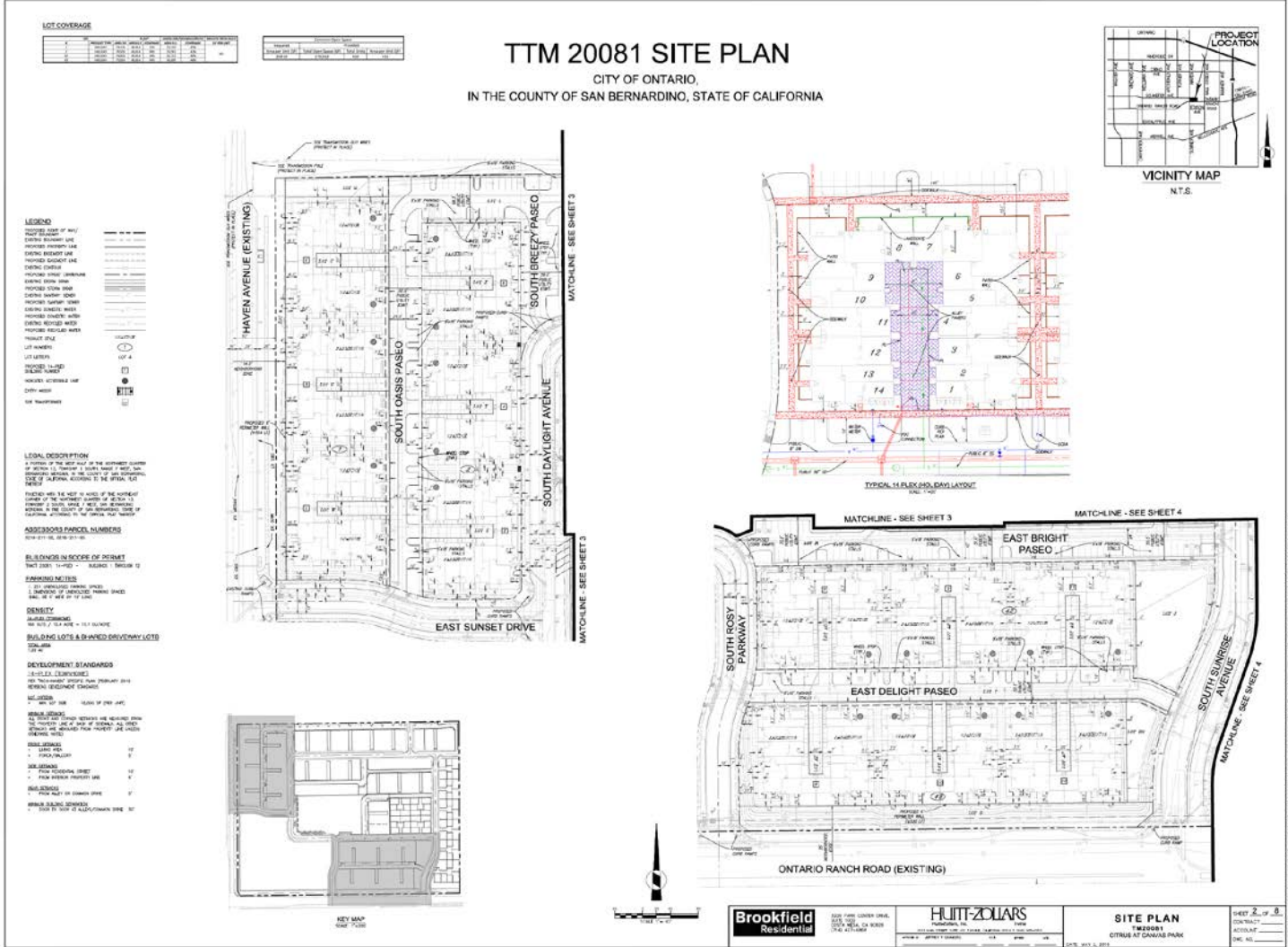
<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	60%	44% – 58%	Y
<i>Front yard setback (in FT):</i>	Street: 10' Private Drive: 5'	Street: 10' – 35' Private Drive: 7'-19'	Y
<i>Building Separation (in FT):</i>	Rowtown: 25' Courtyard: 30'	Rowtown: 25' - 30' Courtyard: 30'	Y
<i>Garage to Garage setback (in FT):</i>	Rowtown: 30' Courtyard: 30'	Rowtown: 30' – 56' Courtyard: 30' – 41'	Y
<i>Maximum height (in FT):</i>	35'	Rowtown: 31' Courtyard: 32'-9"	Y

Exhibit A—SITE PLAN



Rowtown Site Plan

Exhibit A—SITE PLAN



Courtyard Townhome Site Plan

Exhibit B—Elevations



Rowtown – Farmhouse Elevations

Exhibit B—Elevations



Rowtown – Spanish Elevations

Exhibit B—Elevations



kitgy
 Architecture + Planning
 17911 Von Karman Ave.
 Suite 200
 Irvine, CA 92614
 949.851.2133
 kitgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1000
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2018-0635

CONCEPTUAL DESIGN
 APRIL 26, 2019



EXTERIOR ELEVATIONS
 PLAN 1A - SPANISH ABSTRACT

A2.2

Cluster Plan 1 – Spanish Abstract

Exhibit B—Elevations

RIGHT

REAR

LEFT

FRONT

MATERIAL LIST:

1. CONCRETE FLAT TILE ROOF
2. COMPOSITE SIDING
3. STUCCO - 1833 FINISH
4. VINYL WINDOWS
5. RECESSED VINYL WINDOWS
6. COMPOSITE TRIM
7. FOAM TRIM
8. BOARD AND BATTEN SIDING
9. STUCCO OVER FOAM DETAIL
10. DECORATIVE POT SHELF
11. DECORATIVE CLAY PIPES
12. WOOD RAILING
13. ENTRY DOOR
14. SECTIONAL GARAGE
15. LIGHT FIXTURE
16. CORBELS
17. BRICK VENEER

CONCEPTUAL DESIGN
 APRIL 28, 2019

EXTERIOR ELEVATIONS
 PLAN 1B - FARMHOUSE ABSTRACT

A2.3

Cluster Plan 1 – Farmhouse Abstract

Exhibit B—Elevations



Cluster Plan 1 – Craftsman Abstract

Exhibit B—Elevations



Cluster Plan 1 – Enhanced Elevations

Exhibit B—Elevations



Cluster Plan 1 – Enhanced Elevations

Exhibit B—Elevations



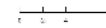
Architectural Planning
 1011 20th Avenue
 Suite 200
 Marietta, GA 30066
 404.875.1133
 ktgy.com



BROOKFIELD RESIDENTIAL
 15001 Oak Grove Drive, 4100
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA 92375-0005

CONCEPTUAL DESIGN
 APRIL 23, 2019



EXTERIOR ELEVATIONS
 PLAN 2A - SPANISH ABSTRACT

A3.2

Cluster Plan 2 – Spanish Abstract

Exhibit B—Elevations



ktgy
 Architecture + Planning
 17511 Von Karman Ave.
 Suite 200
 Irvine, CA 92614
 949.951.2133
 ktgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1000
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA #2018-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019

EXTERIOR ELEVATIONS
 PLAN 2B - FARMHOUSE ABSTRACT

A3.3

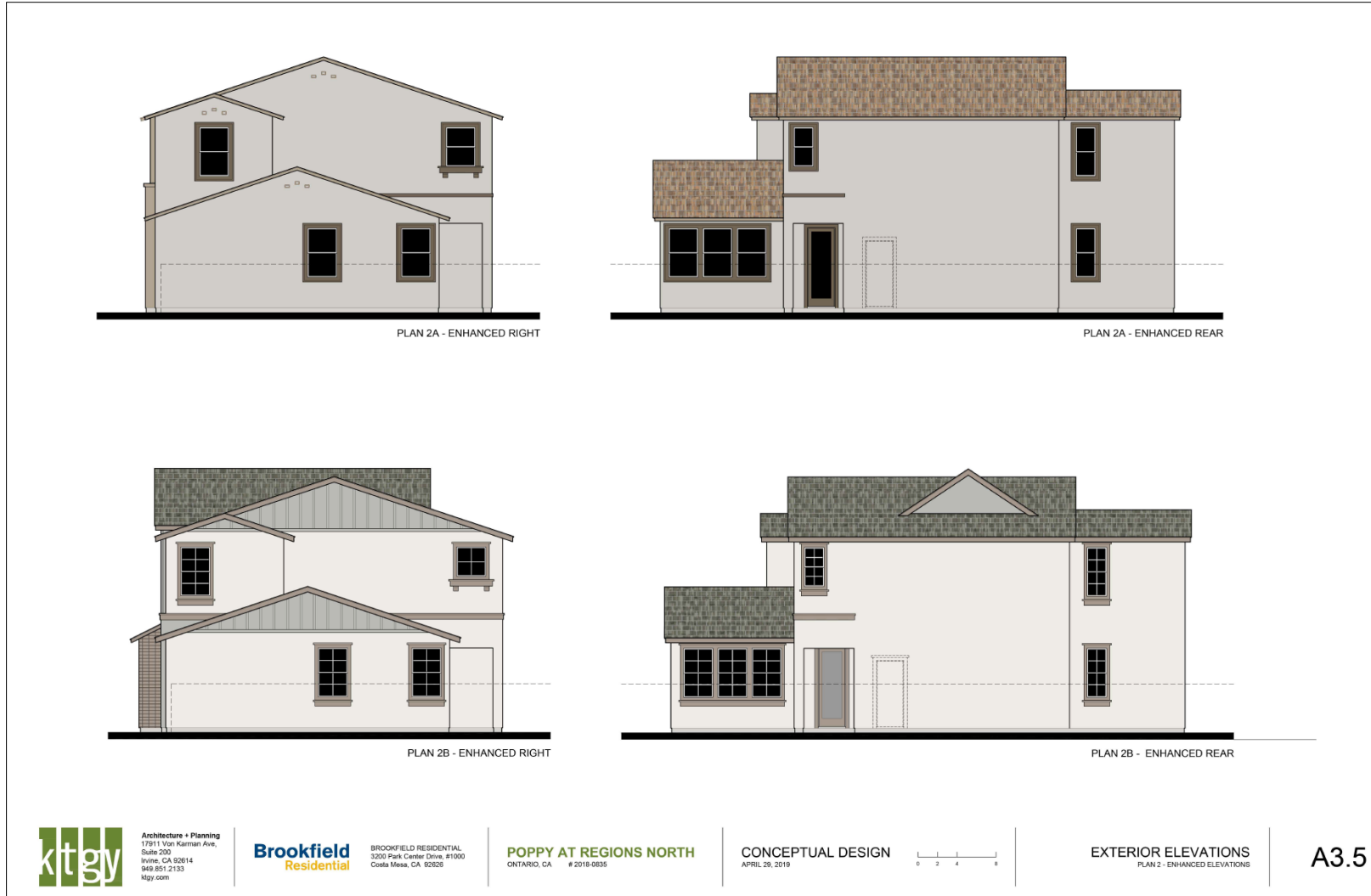
Cluster Plan 2 – Farmhouse Abstract

Exhibit B—Elevations



Cluster Plan 2 – Craftsman Abstract

Exhibit B—Elevations



Architecture + Planning
 17911 Von Karman Ave.
 Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com



BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1000
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2018-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019



EXTERIOR ELEVATIONS
 PLAN 2 - ENHANCED ELEVATIONS

A3.5

Cluster Plan 2 – Enhanced Elevations

Exhibit B—Elevations



Cluster Plan 2 – Enhanced Elevations

Exhibit B—Elevations



ktgy
 Architecture + Planning
 17511 Van Korman Ave,
 Suite 200
 Irvine, CA 92614
 949.651.2133
 ktgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1000
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2018-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019

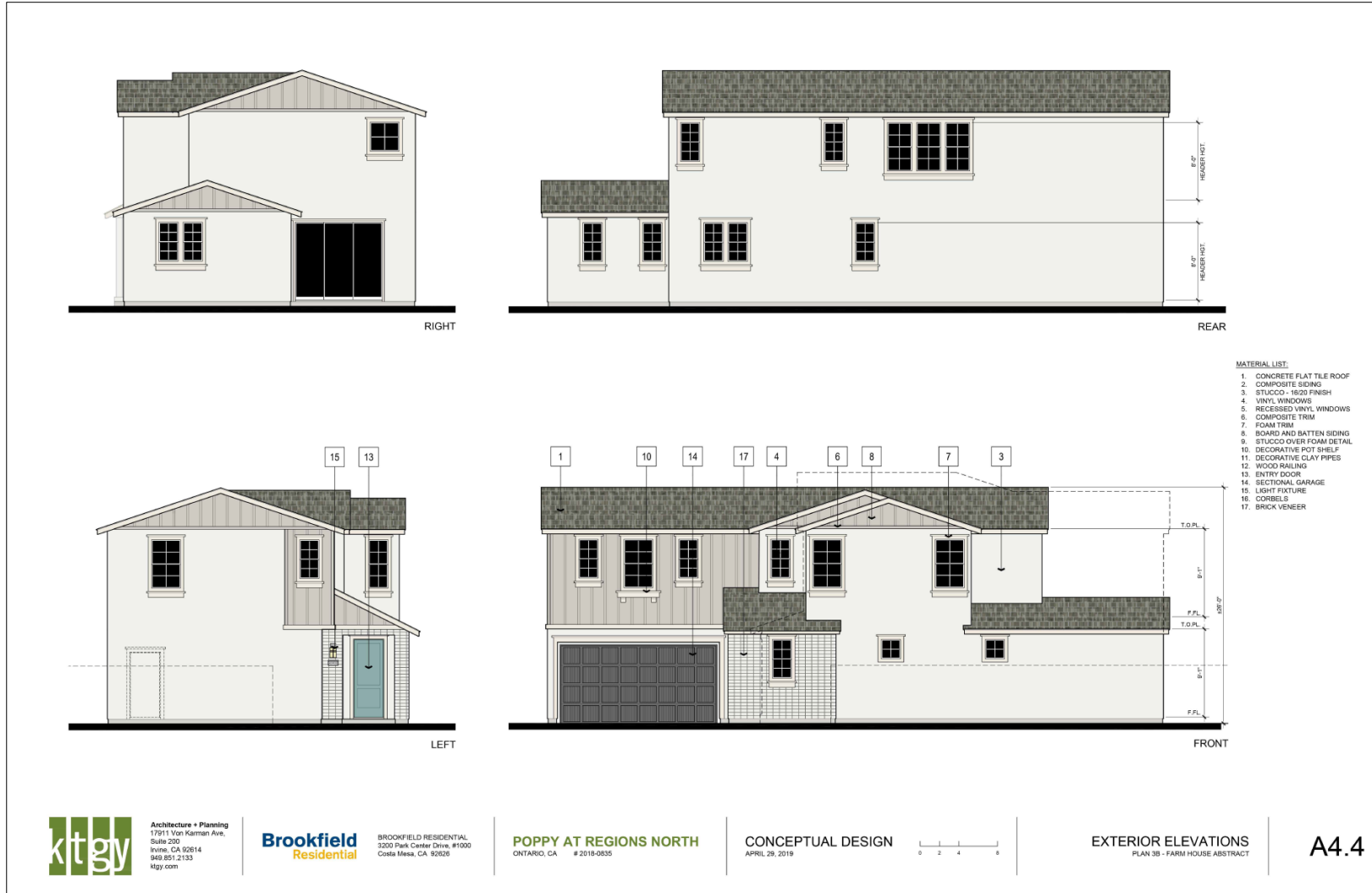


EXTERIOR ELEVATIONS
 PLAN 3A - SPANISH ABSTRACT

A4.3

Cluster Plan 3 – Spanish Abstract

Exhibit B—Elevations



Architecture + Planning
 1721 Von Karmann Ave.
 Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com



BROOKFIELD RESIDENTIAL
 3200 Park Center Drive #1500
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2019-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019

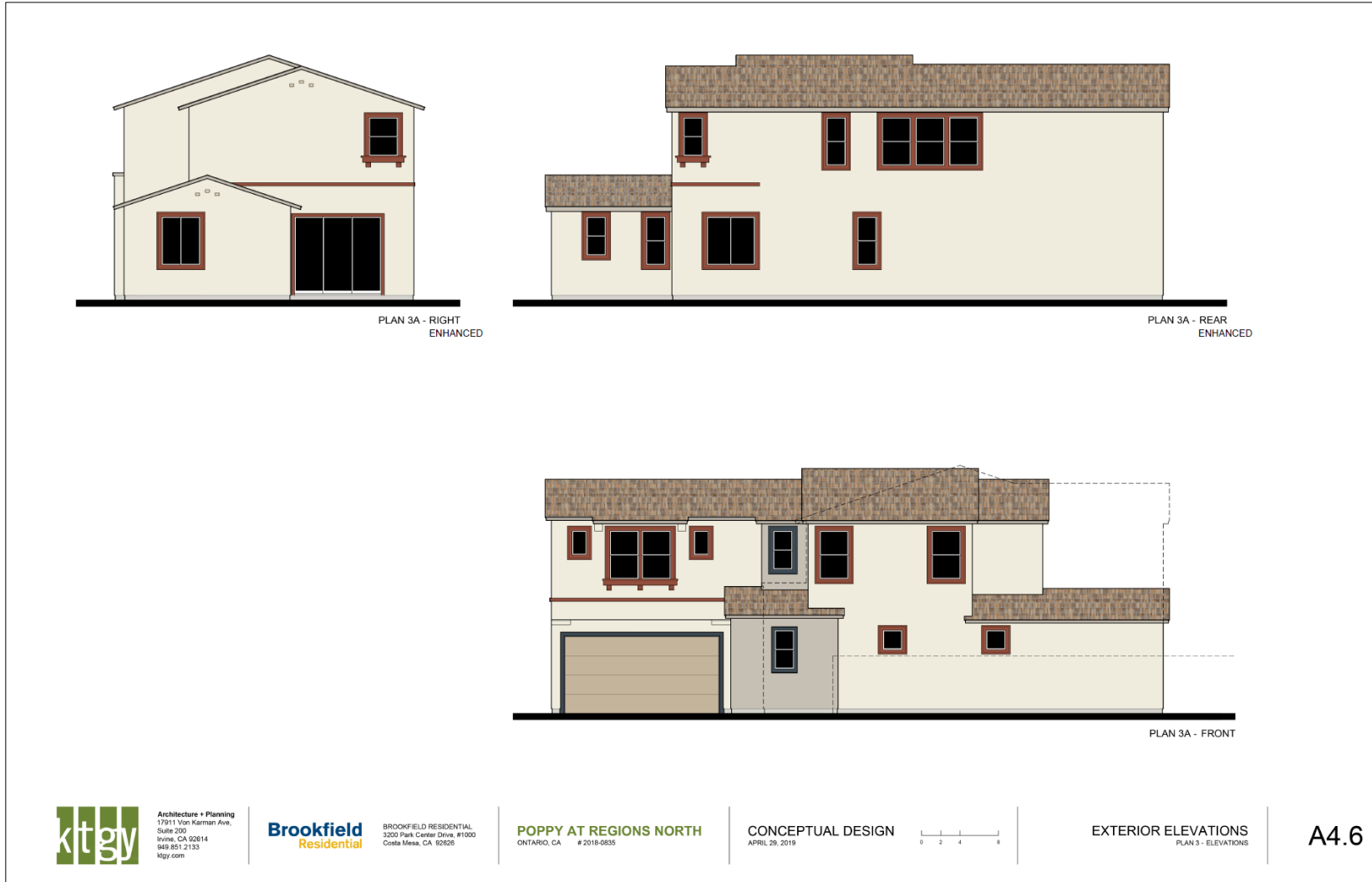


EXTERIOR ELEVATIONS
 PLAN 3B - FARMHOUSE ABSTRACT

A4.4

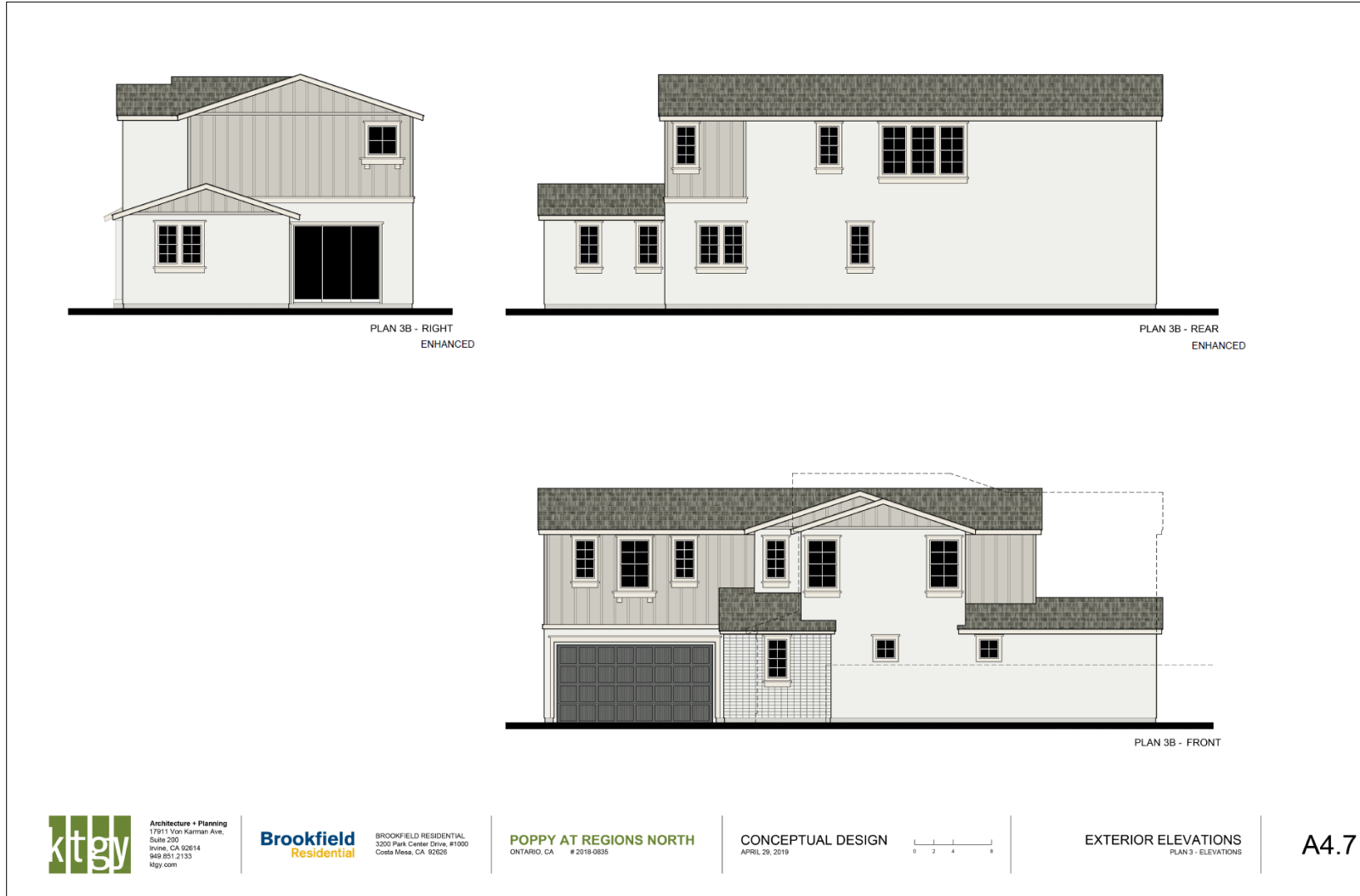
Cluster Plan 3 – Farmhouse Abstract

Exhibit B—Elevations



Cluster Plan 3 – Spanish Enhanced Elevations

Exhibit B—Elevations



ktgy
 Architecture • Planning
 17911 Von Karman Ave,
 Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1900
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2019-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019



EXTERIOR ELEVATIONS
 PLAN 3 - ELEVATIONS

A4.7

Cluster Plan 3 – Farmhouse Enhanced Elevations

Exhibit B—Elevations



Cluster Plan 3 – Craftsman Enhanced Elevations

Exhibit B—Elevations



REAR ELEVATION



FRONT ELEVATION

Courtyard Townhomes – Prairie Transitional Elevations

Exhibit B—Elevations



Courtyard Townhomes – Prairie Transitional Elevations

Exhibit B—Elevations



REAR ELEVATION



FRONT ELEVATION

Courtyard Townhomes – Farmhouse Transitional Elevations

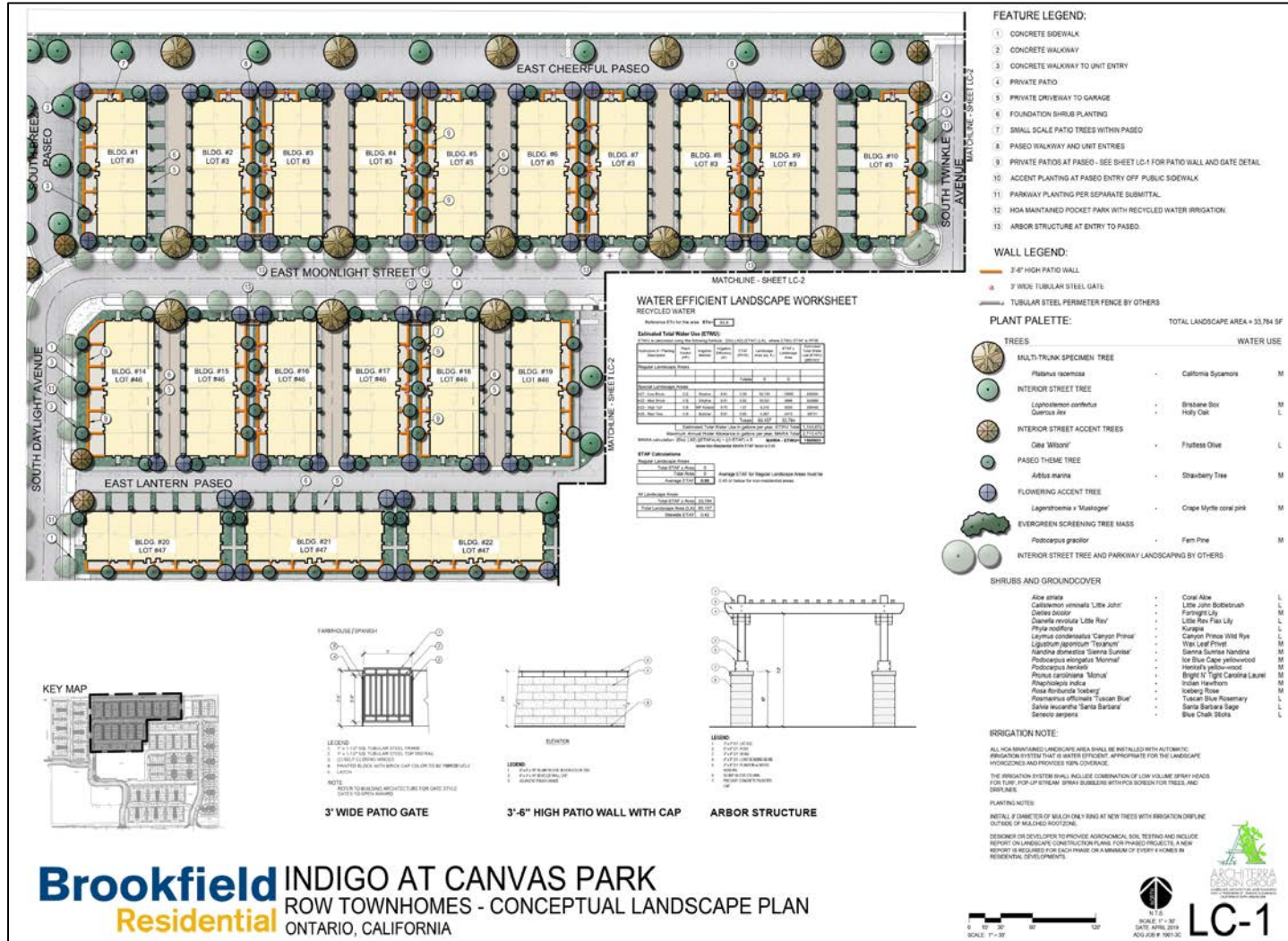
Exhibit B—Elevations



RIGHT ELEVATION (LEFT SIMILAR)

Courtyard Townhomes – Farmhouse Transitional Elevations

Exhibit C—Landscape Plans



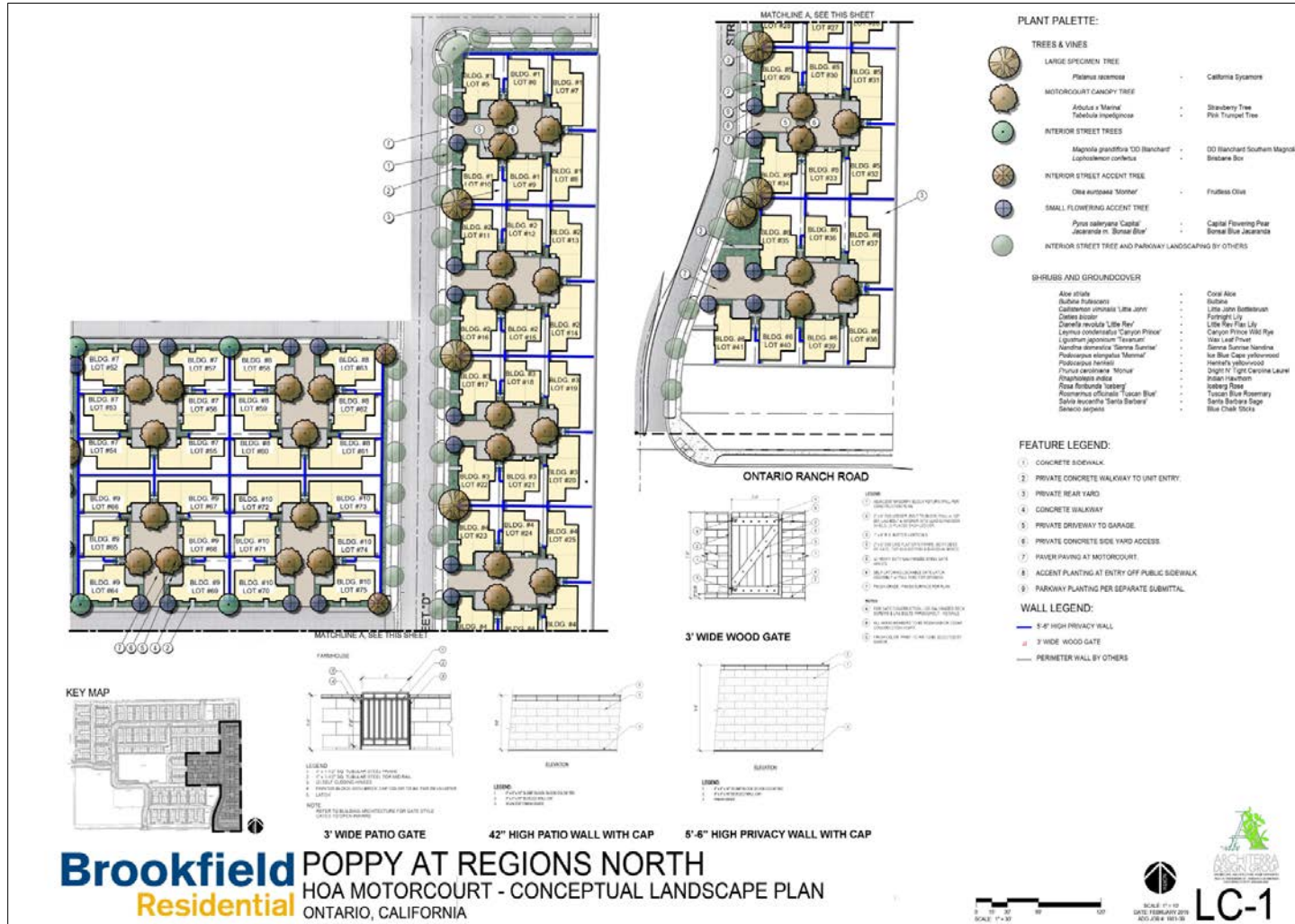
Rowtown Landscape Plan

Exhibit C—Landscape Plans



Rowtown Landscape Plan

Exhibit C—Landscape Plans



6-Pack Cluster Landscape Plan

Exhibit C—Landscape Plans



Courtyard Townhomes Landscape Plan

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-010, A DEVELOPMENT PLAN TO CONSTRUCT 204 MULTIPLE-FAMILY RESIDENTIAL UNITS ON 9.16 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF ONTARIO RANCH ROAD AND HAVEN AVENUE, WITHIN THE MIXED USE DISTRICT PLANNING AREA 6A OF THE RICH HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 218-211-02 AND 218-211-05.

WHEREAS, Brookfield Residential, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-010, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 9.16 acres of land generally located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan, and is presently mass graded and vacant; and

WHEREAS, the property to the north of the Project site is within the SCE Easement/Gas Easement land use district of the Rich Haven Specific Plan, and is developed with SCE transmission lines and towers. The property to the east is within the Mixed Use District Planning Area 6B of the Rich Haven Specific Plan zoning district, and is vacant. The property to the south is within the Mixed Use District Planning Areas 9A and 9B of the Rich Haven Specific Plan zoning district, and is vacant. The property to the west is within the Medium Density Residential land use district of The Avenue Specific Plan, and is developed with a residential subdivision; and

WHEREAS, on July 24, 2018, the Planning Commission approved Tentative Tract Map 20081 (File No. PMTT17-003) to subdivide 44.98 acres into 76 numbered lots and 62 lettered lots for residential and commercial uses, for Condominium Purposes as noted, public/private streets, landscape neighborhood edges, common open space and facilitate the construction of three residential product types, including 6-Pack Cluster homes, Rowtown homes, and Courtyard Townhomes; and

WHEREAS, the project proposes to construct the multiple-family Rowtown product type. The project is proposing to allow for the construction of 34 six-unit complexes for a total 204 units that includes three floor plans and two architectural styles; and

WHEREAS, Plan 1 totals 1,342 square feet and includes 2 bedrooms (optional 3rd bedroom/den) and 2.5 baths. Plan 2 totals 1,396 square feet and includes 3 bedrooms and 2.5 baths. Plan 3 totals 1,507 square feet and includes 3 bedrooms (optional 4th bedroom/den) and 2.5 baths; and

WHEREAS, the proposed multiple-family Rowtown products have garage access from a private lane, with the main entrances of the units fronting the street or paseo; and

WHEREAS, the project proposes a transitional architectural style. Transitional architectural styles incorporate modern materials and design elements into a traditional architectural styles form, elements and massing. The two transitional architectural styles proposed for the Rowtown homes include Spanish and Farmhouse; and

WHEREAS, a parking plan was completed for the related Tentative Tract Map 20081 (File No. PMTT17-003), which demonstrated that there is sufficient parking throughout the approved Tract. The parking plan required a total of 1,166 parking spaces to be provided, with 940 of those parking spaces to be provided within a garage. The parking plan demonstrated that the required parking would be exceeded by 401 spaces and there will be an average of 3.2 parking spaces per unit to accommodate both resident and visitor parking; and

WHEREAS, the project is consistent the approved parking plan for the related Tentative Tract Map 20081 (File No. PMTT17-003). The project is independently required to provide 511 parking spaces and is providing 652 parking spaces. Each unit will provide a two-car garage for a total of 408 enclosed parking spaces. Ten of the proposed Rowtown buildings will provide a two-car driveway for each unit, totaling 120 unenclosed parking spaces. Additionally, the project is providing 122 uncovered parking spaces within the parcels private drive aisles. The project is required to provide 35 visitor parking spaces that will be provided within the driveways and private drive aisles. Based on the parking requirements, the project will be over parked by 141 parking spaces, providing more than adequate parking on-site to accommodate visitors and residents of the proposed development; and

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) 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 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities; and

WHEREAS, the Rowtown homes will feature landscaped parkways and interior landscaped paseos that include accent trees and 3.5-foot high decorative patio walls with entry gate designs that will complement the corresponding architectural style of each unit; and

WHEREAS, the landscape installation will be the responsibility of the builder and maintenance will be the responsibility of the homeowners' association; and

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) 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 the on-going maintenance of the common areas and facilities; and

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

WHEREAS, the environmental impacts of this project were previously 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and 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; 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 May 20, 2019, 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. DAB19-021, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario took action and continued the Project to the June 25, 2019, Planning Commission hearing; and

WHEREAS, on June 25, 2019, 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 Addendums and supporting documentation. Based upon the facts and information contained in the previous Certified EIR Addendums 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010.

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

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

(4) The previous Certified EIR Addendums 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 Addendums, and all mitigation measures previously adopted with the Certified EIR Addendums, are incorporated herein by this reference.

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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 allocates a total of 4,256 dwelling units for the Rich Haven Specific Plan and 1,524 dwelling units within the Moderate Income range (10-24 du/ac). The project is proposing 204 multiple-family units within the Moderate Income range consistent and within the specified ranges and unit counts allowed within 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 Mixed Use land use district of the Policy Plan Land Use Map, and the Planning Area 6A 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 Area 6A of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (multiple-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(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 (Rowtown multiple-family 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 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-010
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: June 25, 2019
File No: PDEV19-010
Related Files: PMTT17-003 (TT20081)

Project Description: A Development Plan to construct 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan. (APNs: 218-211-02 and 218-211-05); **submitted by Brookfield Residential.**

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) and the Rich Haven Specific Plan.

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

(c) 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.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.6 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 Equipment.

(a) 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 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.

2.9 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. 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.

2.10 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.

2.11 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.

2.12 Additional Requirements.

(a) 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.

(b) The project shall be consistent with Development Agreement (File No. PDA17-002) shall apply to this project.

(c) 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.

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

(e) All applicable conditions of approval of TT 20081 (File No. PMTT17-003) shall apply to this project.

(f) 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.

(g) The street adjacent entryways into the paseos shall be constructed with an enhanced trellis/arbor.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV19-010</u> RELATED FILE NO(S). PMTT17-003/TTM20081	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

CITY PROJECT ENGINEER & PHONE NO: CITY PROJECT PLANNER & PHONE NO: DAB MEETING DATE: PROJECT NAME / DESCRIPTION: LOCATION: APPLICANT: REVIEWED BY: APPROVED BY:	Naim Khoury, Associate Engineer (909) 395-2152 NK Lorena Mejia, Senior Planner (909) 395-2429 May 20, 2019 Brookfield Residential at Canvas Park/Regions North. A development project to construct 204 Townhomes (6-plex layout) Northeast corner of Haven Avenue and Ontario Ranch Road Brookfield/BrookCal Ontario, LLC <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> Bryan Lirley, P.E. Principal Engineer </div> <div style="text-align: center;"> <div style="border-bottom: 1px solid black; width: 80px; margin: 0 auto;"></div> 5/15/19 Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="text-align: center;"> Raymond Lee, P.E. Assistant City Engineer </div> <div style="text-align: center;"> <div style="border-bottom: 1px solid black; width: 80px; margin: 0 auto;"></div> 5/15/19 Date </div> </div>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 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 TTM20081/PMTT17-003, 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. TM20081 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 easement(s): _____

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) **Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) **Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public



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

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately _____, 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	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

Specific notes for improvements listed in item no. 2.17, 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 TTM20081.**
 - b) **The applicant/developer shall be responsible to design and construct all in-tract public streets in accordance with the City of Ontario General Plan and Master Plan of Streets and Highways, and applicable standards to the satisfaction of the City Engineer. All street improvements shall include pavement, concrete curb and gutter, sidewalk, parkway landscaping and irrigation, utilities, LED street lights, fiber optic system, signing and striping.**
 - c) **Final Utilities Systems Map: The applicant shall submit a Final utilities systems map with each Precise Grading Plan Submittals. The systems map shall comply with the Ontario Municipal Utilities Company requirements which include showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, Monitoring Manholes, etc.), points of connection, and sizes. This shall include private onsite systems to point of connection with public systems. See USM Requirements document for details.**

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: _____

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:**

Water Service and Backflow Preventer Locations: As part of the Precise Grading Plan submittal, a delta revision submittal to the Water Improvement Plans shall be submitted to relocate proposed water services to align the water service with the backflow



preventer in accordance with City Standards and Requirements for backflow prevention.

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:**

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 install throughout the Tract to meet this requirement, as approved by the City.

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: _____

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 Chino Avenue at Newton 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 the any building permits, a Final Solid Waste Handling Plan Sheet shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. The SWHP Sheet shall demonstrate compliance with the TTM20081 SWHP, dated 06/04/2018, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval.

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: PDEV19-010

The following items are required to be included with the first plan check submittal:

1. A copy of this check list
2. Payment of fee for Plan Checking
3. One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp for all the required improvements specified in the COA for TTM20081
4. One (1) copy of project Conditions of Approval
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. Payment for Final Map/Parcel Map processing fee



- 21. Three (3) copies of Final Map/Parcel Map
- 22. One (1) copy of approved Tentative Map
- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 27. Other: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 27, 2019
SUBJECT: PDEV19-010

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 18, 2019

SUBJECT: PDEV19-010 - A Development Plan approval to construct 204 single-family/multiple-family dwellings on approximately 34.74 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Roach, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-211-01, 0218-211-02 and 0218-211-05).

-
- 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
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies (1,349 Sq. Ft. to 1,507 Sq. Ft)
- F. 2016 **CRC** Occupancy Classification(s): R-3

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, 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-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The 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.
- ☒ 4.3 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 finalized) 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.
- ☒ 5.5 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, Planning Department

FROM: Douglas Sorel, Police Department

DATE: March 5, 2019

SUBJECT: PDEV19-010 – A DEVELOPMENT PLAN TO CONSTRUCT 204 SINGLE FAMILY/MULTI-FAMILY DWELLINGS AT 34.74 ACRES OF LAND AT THE NORTHEAST CORNER OF HAVEN AVENUE AND ONTARIO RANCH ROAD

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. 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 call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell

Carolyn Bell, Sr. Landscape Architect

4/24/19

Date

Reviewer's Name:
Carolyn Bell, Sr Landscape Architect

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV19-010 Rev 2

Case Planner:
 Lorena Mejia

Project Name and Location:
 Solstice Rowtowns at Regions North, Rich Haven SP
 NEC Haven and Ontario Ranch Road

Applicant/Representative:
 Brookfield Residential- Derek Spalding
 3200 Park Center Dr Ste. 1000
 Costa Mesa, CA



A Preliminary Landscape Plan (dated 4/11/19) 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

Civil/ Site Plans

1. Provide conceptual grading and utility plans for all parks
2. Utilities including storm water infiltration facilities shall not displace on-site trees or parkway trees with spacing 30' oc. Parks, paseos or recreation areas approved by this department used for storm water management may utilize vegetated basins, swales and sloped grades but shall not exceed 10% of the landscape area, and be no deeper than 3' from the top of adjacent finished grades.
3. Show corners with accessible ramps, parkways or expanded on-site landscape if crossing not allowed.
4. Show and dimension min 3' wide landscape planters adjacent to all patio walls facing landscape and streets; 3.5' wide planters adjacent to patio walls in paseos facing adjacent patios; and 5' wide planters adjacent to 5' high (back yard) walls.
5. Show transformers and dimension set back 5' from paving all sides.
6. Show backflow devices set back 4' from paving all sides. Locate on level grade
7. 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. Show sewer lines in driveways where possible.
8. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
9. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
10. Note and show on plans: all AC units shall be located away from doors and views.
11. 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

12. Provide conceptual landscape plans for all parks. Include park amenities, cut sheets, images with descriptions or details of conceptual furnishings.
13. Provide conceptual landscape plans for HOA and CFD maintained parkways including street trees and parkway landscape and conceptual irrigation statement.
14. Provide conceptual landscape plans for on-site parkways include street trees spaced 30' apart and groundcovers max 18" high such as *Fragaria*, *Baccharis*, *Lonicera*, *Kurapia* or low water lawn, etc.
15. Show backflow devices with 36" high strappy leaf shrub screening and transformers, a 4'-5' high evergreen hedge screening.
16. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
17. Locate trees for shade on buildings, parking lots, seating areas and paving; screen blank walls; at adjacent properties where missing; accent trees to entries and driveways; provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
18. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
19. Show landscape hydrozones on plan or legend with low water plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations.
20. Replace short lived, high maintenance or poor performing plants: *Magnolia* (pods on sidewalks) consider *Pistachia*, *Quercus agrifolia*, *Q. suber* or *Q. ilex*; reconsider *Cercis* at alley ends to a larger accent tree such as fruitless *Olive* or *Arbutus* large box size. Consider also *Tristania laurina* or *Pinus canariensis*, *Podocarpus gracilior* along north PL to screen SCE easement. Add tall narrow accent tree/shrub between garages at larger planters. Triangularly space onsite and street trees to avoid conflict.
21. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
22. 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.
23. Call out all fences and walls, materials proposed and heights along tract perimeters.
24. Show letter lots between sidewalk and single family residence side yard wall, to identify HOA maintained landscape and recycled water irrigation.
25. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
26. Residential projects shall include a stub-out for future back yard irrigation systems.
27. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
28. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
29. Provide phasing map for multi-phase projects.
30. 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)	<u>\$278.00</u>
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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-010
 Address: NEC Haven Avenue & Ontario Ranch Road
 APN: 0218-211-02 & 0218-211-05
 Existing Land Use: Vacant/Agricultural Dairy Farm
 Proposed Land Use: Development Plan to construct 214 multi-family units
 Site Acreage: 13.9 acres Proposed Structure Height: 32 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 4/22/19
 CD No.: 2019-014
 PALU No.: n/a

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

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

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

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

CONSISTENCY DETERMINATION

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

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

See attached condition.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2019-014
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.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-011, A DEVELOPMENT PLAN TO CONSTRUCT 61 SINGLE-FAMILY RESIDENTIAL UNITS ON 4.7 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF ONTARIO RANCH ROAD AND HAVEN AVENUE, WITHIN THE MIXED USE DISTRICT PLANNING AREA 6A OF THE RICH HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 218-211-02 AND 218-211-05.

WHEREAS, Brookfield Residential, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-011, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.7 acres of land generally located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan, and is presently mass graded and vacant; and

WHEREAS, the property to the north of the Project site is within the SCE Easement/Gas Easement land use district of the Rich Haven Specific Plan, and is developed with SCE transmission lines and towers. The property to the east is within the Mixed Use District Planning Area 6B of the Rich Haven Specific Plan zoning district, and is vacant. The property to the south is within the Mixed Use District Planning Areas 9A and 9B of the Rich Haven Specific Plan zoning district, and is vacant. The property to the west is within the Medium Density Residential land use district of The Avenue Specific Plan, and is developed with a residential subdivision; and

WHEREAS, on July 24, 2018, the Planning Commission approved Tentative Tract Map 20081 (File No. PMTT17-003) to subdivide 44.98 acres into 76 numbered lots and 62 lettered lots for residential and commercial uses, for Condominium Purposes as noted, public/private streets, landscape neighborhood edges, common open space and facilitate the construction of three residential product types, including 6-Pack Cluster homes, Rowtown homes, and Courtyard Townhomes; and

WHEREAS, project proposes 61 single-family homes in a 6-Pack Cluster design, located along the eastern portion of Tract 20081. Each cluster lot has minimum exterior dimensions of 130 x145 feet and is divided into six lots, which range from 2,150 to 5,089 square feet in area; and

WHEREAS, the 6-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 three distinct floor plans proposed for each cluster, with three

elevations per plan. The rear and front units were designed to incorporate an 18-foot minimum driveway in addition to the required 2-car garage, providing a total of four parking spaces for those units; and

WHEREAS, the project proposes a transitional architectural style. Transitional architectural styles incorporate modern materials and design elements into a traditional architectural styles form, elements and massing. The three transitional architectural styles proposed for the single-family homes include Spanish, Craftsman and Farmhouse; and

WHEREAS, a parking plan was completed for the related Tentative Tract Map 20081 (File No. PMTT17-003) and demonstrated that there is sufficient parking throughout the approved Tract. The parking plan required a total of 1,166 parking spaces to be provided, with 940 of those parking spaces to be provided within a garage. The parking plan demonstrated that the required parking would be exceeded by 401 spaces and there will be an average of 3.2 parking spaces per unit to accommodate both resident and visitor parking; and

WHEREAS, the project is consistent the approved parking plan for Tentative Tract Map 20081 (File No. PMTT17-003). The project requires a two-car garage for each single-family home, which each unit provides. Additionally, Plans 2 and 3 also provide a driveway that accommodates two additional spaces per unit. The project will be over parked by 82 parking spaces, providing more than adequate parking on-site to accommodate visitors and residents of the proposed development; and

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) 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 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities; and

WHEREAS, the cluster product will be provided with front yard/private lane courtyard landscaping and an automatic irrigation system to be installed by the developer and maintained by the homeowner's association. The homeowner will be responsible for rear yard landscape improvements and maintenance; and

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) 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 the on-going maintenance of the common areas and facilities; and

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

WHEREAS, the environmental impacts of this project were previously 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and 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; 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 May 20, 2019, 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. DAB19-022, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario took action and continued the Project to the June 25, 2019, Planning Commission hearing; and

WHEREAS, on June 25, 2019, 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 Addendums and supporting documentation. Based upon the facts and information contained in the previous Certified EIR Addendums 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010.

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

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

(4) The previous Certified EIR Addendums 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 Addendums, and all mitigation measures previously adopted with the Certified EIR Addendums, are incorporated herein by this reference.

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

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation,

at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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 allocates a total of 4,256 dwelling units for the Rich Haven Specific Plan and 1,524 dwelling units within the Moderate Income range (10-24 du/ac). The project is proposing 61 single-family units within the Moderate Income range consistent and within the specified ranges and unit counts allowed within 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 Mixed Use land use district of the Policy Plan Land Use Map, and the Planning Area 6A 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 Area 6A of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (multi-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(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 (single-family 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 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-011
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 25, 2019
File No: PDEV19-011
Related Files: PMTT17-003 (TT20081)

Project Description: A Development Plan (File No. PDEV19-011) to construct 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan. (APNs: 218-211-02 and 218-211-05); **submitted by Brookfield Residential.**

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) and the Rich Haven Specific Plan.

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

(c) 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.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.6 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 Equipment.

(a) 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 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.

2.9 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. 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.

2.10 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.

2.11 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.

2.12 Additional Requirements.

(a) 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.

(b) The project shall be consistent with Development Agreement (File No. PDA17-002) shall apply to this project.

(c) 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.

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

(e) All applicable conditions of approval of TT 20081 (File No. PMTT17-003) shall apply to this project.

(f) 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.

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

(h) 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)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV19-011</u> RELATED FILE NO(S). PMTT17-003/TTM20081	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: CITY PROJECT PLANNER & PHONE NO: DAB MEETING DATE: PROJECT NAME / DESCRIPTION: LOCATION: APPLICANT: REVIEWED BY: APPROVED BY:	Naiim Khoury, Associate Engineer <i>NK</i> (909) 395-2152 Lorena Mejia, Senior Planner (909) 395-2429 May 20, 2019 Brookfield Residential at Canvas Park/Regions North. A development project to construct 61 SFR Northeast corner of Haven Avenue and Ontario Ranch Road Brookfield/BrookCal Ontario, LLC <i>Bryan Lirley</i> <u>5/15/19</u> Bryan Lirley, P.E. Date Principal Engineer <i>Raymond Lee</i> <u>5/15/19</u> Raymond Lee, P.E. 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 TTM20081/PMTT17-003, 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. TM20081 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 easement(s): _____

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security



deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately _____, 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	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

Specific notes for improvements listed in item no. 2.17, 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 TTM20081.**
 - b) **The applicant/developer shall be responsible to design and construct all in-tract public streets in accordance with the City of Ontario General Plan and Master Plan of Streets and Highways, and applicable standards to the satisfaction of the City Engineer. All street improvements shall include pavement, concrete curb and gutter, sidewalk, parkway landscaping and irrigation, utilities, LED street lights, fiber optic system, signing and striping.**
 - c) **Final Utilities Systems Map: The applicant shall submit a Final utilities systems map with each Precise Grading Plan Submittals. The systems map shall comply with the Ontario Municipal Utilities Company requirements which include showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDA's, Monitoring Manholes, etc.), points of connection, and sizes. This shall include private onsite systems to point of connection with public systems. See USM Requirements document for details.**

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: _____

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: _____



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:**

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 install throughout the Tract to meet this requirement, as approved by the City.

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: _____

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 Chino Avenue at Newton 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 the any building permits, a Final Solid Waste Handling Plan Sheet shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. The SWHP Sheet shall demonstrate compliance with the TTM20081 SWHP, dated 06/04/2018, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval.

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: PDEV19-011

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 for TTM20081
4. One (1) copy of project Conditions of Approval
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. Payment for Final Map/Parcel Map processing fee



- 21. Three (3) copies of Final Map/Parcel Map
- 22. One (1) copy of approved Tentative Map
- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 27. Other: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 27, 2019
SUBJECT: PDEV19-011

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 18, 2019

SUBJECT: PDEV19-011 - A Development Plan to construct 61 single-family dwellings on approximately 34.74 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Roach, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-211-01, 0218-211-02 and 0218-211-05).

-
- 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
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies (1,943 Sq. Ft. to 2,331 Sq. Ft)
- F. 2016 **CRC** Occupancy Classification(s): R-3

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, 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-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The 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.
- ☒ 4.3 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.

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.

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

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell

Carolyn Bell, Sr. Landscape Architect

4/24/19

Date

Reviewer's Name:
Carolyn Bell, Sr Landscape Architect

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV19-011 Rev 2

Case Planner:
 Lorena Mejia

Project Name and Location:
 Poppy at Regions North, Rich Haven SP
 NEC Haven and Ontario Ranch Road

Applicant/Representative:
 Brookfield Residential- Derek Spalding
 3200 Park Center Dr Ste. 1000
 Costa Mesa, CA



A Preliminary Landscape Plan (dated 4/11/19) 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

Civil/ Site Plans

1. Provide conceptual grading and utility plans for all parks
2. Utilities including storm water infiltration facilities shall not displace on-site trees or parkway trees with spacing 30' oc. Parks, paseos or recreation areas approved by this department used for storm water management may utilize vegetated basins, swales and sloped grades but shall not exceed 10% of the landscape area, and be no deeper than 3' from the top of adjacent finished grades.
3. Show and dimension min 3' wide landscape planters adjacent to all patio walls facing landscape and streets; 3.5' wide planters adjacent to patio walls in paseos facing adjacent patios; and 5' wide planters adjacent to 5' high (back yard) walls.
4. Show transformers and dimension set back 5' from paving all sides.
5. Show backflow devices set back 4' from paving all sides. Locate on level grade
6. 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. Show sewer lines in driveways where possible.
7. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
8. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
9. Note and show on plans: all AC units shall be located away from doors and views.
10. 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

11. Provide conceptual landscape plans for all parks. Include park amenities, cut sheets, images with descriptions or details of conceptual furnishings.
12. Provide conceptual landscape plans for HOA and CFD maintained parkways including street trees and parkway landscape and conceptual irrigation statement.
13. Provide conceptual landscape plans for on-site parkways include street trees spaced 30' apart and groundcovers max 18" high such as *Fragaria*, *Baccharis*, *Lonicera*, *Kurapia* or low water lawn, etc.
14. Show backflow devices with 36" high strappy leaf shrub screening and transformers, a 4'-5' high evergreen hedge screening.
15. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
16. Locate trees for shade on buildings, parking lots, seating areas and paving; screen blank walls; at adjacent properties where missing; accent trees to entries and driveways; provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
17. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
18. Show landscape hydrozones on plan or legend with low water plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations.
19. Replace short lived, high maintenance or poor performing plants: *Magnolia* (pods on sidewalks) consider *Pistachia*, *Quercus agrifolia*, *Q. suber* or *Q. ilex*; change *Arbutus* motorcourt canopy tree to a larger accent tree such as noted above. Consider also *Tristania laurina* or *Pinus canariensis*, *Podocarpus gracilior* along north PL to screen SCE easement. Add tall narrow accent tree/shrub between garages at larger planters: *Cupressus* 'Tiny Tower' ok provide second type similar size for adjacent motor courts. Triangularly space onsite and street trees to avoid conflict.
20. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
21. 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.
22. Call out all fences and walls, materials proposed and heights along tract perimeters.
23. Show letter lots between sidewalk and single family residence side yard wall, to identify HOA maintained landscape and recycled water irrigation.
24. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
25. Residential projects shall include a stub-out for future back yard irrigation systems.
26. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
27. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
28. Provide phasing map for multi-phase projects.
29. 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



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: March 5, 2019

SUBJECT: PDEV19-011 – A DEVELOPMENT PLAN TO CONSTRUCT 61 SINGLE FAMILY DWELLINGS AT 34.74 ACRES OF LAND AT THE NORTHEAST CORNER OF HAVEN AVENUE AND ONTARIO RANCH ROAD

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. 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 call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-011

Address: NEC Haven Avenue & Ontario Ranch Road

APN: 0218-211-02 & 0218-211-05

Existing Land Use: Vacant/Agricultural Dairy Farm

Proposed Land Use: Development Plan to construct 61 single-family homes

Site Acreage: 5.9 acres Proposed Structure Height: 28FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 4/22/19

CD No.: 2019-015

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

See attached condition.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2019-015
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.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-012, A DEVELOPMENT PLAN TO CONSTRUCT 168 MULTIPLE-FAMILY RESIDENTIAL UNITS ON 7.29 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF ONTARIO RANCH ROAD AND HAVEN AVENUE, WITHIN THE MIXED USE DISTRICT PLANNING AREA 6A OF THE RICH HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 218-211-02 AND 218-211-05.

WHEREAS, Brookfield Residential, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-012, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 7.29 acres of land generally located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan, and is presently mass graded and vacant; and

WHEREAS, the property to the north of the Project site is within the SCE Easement/Gas Easement land use district of the Rich Haven Specific Plan, and is developed with SCE transmission lines and towers. The property to the east is within the Mixed Use District Planning Area 6B of the Rich Haven Specific Plan zoning district, and is vacant. The property to the south is within the Mixed Use District Planning Areas 9A and 9B of the Rich Haven Specific Plan zoning district, and is vacant. The property to the west is within the Medium Density Residential land use district of The Avenue Specific Plan, and is developed with a residential subdivision; and

WHEREAS, on July 24, 2018, the Planning Commission approved a Tentative Tract Map 20081 (File No. PMTT17-003) to subdivide 44.98 acres into 76 numbered lots and 62 lettered lots for residential and commercial uses, for Condominium Purposes as noted, public/private streets, landscape neighborhood edges, common open space and facilitate the construction of three residential product types, including 6-Pack Cluster homes, Rowtown homes, and Courtyard Townhomes; and

WHEREAS, the project proposes to construct the multiple-family Courtyard Townhomes product type. The project is proposing to allow for the construction of twelve 14-unit complexes for a total 168 units that includes six floor plans and two architectural styles; and

WHEREAS, unit sizes range from 972 to 1,803 square feet; and

WHEREAS, the proposed Courtyard Townhome product has garage access from an autocourt, with main entrances of units fronting the street or paseo; and

WHEREAS, the project proposes a transitional architectural style. Transitional architectural styles incorporate modern materials and design elements into a traditional architectural styles form, elements and massing. The two transitional architectural styles proposed include Prairie and Farmhouse; and

WHEREAS, a parking plan was completed for the related Tentative Tract Map 20081 (File No. PMTT17-003) and demonstrated that there is sufficient parking throughout the approved Tract. The parking plan required a total of 1,166 parking spaces to be provided, with 940 of those parking spaces to be provided within a garage. The parking plan demonstrated that the required parking would be exceeded by 401 spaces and there will be an average of 3.2 parking spaces per unit to accommodate both resident and visitor parking; and

WHEREAS, the project is consistent the approved parking plan for Tentative Tract Map 20081 (File No. PMTT17-003). The project is independently required to provide 438 parking spaces and is providing 442 parking spaces. Each unit will provide a two-car garage for a total of 408 enclosed parking spaces. Each complex will provide 26 garage spaces for a total of 312 covered parking spaces. The project is providing 130 uncovered parking spaces within the parcels private drive aisles. Furthermore, the project is providing a surplus of 36 spaces within its project parcels independent of the additional parking spaces provided throughout the overall tract, providing more than adequate parking on-site to accommodate visitors and residents of the proposed development; and

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) 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 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are a 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities; and

WHEREAS, the Courtyard Townhome will feature landscaped parkways and interior landscaped paseos that include accent trees and 3.5-foot high decorative patio walls with entry gate designs that will complement each architectural style; and

WHEREAS, the landscape installation will be the responsibility of the builder and maintenance will be the responsibility of the homeowners' association; and

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) 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 the on-going maintenance of the common areas and facilities; and

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

WHEREAS, the environmental impacts of this project were previously 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and 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; 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 May 20, 2019, 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. DAB19-023, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario took action and continued the Project to the June 25, 2019, Planning Commission hearing; and

WHEREAS, on June 25, 2019, 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 Addendums and supporting documentation. Based upon the facts and information contained in the previous Certified EIR Addendums 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010.

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

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

(4) The previous Certified EIR Addendums 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 Addendums, and all mitigation measures previously adopted with the Certified EIR Addendums, are incorporated herein by this reference.

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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 allocates a total of 4,256 dwelling units for the Rich Haven Specific Plan and 1,524 dwelling units within the Moderate Income range (10-24 du/ac). The project is proposing 168 multiple-family units within the Moderate Income range consistent and within the specified ranges and unit counts allowed within 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 Mixed Use land use district of the Policy Plan Land Use Map, and the

Planning Area 6A 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 Area 6A of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (Multiple-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(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 (Multiple-family 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 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-012
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 25, 2019
File No: PDEV19-012
Related Files: PMTT17-003 (TT20081)

Project Description: A Development Plan to construct 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan. (APNs: 218-211-02 and 218-211-05); **submitted by Brookfield Residential.**

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) and the Rich Haven Specific Plan.

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

(c) 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.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.6 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 Equipment.

(a) 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 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.

2.9 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction 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 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. 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.

2.10 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.

2.11 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.

2.12 Additional Requirements.

(a) 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.

(b) The project shall be consistent with Development Agreement (File No. PDA17-002) shall apply to this project.

(c) 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.

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

(e) All applicable conditions of approval of TT 20081 (File No. PMTT17-003) shall apply to this project.

(f) 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.

(g) The street adjacent entryways into the paseos shall be constructed with an enhanced trellis/arbor.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV19-012</u> RELATED FILE NO(S). <u>PMTT17-003/TTM20081</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> 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:	Brookfield Residential at Canvas Park/Regions North. A development project to construct 168 Townhomes (14-plex layout)
LOCATION:	Northeast corner of Haven Avenue and Ontario Ranch Road
APPLICANT:	Brookfield/BrookCal Ontario, LLC
REVIEWED BY:	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> Bryan Lirley, P.E. Principal Engineer </div> <div style="text-align: center;"> <u>5/15/19</u> Date </div> </div>
APPROVED BY:	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> Raymond Lee, P.E. Assistant City Engineer </div> <div style="text-align: center;"> <u>5/15/19</u> Date </div> </div>



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 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 TTM20081/PMTT17-003, 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. TM20081 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 easement(s): _____
- 2.12 **New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public



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

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately _____, 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	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

Specific notes for improvements listed in item no. 2.17, 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 TTM20081.**
 - b) **The applicant/developer shall be responsible to design and construct all in-tract public streets in accordance with the City of Ontario General Plan and Master Plan of Streets and Highways, and applicable standards to the satisfaction of the City Engineer. All street improvements shall include pavement, concrete curb and gutter, sidewalk, parkway landscaping and irrigation, utilities, LED street lights, fiber optic system, signing and striping.**
 - c) **Final Utilities Systems Map: The applicant shall submit a Final utilities systems map with each Precise Grading Plan Submittals. The systems map shall comply with the Ontario Municipal Utilities Company requirements which include showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDA's, Monitoring Manholes, etc.), points of connection, and sizes. This shall include private onsite systems to point of connection with public systems. See USM Requirements document for details.**

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: _____

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:**

Water Service and Backflow Preventer Locations: As part of the Precise Grading Plan submittal, a delta revision submittal to the Water Improvement Plans shall be submitted



to relocate proposed water services to align the water service with the backflow preventer in accordance with City Standards and Requirements for backflow prevention.

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:**

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.

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: _____

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 Chino Avenue at Newton 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 the any building permits, a Final Solid Waste Handling Plan Sheet shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. The SWHP Sheet shall demonstrate compliance with the TTM20081 SWHP, dated 06/04/2018, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval.

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: PDEV19-012

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 for TTM20081**
4. **One (1) copy of project Conditions of Approval**
5. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
6. **Three (3) sets of Public Street improvement plan with street cross-sections**
7. **Three (3) sets of Private Street improvement plan with street cross-sections**
8. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
9. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
10. **Four (4) sets of Public Sewer improvement plan**
11. **Five (5) sets of Public Storm Drain improvement plan**
12. **Three (3) sets of Public Street Light improvement plan**
13. **Three (3) sets of Signing and Striping improvement plan**
14. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
16. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
17. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
18. **One (1) copy of Hydrology/Drainage study**
19. **One (1) copy of Soils/Geology report**
20. **Payment for Final Map/Parcel Map processing fee**



21. Three (3) copies of Final Map/Parcel Map
22. One (1) copy of approved Tentative Map
23. One (1) copy of Preliminary Title Report (current within 30 days)
24. One (1) copy of Traverse Closure Calculations
25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
26. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
27. Other: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 27, 2019
SUBJECT: PDEV19-012

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 18, 2019

SUBJECT: PDEV19-012 - A Development Plan to construct 168 single-family/multiple-family dwellings on approximately 34.74 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Roach, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-211-01, 0218-211-02 and 0218-211-05).

-
- 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
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies (972 Sq. Ft. to 1,803 Sq. Ft)
- F. 2016 **CRC** Occupancy Classification(s): R-3

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, 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-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.4 The 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.
- 4.3 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 finalized) 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.

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

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell

Carolyn Bell, Sr. Landscape Architect

4/24/19

Date

Reviewer's Name:

Carolyn Bell, Sr Landscape Architect

Phone:

(909) 395-2237

D.A.B. File No.:

PDEV19-012 Rev 2

Case Planner:

Lorena Mejia

Project Name and Location:

Holiday Townhomes at Regions North, Rich Haven SP
 NEC Haven and Ontario Ranch Road

Applicant/Representative:

Brookfield Residential- Derek Spalding
 3200 Park Center Dr Ste. 1000
 Costa Mesa, CA



A Preliminary Landscape Plan (dated 4/11/19) 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

Civil/ Site Plans

1. Provide conceptual grading and utility plans for all parks.
2. Utilities including storm water infiltration facilities shall not displace on-site trees or parkway trees with spacing 30' oc. Parks, paseos or recreation areas approved by this department used for storm water management may utilize vegetated basins, swales and sloped grades but shall not exceed 10% of the landscape area, and be no deeper than 3' from the top of adjacent finished grades.
3. Show and dimension min 3' wide landscape planters adjacent to all patio walls facing landscape and streets; 3.5' wide planters adjacent to patio walls in paseos facing adjacent patios; and 5' wide planters adjacent to 5' high (back yard) walls.
4. Show transformers and dimension set back 5' from paving all sides.
5. Show backflow devices set back 4' from paving all sides. Locate on level grade
6. 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. Show sewer lines in driveways where possible.
7. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
8. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
9. Note and show on plans: all AC units shall be located away from doors and views.
10. 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

11. Provide conceptual landscape plans for all parks. Include park amenities, cut sheets, images with descriptions or details of conceptual furnishings.
12. Provide conceptual landscape plans for HOA and CFD maintained parkways including street trees and parkway landscape and conceptual irrigation statement.
13. Provide conceptual landscape plans for on-site parkways include street trees spaced 30' apart and groundcovers max 18" high such as Fragaria, Baccharis, Lonicera, Kurapia or low water lawn, etc.
14. Show backflow devices with 36" high strappy leaf shrub screening and transformers, a 4'-5' high evergreen hedge screening.
15. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
16. Locate trees for shade on buildings, parking lots, seating areas and paving; screen blank walls; at adjacent properties where missing; accent trees to entries and driveways; provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
17. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
18. Show landscape hydrozones on plan or legend with low water plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations.
19. Replace short lived, high maintenance or poor performing plants: Magnolia (pods on sidewalks) consider Pistachia, Quercus agrifolia, Q suber or Q ilex. Consider also Tristania laurina or Pinus canariensis, Podocarpus gracilior along north PL to screen SCE easement. Triangularly space onsite and street trees to avoid conflict.
20. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
21. 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.
22. Call out all fences and walls, materials proposed and heights along tract perimeters.
23. Show letter lots between sidewalk and single family residence side yard wall, to identify HOA maintained landscape and recycled water irrigation.
24. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
25. Residential projects shall include a stub-out for future back yard irrigation systems.
26. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
27. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
28. Provide phasing map for multi-phase projects.
29. 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)	<u>\$278.00</u>
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



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: March 5, 2019

SUBJECT: PDEV19-012 – A DEVELOPMENT PLAN TO CONSTRUCT 168 SINGLE FAMILY/MULTI-FAMILY DWELLINGS AT 34.74 ACRES OF LAND AT THE NORTHEAST CORNER OF HAVEN AVENUE AND ONTARIO RANCH ROAD

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. 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 call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-012

Address: NEC Haven Avenue & Ontario Ranch Road

APN: 0218-211-02 & 0218-211-05

Existing Land Use: Vacant/Agricultural Dairy Farm

Proposed Land Use: Development Plan to construct 210 multi-family units

Site Acreage: 15.4 acres Proposed Structure Height: 35 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 4/22/19

CD No.: 2019-016

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

See attached condition.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2019-016
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.



PLANNING COMMISSION STAFF REPORT

June 25, 2019

FILE NO.: PMTT18-001

SUBJECT: A Tentative Parcel Map (TPM 19936) to subdivide 51.9 acres of land into two parcels, located at 5100 East Jurupa Avenue and 5171 East Francis Street, within the IH (Heavy Industrial) and UC (Utilities Corridor) zoning districts (APN: 238-132-24); **submitted by New Indy Containerboard.**

PROPERTY OWNER: New Indy Ontario, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No. PMTT18-001 (TPM 19936), 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 51.9 acres of land located at 5100 East Jurupa Avenue and 5171 East Francis Street, within the IH (Heavy Industrial) and UC (Utilities Corridor) zoning districts, and is depicted in Figure 1: Project Location, below. The project site is part of a 51.05-acre through lot having two street frontages: Jurupa Street and Francis Street. The site has a varying 60- to 65-foot wide San Bernardino County flood control channel easement (Lower Etiwanda Creek Channel) that runs along the project site's easterly property line, which turns westward towards a San Bernardino County flood control basin located along the southerly portion of the project site. The flood control channel physically divides the parcel and is located approximately 1,900 feet south of Jurupa Street. The site also has an existing 30-foot wide rail spur easement that traverses the parcel from the east, which enters the property over a bridge that spans approximately 50 to 60 feet across the flood control channel. Additionally, there are multiple easements located



Figure 1: Project Location

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	1/4/2018

Hearing Body	Date	Decision	Action
DAB	6/17/19	Approved	Recommend
PC	6/25/19		Final
CC			

parallel to the project site's westerly property line, for public utilities, flood control, SCE, Southern California Gas, and public roadway purposes, which vary in width from 4 feet to 90 feet. The project site is presently developed with a paper mill to the north and a cardboard manufacturing building to the south (**see Exhibit A – Project Site, attached**).

PROJECT ANALYSIS:

[1] Background — The northern portion of the site was initially developed with a paper mill in 1985. The paper mill produces corrugated paper, unbleached kraftliner, and recycled paper products. There have been subsequent building additions to the project site to support the paper mill facility operations, including cooling towers and steam plant. Most recently, File No. PDEV18-021 was approved by the Development Advisory Board on June 18, 2018, for the construction of a new heat and power plant facility, which is presently under construction.

On February 17, 2016, File No. PDEV15-025 was approved by the Development Advisory Board for the development of the southern portion of the site with a 147,542 square foot industrial manufacturing building. The building was completed in 2017 and is occupied by Encorr Sheet Plant, a manufacturer of paper and cardboard containers, which utilizes raw paper products from the paper mill. The two facilities are owned by the same parent company (New-Indy Ontario); however, they operate as two independent business entities. The owner is seeking Tentative Parcel Map approval to subdivide the project site, thereby further separating the business entities.

On June 17, 2019, 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] Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the 51.9-acre project site into two parcels (**see Exhibit B – Tentative Parcel Map, attached**). Parcel 1, the northern parcel, is 41.69 acres in size and encompasses 17 structures totaling 165,763 square feet, which includes two office buildings (totaling 10,367 square feet), a paper mill (110,715 square feet), a substation building (2,010 square feet), eight storage sheds (totaling 5,956 square feet), a process building (2,370 square feet), an equipment room (7,800 square feet), a maintenance building (2,700 square feet), two cooling towers (totaling 1,822 square feet), a heat and power plant currently under construction (22,023 square feet), and a parking lot containing 173 spaces. Parcel 2, the southern parcel, is 10.3 acres in size and encompasses the 147,452 square foot cardboard manufacturing facility and a parking lot containing 118 spaces. The proposed parcel sizes, as described above, exceed the minimum 10,000-square foot lot size requirement of the IH (Heavy Industrial) zoning district. Additionally, the proposed subdivision will not result in the creation of any nonconforming building setbacks, FARs, landscape coverages and setbacks, or off-street parking facilities.

[3] Covenants, Conditions & Restrictions (CC&Rs) — The applicant will be required to establish CC&Rs for the project site, which will establish the property rights and responsibilities for each property owner. The CC&Rs will be recorded with the final map and address common maintenance, reciprocal access between parcels, and any common maintenance of landscaped areas, irrigation systems, parking facilities, and utility/drainage/flood control/rail easements.

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

[2] Governance.

Decision Making:

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

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

[3] Policy Plan (General Plan)

Land Use Element:

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

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

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of

choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

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.

- CE2-4 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.

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

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

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

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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. Class 15 allows for the division of property in urbanized areas for industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Paper Mill – Container Board Manufacturer	IND - Industrial \OS-NR - Open Space-Non Recreation	IH – Heavy Industrial/UC – Utility Corridor	N/A
<i>North:</i>	Industrial Warehouse	IND - Industrial	Pacific Gate/East Gate Specific Plan	Light Industrial
<i>South:</i>	Industrial Warehouse	IND - Industrial	IH – Heavy Industrial	N/A
<i>East:</i>	Southern California Utility Easement – Transmission Towers	OS-NR - Open Space - Non Recreation	UC – Utility Corridor	N/A
<i>West:</i>	Flood Control Channel and Basin	OS-NR - Open Space - Non Recreation	UC – Utility Corridor	N/A

General Site & Parcel Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	51.9 acres	N/A	N/A
<i>Lot/Parcel Size:</i>	Parcel 1: 41.69 acres Parcel 2: 10.3 acres	10,000 SF or 0.22 Acre (Min.)	Y
<i>Floor Area Ratio:</i>	Parcel 1: 0.09 FAR Parcel 2: 0.32 FAR	0.55 (Max.)	Y

Exhibit A—PROJECT SITE



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT18-001, A TENTATIVE PARCEL MAP TO SUBDIVIDE 51.9 ACRES OF LAND INTO TWO PARCELS, LOCATED AT 5100 EAST JURUPA AVENUE AND 5171 EAST FRANCIS STREET, WITHIN THE IH (HEAVY INDUSTRIAL) AND UC (UTILITY CORRIDOR) ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 238-132-24.

WHEREAS, New Indy Ontario, LLC ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT18-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 51.9 acres of land located at 5100 East Jurupa Avenue and 5171 East Francis Street within the IH (Heavy Industrial) and UC (Utilities Corridor), and is presently improved with 18 buildings totaling 313,215 square feet to support a paper mill and a cardboard manufacturing business; and

WHEREAS, the property to the north of the Project site is within the Light Industrial district of the Pacific Gate/East Gate Specific Plan, and is developed with an Industrial warehouse. The property to the east is within the UC (Utilities Corridor) zoning district, and is developed with Southern California Edison transmission towers and electrical lines. The property to the south is within the IH (Heavy Industrial) zoning district, and is developed with an industrial warehouse. The property to the west is within the UC (Utilities Corridor) zoning district, and is developed with a flood control channel and basin; and

WHEREAS, the proposed Tentative Parcel Map will subdivide the 51.9-acre project site into two parcels; and

WHEREAS, Parcel 1, the northern parcel, is 41.69 acres in size and encompasses 17 structures totaling 165,763 square feet; and

WHEREAS, Parcel 2, the southern parcel, is 10.3 acres in size and encompasses one building totaling 147,452 square feet; and

WHEREAS, the proposed parcel sizes, exceed the minimum 10,000-square foot lot size requirement of the IH (Heavy Industrial) zoning district; and

WHEREAS, the proposed subdivision will not result in the creation of any nonconforming building setbacks, FARs, landscape coverages and setbacks, or off-street parking facilities; and

WHEREAS, the applicant is required to establish Covenants, Conditions and Restrictions (CC&R's) for the project site, which will establish the property rights and responsibilities for each property owner. The CC&R's will be recorded with the final map and address common maintenance, reciprocal access between parcels, and any common maintenance of landscaped areas, irrigation systems, parking facilities, and utility/drainage/flood control/rail easements; and

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

WHEREAS, the 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 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;

WHEREAS, on June 17, 2019, 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. DAB19-025, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, 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 have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. Class 15 allows for the division of property in urbanized areas for industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent; 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 Section 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located within the IND (Industrial) and OS-NR (Open Space-Non Recreation) land use district of the Policy Plan Land Use Map, and the IH (Heavy Industrial) and UC (Utility Corridor) zoning districts. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to the establishment of "[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses" (Goal CD1). Furthermore, the project will promote the City's policy to "take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods" (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the IND (Industrial) and OS-NR (Open Space-Non

Recreation) land use district of the Policy Plan Land Use Map, and the IH (Heavy Industrial) and UC (Utility Corridor) zoning districts. The proposed design of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the IH (Heavy Industrial) and UC (Utility Corridor) zoning districts, and is physically suitable for the type of Industrial development that exists in terms of zoning, land use and development activity, and existing site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is currently developed with industrial development and the proposed subdivision will be consistent with the required floor area ratio of 0.55 for the IH (Heavy Industrial) zoning district. The proposed subdivision will also be consistent with the minimum lot area and dimensions of the IH (Heavy Industrial) and UC (Utility Corridor) zoning districts. Furthermore, the project site is physically suitable for sustaining the existing intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The project site is presently developed and the proposed subdivision, and the existing conditions on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has

provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 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 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT18-001
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 25, 2019

File No: PMTT18-001

Related Files: N/A

Project Description: A Tentative Parcel Map (TPM 19936) to subdivide 51.9 acres of land into two parcels, located at 5100 East Jurupa Avenue and 5171 East Francis Street, within the (IH) Heavy Industrial and (UC) Utilities Corridor zoning districts (APN: 238-132-24); **submitted by New Indy Containerboard.**

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.

1.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

1.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations from the approved Tentative Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

(a) CC&Rs shall be prepared for the Project and shall be recorded with the Final Parcel Map.

(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 access between parcels.

(d) CC&Rs shall ensure reciprocal 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 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.

1.4 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 15315 (Class 15 - Minor Land Divisions) of the CEQA Guidelines. Class 15 allows for the division of property in urbanized areas for industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

1.5 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.

1.6 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.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT18-001
 Address: 5171 East Francis Street
 APN: 0238-134-24
 Existing Land Use: Paper/cardboard Manufacturer
 Proposed Land Use: Subdivide 51.05 acres into 2 parcels
 Site Acreage: 51.05 ac Proposed Structure Height: Existing Structures
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 2/20/18
 CD No.: 2018-002
 PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development and Environmental], Traffic/Transportation Division,
Ontario Municipal Utilities Company and Management Services Department)

DATE: **June 7, 2019**

DAB MEETING DATE: **June 17, 2019**

PROJECT ENGINEER: **Naiim Khoury, Associate Engineer** *NK*
909.395.2152

PROJECT PLANNER: **Lorena Mejia, Senior Planner**
909.395.2429

PROJECT: **PMTT18-001-Tentative Parcel Map 19936 to subdivide approximately
52 acres of land into two parcels within the IH (Heavy Industrial)
Zoning District (APN: 0238-132-24)**

APPLICANT: **Paul Dunne- Schwarz Partners/New-Indy Ontario, LLC**
LOCATION: **5171 East Francis Street**

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 herein. The Applicant shall be responsible for the completion of all conditions prior to issuance of permits and/or occupancy clearance.

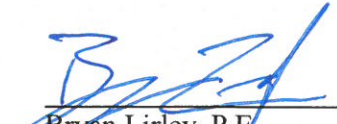
The following items are the Conditions of Approval for the subject project:

- 1) This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation.
- 2) 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, 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 and drainage, 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.


- 3) The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department.



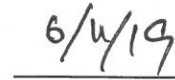
Bryan Lirley, P.E.
Principal Engineer



Date



Raymond Lee, P.E.
Assistant City Engineer



Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 26, 2019
SUBJECT: PMTT18-001

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

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: April 7, 2019

SUBJECT: PMTT18-001 - A Parcel Map (PM 19936) to subdivide 52 acres of land into 2 parcels, located at 5171 East Francis Street, within the IH (Heavy Industrial) zoning district (APN: 0238-132-24). Related File: PDEV15-025.

- The plan **does** adequately address Fire Department requirements at this time.
 - Standard Conditions of Approval apply. Refer to PDEV15-025.
-



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of Memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
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, Senior Planner
Steve Wilson, Engineering/NPDES
Robin Lucera, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Lorena Mejia, Senior Planner

DATE: January 09, 2018

SUBJECT: FILE #: PMTT18-001 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by Tuesday, January 23, 2018.

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

PROJECT DESCRIPTION: A Parcel Map (PM 19936) to subdivide 52 acres of land into 2 parcels located at 5171 East Francis Street, within the IH (Heavy Industrial) zoning district (APN: 0238-132-24)

RELATED FILE: PDEV15-025

- 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* Sr. Systems Analyst 02/16/2018
Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of Memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
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, Senior Planner
Steve Wilson, Engineering/NPDES
Robin Lucera, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Lorena Mejia, Senior Planner

DATE: January 09, 2018

SUBJECT: FILE #: PMTT18-001

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, January 23, 2018**.

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

PROJECT DESCRIPTION: A Parcel Map (PM 19936) to subdivide 52 acres of land into 2 parcels located at 5171 East Francis Street, within the IH (Heavy Industrial) zoning district (APN: 0238-132-24)

RELATED FILE: PDEV15-025

- 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.

Doucie
Department

Douglas Sorel
Signature

MANAGEMENT ANALYST
Title

1/23/18
Date

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

CONDITIONS OF APROVAL

Sign Off

Carolyn Bell

Carolyn Bell, Sr. Landscape Planner

2/8/18

Date

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

Phone:
(909) 395-2237

D.A.B. File No.:
 PMTT18-001

Case Planner:
 Lorena Mejia

Project Name and Location:

Tentative Parcel Map
 5171 E Francis St

Applicant/Representative:

New Indy Ontario LLC Thienes Engineering
 14349 Firestone Blvd
 La Mirada, CA 90638



A Tentative Parcel Map (dated 1/9/18) 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.

CORRECTIONS REQUIRED

1. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
2. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



PLANNING COMMISSION STAFF REPORT

June 25, 2019

FILE NO.: PVAR19-003

SUBJECT: A Variance to deviate from the minimum front building setback, from 30 feet to 25 feet, and from the interior side setback, from 10 feet to 5 feet, in conjunction with the construction of an attached duplex on 0.141 acres of land located at 519 North Grove Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. (APN: 1048-451-09) **submitted by GMK Construction.**

PROPERTY OWNER: Ontario OPZ Fund LP

RECOMMENDED ACTION: That the Planning Commission approve File No. PVAR19-003, 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 0.141 acres of land located at 519 North Grove Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is depicted in Figure 1: Project Location, below. The project site is surrounded by multifamily residential dwellings to the north, south, and west. To the east of the site across Grove Avenue there are single family residential dwellings.

PROJECT ANALYSIS:

[1] Background — The project site was initially developed in 1949 with a 399-square foot single-family home; however, the building was demolished due to unreparable fire damage and the site is presently vacant (see Exhibit A – Project Location Map, attached). The project site and surrounding parcels were previously zoned R2 (Medium Density Residential) which allowed for a 20-foot front yard setback and 5-foot side yard



Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	04/16/2019

Hearing Body	Date	Decision	Action
DAB	06/17/2019	Approved	Recommend
PC	06/25/2019		Final
CC			

setback. In 2015 and 2016, the City Council approved comprehensive updates to the City's Official Zoning Map and Development Code to bring the Zoning Map and Development Code into consistency with the Policy Plan Component of The Ontario Plan. The Comprehensive Zoning Update included the project site and surrounding properties, and reclassified zones throughout the City. Additionally, the R2 zone was eliminated and replaced with the MDR-18 zone and development standards were revised.

In the MDR-18 zoning district, buildings are now required to have a 30-foot front yard setback from an arterial street and a 10-foot side yard setback (as opposed to the 20-foot front yard and 5-foot side yard setbacks previously allowed on the property by the R2 zone). The intent of the MDR-18 zoning district is to provide a variety of attached and detached housing types with densities in the range of 11.1 to 18 units per acre. The project site is the only remaining parcel in the immediate area that has not been developed. The immediate area has been developed with a mix of multiple-family and single-family dwellings.

The previous property owner, LZCC Holdings Inc., attempted to develop the site with a multiple-family development, but was unsuccessful due to the size limitations of the property, density requirements, and the setback requirements of the current Development Code.

In September 2017, the Zoning Administrator (ZA) made a Development Code Interpretation to clarify the implementation of certain provisions of Section 6.01.010 (Residential Zoning Districts), as it governs the applicability of the development standards contained in Tables 6.01-1 through 6.01-3, and how each table applies to the construction of single-family and/or multiple-family dwellings. As a result, the Zoning Administrator found that the development of "two single-family dwellings in a front-to-rear or side-by-side configuration on a single lot" within the MDR-18 zoning district, met the intent of the goals, objectives and policies of the Policy Plan (General Plan) component of The Ontario Plan. This interpretation allowed the previous owner to receive approval of their building permit to construct two single-family dwellings on the site.

The property was subsequently sold to Ontario OPZ Fund LP, and building permits were issued for the two units on March 13, 2019. Prior to commencing construction, a survey of the project site was conducted and revealed that the approved Building Department construction site plan did not accurately show the property dimensions. In the 1960s, the eastern portion of the property was reduced by 30 feet to accommodate the widening of Grove Avenue from a 2-lane street to a 4-lane street. However, the most recent Assessor's Parcel Map did not reflect the 30 foot street dedication on Grove Avenue and therefore the proposed site plan for the construction of the two homes did not account for the dedication. As a result, the applicant is proposing a new site plan to reflect the accurate property dimensions and is requesting a variance for setback reductions to accommodate the two units. The Applicant submitted their Variance application (File No. PVAR19-003) on April 16, 2019, to reduce the front building setback, from 30 feet to 25 feet, and reduce the interior side setback, from 10 feet to 5 feet.

[2] Site Design/Building Layout — The project site is a rectangular-shaped property, with an angled end along the eastern property line adjacent to Grove Avenue. The lot width is 52 feet and lot depth along the northern property line is 113.5 feet and 123.63 feet along the southern property line, and is depicted in Exhibit B: Conceptual Site Plan, attached. The proposed building is L-shaped and situated along the northern and western portion of the site. The proposed building setbacks include a varying 25 to 30-foot front yard setback, 5-foot side yard setbacks, and a 10-foot rear yard setback. The proposed dwelling units are attached, with the front single-story unit totaling 1,640 square feet and the rear two-story unit totaling 2,133 square feet (**see Exhibit C – Conceptual Floor Plan**). The front unit provides 3-bedrooms, 2-bathrooms, a laundry room and a two-car garage. The rear unit provides 3-bedrooms, 2 bathrooms, a loft, one powder room, a laundry room, and a two-car garage. The main entrances for both units will face east, towards Grove Avenue. The maximum lot coverage allowed within the MDR-18 zoning district is 60 percent and proposed lot coverage 36.5 percent, consistent with Development Code requirements.

The variance will provide relief from the literal interpretation of the Development Code to accommodate for the proposed design of the two units. To ensure that the conceptual site plan and floor plan provided to the Planning Commission is reflected in the Building Permit plans, staff has included a condition that any deviation from the conceptual design shall require Planning Director approval.

[3] Site Access/Circulation/Parking — The Development Code requires an enclosed two-car garage for each unit, which has been provided. Access to the site will be from Grove Avenue via a 20-foot-wide driveway approach. The rear unit will be accessed from a 10-foot 7-inch drive aisle located along the southern property line that connects to the driveway approach.

[4] Variance —The Development Code requires the MDR-18 (Medium Density Residential) zoning district to provide a minimum 30-foot front yard building setback from Arterial Streets (Grove Avenue) and a 10-foot side yard setback. The applicant has attempted to apply the Development Code requirements to the project site but when applied to the narrow lot and irregular shaped parcel, the resulting building envelope is severely limited for siting the required two units, required parking, and livable floor plans. The Applicant is requesting a variance to reduce the front yard building setback, from 30 feet to 25 feet, and reduce the interior side yard setback, from 10 feet to 5 feet, to allow for the development of the site.

The Development Code requires Infill Housing Projects to be complementary with the character of the surrounding neighborhood in which they are proposed in terms of height, setbacks, general architectural style, and use of exterior finish materials. The existing neighborhood consists of housing developed in the 1950s and 1960s that has an average front yard setback of 20 feet, which was consistent with the previous R2 zoning district and Development Code standards. The project's proposed front and side yard setbacks

will be consistent with the existing surrounding development and the strict and literal interpretation of the Development Code would deprive the applicant of privileges enjoyed by the surrounding property owners. Staff believes, that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision. For these reasons, staff supports granting the variance request.

In acting on a Variance request, the Planning Commission must consider and clearly establish certain findings of fact, which are prescribed by State law and the City's Development Code. The following facts and findings have been provided as basis for approval of the requested variance:

(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.*** The neighborhood surrounding the project site is fully developed with a mix of multiple-family and single-family dwellings. The northern (side) property line is approximately 113 feet in length, while the southern (side) property line is 123 feet in length, creating an irregular shaped parcel along the eastern end of the site adjacent to Grove Avenue. Grove Avenue begins to bend and curve at G Street, north of the project site, for a distance of approximately 650 feet to the south, creating a series of irregular-shaped parcels along this stretch of Grove Avenue, which includes the project site. Due to the existing size and shape of the project site and its relationship to the adjacent Arterial Street (Grove Avenue), options for development of the project site consistent with current Development Code standards are limited. However, approval of the requested Variance would allow the development project to meet the minimum density requirements and develop the substandard and irregular-shaped lot. Moreover, with the requested variance, the project would still meet the minimum landscape requirements of the Development Code and would allow for adequate access for both units. In addition, TOP Policy Plan Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision. Strict interpretation and enforcement of the Development Plan's front yard and side yard setback would result in practical difficulty, inconsistent with the objectives of the development regulations contained in the Development Code and TOP.

(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.*** The existing parcel is the last vacant parcel within the vicinity. The neighborhood surrounding the project site is fully developed with a mix of multiple-family and single-family dwellings. The majority of the properties in the neighborhood of the project site, along Grove Avenue, currently enjoy reduced building setbacks in relation to today's Development Code standards (an average of 20 feet rather than the required 30 feet for arterial streets). In addition, existing multiple-family development directly adjacent to the project site currently enjoys an approximate five-foot interior side yard building setback.

(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 front and interior side yard building setbacks will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same zoning district, located within the area of the project site. The unique nature of the substandard parcel, in that it is the last remaining vacant parcel within the neighborhood, creates additional challenges to conforming to today's Development Code and to serve distinctive needs around the site. Furthermore, the majority of the properties in the neighborhood of the project site, along Grove Avenue, currently enjoy reduced building setbacks in relation to today's Development Code standards (an average of 20 feet rather than the required 30 feet for arterial streets). In addition, existing multiple-family development directly adjacent to the project site currently enjoys an approximate five-foot interior building setback.

(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.

(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 this Development Code.*** The proposed Project is located with the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 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.

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.

- Focus Resources in Ontario's Commercial and Residential Neighborhoods

- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

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

- Goal LU3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

- LU3-1: Development Standards: We maintain clear development standards which allow flexibility to achieve our Vision.

- LU3-3: Land Use Flexibility: We consider uses not typically permitted within a land use category if doing so improves livability, reduces vehicular trips, creates community gathering places and activity nodes, and helps create identity.

Housing Element:

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

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

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

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

Community Economics Element:

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

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

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

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

➤ CE2-4 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.

➤ CD2-7 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.

➤ CD2-13 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 CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

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

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

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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which consists of which includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site:</i>	Vacant	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre)
<i>North:</i>	Multifamily Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre)
<i>South:</i>	Multifamily Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre)
<i>East:</i>	Grove Avenue and Single Family Residential	LDR (Low Density Residential)	LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre)
<i>West:</i>	Multifamily Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre)

Exhibit A—PROJECT LOCATION MAP



Exhibit B— CONCEPTUAL SITE PLAN

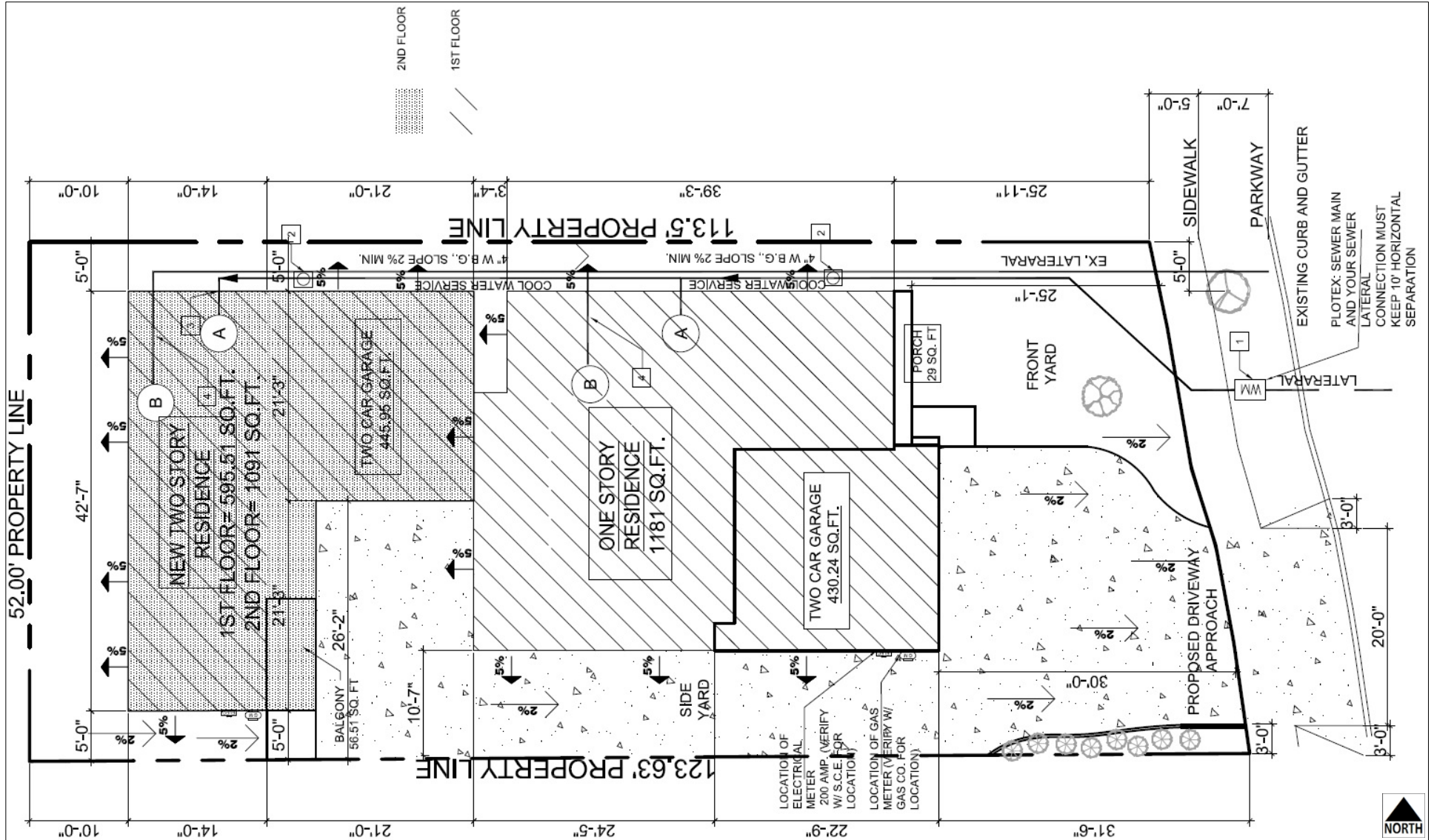


Exhibit C—CONCEPTUAL FLOOR PLAN

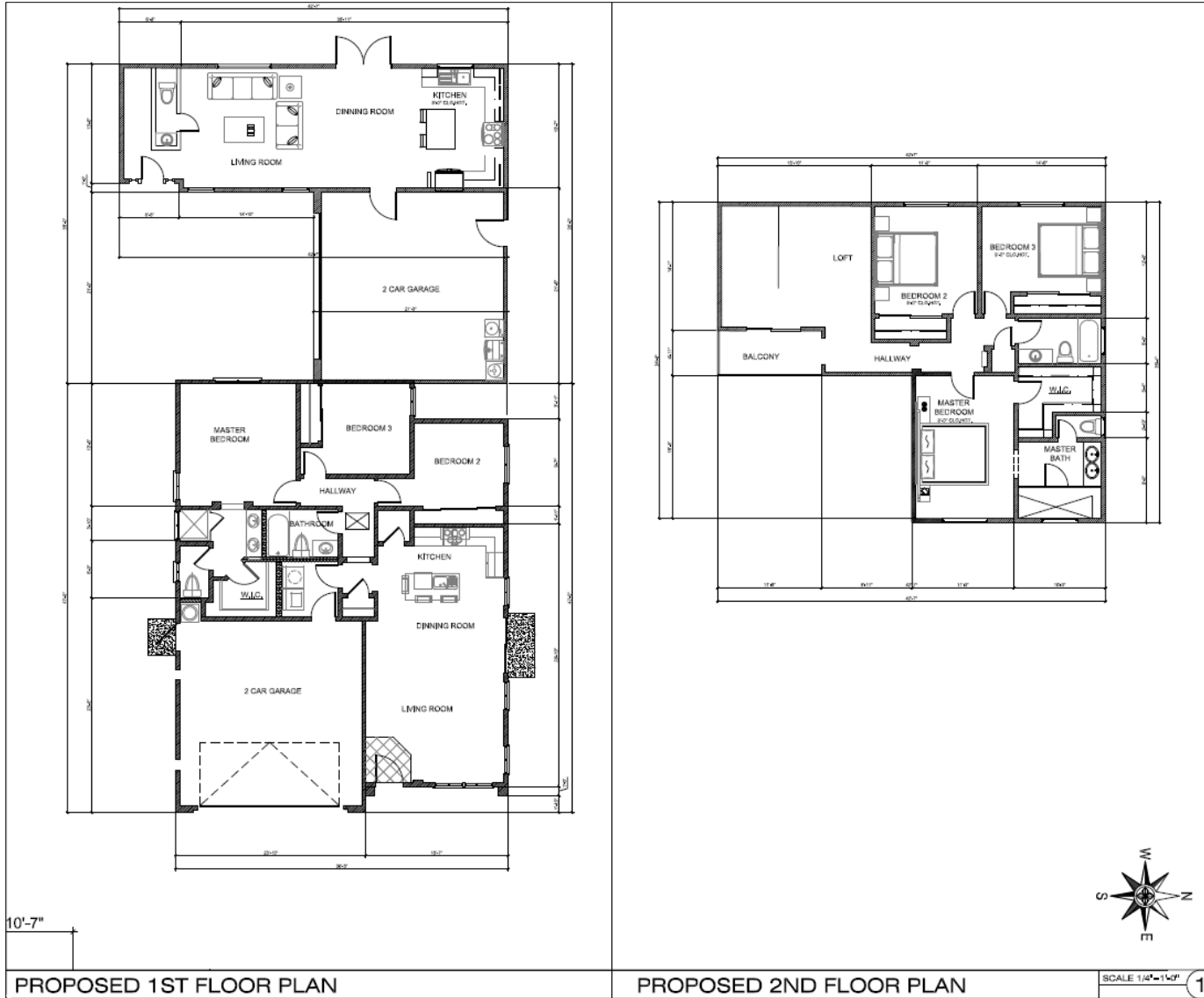


Exhibit D—CONCEPTUAL ELEVATIONS (EAST AND WEST)

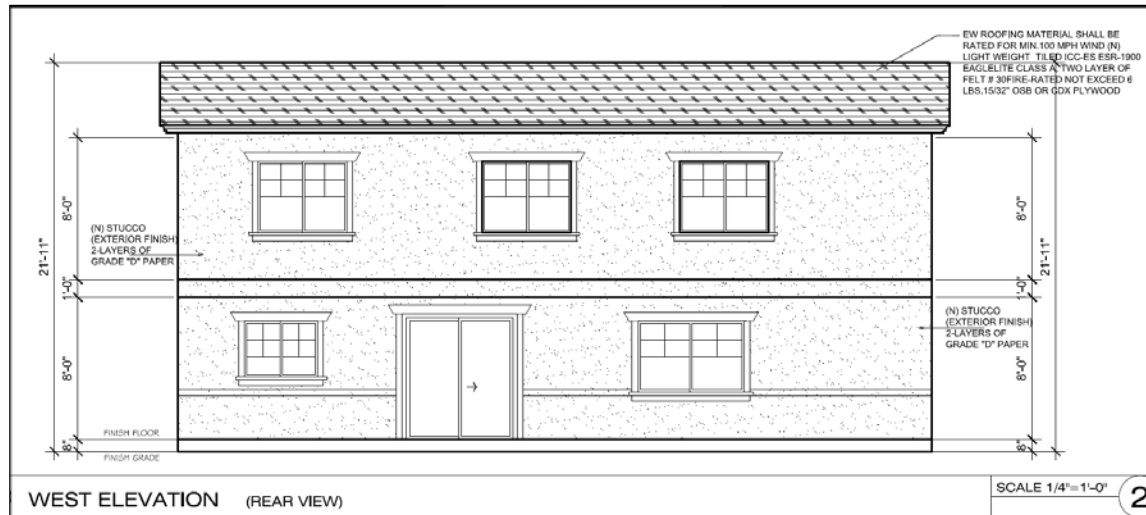
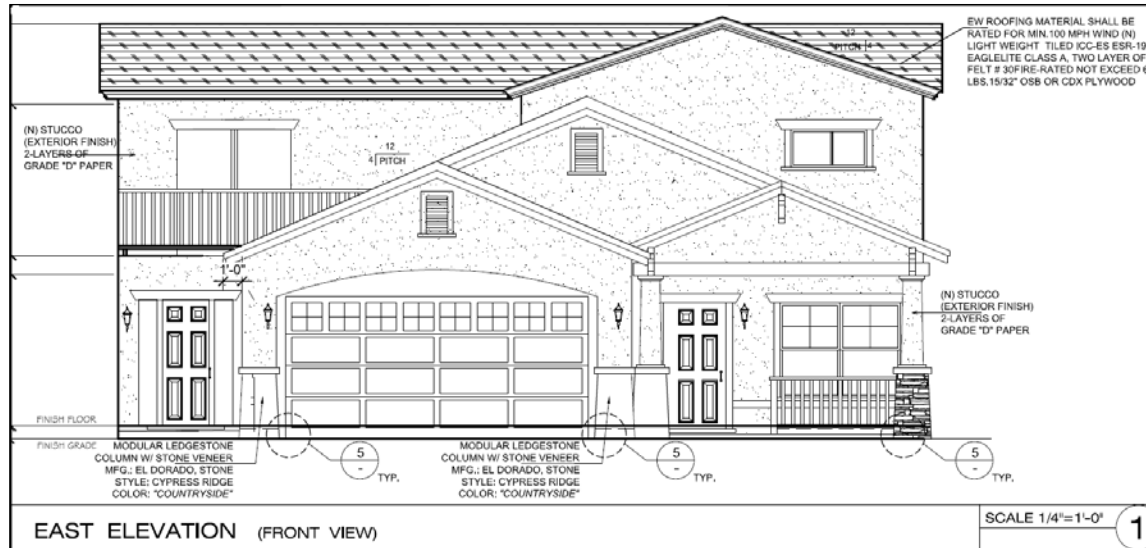
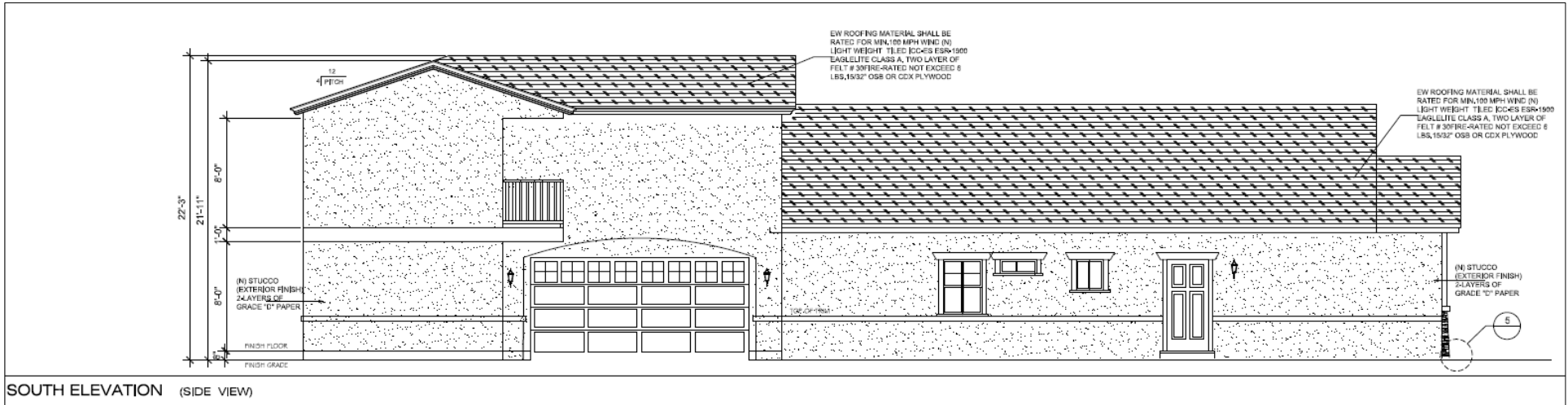
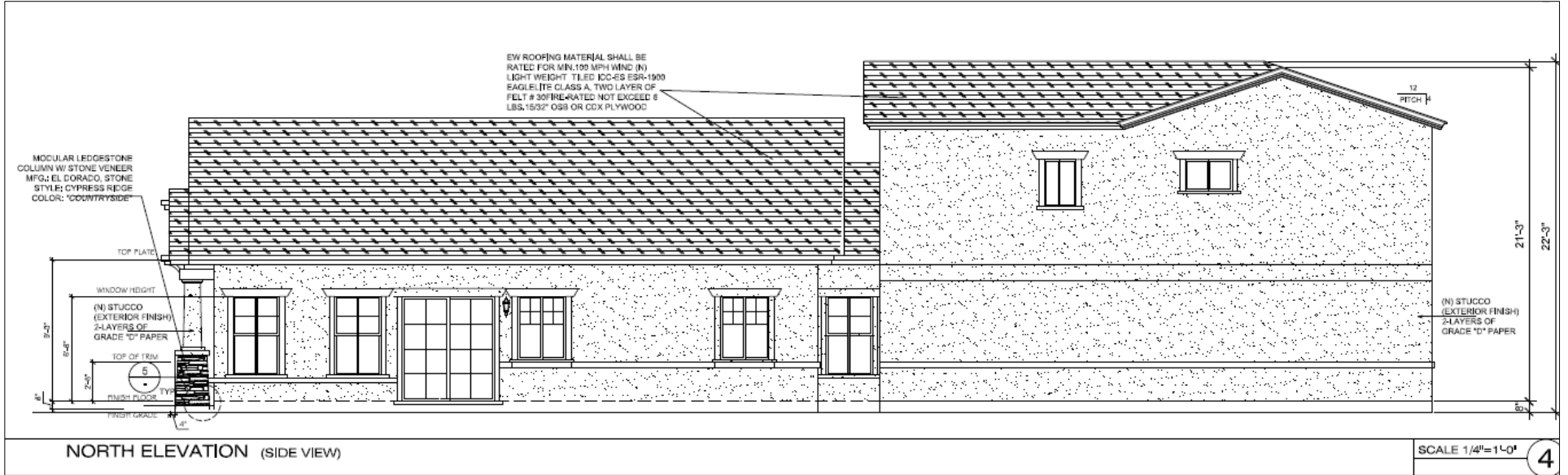


Exhibit D—CONCEPTUAL ELEVATIONS (NORTH AND SOUTH)



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR19-003, A VARIANCE TO DEVIATE FROM THE MINIMUM FRONT BUILDING SETBACK, FROM 30 FEET TO 25 FEET, AND FROM THE INTERIOR SIDE SETBACK, FROM 10 FEET TO 5 FEET, IN CONJUNCTION WITH THE CONSTRUCTION OF AN ATTACHED DUPLEX ON 0.141 ACRES OF LAND LOCATED AT 519 NORTH GROVE AVENUE, WITHIN THE MDR-18 (MEDIUM DENSITY RESIDENTIAL – 11.1 TO 18.0 DU/ACRE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-451-09.

WHEREAS, GMK CONSTRUCTION ("Applicant") has filed an Application for the approval of a Variance, File No. PVAR19-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.141 acres of land, located at 519 North Grove Avenue within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is developed with multifamily residential dwellings. The property to the east is within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district, and is developed with single family residential dwellings. The property to the south is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is developed with multifamily residential dwellings. The property to the west is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is developed with multifamily residential dwellings; and

WHEREAS, the project site was initially developed in 1949 with a 399-square foot single-family home; however, the building was demolished due to unrepairable fire damage and is presently vacant. The project site and surrounding parcels were previously zoned R2 (Medium Density Residential) which allowed for a 20-foot front yard setback and 5-foot side yard setback; and

WHEREAS, in 2015 and 2016, the City Council approved comprehensive updates to the City's Official Zoning Map and Development Code to bring the Zoning Map and Development Code into consistency with the Policy Plan Component of The Ontario Plan. The Comprehensive Zoning Update included the project site and surrounding properties, and reclassified zones throughout the City. Additionally, the R2 zone was eliminated and replaced with MDR-18 zone district and development standards were revised. In the MDR-18 zone buildings are now required to have a 30-foot front yard setback from an

arterial street and a 10-foot side yard setback (as opposed to the 20-foot front yard and 5-foot side yard setbacks previously allowed on the property by the R2 zone); and

WHEREAS, the intent of the MDR-18 zoning district is to provide a variety of attached and detached housing types with densities in the range of 11.1 to 18 units per acre. The project site is the only remaining parcel in the immediate area that has not been developed. The immediate area has been developed with a mix of multiple-family and single-family dwellings; and

WHEREAS, the previous property owner, LZCC Holdings Inc. attempted to develop the site with a multiple-family residential development, but was unsuccessful due to the size limitations of the property, density requirements, and the setback requirements of the current Development Code; and

WHEREAS, in September 2017, the Zoning Administrator (ZA) made a Development Code Interpretation to clarify the implementation of certain provisions of Section 6.01.010 (Residential Zoning Districts), as it governs the applicability of the development standards contained in Tables 6.01-1 through 6.01-3, and how each table applies to the construction of single-family and/or multiple-family dwellings. As a result, the Zoning Administrator found that the development of “two single-family dwellings in a front-to-rear or side-by-side configuration on a single lot” within the MDR-18 zoning district, met the intent of the goals, objectives and policies of the Policy Plan (General Plan) component of The Ontario Plan. This interpretation allowed the previous owner to receive approval of their building permit for two single-family dwellings on the site; and

WHEREAS, the property was subsequently sold to Ontario OPZ Fund LP, and building permits were issued for the two units on March 13, 2019. Prior to commencing construction, a survey of the project site was conducted and revealed that the approved Building Department construction site plan did not accurately show the property dimensions. In the 1960s, the eastern portion of the property was reduced by 30 feet to accommodate the widening of Grove Avenue from a 2-lane street to a 4-lane street. However, the most recent Assessor’s Parcel Map did not reflect the 30 foot street dedication on Grove Avenue and therefore the proposed site plan for the construction of the two homes did not account for the dedication; and

WHEREAS, the applicant is proposing a new site plan to reflect the accurate property dimensions and is requesting a variance for setback reductions to accommodate the two units. The Variance application (File No. PVAR19-003) was filed on April 16, 2019, to reduce the front building setback, from 30 feet to 25 feet, and reduce the interior side setback, from 10 feet to 5 feet; and

WHEREAS, the project site is a rectangular-shaped property, with an angled end along the eastern property line adjacent to Grove Avenue. The lot width is 52 feet and lot

depth along the northern property line is 113.5 feet and 123.63 feet along the southern property line. The proposed building is L-shaped and situated along the northern and western portion of the site. The proposed building setbacks include a varying 25 to 30-foot front yard setback, 5-foot side yard setbacks, and a 10-foot rear yard setback.; and

WHEREAS, the variance will provide relief from the literal interpretation of the Development Code to accommodate for the proposed design of the two units; and

WHEREAS, to ensure that the conceptual site plan and floor plan provided to the Planning Commission is reflected in the Building Permit plans, staff included a condition that any deviation from the conceptual design shall require Planning Director approval; and

WHEREAS, the Development Code requires an enclosed two-car garage for each unit, which has been provided. Access to the site will be from Grove Avenue via a 20-foot-wide driveway approach. The rear unit will be accessed from a 10-foot 7-inch drive aisle located along the southern property line that connects to the driveway approach; and

WHEREAS, the Development Code requires Infill Housing Projects to be complementary with the character of the surrounding neighborhood in which they are proposed in terms of height, setbacks, general architectural style, and use of exterior finish materials. The existing neighborhood consists of housing developed in the 1950s and 1960s that has an average front yard setback of 20 feet, which was consistent with the previous R2 zoning district and Development Code standards. The project's proposed front and side yard setbacks will be consistent with the existing surrounding development and the strict and literal interpretation of the Development Code would deprive the applicant of privileges enjoyed by the surrounding property owners; and

WHEREAS, staff believes, that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision and supports granting the variance request; and

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

WHEREAS, the 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 17, 2019, 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. DAB19-024, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, 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 have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which consists of which includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

(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 Section 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.*** The neighborhood surrounding the project site is fully developed with a mix of multiple-family and single-family dwellings. The northern (side) property line is approximately 113 feet in length, while the southern (side) property line is 123 feet in length, creating an irregular shaped parcel along the eastern end of the site adjacent to Grove Avenue. Grove Avenue begins to bend and curve at G Street, north of the project site, for a distance of approximately 650 feet to the south, creating a series of irregular-shaped parcels along this stretch of Grove Avenue, which includes the project site. Due to the existing size and shape of the project site and its relationship to the adjacent Arterial Street (Grove Avenue), options for development of the project site consistent with current Development Code standards are limited. However, approval of the requested Variance would allow the development project to meet the minimum density requirements and develop the substandard and irregular-shaped lot. Moreover, with the requested variance, the project would still meet the minimum landscape requirements of the Development Code and would allow for adequate access for both units. In addition, TOP Policy Plan Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision. Strict interpretation and enforcement of the Development Plan's front yard and side yard setback would result in practical difficulty, inconsistent with the objectives of the development regulations contained in the Development Code and TOP.

(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.*** The existing parcel is the last vacant parcel within the vicinity. The neighborhood surrounding the project site is fully developed with a mix of multiple-family and single-family dwellings. The majority of the properties in the neighborhood of the project site, along Grove Avenue, currently enjoy reduced building setbacks in relation to today's Development Code standards (an average of 20 feet rather than the required 30 feet for arterial streets). In addition, existing multiple-family development directly adjacent to the project site currently enjoys an approximate five-foot interior side yard building setback.

(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 front and interior side yard building setbacks will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same zoning district, located within the area of the project site. The unique nature of the substandard parcel, in that it is the last remaining vacant parcel within the neighborhood, creates additional challenges to conforming to today's Development Code and to serve distinctive needs around the site. Furthermore, the majority of the properties in the neighborhood of the project site, along Grove Avenue, currently enjoy reduced building setbacks in relation to today's Development Code standards (an average of 20 feet rather than the required 30 feet for arterial streets). In addition, existing multiple-family development directly adjacent to the project site currently enjoys an approximate five-foot interior building setback.

(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.

(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 this Development Code.*** The proposed Project is located with the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 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.

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 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PVAR19-003
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: June 25, 2019

File No: PVAR19-003

Project Description: A Variance to deviate from the minimum front building setback, from 30 feet to 25 feet, and from the interior side setback, from 10 feet to 5 feet, in conjunction with the construction of an attached duplex on 0.141 acres of land located at 519 North Grove Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. (APN: 1048-451-09) **submitted by GMK Construction.**

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) 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 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) 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.

(c) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.6 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 Environmental Review.

(a) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

(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.

2.8 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.

2.9 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.

2.10 Additional Requirements.

(a) Building Permit plans shall reflect the conceptual site plan and floor plan provided to the Planning Commission. Any deviations from the conceptual design shall require Planning Director approval.



PLANNING COMMISSION STAFF REPORT

June 25, 2019

FILE NOS.: PMTT19-001 and PDEV19-004

SUBJECT: A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, in conjunction with a Development Plan (File No. PDEV19-004) to construct one multi-tenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. (APN: 0210-204-27); **submitted by Ontario Covenant Group, LLC.**

PROPERTY OWNER: Ontario Covenant Group, LLC

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PMTT19-001 and PDEV19-004, 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 10.68 acres of land generally located on the south side of Fourth Street, approximately 600 feet west of Milliken Avenue at 4170 East Fourth Street, within the Piemonte Overlay District of the Ontario Center Specific Plan, and is depicted in Figure 1: Project Location, below. The project site occupies the eastern half of a larger commercial shopping center and has been developed with a parking on the northern half and a 151,742 square foot Target retail store on the southern half. The western half of the shopping center has been developed with a 91,264 square foot commercial building adjacent to Target and is occupied by Big AI's (Bowling Center), PetSmart and DSW (Designer Shoe Warehouse). The northern portion of the shopping center has been developed with three retail buildings located along Fourth Street totaling approximately 20,327 square

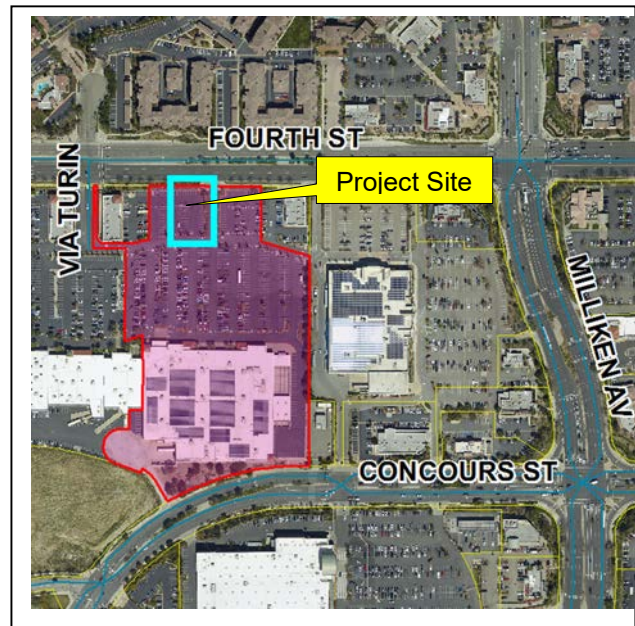


Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	01/09/2019

Hearing Body	Date	Decision	Action
DAB	06/17/2019	Approved	Recommend
PC	06/25/2019		Final
CC			

feet. 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.

PROJECT ANALYSIS:

[1] Background — In 2006, the project site was entitled for a 254,420 square foot multi-tenant commercial center, which included a Target Store as the anchor tenant. Subsequently, later in 2006 three commercial buildings, totaling 20,327 square feet, were also approved. The entire shopping center was completed in the fall of 2008.

The proposed Tentative Parcel Map (File No. PMTT19-001) will subdivide the 10.68-acre project site into two parcels and facilitate the proposed Development Plan (File No. PDEV19-004). On June 17, 2019, 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. The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.

[2] Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the 10.68-acre project site into two parcels. Parcel 1, the larger parcel containing the existing Target retail store, will be 9.67 acres in size. Parcel 2 is 1.01 acre in size, and will facilitate the future development of an approximate 5,000-square foot multi-tenant commercial building located at the northern project boundary, adjacent to Fourth Street (See Exhibit B: Tentative Parcel Map (TM 19993)).

The Ontario Center Specific Plan does not specify minimum subdivision requirements for area or dimensions for parcel, however, it does state that lots must be large enough to meet the total space requirements of their ultimate users. Lot sizes are dictated by building size, amount of required parking, setbacks and landscape areas needed to adequately support a use. The project site was previously designed and constructed pursuant to each of the provisions within the Ontario Center Specific Plan. The proposed subdivision and new lots are adequately sized to support their existing and proposed users.

Primary access to the project site is taken off an east and west drive aisle that is located along the southern boundary of parcel, which has direct access from Fourth Street and Via Turin. Additional access points located are located at the east and west and southwest areas of the shopping center. The commercial center's Covenant, Conditions and Restrictions (CC&Rs) include provisions for shared parking between parcels. Revisions to the CC&Rs have been included as a Condition of Approval for reciprocal parking and access between all new and existing parcels.

[3] Development Plan Site Design/Building Layout— In conjunction with the proposed Tentative Parcel Map, the applicant has submitted a development plan to construct a

5,000-square foot multi-tenant commercial building with a drive-thru. The multi-tenant building will be divided into three separate suites including a fast food restaurant with drive-thru on the northern end (Suite A), a sit-down restaurant at the center (Suite B), and a retail end unit along the southern portion of the building (Suite C). The building is situated at the northeastern portion of the site, with an approximate 31-foot building setback from the east property line (rear of building), 33-foot building setback from the north property line along Fourth Street (side of building), 95-foot building setback from the west property line (front of building), and 114-foot building setback from the south property line (side of building).

[4] Site Access/Circulation — The multi-tenant building’s primary public entrance faces west, toward the parking lot and an existing commercial building (dental office) on the adjacent parcel. The multi-tenant building will have a similar layout to the existing commercial/retail pad buildings within the shopping center, with parking surrounding the building. The drive-thru facility will have a stacking length of 274 feet, which will accommodate up to 11 vehicles behind the first drive-thru window (a minimum of 6 stacking spaces are required).

[5] Parking — The Project has provided off-street parking pursuant to the “Fast Food Restaurants”, “Full-Service Restaurant”, and “General and Convenience Retail” parking standards specified in the Development Code. The multi-tenant building will require a total of 27 parking spaces and 45 are proposed, exceeding the minimum off-street parking requirement for the Project. Additionally, the Conditions of Approval require that the existing CC&Rs must be revised to include a shared parking and access agreement between the project site and the adjoining parcel.

[6] Architecture — The exterior building design is based on the architectural design of the existing shopping center, which incorporates a blending of contemporary urban Southern California design and Tuscan influences. This old-world prototype has been refined, adapted and embellished into a truly eclectic classic type with shallow pitched hipped roof and decorative columns. The architecture of the building complements the architecture of the existing commercial/retail buildings surrounding the project site. The project’s exterior building materials include: smooth stucco wall finishes with a light and dark beige color palette; precast concrete columns; storefront glazing with bronze mullions, and awnings to match the shopping center.

The multi-tenant building’s primary entrance is on the west side of the building. Corresponding design features such as archways and awnings, are integrated into the east and west elevations. This treatment is also featured on the north and south elevations, facing Fourth Street and the project’s south property line, respectively, and provides horizontal and vertical changes, which breaks up the massing of each elevation. Furthermore, the drive-thru features a trellis canopy design to match the rest of the building.

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

Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code and the Piemonte Overlay District of the Ontario Center Specific Plan. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; and
- Articulation in the building parapet/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.
- Designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

[7] Landscaping — The project provides substantial landscaping along the Fourth Street frontage. The development standards of the Piemonte Overlay of the Ontario Center Specific Plan require a minimum 10 percent landscape coverage, which the project meets (10 percent landscape coverage has been provided). The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates several 24–inch box trees, which include Chitalpa trees to match the existing species within the parking lot, along with existing London Plane trees along street and entryways and Italian Cypress trees along the drive aisles that will be protected and preserved in place. In addition, 5-gallon shrubs will be provided throughout the project site, which includes Dwarf Weeping Bottlebrush and Little John plantings. A variety of shrubs and groundcovers will also be provided, which are low water usage or drought tolerant (**see Exhibit D: Landscape Plan**).

Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of vegetated swales, which lead to underground stormwater infiltration systems installed for the project.

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

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

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

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

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

Community Economics Element:

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use

areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

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

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

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

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

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

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

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

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

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

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

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

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Parking Lot/Vacant	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District
<i>North</i>	Residential (Ironwood Apartments)	City of Rancho Cucamonga	City of Rancho Cucamonga	N/A
<i>South</i>	Target	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District
<i>East</i>	Wells Fargo	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District
<i>West</i>	Ontario Smiles Dentistry and Orthodontics	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	1.01 AC	N/A	Y
<i>Lot/Parcel Size:</i>	1.01 AC	N/A	Y
<i>Building Area:</i>	5,000 SF	N/A	Y
<i>Floor Area Ratio:</i>	0.11	0.75 (Max.)	Y
<i>Building Height:</i>	30 FT	70 FT (Max.)	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area / LF</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Fast Food Restaurants</i>	2,000 SF	13.3 spaces per 1,000 SF (0.0133/SF) of GFA (includes outdoor seating area up to 25 percent of GFA). Restaurants with drive-thru may be credited one space for each 24 lineal FT of drive-thru lane behind the pickup window.	27	
<i>Drive Thru Credit</i>	274 LF	<i>Restaurants with drive-thru may be credited one space for each 24 lineal FT of drive-thru lane behind the pickup window.</i>	-11	
<i>Full Service Restaurants</i>	989 SF	10 spaces per 1,000 SF (0.01/SF) of GFA (includes outdoor seating area up to 25 percent of GFA).	4	

<i>Type of Use</i>	<i>Building Area / LF</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>General and Convenience Retail</i>	1,897 SF	4 spaces per 1,000 SF (0.004/SF) of GFA	7	
TOTAL			27	45

Exhibit A—PROJECT LOCATION MAP

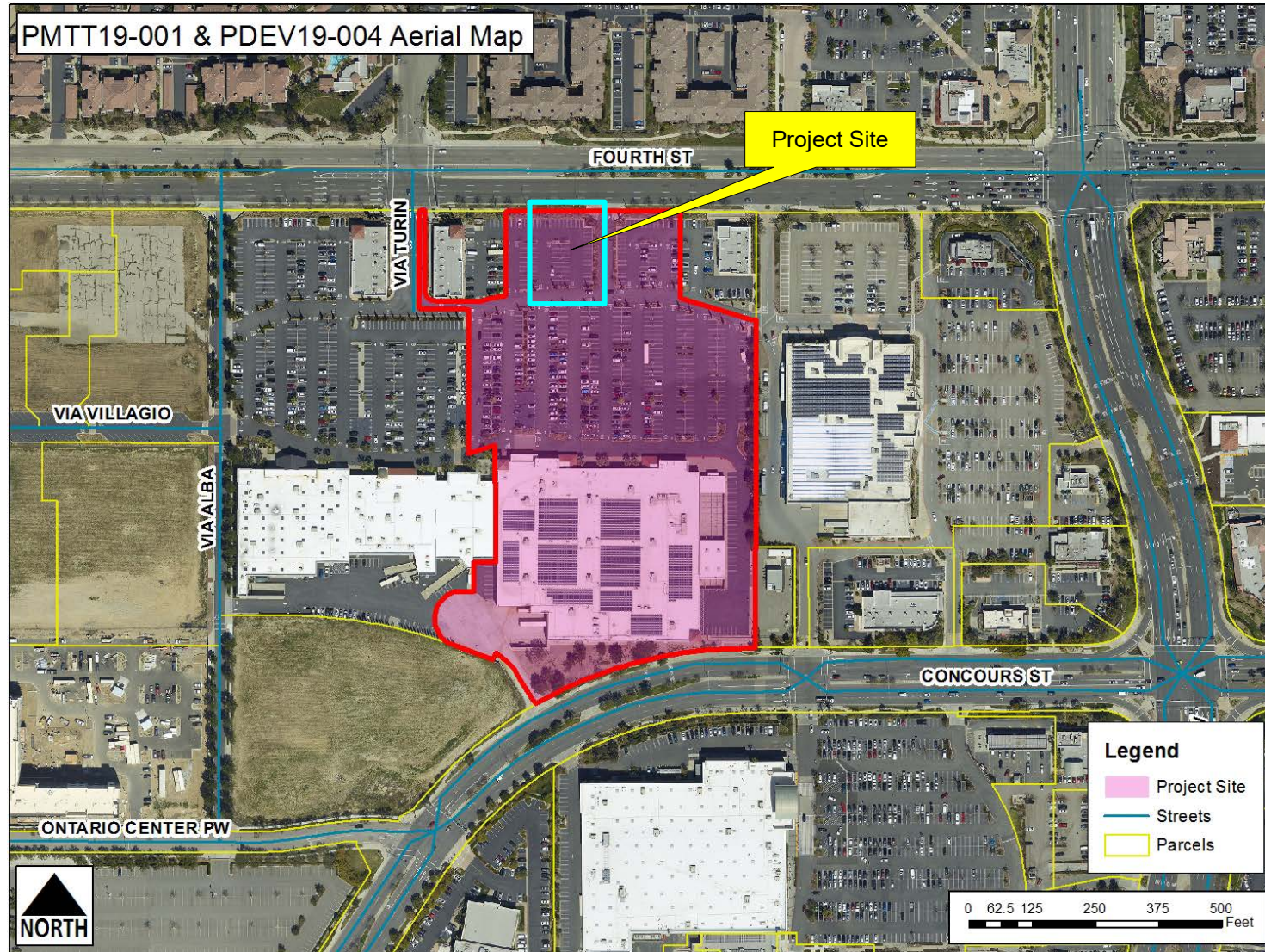


Exhibit B—SITE PLAN

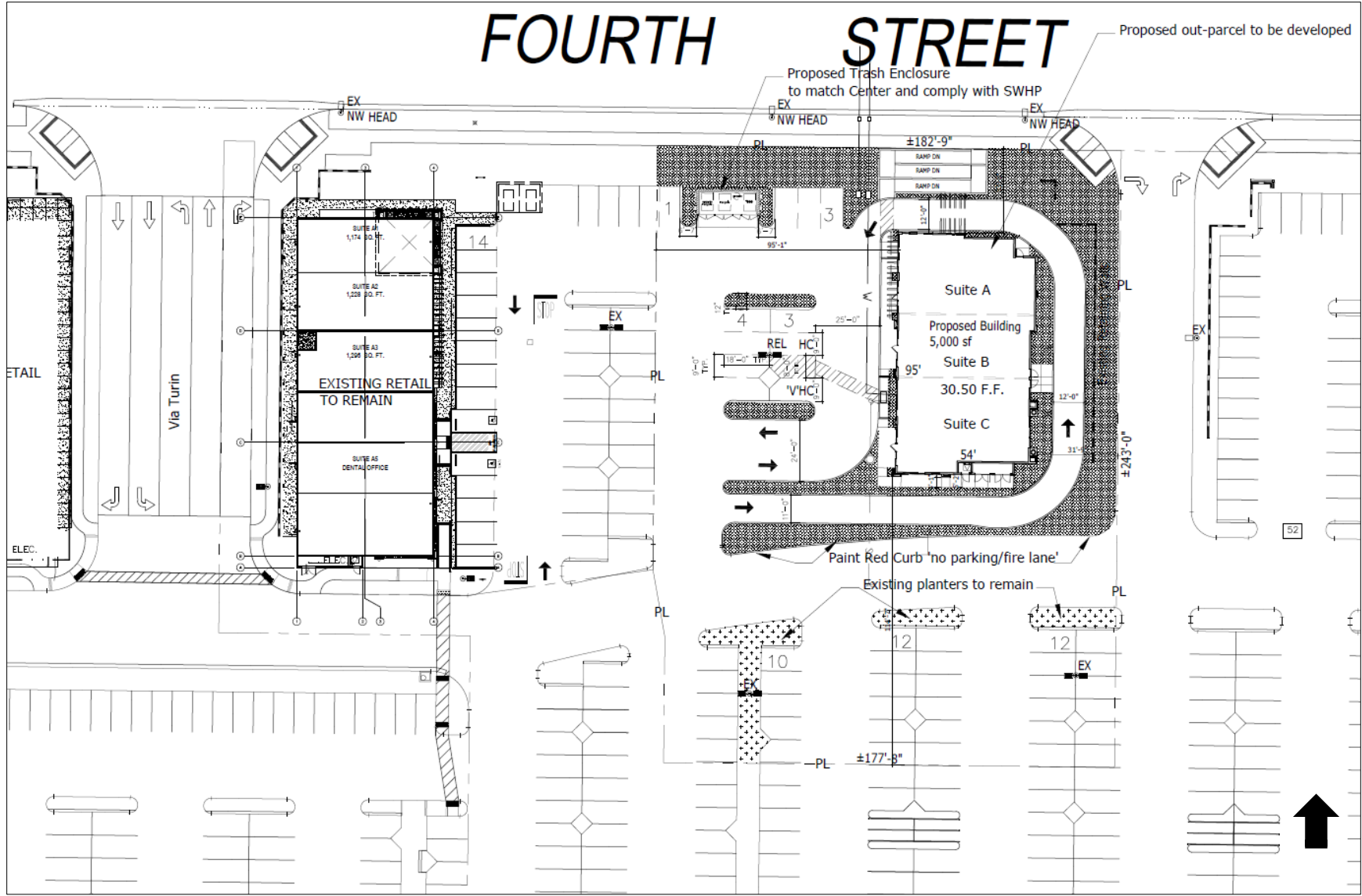
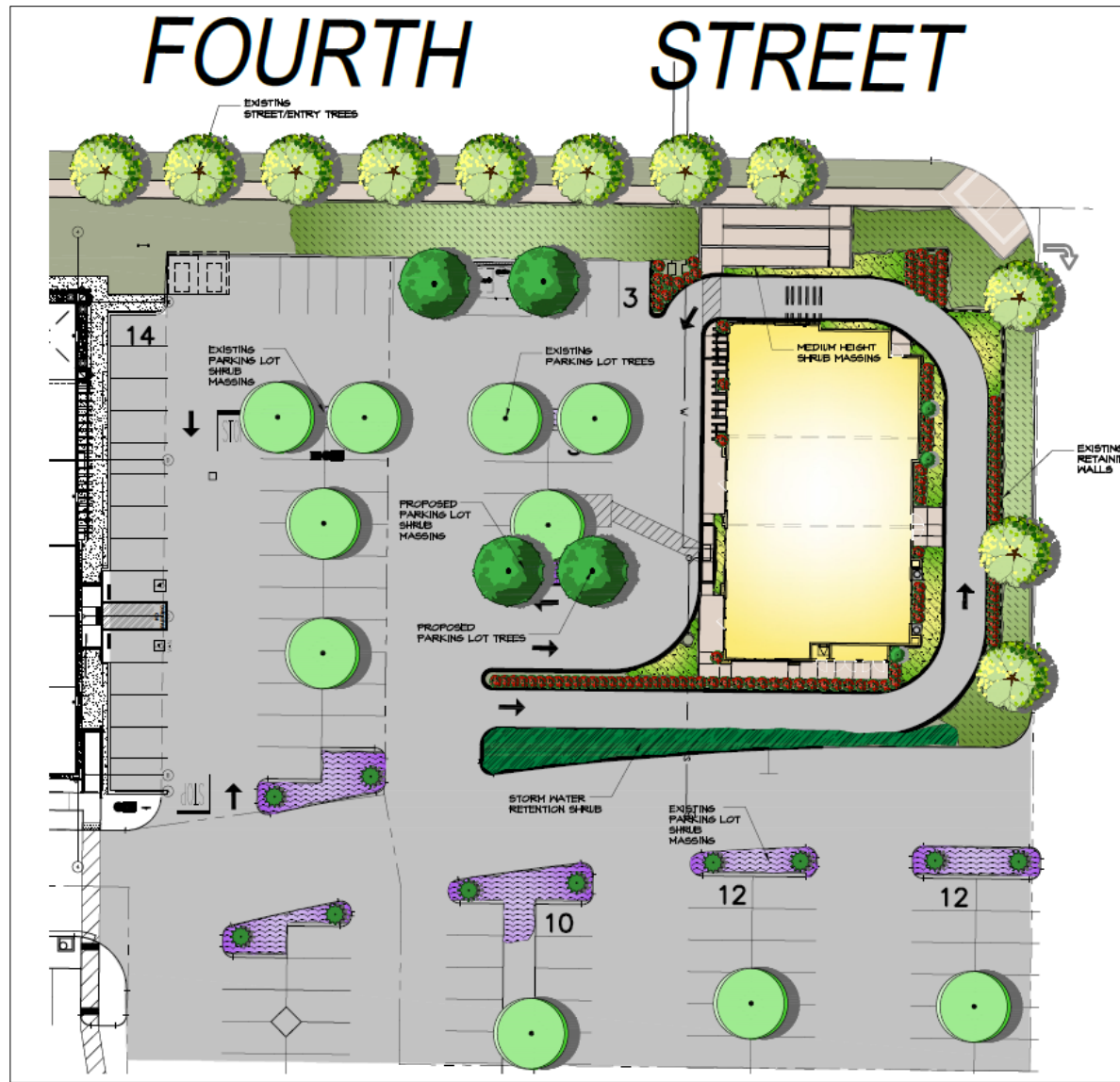


Exhibit C—EXTERIOR ELEVATIONS



Exhibit D—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT19-001 (TPM 19993), A TENTATIVE PARCEL MAP TO SUBDIVIDE 10.68 ACRES OF LAND INTO TWO PARCELS, LOCATED AT THE SOUTHWEST CORNER OF VIA TURIN AND FOURTH STREET, AT 4170 EAST FOURTH STREET, WITHIN THE RETAIL LAND USE DISTRICT OF THE PIEMONTE OVERLAY DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-204-27.

WHEREAS, ONTARIO COVENANT GROUP, LLC ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT19-001 / TM 19993, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.68 acres of land generally located on the south side of Fourth Street, approximately 600 feet west of Milliken Avenue, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is presently improved with a commercial retail store (Target); and

WHEREAS, the property to the north of the Project site is within the Planning Area 6 of the City of Rancho Cucamonga Empire Lakes Specific Plan, and is developed with multifamily residential dwellings (Ironwood Apartments). The property to the east is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a commercial bank (Wells Fargo). The property to the south is within the Garden Commercial land use district of the Ontario Center Specific Plan, and is developed with a warehouse club/supercenter (Sam's Club). The property to the west is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a multi-tenant commercial shopping center; and

WHEREAS, the proposed Tentative Parcel Map will subdivide the 10.68-acre project site into two parcels. Parcel 1, is 9.67 acres in size and is developed with a commercial retail store (Target). Parcel 2 is 1.01 acre in size and is located along the northern project boundary, adjacent to Fourth Street; and

WHEREAS, this proposed Tentative Parcel Map is being processed concurrently with a Development Plan (File No. PDEV19-004) to construct a 5,000-square foot multitenant commercial building with a drive-thru facility; and

WHEREAS, the project site was designed and constructed pursuant to the provisions of the Ontario Center Specific Plan. The proposed parcels are adequately sized to support the existing and proposed users; and

WHEREAS, primary access to the project site is taken off an east and west drive aisle that is located along the southern boundary of parcel, which has direct access from Fourth Street and Via Turin; and

WHEREAS, the commercial center's Covenant, Conditions and Restrictions (CC&Rs) include provisions for shared parking between parcels and a Condition of Approval has been placed for reciprocal parking and access between all new and existing parcels; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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; 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 June 17, 2019, 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. DAB19-026, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, 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 MND and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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.

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

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

(4) The previous MND 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 MND, and all mitigation measures previously adopted with the MND, 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 MND is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the MND that will require major revisions to the MND 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 MND was prepared, that will require major revisions to the MND 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 MND was certified/adopted, that shows any of the following:

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as

the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located within the Mixed-Use land use district of the Policy Plan Land Use Map, and the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive

sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the Mixed-Use land use district of the Policy Plan Land Use Map, and the Retail land use district of the Piemonte Overlay District. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “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” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the Retail land use district of the Piemonte Overlay District, and is physically suitable for the type of commercial and mixed-use development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for commercial and mixed-use development floor area ratio of 0.75. The project site meets the minimum lot area and dimensions of the Retail land use district of the Piemonte Overlay District, and is physically suitable for this proposed density / intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements

proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the multitenant commercial building improvements existing or proposed on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT19-001 / TM 19993
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 25, 2019
File No: PMTT19-001 (TM 19993)
Related Files: PDEV19-004

Project Description: A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. (APN: 0210-204-27); **submitted by Ontario Covenant Group, LLC.**

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) Tentative Parcel/ Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations from the approved Tentative Tract/Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract/Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract/Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) The subject Tentative Parcel Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Tract/Parcel Map and CC&Rs.

(d) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

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

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

(b) Revised CC&Rs shall ensure reciprocal parking and access between the project site and the adjacent parcel.

2.5 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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.

2.6 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 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.

2.7 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.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
PROJECT FILE NO. PM No. 19993 RELATED FILE NO(S). PMTT19-001; PDEV19-004		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: **Dean A. Williams, Associate Engineer (909) 395-2135** DAW

CITY PROJECT PLANNER & PHONE NO: **Jeanie Aguilo, Associate Planner (909) 395-2418**

DAB MEETING DATE: **June 17, 2019**

PROJECT NAME / DESCRIPTION: **5,000 sf Multi-Tenant Commercial Building on 1.01 ac. within the Ontario Center Piemonte S. P.**

LOCATION: **4200 E. Fourth Street; East of Via Turin (private street)**

APPLICANT: **Ontario Covenant Group, LLC
Julie Margetich (951) 582-5745**

REVIEWED BY:
 6/13/19
Bryan Lirley, P.E. **Date**
Principal Engineer

APPROVED BY:
 6/13/19
Raymond Lee, P.E. **Date**
Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE AMENDMENT TO THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO 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 No. 19993 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 31 of Parcel Map No. 17550, recorded September 15, 2006 as instrument No. 2006-0632192 in Book 216 of Parcel Maps, pages 7-20, Official Records of San Bernardino County.
- 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. (See item 2.11, below)
- 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:

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

- 2.11 **Dedicate to the City of Ontario the following easement(s): An easement for sidewalk purposes at the intersection of the drive entry and Fourth Street. The easement shall contain the access ramps at the intersection that are currently encroaching onto private property. Easements shall be recorded prior to issuance of a building permit.**

- 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 \$21,500.00, shall be paid to the Building Department. Final fee shall**



be determined based on the approved site plan.

- 2.16 Other conditions: Developer/applicant shall meet any outstanding Conditions of Approval for PM 17550 and the Ontario Center Specific Plan as may be related to this 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	FOURTH STREET	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



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

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

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

2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number _____



1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.

- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 **Other conditions: Developer/applicant shall provide, as part of the precise grading plan submittal to the Building Department, 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. SEWER

- 2.23 **A 6-inch private sewer main is available for connection by this project running east-west, south of the proposed building within proposed Parcel 2.**
- 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) Developer/applicant shall construct a sewer monitoring manhole in accordance with City Standard Drawing No. 2201 and 2203.**

D. WATER

- 2.27 **An 18-inch water main is available for connection by this project in Fourth Street. (Ref: Water plan bar code: W10608)**
- 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 a 2" domestic water service and a 2" irrigation service from the 18" main in Fourth Street.**

E. RECYCLED WATER

- 2.30 **An 8-inch recycled water main is available for connection by this project in Concours (street). (Ref: Recycled Water plan bar code: P10000)**
- 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: _____

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 any missing frontage improvements along the Fourth Street frontage of the tentative parcel map. These improvements shall include, but not be limited to, water service laterals and LED street light upgrades.**
 - 2) Developer/applicant shall replace all existing street light fixtures along the Fourth Street frontage of the tentative parcel map with the current, City approved, equivalent LED fixtures in accordance with the City of Ontario Traffic and Transportation Guidelines Section 1.4-Street Light Plans.
 - 3) Developer/applicant's Engineer-of-Record shall meet with the City Engineering Traffic Division staff, prior to starting design of street lighting plan.
 - 4) Developer/applicant shall construct a pedestrian connectivity (i.e. sidewalk) such that access to the development can be made from Fourth Street.

G. DRAINAGE / HYDROLOGY

- 2.38 **A 36-inch storm drain main is available to accept flows from this project at the southwest end of the site. The site currently drains to a 36-inch main inlet on the adjacent site to the west. (Ref: Storm Drain plan bar code: D11419)**
- 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: Developer/applicant shall provide documentation of an easement for cross-lot drainage acceptance from the proposed parcel to the south. This documentation may be in the form of the parcel map or by separate instrument. City Engineer approval is required prior to recordation. Recordation is required prior to issuance of a grading permit.**

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 **Note: The project site is included in the existing approved WQMP for the Ontario Center Piemonte Specific Plan. There is no further requirement regarding water quality beyond construction BMPs.**

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.**
- 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 **On-site solid waste shall be designed in accordance with the City's Solid Waste Manual located at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.52 **Other conditions: Prior to approval of the Precise Grading Plan, developer/applicant shall provide a SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements". Contact the Ontario Municipal Utilities Company Solid Waste Department at (909) 395-2666 for the SWHP requirements.**

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

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



- 3.02 Complete all requirements for recycled water usage.
- 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studie and reports (i.e. hydrology, traffic, WQMP, etc.).**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PM 19993; PDEV19-004

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.**
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



Project File No.: PMTT19-001 & PDEV19-004

Address: 4200 East Fourth Street

APN: 0210-204-27

Existing Land Use: Parking Lot

Proposed Land Use: Subdivide 10.68 acres into 2 parcels and construct a 5,000 SF multi-tenant commercial building

Site Acreage: 10.68 ac Proposed Structure Height: 30 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 3/28/2019

CD No.: 2019-004

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO MEMORANDUM

TO: 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

clara

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: January 11, 2019

SUBJECT: FILE #: PMTT19-001 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 **Friday, January 25, 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 Parcel Map to subdivide 10.68 acres of land into two parcels (project site to total 1.01 acres of land) generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27). Related file: PDEV19-004

- 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.

Ad Planning *CB* *Assoc. Planner* *3/14/19*
 Department Signature Title Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 15, 2019
SUBJECT: PMTT19-001

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

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: January 31, 2019

SUBJECT: PMTT19-001 - A Parcel Map to subdivide 10.68 acres of land into two parcels (project site to total 1.01 acres of land) generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27). Related file: PDEV19-004

-
- 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
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, Assistant Planner

DATE: January 11, 2019

SUBJECT: FILE #: PMTT19-001

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 **Friday, January 25, 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 Parcel Map to subdivide 10.68 acres of land into two parcels (project site to total 1.01 acres of land) generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27). Related file: PDEV19-004

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

Police
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

1/17/19
Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-004, A DEVELOPMENT PLAN (FILE NO. PDEV19-004) TO CONSTRUCT ONE MULTITENANT COMMERCIAL BUILDING TOTALING 5,000 SQUARE FEET ON 1.01 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF VIA TURIN AND FOURTH STREET, AT 4170 EAST FOURTH STREET, WITHIN THE RETAIL LAND USE DISTRICT OF THE PIEMONTE OVERLAY DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-204-27.

WHEREAS, ONTARIO COVENANT GROUP, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-004, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.68 acres of land generally located on the south side of Fourth Street, approximately 600 feet west of Milliken Avenue, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is presently improved with a commercial retail store; and

WHEREAS, the property to the north of the Project site is within the Planning Area 6 of the City of Rancho Cucamonga Empire Lakes Specific Plan, and is developed with multifamily residential dwellings (Ironwood Apartments). The property to the east is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a commercial bank (Wells Fargo). The property to the south is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with commercial retail store (Target). The property to the west is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a multitenant commercial building (Ontario Smiles Dentistry and Orthodontics); and

WHEREAS, in 2006, the project site was entitled for a 254,420 square foot multi-tenant commercial center, which included a Target store as the anchor tenant. Subsequently, later in 2006 three commercial buildings, totaling 20,327 square feet, were also approved. The entire shopping center was completed in the fall of 2008; and

WHEREAS, the proposed Development Plan is being processed concurrently with a Tentative Parcel Map (File No. PMTT19-001) that will subdivide the 10.68-acre project site into two parcels. Parcel 1, is 9.67 acres in size and is developed with a commercial retail store (Target). Parcel 2 is 1.01 acre in size and is located along the northern project boundary, adjacent to Fourth Street; and

WHEREAS, the Development Plan will facilitate the construction a 5,000-square foot multitenant commercial building with a drive-thru facility. The multitenant building will be divided into three separate suites including a fast food restaurant with drive-thru on the northern end (Suite A), a sit-down restaurant at the center (Suite B), and a retail end unit along the southern portion of the building (Suite C); and

WHEREAS, the multitenant building's primary public entrance faces west, toward the parking lot and an existing commercial building (dental office) on the adjacent parcel. The multitenant building will have a similar layout to the existing commercial/retail pad buildings within the shopping center, with parking surrounding the building. The drive-thru facility will have a stacking length of 274 feet, which will accommodate up to 11 vehicles behind the first drive-thru window; and

WHEREAS, the Project has provided off-street parking pursuant to the "Fast Food Restaurants", "Full-Service Restaurant", and "General and Convenience Retail" parking standards specified in the Development Code. The multitenant building will require a total of 27 parking spaces and 45 are proposed, exceeding the minimum off-street parking requirement for the Project; and

WHEREAS, the exterior building design is based on the architectural design of the existing shopping center, which incorporates a blending of contemporary urban Southern California design and Tuscan influences. The architecture of the building complements the architecture of the existing commercial/retail buildings surrounding the project site. The project's exterior building materials include: smooth stucco wall finishes with a light and dark beige color palette; precast concrete columns; storefront glazing with bronze mullions, and awnings to match the existing shopping center; and

WHEREAS, the primary entrance is on the west side of the building. Corresponding design features such as archways and awnings, are integrated into the east and west elevations. This treatment is also featured on the north and south elevations, and provides horizontal and vertical changes, which breaks up the massing of each elevation. The drive-thru features a trellis canopy over the pick-up window designed to match the proposed building; and

WHEREAS, the mechanical equipment will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building's architecture; and

WHEREAS, the Project provides substantial landscaping along the Fourth Street frontage. The development standards of the Piemonte Overlay of the Ontario Center Specific Plan require a minimum 10 percent landscape coverage, which the project meets; 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 vegetated swales, which lead to underground stormwater infiltration systems for the project; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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; 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 June 17, 2019, 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. DAB19-027, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, 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 MND and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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.

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

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

(4) The previous MND 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 MND, and all mitigation measures previously adopted with the MND, 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 MND is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the MND that will require major revisions to the MND 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 MND was prepared, that will require major revisions to the MND 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 MND was certified/adopted, that shows any of the following:

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element

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

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

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 Mixed-Use land use district of the Policy Plan Land Use Map, and the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(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 Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, including standards relative to the particular land use proposed (multitenant commercial building), 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 Piemonte Overlay of the Ontario Center Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Piemonte Overlay of the Ontario Center Specific Plan.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Piemonte Overlay of the Ontario Center Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (multitenant commercial building). 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 Piemonte Overlay of the Ontario Center Specific Plan.

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

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-004
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: June 25, 2019
File No: PDEV19-004
Related Files: PMTT19-001 (TM 19993)

Project Description: A Development Plan (File No. PDEV19-004) to construct one multitenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. (APN: 0210-204-27); **submitted by Ontario Covenant Group, LLC.**

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.

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

2.10 Signs.

(a) All Project signage shall comply with the requirements of the Piemonte Comprehensive Sign Program (File No. PSGP17-003) and the Ontario Development Code Division 8.1 (Sign Regulations).

(b) Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation.

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

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

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

(b) Revised CC&Rs shall ensure reciprocal parking and access between the project site and the adjacent parcel.

2.13 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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) The approval of File No. PDEV19-004 shall be final and conclusive upon the approval of File No. PMTT19-001 / TM 19993 by the Planning Commission.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
PROJECT FILE NO. PM No. 19993 RELATED FILE NO(S). PMTT19-001; PDEV19-004		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: **Dean A. Williams, Associate Engineer (909) 395-2135** DAW

CITY PROJECT PLANNER & PHONE NO: **Jeanie Aguilo, Associate Planner (909) 395-2418**

DAB MEETING DATE: **June 17, 2019**

PROJECT NAME / DESCRIPTION: **5,000 sf Multi-Tenant Commercial Building on 1.01 ac. within the Ontario Center Piemonte S. P.**

LOCATION: **4200 E. Fourth Street; East of Via Turin (private street)**

APPLICANT: **Ontario Covenant Group, LLC
Julie Margetich (951) 582-5745**

REVIEWED BY:
 6/13/19
Bryan Lirley, P.E. **Date**
Principal Engineer

APPROVED BY:
 6/13/19
Raymond Lee, P.E. **Date**
Assistant City Engineer



- 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. 19993 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 31 of Parcel Map No. 17550, recorded September 15, 2006 as instrument No. 2006-0632192 in Book 216 of Parcel Maps, pages 7-20, Official Records of San Bernardino County.
- 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. (See item 2.11, below)
- 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:

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

- 2.11 **Dedicate to the City of Ontario the following easement(s): An easement for sidewalk purposes at the intersection of the drive entry and Fourth Street. The easement shall contain the access ramps at the intersection that are currently encroaching onto private property. Easements shall be recorded prior to issuance of a building permit.**

- 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 \$21,500.00, shall be paid to the Building Department. Final fee shall**



be determined based on the approved site plan.

- 2.16 Other conditions: Developer/applicant shall meet any outstanding Conditions of Approval for PM 17550 and the Ontario Center Specific Plan as may be related to this 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	FOURTH STREET	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



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

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

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

2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number _____



1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.

- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 **Other conditions: Developer/applicant shall provide, as part of the precise grading plan submittal to the Building Department, 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. SEWER

- 2.23 **A 6-inch private sewer main is available for connection by this project running east-west, south of the proposed building within proposed Parcel 2.**
- 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) Developer/applicant shall construct a sewer monitoring manhole in accordance with City Standard Drawing No. 2201 and 2203.**

D. WATER

- 2.27 **An 18-inch water main is available for connection by this project in Fourth Street. (Ref: Water plan bar code: W10608)**
- 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 a 2" domestic water service and a 2" irrigation service from the 18" main in Fourth Street.**

E. RECYCLED WATER

- 2.30 **An 8-inch recycled water main is available for connection by this project in Concours (street). (Ref: Recycled Water plan bar code: P10000)**
- 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: _____

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 any missing frontage improvements along the Fourth Street frontage of the tentative parcel map. These improvements shall include, but not be limited to, water service laterals and LED street light upgrades.**
 - 2) Developer/applicant shall replace all existing street light fixtures along the Fourth Street frontage of the tentative parcel map with the current, City approved, equivalent LED fixtures in accordance with the City of Ontario Traffic and Transportation Guidelines Section 1.4-Street Light Plans.
 - 3) Developer/applicant's Engineer-of-Record shall meet with the City Engineering Traffic Division staff, prior to starting design of street lighting plan.
 - 4) Developer/applicant shall construct a pedestrian connectivity (i.e. sidewalk) such that access to the development can be made from Fourth Street.

G. DRAINAGE / HYDROLOGY

- 2.38 **A 36-inch storm drain main is available to accept flows from this project at the southwest end of the site. The site currently drains to a 36-inch main inlet on the adjacent site to the west. (Ref: Storm Drain plan bar code: D11419)**
- 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: Developer/applicant shall provide documentation of an easement for cross-lot drainage acceptance from the proposed parcel to the south. This documentation may be in the form of the parcel map or by separate instrument. City Engineer approval is required prior to recordation. Recordation is required prior to issuance of a grading permit.**

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 **Note: The project site is included in the existing approved WQMP for the Ontario Center Piemonte Specific Plan. There is no further requirement regarding water quality beyond construction BMPs.**

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.**
- 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 On-site solid waste shall be designed in accordance with the City's Solid Waste Manual located at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.52 Other conditions: Prior to approval of the Precise Grading Plan, developer/applicant shall provide a SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements". Contact the Ontario Municipal Utilities Company Solid Waste Department at (909) 395-2666 for the SWHP requirements.

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

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



- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studie and reports (i.e. hydrology, traffic, WQMP, etc.).**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PM 19993; PDEV19-004

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.**
4. **One (1) copy of project Conditions of Approval**
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. **Three (3) sets of Public Street Light improvement plan**
13. Three (3) sets of Signing and Striping improvement plan
14. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. **Payment for Final Map/Parcel Map processing fee**
21. **Three (3) copies of Final Map/Parcel Map**
22. **One (1) copy of approved Tentative Map**
23. **One (1) copy of Preliminary Title Report (current within 30 days)**

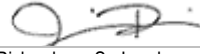


- 24. **One (1) copy of Traverse Closure Calculations**
- 25. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. Other: _____

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

PRELIMINARY PLAN
CORRECTIONS

Sign Off



Jamie Richardson, Sr. Landscape Planner

2/11/19

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV19-004

Case Planner:

Jeanie Aguilo

Project Name and Location:

Target Center 4th ST Outparcel
 4200 E Fourth St

Applicant/Representative:

Ontario Covenant Group ,LLC Julie Margetich
 2044 California Ave
 Corona, Ca 92881



A Preliminary Landscape Plan (dated 05/09/2019) 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

Civil/ Site Plans

1. Show any transformers located in planter areas, set back 5' from paving all sides. **06/04/2019 Not complete; show and note on plans.**
2. Show backflow devices set back 4' from paving all sides. Locate on level grade. **06/04/2019 Not complete; show and note on plans.**
3. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Move Fire water line out of landscape planter. **06/04/2019 Not complete; show and note on plans.**
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. **06/04/2019 Not complete; add note on plans.**
5. Dimension all planters to have a minimum 5' wide inside dimension, except where noted. **06/04/2019 Not complete.**
6. 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. **06/04/2019 Not complete.**
7. 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. 06/04/2019 Not complete.

Landscape Plans

8. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for Heritage trees removed shall be equal to trunk diameter of the trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. 06/04/2019 Not complete.
9. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. 06/04/2019 Not complete.
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations. 06/04/2019 Not complete.
11. Show Italian cypress in long planter by drive through to match the site spacing. 06/04/2019 Not complete.
12. Match the existing shrub planting: ligustrum or boxwood hedges, Iceberg roses, Muhlenbergia. Change plants to match: Callistemon, Juncus. Limit Lavender that dies out to a single row with a background row behind to match other on site plants. 06/04/2019 Not complete.
13. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget. 06/04/2019 Not complete.
14. Show 6' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone. 06/04/2019 Not complete.
15. Provide agronomical soil testing and include report on landscape construction plans. 06/04/2019 Not complete.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>.
17. 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).....	<u>\$278.00</u>
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



Project File No.: PMTT19-001 & PDEV19-004

Address: 4200 East Fourth Street

APN: 0210-204-27

Existing Land Use: Parking Lot

Proposed Land Use: Subdivide 10.68 acres into 2 parcels and construct a 5,000 SF multi-tenant commercial building

Site Acreage: 10.68 ac Proposed Structure Height: 30 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 3/28/2019

CD No.: 2019-004

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO MEMORANDUM

TO: 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

Clarice

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: January 11, 2019

SUBJECT: FILE #: PDEV19-004 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 **Friday, January 25, 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 to construct one multi-tenant commercial building totaling 5,000 square feet on 1.01 acres of land generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27; Parcel Map submitted concurrently). Related file: PMTT19-001

- 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.

Ad Planning *CB...* *Assoc. Planner* *3/4/19*
 Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: January 31, 2019

SUBJECT: PDEV19-004 - A Development Plan to construct one multi-tenant commercial building totaling 5,000 square feet on 1.01 acres of land generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27; Parcel Map submitted concurrently). Related file: PMTT19-001

-
- 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): 5,000 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 5,000 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): M/B/A

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, 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-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.;

3.0 WATER SUPPLY

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

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The 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.
- ☒ 4.3 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 finalized) 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.
- ☒ 4.7 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.
- ☒ 5.4 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.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Aguilo, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 11, 2019

SUBJECT: PDEV19-004 – A DEVELOPMENT PLAN TO CONSTRUCT A MULTI-TENANT COMMERCIAL BUILDING AT VIA TURIN AND FOURTH 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 below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 15, 2019
SUBJECT: PDEV19-004

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

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The site address will be: 4170 E Fourth St.

KS:lm



PLANNING COMMISSION STAFF REPORT

June 25, 2019

FILE NOS.: PDEV19-019 and PCUP19-007

SUBJECT: A Development Plan (File No. PDEV19-019) and Conditional Use Permit (File No. PCUP19-007) to establish and construct a nonstealth wireless telecommunications facility (Verizon Wireless) on an existing SCE transmission tower and related equipment enclosure on 4.7 acres of land located at 3210 East Merrill Avenue, within the SCE Corridor land use district of the Subarea 29 Specific Plan. (APN: 0218-052-20) **submitted by Verizon Wireless.**

PROPERTY OWNER: SL Ontario Development Company, LLC

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PDEV19-019 and PCUP19-007, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 4.7 acres of land located at 3210 East Merrill Avenue, within the SCE Corridor land use district of the Subarea 29 Specific Plan, and is depicted in Figure 1: Project Location, below. The project site is generally surrounded by single family dwellings to north, east, and west. To the south is the San Bernardino County flood control channel and beyond there are additional single family dwellings located within the City of Eastvale.



Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Applicant is requesting approval of a Development Plan (File No. PDEV19-019) to construct a 60-foot tall non-stealth telecommunications facility attached to an existing SCE transmission tower, with an accompanying 225-square foot equipment enclosure that will be

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	03/26/2019

Hearing Body	Date	Decision	Action
DAB	06/17/2019	Approved	Recommend
PC	06/25/2019		Final
CC			

screened with an 8-foot high decorative block wall (**see Exhibit B—Site Plan and Exhibit C—Enlarged Site Plan**). This application was filed in conjunction with a Conditional Use Permit (File No. PCUP19-007) to establish and operate the proposed facility.

On June 17, 2019, the Development Advisory Board reviewed the subject application, and recommended that the Planning Commission approve the proposed project.

[2] Site Design/Building Layout — The proposed non-stealth telecommunications facility will be located on an existing SCE transmission tower located on the northern portion of the project site, within an SCE corridor. Currently, the existing SCE transmission tower measures 134 feet to the top of the tower, with the proposed telecommunications antennas measuring 60 feet to the top of the antenna array. The proposed Verizon facility will enhance coverage within the Ontario Ranch area, which is currently lacking, as shown on the attached existing and proposed condition propagations maps (**see Exhibits E and F, attached**).

The maximum height allowed for a single-carrier telecommunication facility is 55 feet, and 65 feet for a collocated (two or more carriers) facility. The existing SCE transmission tower is 134 feet in height and can easily accommodate at least two carriers; therefore, the proposed mounting height of the proposed wireless telecommunications antenna array is in compliance with the Development Code's maximum height restriction for co-located facilities. As shown on the tower elevations (**Exhibit D – Elevations**), a future second carrier could install their equipment on the SCE tower without creating interference with the other carrier, due to the extended tower height. The proposed Verizon facility will enhance coverage within the Ontario Ranch area, which is currently lacking (**see Exhibits E and F – Propagation Maps, Existing and Predicted Coverage, attached**).

[3] Site Access/Circulation/Parking — Access to the wireless facility will be taken through a non-exclusive access road from Merrill Avenue. Additionally, one parking space adjacent to the lease area will be provided in accordance with Development Code requirements, which will be used once or twice a month, when maintenance engineers visit the site. The non-stealth design is compatible with the current use of the site and will not interfere with land uses in the surrounding area. Moreover, the new wireless facility will not create a significant new source of automobile or truck traffic to or from the project site.

[4] Architecture — The proposed project is consistent with the design guidelines set forth in the Ontario Development Code. The proposed non-stealth telecommunications facility meets the City's design guidelines, and will blend in with the surrounding scenery.

The proposed location provides an opportunity for the carrier (Verizon) to provide telecommunication coverage on residentially zoned properties to the north, south, and west. The facility will be located approximately 70 feet from the nearest residential structure and approximately 100 feet south of Merrill Avenue. These separations will

provide an adequate buffer between the telecommunication facility and neighboring residential uses.

[5] Signage — An informational sign (measuring 2 feet by 2 feet), will be installed outside the facility enclosure and include the carrier's information and an emergency contact number.

[6] Conditional Use Permit— Pursuant to the City's Development Code, new antennas and wireless telecommunications facilities located within the AG (Agricultural) Overlay zoning district, or within 500 feet or less from residentially zoned property, requires Conditional Use Permit review and approval in conjunction with a Development Plan. The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. Therefore, the Development Advisory Board has recommended that the Planning Commission impose certain safeguards, 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.

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

[2] Governance.

Decision Making:

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

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

[3] Policy Plan (General Plan)

Land Use Element:

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

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

Community Economics Element:

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

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

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

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

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

Community Design Element:

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

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

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

- CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and

buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

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

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

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

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

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

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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of construction and location of limited numbers of new, small facilities or structures as well as the installation of small new equipment and facilities in small structures.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	SCE Transmission Towers & Lines	LDR / OS-NR (Low Density Residential / Open Space Non Residential)	Subarea 29 Specific Plan	SCE Corridor
<i>North</i>	SCE Transmission Towers & Lines	LDR / OS-NR (Low Density Residential / Open Space Non Residential)	Subarea 29 Specific Plan	SCE Corridor
<i>South</i>	Flood Control Channel	OS-NR (Open Space Non Residential) and City of Eastvale	Subarea 29 Specific Plan	Flood Control Channel
<i>East</i>	Residential	LDR (Low Density Residential)	Subarea 29 Specific Plan	PA 27 (Cluster Homes)
<i>West</i>	Residential	LDR (Low Density Residential)	Subarea 29 Specific Plan	PA 13 (Cluster Homes)

Exhibit A—PROJECT LOCATION MAP

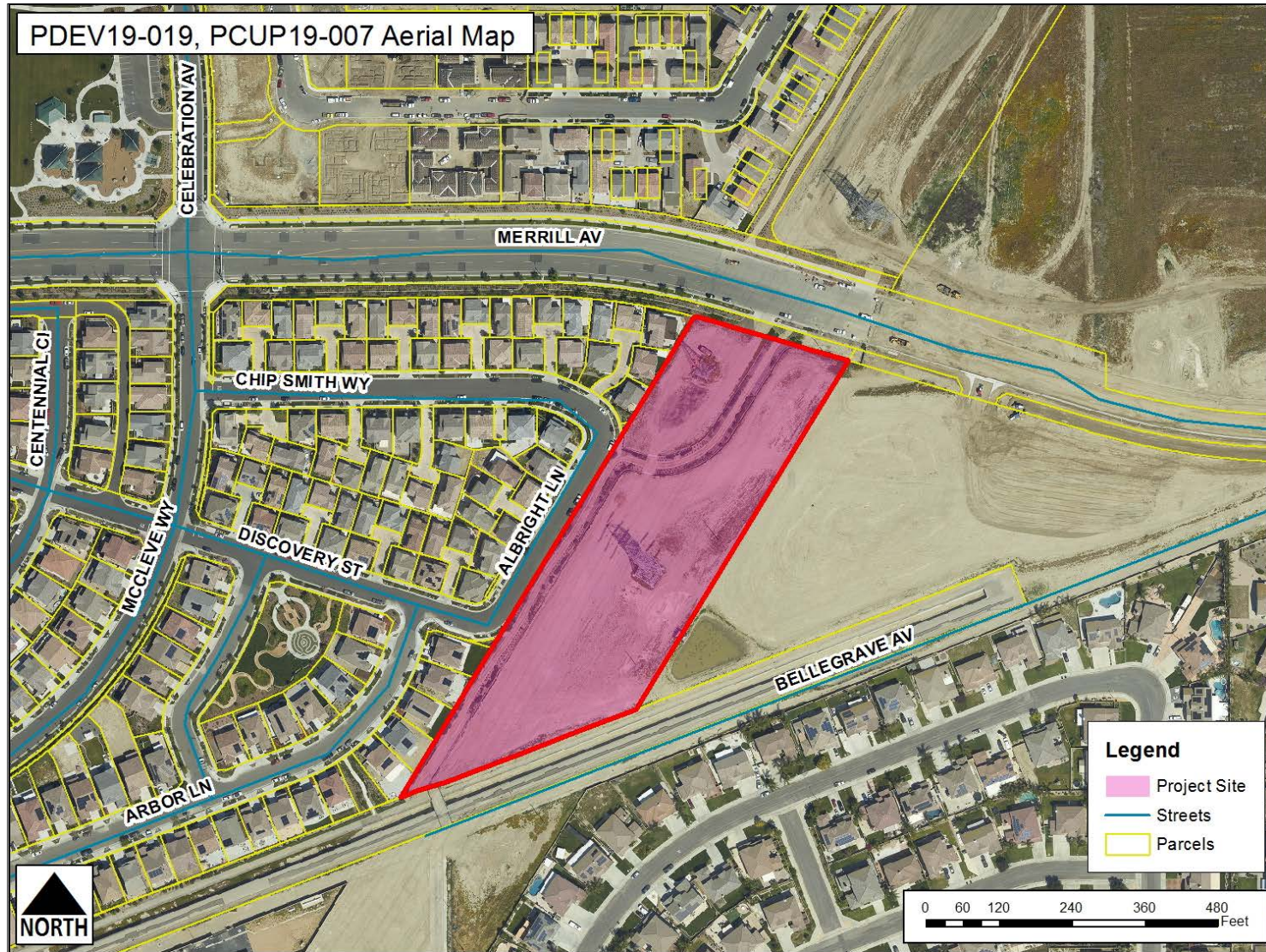


Exhibit B—SITE PLAN

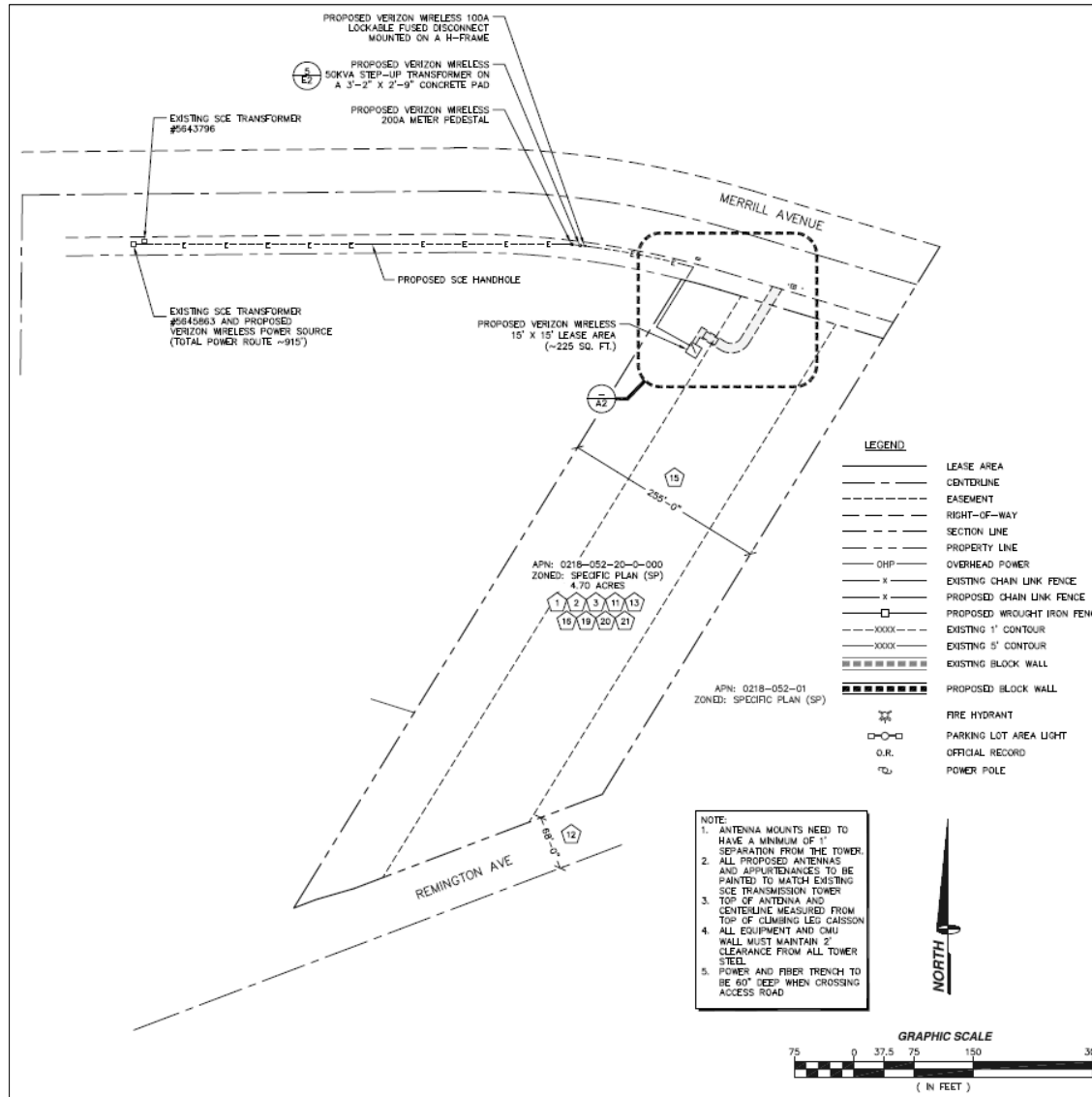


Exhibit C—ENLARGED SITE PLAN

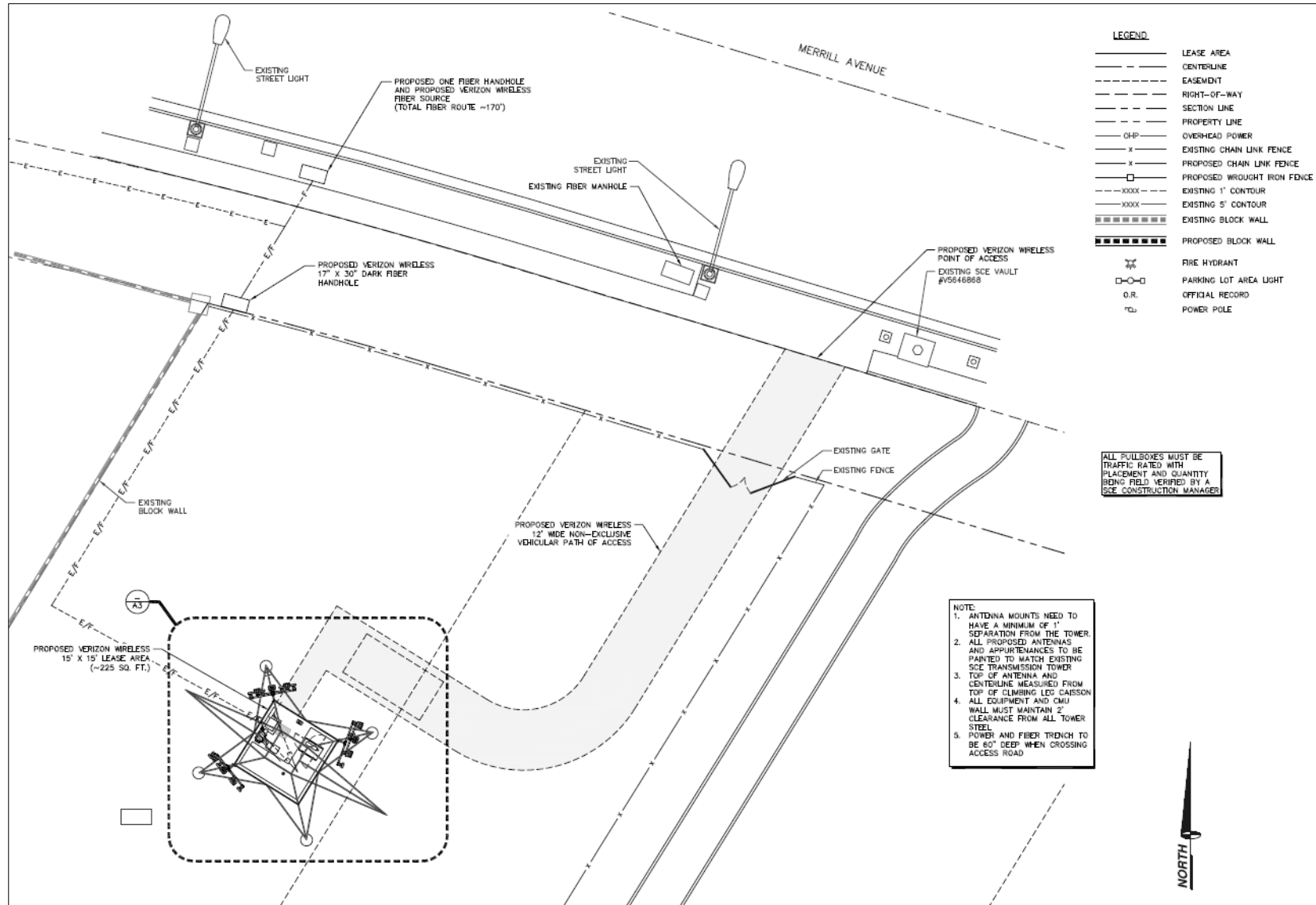


Exhibit D—ELEVATIONS (SOUTHEAST AND NORTHEAST)

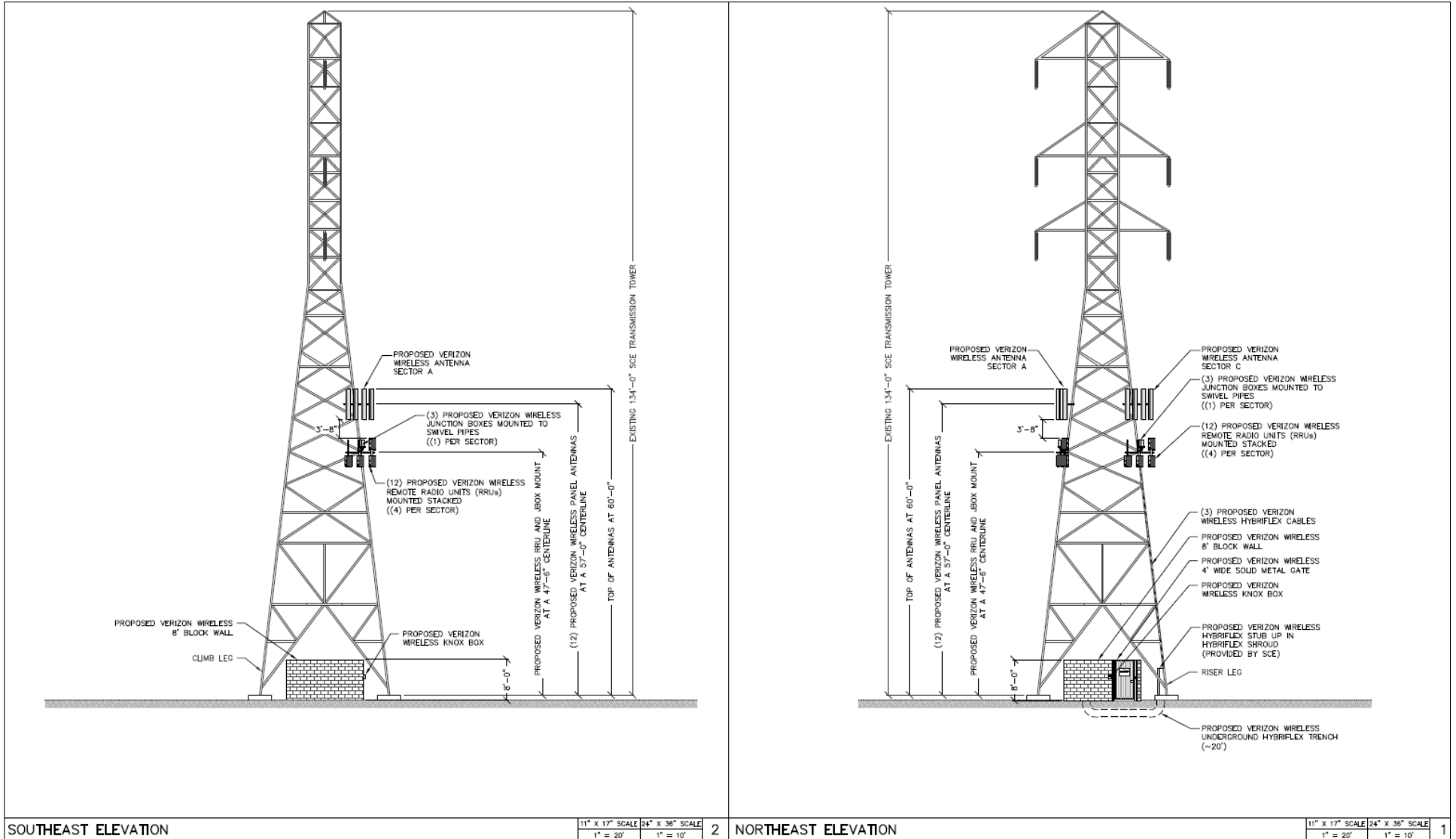


Exhibit D—ELEVATIONS (NORTHWEST AND SOUTHWEST)

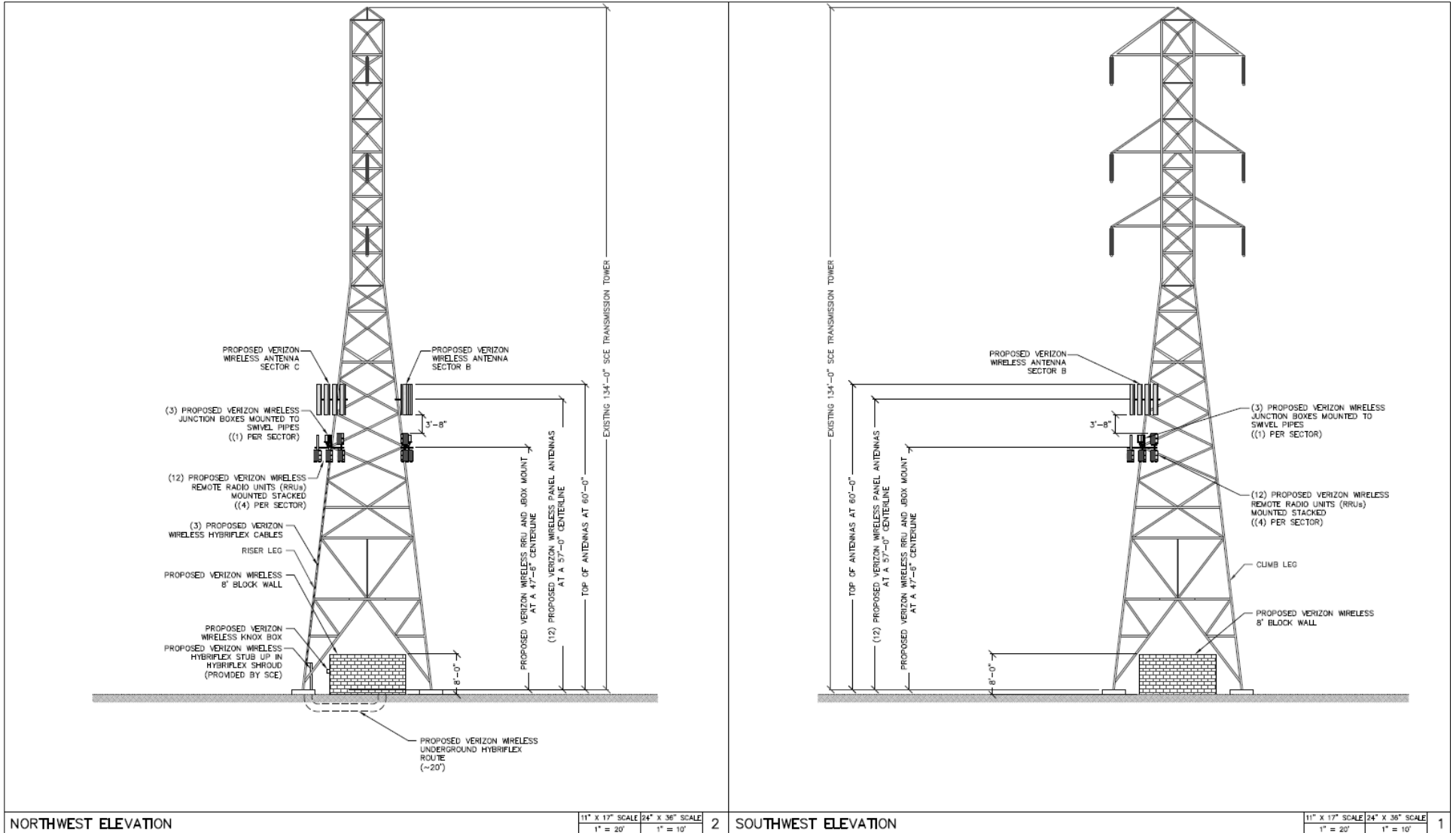


Exhibit E—PROPAGATION MAP, EXISTING COVERAGE

Verizon Coverage without Eastvale

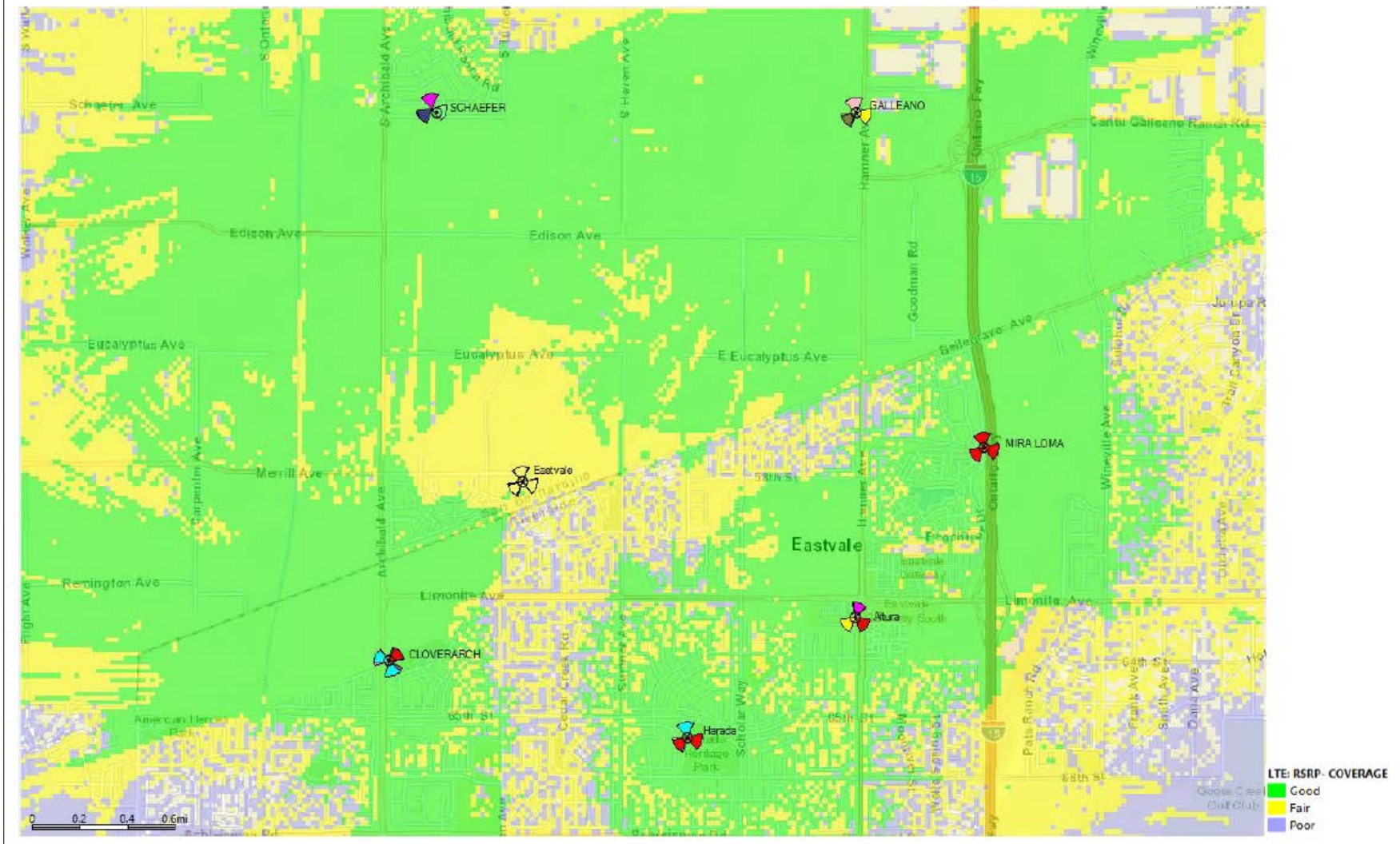
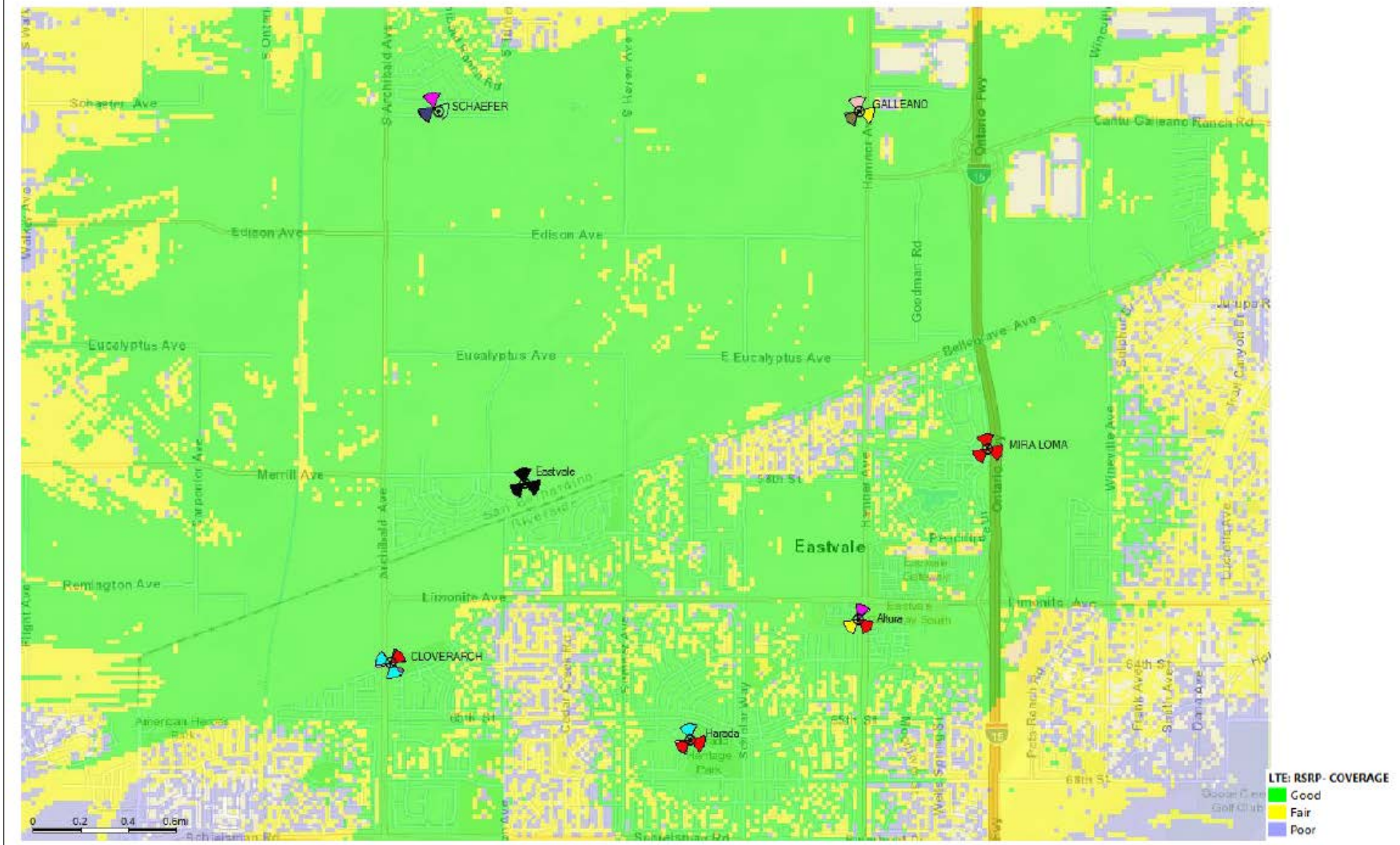


Exhibit F—PROPAGATION MAP, PREDICTED COVERAGE

Verizon Coverage with Eastvale



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP19-007, A CONDITIONAL USE PERMIT TO ESTABLISH A NONSTEALTH WIRELESS TELECOMMUNICATIONS FACILITY (VERIZON WIRELESS) ON AN EXISTING SCE TRANSMISSION TOWER AND RELATED EQUIPMENT ENCLOSURE ON 4.7 ACRES OF LAND LOCATED AT 3210 EAST MERRILL AVENUE, WITHIN THE SCE CORRIDOR LAND USE DISTRICT OF THE SUBAREA 29 SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-052-20.

WHEREAS, VERIZON WIRELESS ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP19-007, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.7 acres of land generally located at 3210 East Merrill Avenue within the within the SCE Corridor land use district of the Subarea 29 Specific Plan, and is presently improved with SCE Transmission Towers and Lines; and

WHEREAS, the property to the north of the Project site is within the SCE Corridor land use district of Subarea 29 Specific Plan, and is developed with SCE Transmission Tower and Lines. The property to the east is within the PA 27 (Cluster Homes) land use district of the Subarea 29 Specific Plan, and is currently vacant. The property to the south is within the Flood Control Channel land use district of the Subarea 29 Specific Plan that is owned by San Bernardino County. The property to the west is within the PA 13 (Cluster Homes) land use district of the Subarea 29 Specific Plan, and is developed with single family residential dwellings; and

WHEREAS, the Applicant is requesting approval of a Conditional Use Permit in conjunction with Development Plan (File No. PDEV19-019) to establish a non-stealth wireless telecommunications facility. The proposed Development Plan will facilitate the construction of a 60-foot tall non-stealth telecommunications facility attached to an existing SCE transmission tower, with an accompanying 225-square foot equipment enclosure that will be screened by an 8-foot high decorative block wall; and

WHEREAS, the proposed mounting height of the wireless facility is 60 feet which is in compliance the Development Code's maximum height restrictions. The Development Code allows for a maximum height 55-feet for a single-carrier and 65-feet for a collocated facility. The existing SCE transmission tower is 134 feet tall and can accommodate two wireless carriers; and

WHEREAS, access to the wireless facility will be taken through a non-exclusive access road from Merrill Avenue. Additionally, one parking space adjacent to the lease

area will be provided in accordance with Development Code requirements, which will be used once or twice a month, when maintenance engineers visit the site; and

WHEREAS, the non-stealth design is compatible with the current use of the site and will not interfere with land uses in the surrounding area. Moreover, the new wireless facility will not create a significant new source of automobile or truck traffic to or from the project site; and

WHEREAS, the proposed project is consistent with the design guidelines set forth in the Ontario Development Code. The proposed non-stealth telecommunications facility meets the City's design guidelines, and will blend in with the surrounding scenery; and

WHEREAS, the proposed location provides an opportunity for the carrier (Verizon) to provide telecommunication coverage on residentially zoned properties to the north, south, and west; and

WHEREAS, the facility will be located approximately 70 feet from the nearest residential structure and approximately 100 feet south of Merrill Avenue. These separations will provide an adequate buffer between the telecommunication facility and neighboring residential uses; and

WHEREAS, an informational sign (measuring 2 feet by 2 feet), will be installed outside the facility enclosure and include the carrier's information and an emergency contact number; and

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

WHEREAS, the 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 17, 2019, 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. DAB19-028, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, 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 have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the 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; 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,

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 Section 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 SCE Corridor land use district of the Subarea 29 Specific Plan, and the scale and intensity of land uses intended for the land use district in which the use is proposed to be located. Furthermore, the proposed non-stealth wireless telecommunications facility land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the SCE Corridor land use district of the Subarea 29 Specific Plan.

(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 non-stealth wireless telecommunications facility land use will be located within the LDR / OS-NR (Low Density Residential / Open Space Non-Residential) land use districts of the Policy Plan Land Use Map, and the SCE Corridor land use district of the Subarea 29 Specific. 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.

(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 non-stealth wireless telecommunications facility land use is located with the LDR / OS-NR (Low Density Residential / Open Space Non Residential) land use districts, and the SCE Corridor land use district of the Subarea 29 Specific Plan, 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 and Subarea 29 Specific Plan.

(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 SCE Corridor land use district of the Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; 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 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PCUP19-007
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 25, 2019

File No: PCUP19-007

Related Files: PDEV19-019

Project Description: A Conditional Use Permit to establish nonstealth wireless telecommunications facility (Verizon Wireless) on an existing SCE transmission tower and related equipment enclosure on 4.7 acres of land located at 3210 East Merrill Avenue, within the SCE Corridor land use district of the Subarea 29 Specific Plan (APN: 0218-052-20); **submitted by Verizon Wireless.**

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 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.

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

2.5 Parking, Circulation and Access.

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

2.6 Site Lighting.

(a) 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. 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 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, which consists of construction and location of limited numbers of new, small facilities or structures as well as the installation of small new equipment and facilities in small structures.

(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.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-019 & PCUP19-007
 Address: 3210 East Merrill Avenue
 APN: 0218-052-20
 Existing Land Use: SCE Transmission Tower Facility (134 FT Tall)
 Proposed Land Use: Development Plan to construct a wireless facility attached to an existing 134 FT tall SCE Transmission Tower
 Site Acreage: 4.7 acres Proposed Structure Height: 60 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT & Chino

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Jeanie Aguilo
 Date: 4/23/19
 CD No.: 2019-027
 PALU No.: n/a

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

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

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

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: 200 FT+

CONSISTENCY DETERMINATION

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

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project is also located within the Chino Airport Influence Area and was evaluated and found to be consistent with the policies and criteria as established by the California Airport Land Use Planning Handbook. **CONDITION:** The project applicant is required to file a FAA Form 7460-1 due to potential electronic interference to aircraft in flight and receive a determination of "No Hazard" from FAA prior to building permit issuance.

Airport Planner Signature: _____



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 Ehman, 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: March 27, 2019

SUBJECT: FILE #: PCUP19-007 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 a non-stealth wireless telecommunications facility at 57 feet in height (Verizon Wireless), on an existing 134-foot tall SCE transmission tower, and equipment enclosure totaling 225 SF on 4.7 acres of land generally located at 3210 East Merrill Avenue, within the SCE Corridor land use designation of the Subarea 29 Specific Plan (APN: 0218-052-20). Related File PDEV19-019.

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

Police
Department

Doug Sorel
Signature

Management Analyst
Title

4/16/19
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: March 27, 2019

SUBJECT: FILE #: PCUP19-007

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 a non-stealth wireless telecommunications facility at 57 feet in height (Verizon Wireless), on an existing 134-foot tall SCE transmission tower, and equipment enclosure totaling 225 SF on 4.7 acres of land generally located at 3210 East Merrill Avenue, within the SCE Corridor land use designation of the Subarea 29 Specific Plan (APN: 0218-052-20). Related File PDEV19-019.

- 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.

England
Department

Eric Woosley
Signature

Asst. Engineer
Title

4/22/19
Date



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner
Planning Department

FROM: Michelle Starkey, Deputy Fire Marshal
Bureau of Fire Prevention

DATE: April 11, 2019

SUBJECT: PCUP19-007 A Conditional Use Permit to establish a non-stealth wireless telecommunications facility at 57 feet in height (Verizon Wireless), on an existing 134-foot tall SCE transmission tower, and equipment enclosure totaling 225 SF on 4.7 acres of land generally located at 3210 East Merrill Avenue, within the SCE Corridor land use designation of the Subarea 29 Specific Plan (APN: 0218-052-20). Related File PDEV19-019

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



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: March 27, 2019

SUBJECT: FILE #: PCUP19-007 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 a non-stealth wireless telecommunications facility at 57 feet in height (Verizon Wireless), on an existing 134-foot tall SCE transmission tower, and equipment enclosure totaling 225 SF on 4.7 acres of land generally located at 3210 East Merrill Avenue, within the SCE Corridor land use designation of the Subarea 29 Specific Plan (APN: 0218-052-20). Related File PDEV19-019.

- 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.

4/17/19

Landscape Planning Carolyn Bell Sr Landscape Architect
 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 Ehman, 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: March 27, 2019

SUBJECT: FILE #: PCUP19-007 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 a non-stealth wireless telecommunications facility at 57 feet in height (Verizon Wireless), on an existing 134-foot tall SCE transmission tower, and equipment enclosure totaling 225 SF on 4.7 acres of land generally located at 3210 East Merrill Avenue, within the SCE Corridor land use designation of the Subarea 29 Specific Plan (APN: 0218-052-20). Related File PDEV19-019.

- 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	Sr. Systems Analyst	4/9/2019
Department	Signature	Title	Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-019, A DEVELOPMENT PLAN TO CONSTRUCT A NONSTEALTH WIRELESS TELECOMMUNICATIONS FACILITY (VERIZON WIRELESS) ON AN EXISTING SCE TRANSMISSION TOWER AND RELATED EQUIPMENT ENCLOSURE ON 4.7 ACRES OF LAND LOCATED AT 3210 EAST MERRILL AVENUE, WITHIN THE SCE CORRIDOR LAND USE DISTRICT OF THE SUBAREA 29 SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-052-20.

WHEREAS, VERIZON WIRELESS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-019, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.7 acres of land generally located at 3210 East Merrill Avenue within the within the SCE Corridor land use district of the Subarea 29 Specific Plan, and is presently improved with SCE Transmission Towers and Lines; and

WHEREAS, the property to the north of the Project site is within the SCE Corridor land use district of Subarea 29 Specific Plan, and is developed with SCE Transmission Tower and Lines. The property to the east is within the PA 27 (Cluster Homes) land use district of the Subarea 29 Specific Plan, and is currently vacant. The property to the south is within the Flood Control Channel land use district of the Subarea 29 Specific Plan that is owned by San Bernardino County. The property to the west is within the PA 13 (Cluster Homes) land use district of the Subarea 29 Specific Plan, and is developed with single family residential dwellings; and

WHEREAS, the Applicant is requesting approval of a Development Plan to construct a 60-foot tall non-stealth telecommunications facility attached to an existing SCE transmission tower, with an accompanying 225-square foot equipment enclosure that will be screened with an 8-foot high decorative block wall enclosure. This application was filed in conjunction with a Conditional Use Permit (refer to File No. PCUP19-007) to establish the proposed facility; and

WHEREAS, the maximum height allowed for a single-carrier telecommunication facility is 55-feet, and 65-feet for a collocated facility. The existing SCE transmission tower is 134 feet and can accommodate two carriers; therefore, the proposed mounting height of the proposed wireless telecommunication antenna array is in compliance with the Development Code's maximum height restrictions. As shown on the elevations, a future carrier could install their equipment on the SCE tower without creating interference with the other carrier, due to the extended tower height. The proposed Verizon Wireless facility will enhance coverage within the Ontario Ranch area, which is currently lacking; and

WHEREAS, access to the wireless facility will be taken through a non-exclusive access route from Merrill Avenue. Additionally, one parking space adjacent to the lease area will be provided in accordance with Development Code requirements, which will be used once or twice a month, when maintenance engineers visit the site; and

WHEREAS, the non-stealth design is compatible with the current use of the site and will not interfere with land uses in the surrounding area. Moreover, the new wireless facility will not create a significant new source of automobile or truck traffic to or from the project site; and

WHEREAS, the proposed project is consistent with the design guidelines set forth in the Ontario Development Code. The proposed non-stealth telecommunications facility meets the City's design guidelines, and will blend in with the surrounding scenery; and

WHEREAS, the proposed location provides an opportunity for the carrier (Verizon) to provide telecommunication coverage on residentially zoned properties to the north, south, and west; and

WHEREAS, the facility will be located approximately 70 feet from the nearest residential structure and approximately 100 feet south of Merrill Avenue. These separations will provide an adequate buffer between the telecommunication facility and neighboring residential uses; and

WHEREAS, an informational sign (measuring 2 feet by 2 feet), will be installed outside the facility enclosure and include the carrier's information and an emergency contact number; and

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

WHEREAS, the 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 17, 2019, 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. DAB19-029, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, 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 have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the 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; 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,

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 Section 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 LDR / OS-NR (Low Density Residential / Open Space Non-Residential) land use districts of the Policy Plan Land Use Map, and the SCE Corridor zoning district of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(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 Corridor land use district of the Subarea 29 Specific Plan, including standards relative to the particular land use proposed (non-stealth wireless telecommunications facility), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(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 Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Subarea 29 Specific Plan.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking 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 (non-stealth wireless telecommunications facility). 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 Subarea 29 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 25th day of June 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-019
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 25, 2019

File No: PDEV19-019

Related Files: PCUP19-007

Project Description: A Development Plan to construct a nonstealth wireless telecommunications facility (Verizon Wireless) on an existing SCE transmission tower and related equipment enclosure on 4.7 acres of land located at 3210 East Merrill Avenue, within the SCE Corridor land use district of the Subarea 29 Specific Plan (APN: 0218-052-20); **submitted by Verizon Wireless.**

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.

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.

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

2.5 Parking, Circulation and Access.

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

2.6 Site Lighting.

(a) 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. 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 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, which consists of construction and location of limited numbers of new, small facilities or structures as well as the installation of small new equipment and facilities in small structures.

(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) Development Plan (File No. PDEV19-019) approval is contingent upon the Planning Commission approval of related Conditional Use Permit (File No. PCUP19-007).

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-019 & PCUP19-007
 Address: 3210 East Merrill Avenue
 APN: 0218-052-20
 Existing Land Use: SCE Transmission Tower Facility (134 FT Tall)
 Proposed Land Use: Development Plan to construct a wireless facility attached to an existing 134 FT tall SCE Transmission Tower
 Site Acreage: 4.7 acres Proposed Structure Height: 60 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT & Chino

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Jeanie Aguilo
 Date: 4/23/19
 CD No.: 2019-027
 PALU No.: n/a

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

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

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

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: 200 FT+

CONSISTENCY DETERMINATION

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

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project is also located within the Chino Airport Influence Area and was evaluated and found to be consistent with the policies and criteria as established by the California Airport Land Use Planning Handbook. **CONDITION:** The project applicant is required to file a FAA Form 7460-1 due to potential electronic interference to aircraft in flight and receive a determination of "No Hazard" from FAA prior to building permit issuance.

Airport Planner Signature: _____

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

CONDITIONS OF APPROVAL	
Sign Off	
	4/17/19
Carolyn Bell, Sr. Landscape Architect	Date

Reviewer's Name: Carolyn Bell, Sr Landscape Architect	Phone: (909) 395-2237
-----------------------------------------------------------------	---------------------------------

D.A.B. File No.: PDEV19-019	Case Planner: Jeanie Aquilo
--------------------------------	--------------------------------

Project Name and Location:
 Verizon – Eastvale NCD
 Approx. 3210 East Merrill Ave

Applicant/Representative:
 Spectrum Services – Chris Colton
 4405 E Airport Dr #100
 Ontario Ca 91761

A Preliminary Landscape Plan (dated 3/27/19) 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

1. A-1 Note contractor to locate power and fiber trenches and conduit runs min 10' from existing tree locations. Add tree protection notes to demo and construction plans. See <http://www.ontarioca.gov/landscape-planning/standards>
2. A-1 Note contractor to replace dead or damaged landscape and irrigation cause by construction or from irrigation lines shut off. Coordinate construction or repairs with landscape maintenance personnel.
3. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Typical fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections)	\$278.00
Total.....	\$1,579.00

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: May 21, 2019

SUBJECT: PDEV19-019 - A Development Plan to construct a non-stealth wireless telecommunications facility at 57 feet in height (Verizon Wireless) on an existing 134-foot tall SCE transmission tower, and a 225-square foot equipment enclosure on 4.7 acres of land located at 3210 East Merrill Avenue, within the SCE Corridor land use designation of the Subarea 29 Specific Plan (APN: 0218-052-20). Related File: PCUP19-007.

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

CONDITIONS OF APPROVAL:

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

21. The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
28. The developer shall transmit a copy of these requirements to his on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the developer and fire protection designer obtain a copy of the Ontario Fire Department Fire Protection System Information Checklist to aid in system design. Development Advisory Board comments are to be included on the construction drawing.

ADDITIONAL COMMENTS:

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

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 03, 2019
SUBJECT: PDEV19-019

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

KS:lr



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)

DAB MEETING DATE: June 17, 2019

PROJECT: PDEV19-019, a Development Plan to construct a non-stealth wireless telecommunications facility 57- feet in height (Verizon Wireless) on an existing 134-foot tall SCE transmission tower, and a 225-square foot equipment enclosure on 4.7 acres. Related File: PCUP19-007

APN: 0218-052-20

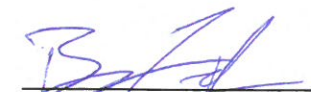
LOCATION: 3210 East Merrill Avenue


PROJECT ENGINEER: Eric Woosley, P.E., Assistant Engineer (909) 395-2134


PROJECT PLANNER: Jeanie Aguilo, Associate Planner (909) 395-2418

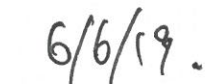
The following items are the Conditions of Approval for the subject project:

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. No additional comments for this project.


Bryan Lirley, P.E.
Principal Engineer


Date


Raymond Lee, P.E.
Assistant City Engineer


Date

Jeanie Irene T. Aguilo

From: Raymond Chavez
Sent: Thursday, April 11, 2019 11:07 AM
To: Jeanie Irene T. Aguilo
Cc: Eric Woosley; Ahmed Aly; Raymond Chavez
Subject: PDEV19-019 - DPR #1 - 3210 E Merrill Ave - Utilities Comments (#5943)

Hello Jeanie,

OMUC has No Comments on this submittal.

Note: if there are any changes and a resubmittal of the plans, please send OMUC a copy for review.

Let me know if you have any questions.

Thank you,

Raymond C.



1425 South Bon View Avenue
Ontario, CA 91761
Ph: 909-395-2603
Fx: 909-395-2608



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: March 27, 2019

SUBJECT: FILE #: PDEV19-019

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, April 10, 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 to non-stealth construct a wireless telecommunications facility at 57 feet in height (Verizon Wireless) on an existing 134-foot tall SCE transmission tower, and equipment enclosure totaling 225 SF on 4.7 acres of land generally located at 3210 East Merrill Avenue, within the SCE Corridor land use designation of the Subarea 29 Specific Plan (APN: 0218-052-20).

- 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

Sr. Systems Analyst

4/9/2019

Department

Signature

Title

Date



PLANNING COMMISSION STAFF REPORT

June 25, 2019

FILE NOS.: PGPA18-009 & PZC18-003

SUBJECT: A General Plan Amendment (**File No. PGPA18-009**) request to change the land use designation on 1.02 acres of land from General Commercial to Low-Medium Density Residential and changing the land use designation on 0.46 acres of land from General Commercial to Hospitality; and a Zone Change (**File No. PZC18-003**) request to change the zoning designation on 1.02 acres of land from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential (5.1-11 du/ac)) and to change the zoning designation on 0.46 acres of land from CC (Community Commercial) to CCS (Convention Center Support) for property located at the south west corner of G Street and Corona Avenue. (APNs: 0110-241-18, 0110-241-56 & 0110-241-57); **submitted by LHL Investment Group, LLC. City Council action is required.**

PROPERTY OWNERS: Various

RECOMMENDED ACTION: That the Planning Commission consider and recommend City Council adoption of an addendum to The Ontario Plan (TOP) Environmental Impact Report (SCH# 2008101140) for File No. PGPA06-001 certified by City Council on January 27, 2010 and recommend City Council approval of File Nos. PGPA18-009 and PZC18-003, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT SETTING: The project site is comprised of three parcels totaling approximately 1.5 acres of land located at the south west corner of G Street and Corona Avenue, currently within the CC, Community Commercial zoning district. A 1.02 acre portion of the site (comprised of the two westerly parcels) is proposed to change to the MDR-11, Low-Medium Density Residential (5.1-11 du/ac) zone and the CCS, Convention Center Support zone is proposed for the 0.46 acre balance of the site depicted in Figure 1: Project Location.



Figure 1: Project Location

Case Planner:	Clarice Burden
Planning Director Approval:	
Submittal Date:	11/08/18

Hearing Body	Date	Decision	Action
DAB			
PC	6/25/19		Recommend
CC			Final

The two westerly parcels are undeveloped and the easterly parcel, adjacent to Corona Avenue, is developed with a single-story office building. The site is surrounded by existing urban uses including multi-family residential development to the south, and west, and multi-family residential development and a hotel to the north. The property immediately east of the site, at the south east corner of G Street and Corona Avenue, is undeveloped.

PROJECT ANALYSIS:

[1] Background — The applicant, LHL Investment Group, LLC, initially requested a General Plan Amendment (**File No.: PGPA18-009**) and Zone Change (**File No. PZC18-003**) for the 0.76 acre parcel located in the middle of this group of parcels as shown in Figure 1. The request was to change the General Plan land use designation to Low Medium Density Residential and to change the zoning district to MDR-11, Low-Medium Density Residential (5.1-11 du/ac) for this single parcel in order to facilitate future multi-family residential development. In analyzing the request, the City expanded the request to include the parcels to the immediate east and west of the initial parcel to avoid spot zoning and to encourage orderly development of the area.

[2] Analysis — For the approximate 1.5 acre project site, the westerly two parcels, totaling 1.02 acres, are undeveloped and are proposed to change to Low-Medium Density Residential designations. The requested change will coordinate well with the Medium Density Residential developments to the west, and to the north across G Street, and the Low-Medium Density Residential development to the south. The easterly parcel, located at the south west corner of G Street and Corona Avenue, is developed with a single-story office building and is proposed to change to the Hospitality land use designation and the CCS, Convention Center Support zoning district, consistent with the property to the north across G Street containing an existing hotel and the undeveloped parcel to the east across Corona Avenue. Establishing coordinating land use designations and zoning with the surrounding area for the site assures compatibility.

Staff is recommending approval of the proposed General Plan Amendment (**File No. PGPA18-009**) to change the land use designation from General Commercial to Low-Medium Density Residential for 1.02 acres and from General Commercial to Hospitality for 0.46 acres for properties located at the south west corner of G Street and Corona Avenue. The change, if approved, will be reflected in The Ontario Plan (General Plan) Land Use Plan Map (Exhibit LU-1) as shown in Exhibit A (attached to the GPA resolution) and the Future Buildout table (Exhibit LU-3) which will be amended to reflect the land use change as shown in Exhibit B (attached to the GPA resolution). Staff is also recommending approval of the proposed Zone Change (**File No. PZC18-003**) to change the zoning district for 1.02 acres from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential (5.1-11 du/ac)) and to change the zoning district for 0.46 acres from CC (Community Commercial) to CCS (Convention Center Support) to be consistent with the proposed General Plan land use designation changes as shown in Exhibit A (attached to the ZC resolution).

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). 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] 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.

➤ LU1-6: 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.

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area, and provides opportunities for choice in living and working environments.

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

➤ 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 and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area, and will not create adverse impacts on adjacent properties.

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

➤ LU5-7: ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be

consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment and Zone Change are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario International Airport and Chino Airport.

Safety Element — Noise Hazards

▪ Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ 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 subject property is located within the 60 to 65 CNEL Noise Impact area and the proposed Low-Medium Density Residential and Hospitality/Convention Center Support land use designations are compatible with the Noise Impact area.

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

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

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

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

TECHNICAL APPENDIX:

Surrounding Land Use, General Plan, and Zoning:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site</i>	Undeveloped Land (portion) and Office (portion)	General Commercial – proposed to change to Low-Medium Density Residential (portion) and Hospitality (portion)	CC, Community Commercial – proposed to change to MDR-11, Low-Medium Density Residential (5.1 – 11 du/ac) (portion) and CCS, Convention Center Support (portion)
<i>North</i>	Multifamily Residential (portion) and Hotel (portion)	Medium Density Residential (portion) and Hospitality (portion)	MDR-18, Medium Density Residential (11.1 – 18 du/ac) (portion) and CCS, Convention Center Support (portion)
<i>South</i>	Multifamily Residential	Low-Medium Density Residential	MDR-11, Low-Medium Density Residential (5.1 – 11 du/ac)
<i>East</i>	Undeveloped Land	Hospitality	CCS, Convention Center Support
<i>West</i>	Multifamily Residential	Medium Density Residential	MDR-18, Medium Density Residential (11.1 – 18 du/ac)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PGPA18-009 & PZC18-003 APNS: 0110-241-18, 0110-241-56 & 0110-241-57

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140) for File Nos. PGPA18-009 & PZC18-003 (hereinafter referred to as "EIR Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File Nos. PGPA18-009 & PZC18-003 analyzed under the EIR Addendum, consist of a General Plan Amendment to change the land use designation of 1.02 acres of land from General Commercial to Low-Medium Density Residential and to change the land use designation on 0.46 acres of land from General Commercial to Hospitality; and a Zone Change to change the zoning on 1.02 acres of land from CC, Community Commercial to MDR-11, Low-Medium Density Residential (5.1-11 du/ac) and to change the zoning on 0.46 acres of land from CC, Community Commercial to CCS, Convention Center Support, located at the south west corner of G Street and Corona Avenue in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the EIR Addendum concluded that implementation of the Project would not result in significant effects on the environment; and

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

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

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

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

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

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

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

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

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report — State Clearinghouse No. 2008101140 — which was certified on January 10, 2010, in conjunction with File Nos. PGPA18-009 & PZC18-003.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of June, 2019, 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/Secretary of Planning
Commission

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

I, Gwen Berendson, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. [insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendson
Secretary Pro Tempore

ATTACHMENT A:

**Addendum to The Ontario Plan (TOP)
Environmental Impact Report**

(Addendum to follow this page)

CITY OF ONTARIO

ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO PLAN RE: FILE NO. PGPA18-009: A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION ON 1.02 ACRES OF LAND FROM GENERAL COMMERCIAL TO LOW-MEDIUM DENSITY RESIDENTIAL (5.1-11 DU/AC) AND CHANGING THE LAND USE DESIGNATION ON 0.46 ACRES OF LAND FROM GENERAL COMMERCIAL TO HOSPITALITY, LOCATED AT THE SOUTHWEST CORNER OF G STREET AND CORONA AVENUE AND MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE; AND FILE NO. PZC18-003: A ZONE CHANGE REQUEST TO CHANGE THE ZONING DESIGNATION ON 1.02 ACRES OF LAND FROM CC (COMMUNITY COMMERCIAL) TO MDR-11 (LOW-MEDIUM DENSITY RESIDENTIAL (5.1-11 DU/AC)) AND TO CHANGE THE ZONING DESIGNATION ON 0.46 ACRES OF LAND FROM CC (COMMUNITY COMMERCIAL) TO CCS (CONVENTION CENTER SUPPORT) TO BE IN CONFORMANCE WITH THE PROPOSED GENERAL PLAN LAND USE DESIGNATIONS FOR THE PROPERTIES.

A. PROJECT INFORMATION

1. **Project Title:** General Plan Amendment (File No. PGPA18-009) A request to change the General Plan land use designation on 1.02 acres of land from General Commercial to Low-Medium Density Residential (5.1-11 DUs/Acre) and changing the land use designation on 0.46 acres of land from General Commercial to Hospitality for properties located at the southwest corner of G Street and Corona Avenue and Zone Change (File No. PZC18-003) to change the zoning designation on 1.02 acres of land from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential) and to change the zoning designation on 0.46 acres of land from CC (Community Commercial) to CCS (Convention Center Support) for properties located at the south west corner of G Street and Corona Avenue.
2. **Lead Agency Name and Address:** City of Ontario
303 East "B" Street
Ontario, CA 91764
3. **Contact Person(s) and Phone** Clarice Burden, Associate Planner (909) 395-2432
4. **Project Location:** South west corner of G Street and Corona Avenue as shown in Exhibit A (attached) APNs: 0110-241-18, 0110-241-56 & 0110-241-57

BACKGROUND:

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

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010 that included Mitigation Findings and a Statement of Overriding Considerations pursuant to CEQA.

TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed Land Use Plan, in the Policy Plan, and impacts resulting from population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included; agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation/traffic.

PROJECT DESCRIPTION:

LHL Investment Group, LLC has initiated a request that the City has expanded to include changes to the General Plan land use designation on 1.02 acres from General Commercial to Low-Medium Density Residential (5.1-11 du/ac) and changing the land use designation on 0.46 acres from General Commercial to Hospitality, located at the southwest corner of G Street and Corona Avenue. The project includes a change to the TOP land use map, modifications to the TOP Future Buildout Table and a zone change to be consistent with the proposed land use designation changes.

ANALYSIS:

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

1. *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.*

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The Ontario Plan EIR assumed more overall development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed amendment to the approximate 1.5 acres associated with this project, will result in less development than TOP EIR analyzed at buildout.

TOP Buildout Analysis	Units	Population	Non-Residential Square Footage	Jobs
Buildout per Original TOP EIR	104,644	360,851	257,405,754	325,794
Revised Buildout per previous approved TOP amendments and the proposed amendment	99,887	345,971	247,445,845	312,277

Since the anticipated buildout resulting from previous approved TOP amendments and the proposed project changes will be less than that originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

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

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR in that the proposed changes would be in keeping with the surrounding area. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

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

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

CEQA REQUIREMENTS FOR AN ADDENDUM:

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

Under Section 15162, a subsequent EIR or Negative Declaration is required only when:

- (1) Substantial changes are proposed in the project which will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

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

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

CONCLUSION:

The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed land use designation changes coordinate with the existing uses of the properties and uses within the surrounding areas. As described on page 2, the amount of development anticipated at buildout will be cumulatively lower (dwelling units, population, non-residential square footage and jobs) than TOP EIR analyzed. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

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

California Environmental Quality Act Environmental Checklist Form

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420



1. **Project Title/File No.:** PGPA18-009 & PZC18-003
2. **Lead Agency:** City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036
3. **Contact Person:** Clarice Burden, Associate Planner (909)395-2432
4. **Project Sponsor:** LHL Investments Group, LLC, 1641 W. Main St. Suite 218, Alhambra, CA 91801 Emil Lueng (626) 379-6328
5. **Project Location:** The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 35 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from central Orange County. As illustrated on Figures 1 through 3, below, the project site consists of three parcels totaling approximately 1.5 acres located at the southwest corner of G Street and Corona Avenue. APNs: 0110-241-18, 0110-241-56 & 0110-241-57

Figure 1: Regional Location Map

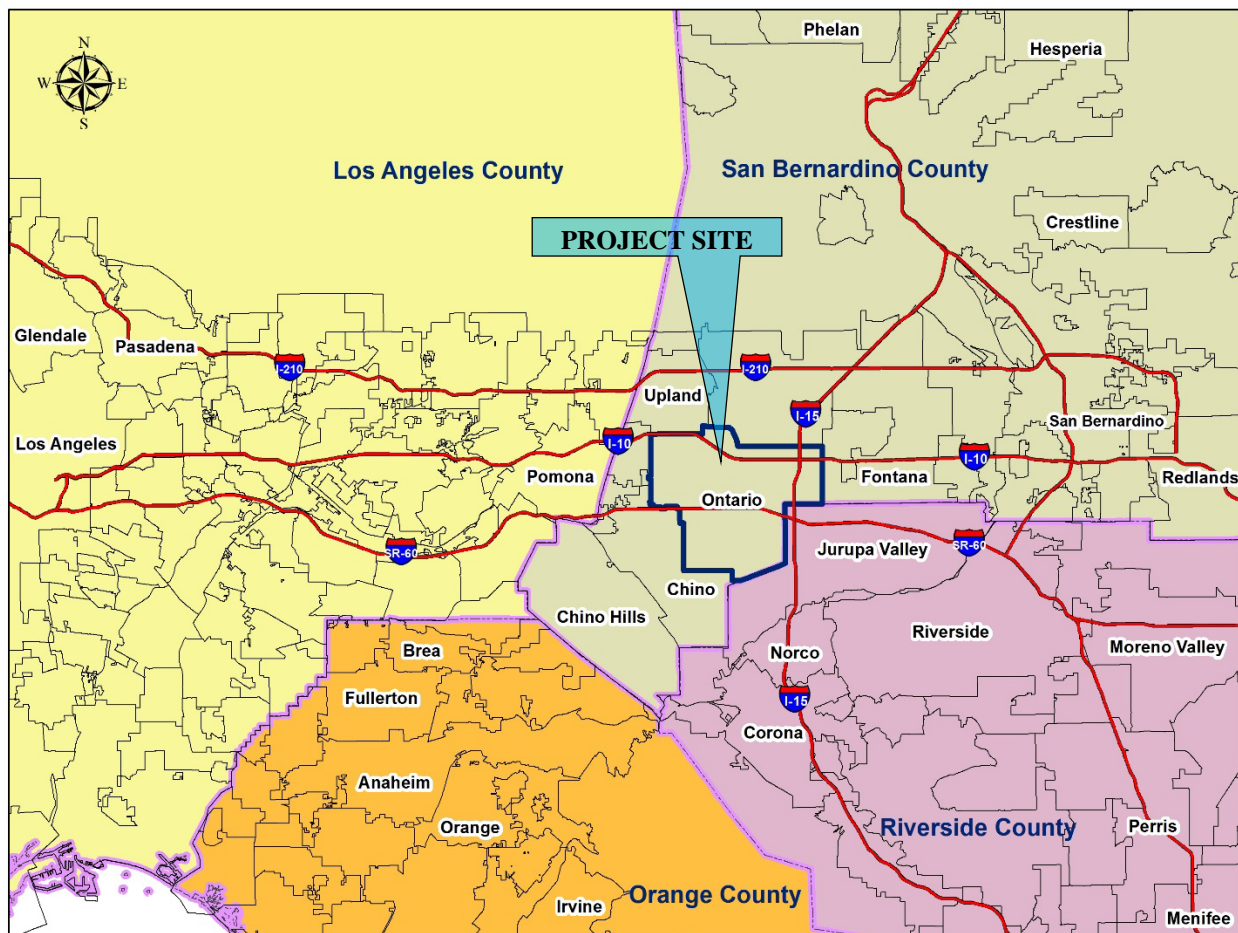


Figure 2—Vicinity Map

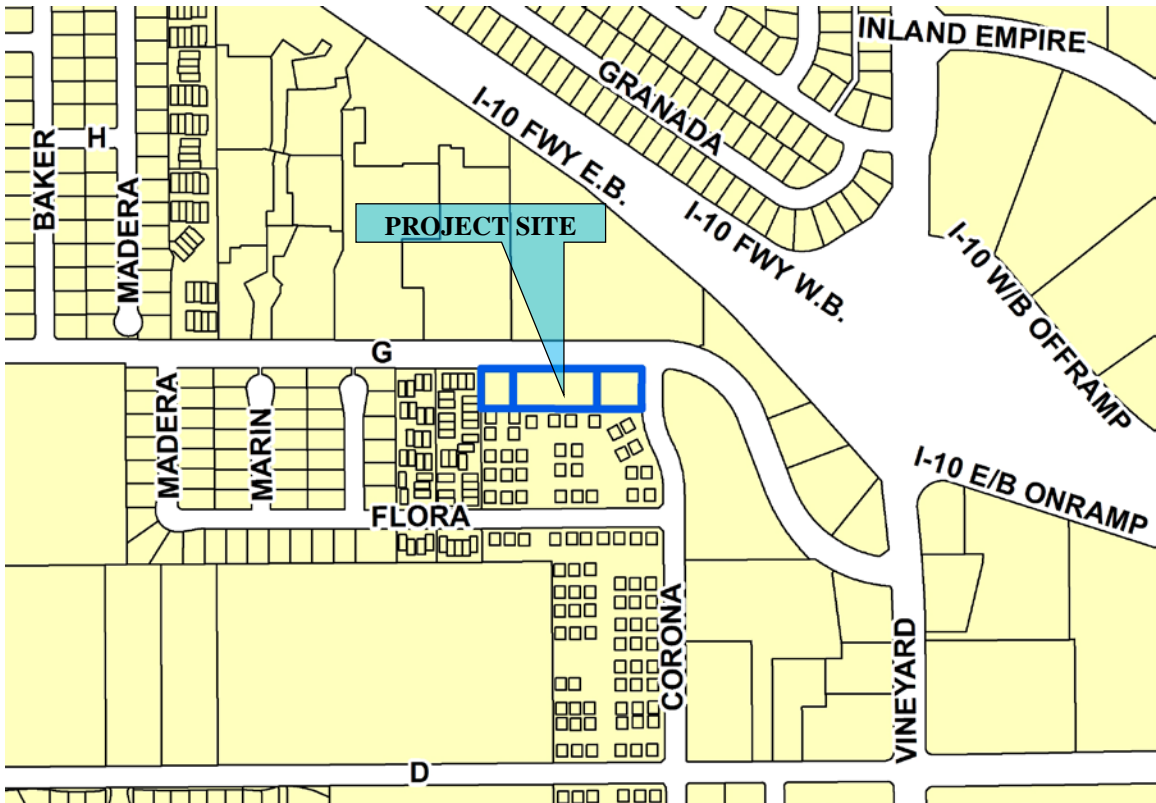
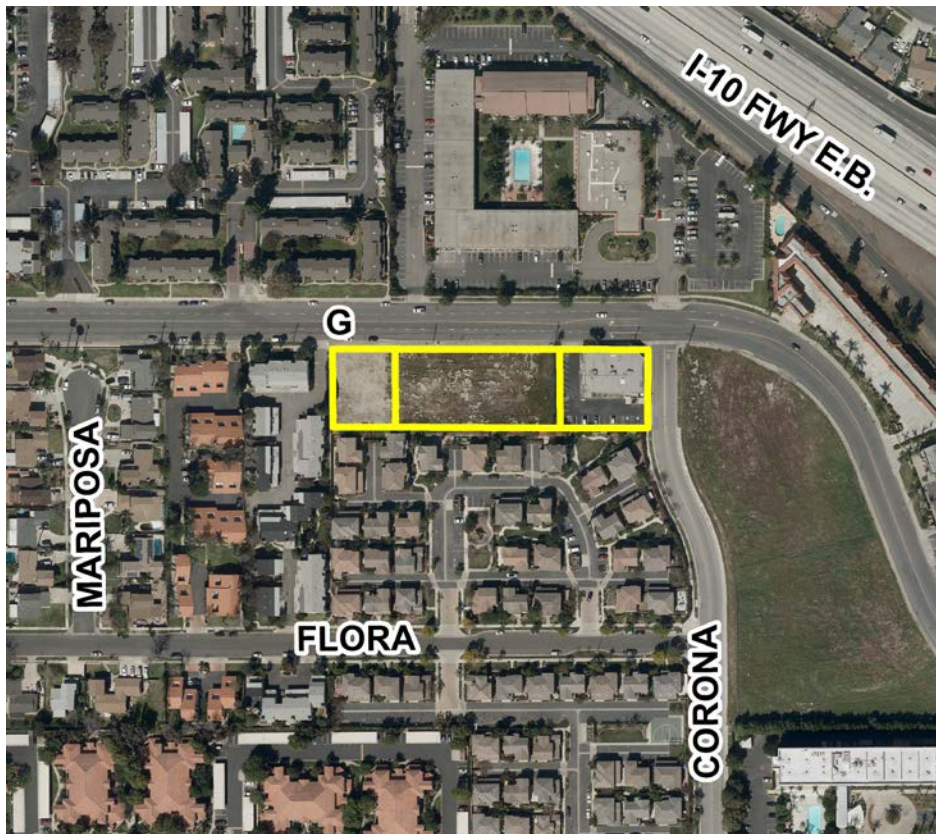


Figure 3—Aerial Photograph



- 6. General Plan Designation:** Proposal to change the General Plan land use designation on 1.02 acres of land from General Commercial to Low-Medium Density Residential and changing the land use designation on 0.46 acres of land from General Commercial to Hospitality for property located at the south west corner of G Street and Corona Avenue, as shown in Exhibit A and to amend the Future Buildout table, as shown in Exhibit B, in conformance with the proposed land use change.
- 7. Zoning:** Proposal to change the zoning designation on 1.02 acres of land from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential (5.1-11 DUs/Acre)) and to change the zoning designation on 0.46 acres of land from CC (Community Commercial) to CCS (Convention Center Support) in conformance with the proposed General Plan land use designation changes. (See Exhibit C)
- 8. Description of Project:** A General Plan Amendment (File No. PGPA18-009) to:
- 1) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designation on 1.02 acres of land from General Commercial to Low-Medium Density Residential (5.1-11 DUs/Acre) and changing the land use designation on 0.46 acres of land from General Commercial to Hospitality, located at the southwest corner of G Street and Corona Avenue; and
 - 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change; and
- A Zone Change (File No. PZC18-003) request to change the zoning designation on 1.02 acres of land from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential) and to change the zoning designation on 0.46 acres of land from CC (Community Commercial) to CCS (Convention Center Support) located at the southwest corner of G Street and Corona Avenue.
- 9. Project Setting:** The project is comprised of three parcels, two of which are undeveloped and one is developed with a single story office building, located at the southwest corner of G Street and Corona Avenue as shown in Exhibit A. The site is substantially surrounded by existing urban uses including multifamily residential development and a hotel.

10. Surrounding Land Uses:

	<u>Existing Land Use</u>	<u>General Plan Designation</u>	<u>Zoning Designation</u>
▪ Site—	Undeveloped Land (portion) and Office (portion)	General Commercial – proposed to change to Low-Medium Density Residential (portion) and Hospitality (portion)	CC, Community Commercial – proposed to change to MDR-11, Low-Medium Density Residential (5.1 – 11 du/ac) (portion) and CCS, Convention Center Support (portion)
▪ North—	Multifamily Residential (portion) and Hotel (portion)	Medium Density Residential (portion) and Hospitality (portion)	MDR-18, Medium Density Residential (11.1 – 18 du/ac) (portion) and CCS, Convention Center Support (portion)
▪ South—	Multifamily Residential	Low-Medium Density Residential	MDR-11, Low-Medium Density Residential (5.1 – 11 du/ac)
▪ East—	Undeveloped Land	Hospitality	CCS, Convention Center Support
▪ West—	Multifamily Residential	Medium Density Residential	MDR-18, Medium Density Residential (11.1 – 18 du/ac)

- 11. Other public agencies whose approval is required** (e.g., permits, financing approval or participation agreement): None
- 12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?** Yes No
- If “yes”, has consultation begun? Yes No Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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

Signature

May 1, 2019
Date

Clarice Burden
Printed Name

Ontario Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1. AESTHETICS. Except as provided in Public Resources Code section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION/TRAFFIC. Would the project:				
a. Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3 ¹ or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. TRIBAL CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹ CEQA Guidelines section 15064.3(c) provides that a lead agency “may elect to be governed by the provisions” of the section immediately; otherwise, the section’s provisions apply July 1, 2020. Here, the District has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
---------------	---------------------------------------	----------------------------------------------	-------------------------------------	------------------

Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.

Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

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

Discussion of Effects: The proposed Project will have no impact aesthetically. As provided in TOP EIR, the City of Ontario’s physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the San Bernardino and San Gabriel Mountains and stretches of open space and undeveloped land south of Riverside Drive. TOP EIR provides that compliance with TOP Policy CD1-5 in the Community Design Element will avoid significant impacts to scenic vista by making it the policy of the City to protect public views of the San Gabriel Mountains. The project under consideration proposes a General Plan Amendment and Zone Change on approximately 1.5 acres of land located at the southwest corner of G Street and Corona Avenue. The Project does not authorize construction of new buildings and so does not conflict with Policy CD1-5 as it will not alter existing public views of the San Gabriel Mountains. Since no adverse aesthetic impacts are expected, no mitigation is necessary.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The proposed project does not authorize any new construction. Therefore, it will not result in environmental impacts on scenic resources.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Would the project conflict with applicable zoning and other regulations governing scenic quality?

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by development and is substantially surrounded by urban land uses and does not authorize new construction. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning on the property will not introduce new lighting to the surrounding area beyond what was anticipated in the Certified TOP FEIR. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Discussion of Effects: The site does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. There are no agricultural uses in the vicinity of the project. As a result, no new environmental impacts to farmland are anticipated.

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

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

Discussion of Effects: The project site is not and will not be zoned for agricultural use. The project proposes to change the General Plan land use designation and a zone change for these parcels. Future development will be consistent with the development standards and allowed land uses. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

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

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

Discussion of Effects: The project proposes to change the land use designation on approximately 1.5 acres and would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

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

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

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

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

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

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in TOP FEIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses. There are no agricultural uses occurring onsite and the Project does not directly result in conversion of farmland. No new cumulative impacts beyond those identified in TOP FEIR would result from Project implementation. As a result, the project will not result in loss of Farmland to non-agricultural use.

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

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

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

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

Discussion of Effects: The City is located in a non-attainment region of South Coast Air Basin (SCAB). However, this impact has already been evaluated and mitigated to the extent feasible in TOP FEIR. TOP FEIR has addressed short-term construction impacts; however, and adequate mitigation (Mitigation Measure 3-1) has been adopted by the City that would help reduce emissions and air quality impacts. No new impacts beyond those identified in TOP FEIR would result from Project implementation. Changing the General Plan and zoning on this approximate 1.5 acres of land will not generate significant new or greater air quality impacts than identified in TOP FEIR.

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

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Discussion of Effects: Changing the General Plan and zoning of this site will not generate significant new or greater air quality impacts than those identified in TOP FEIR due to the net reduced non-residential square footage compared to the TOP FEIR analysis. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation. Thus the impacts would be less than significant.

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

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: As discussed in Section 5.3 of TOP FEIR, the proposed Project is within a non-attainment region of the SCAB. Essentially, this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The proposed General Plan Amendment and zone change closely correlates with the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level with mitigation. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

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

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

Discussion of Effects: The proposed General Plan and zone change do not authorize construction of any new buildings and any future development will be required to comply with the standards in place at the time of development. The Project will not create significant objectionable odors. Therefore the Project will not introduce new odors beyond those previously analyzed in TOP EIR.

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

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Discussion of Effects: The project site is not located within an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The proposed General Plan and zone change do not authorize construction of any new buildings. Future development would be subject to TOP FEIR requirements for implementation of regulatory and standard conditions of approval to mitigate for impacts to species and project-specific CEQA review will be undertaken at the appropriate time. Policy ER5-1 encourages efforts to conserve flood control channels and transmission line corridors as wildlife movement corridors. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the proposed General Plan and zone change do not authorize any new construction. The Project does not conflict with existing policies or ordinances protecting biological resources. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion of Effects: The project site is partially developed but does not contain buildings constructed more than 50 years ago and would not change the significance of a historic resource as no such resources are located in the vicinity of the project site. Therefore, no impacts to historic resources are anticipated.

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

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

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously rough graded when the property was subdivided and no archaeological resources were found. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions will be imposed on future development that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

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

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

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

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

6. ENERGY. Would the project:

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

Discussion of Effects: Changing the General Plan and zoning on the approximate 1.5 acres site is not anticipated to create significant energy related impacts.

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

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

Discussion of Effects: Changing the General Plan and zoning on the approximate 1.5 acres site will not obstruct or conflict with a state or local renewable energy plan. Therefore, no impacts are anticipated.

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

7. GEOLOGY & SOILS. Would the project:

- a. **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:**

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- ii) **Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Earthquake Fault Zone (formerly Alquist-Priolo Zone). The Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The proposed change in land use designation does not approved any new construction. All future construction will be undertaken in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: As identified in TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between

250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General Plan and zoning will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code for any future development would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning will not create greater erosion impacts than were identified in the Certified TOP FEIR. Impacts will be less than significant with mitigation.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning of the site will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated. Changing the General Plan and zoning will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground

surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the Project does not directly propose excavation and standard conditions will be imposed on any future development that in the event that unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine the significance of these resources. If a find is determined to be significant, avoidance or other appropriate measures shall be implemented.

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

8. GREENHOUSE GAS EMISSIONS. Would the project:

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

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases (“GHGs”) was analyzed in the Environmental Impact Report (“EIR”) for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan’s significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Changing the General Plan and zoning on the subject site will not create significantly greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan. Potential impacts of project implementation will be less than significant with mitigation. No changes or additions to TOP FEIR analyses are necessary.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately address any potential significant impacts and there is no need for any additional mitigation measures.

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

Discussion of Effects: Changing the General Plan and zoning will not create significantly greater impacts than were identified in the Certified TOP FEIR. The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City’s contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City’s adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

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

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning will not create significantly greater impacts than were identified in the Certified TOP FEIR. The project will not involve the use or disposal of hazardous materials. Therefore, no adverse impacts are anticipated; however, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and a zone change on these parcels will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located outside on the safety zone for ONT and Chino Airports. Therefore, no impacts are anticipated

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because future development would be required to comply with all applicable State and City codes no significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10. HYDROLOGY & WATER QUALITY. Would the project:

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

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. The proposed project does not authorize any new development, and therefore, no adverse impacts are anticipated. Compliance with established Codes and standards for any future development would reduce any impacts to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Discussion of Effects: Changing the General Plan and zoning will not create greater impacts than were identified in the Certified TOP FEIR. Increases in the current amount of water flow to the project site are anticipated, and have been determined to not be significant. The proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The future development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 250 to 450 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

i) **Result in substantial erosion or siltation on- or off-site:**

Discussion of Effects: The proposed project does not involve any new construction. No changes in erosion on- or off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite:**

Discussion of Effects: The proposed project does not involve any new construction. No changes in flooding on- or off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new construction. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) Impede or redirect flood flows:

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not involve any new construction. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. No changes in flood flows are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. There are no lakes or substantial reservoirs near the project site; therefore, there will be no impacts from seiche. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and a zone change on the approximate 1.5 acre site will not create greater impacts than were identified in the Certified TOP FEIR. The General Plan changes will not increase impervious surfaces and will not increase runoff. It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. Changing the General Plan and a zone change on the approximate 1.5 acre project site will not create greater impacts than were identified in the Certified TOP FEIR. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

12. MINERAL RESOURCES. Would the project:

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

Discussion of Effects: Changing the General Plan and zoning of the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

13. NOISE. Would the project result in:

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

Discussion of Effects: Changing the General Plan and a zone change on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

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

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

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The uses associated with this proposed project are required to comply with the environmental standards contained in the City of Ontario Development Code and as such, no impacts are anticipated.

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

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

Discussion of Effects: Changing the General Plan and zoning on approximately 1.5 acres will not create greater impacts than were identified in the Certified TOP FEIR. According to the Safety Element in The Ontario Plan, the proposed site is located within the Airport Land Use Compatibility Plan (ALUCP). The project proposes to change the General Plan and zoning on these parcels, located within the 60-65 CNEL Noise Impact area. This parcel is not located within safety zones. All proposed changes were found to be consistent with the ALUCP. Therefore, no significant impacts are anticipated.

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

14. POPULATION & HOUSING. Would the project:

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

Discussion of Effects: Changing the General Plan and zoning on the subject approximate 1.5 acre site would not induce significant population growth. No significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The project site does not contain existing housing. Changing the General Plan and zoning on approximately 1.5 acres will not create existing housing impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15. PUBLIC SERVICES. Would the project:

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

- i) **Fire protection?**

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- ii) **Police protection?**

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- iii) **Schools?**

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create significantly different impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- iv) **Parks?**

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project

will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v) **Other public facilities?**

Discussion of Effects: Changing the General Plan and zoning on the subject approximate 1.5 acre site will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16. RECREATION.

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

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. Future construction of housing would be very limited in scope due to the small size of the site and the project does not include a large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. Future construction of housing would be very limited in scope due to the small size of the site and does not include a large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

17. TRANSPORTATION/TRAFFIC. Would the project:

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

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. Any future development of the project site will be served by the existing circulation system or any necessary mitigation will be determined by analysis per the City of Ontario CEQA guidelines. As described on page 2, the cumulative impact of the proposed general plan amendment will have less impact than the TOP EIR assumed, resulting in less than significant impacts.

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

b. **Conflict or be inconsistent with CEQA Guidelines section 15064.3² or will conflict with an applicable congestion management program, including, but not limited to, level of service**

² CEQA Guidelines section 15064.3(c) provides that a lead agency “may elect to be governed by the provisions” of the section immediately; otherwise, the section’s provisions apply July 1, 2020. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: Changing the General Plan and zoning on the subject approximate 1.5 acre site will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. The project, in conjunction with prior TOP amendments, will generate lower total dwelling units, population, non-residential square footage and jobs than the certified TOP EIR assumed, resulting in lower impacts. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials. Impacts are anticipated to be less than significant.

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

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

Discussion of Effects: The project is in an area that is mostly developed and most street improvements are complete. The project will not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

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

d. Result in inadequate emergency access?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. Any future development on the project site will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

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

18. TRIBAL CULTURAL RESOURCES. Would the project:

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

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

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. Changing the General Plan and zoning on the approximate 1.5 acre site will not create greater impacts than were identified in the Certified TOP FEIR.

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

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

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

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

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

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

Discussion of Effects: Changing the General Plan and zoning on the approximate 1.5 acre site will not significantly alter wastewater treatment needs of Ontario and will not create greater impacts than were identified in the Certified TOP FEIR.

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

- b. **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Discussion of Effects: Changing the General Plan and zoning of the approximate 1.5 acres site will not create significantly greater impacts than were identified in the Certified TOP FEIR.

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

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

Discussion of Effects: The future development of the project site will be served by the City of Ontario. The project will be required to meet the requirements of the Ontario Engineering Department regarding waste water. No significant impacts are anticipated.

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

- d. **Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.**

Discussion of Effects: Changing the General Plan and zoning of the site will not create significantly greater impacts than were identified in the Certified TOP FEIR. No significant impacts are anticipated.

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

- e. **Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Discussion of Effects: Changing the General Plan and zoning on the subject site does not authorize any construction and will not create significantly greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

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

20. MANDATORY FINDINGS OF SIGNIFICANCE

- a. **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife**

population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The project site does not contain wildlife habitat and therefore the proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b. **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)**

Discussion of Effects: The project does not have impacts that are cumulatively considerable other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c. **Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. Future development of the project site will be in accordance with the development regulations in place at the time of development which will ensure that the project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. No significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier analyzes used. Identify earlier analyzes used and state where they are available for review.

- a) The Ontario Plan Final EIR
- b) The Ontario Plan

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards.
























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

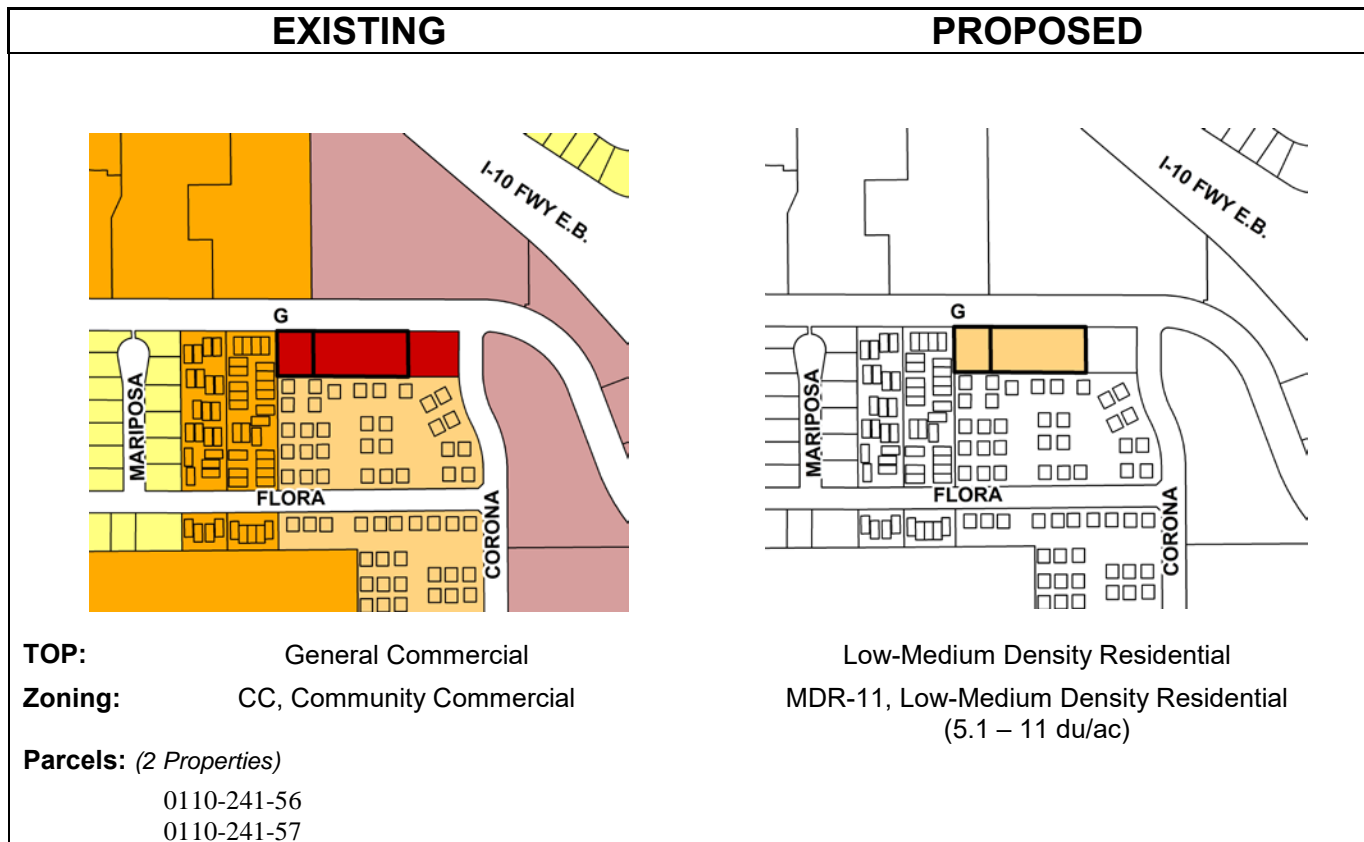
MITIGATION MEASURES

The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

Exhibit A PGPA18-009 Proposed General Plan Amendment

TOP Legend:

 Rural Residential	 Neighborhood Commercial	 Airport	 Public Facility
 Low Density Residential	 General Commercial	 Land Fill	 Public School
 Low-Medium Density Residential	 Office Commercial	 Open Space - Parkland	 COM Overlay
 Medium Density Residential	 Hospitality	 Open Space - Water	 BP Overlay
 High Density Residential	 Business Park	 Open Space - Non-Recreation	 IND Overlay
 Mixed Use	 Industrial	 Rail	



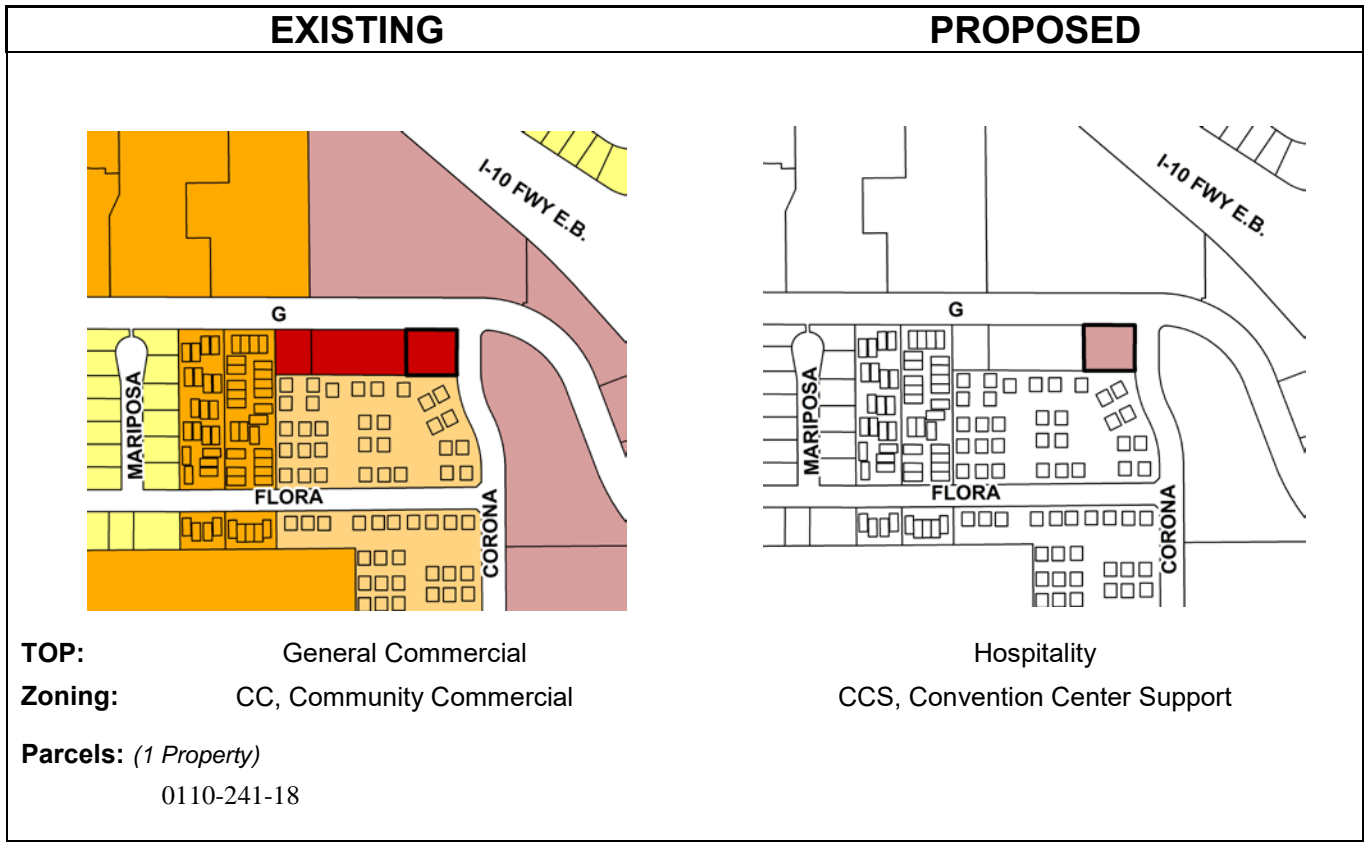


Exhibit B LU-03 Future Buildout



Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	999 1,000	8.5 du/ac	8,492 8,500	33,944 33,976		
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		
<i>Subtotal</i>	10,864 10,865		84,750 84,758	315,679 315,713		
Mixed Use						
• Downtown	113	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 23% of the area at 37.4 du/ac 72% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area t 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at .70 FAR office 	465	929	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.5 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
<i>Subtotal</i>	1,668		15,129	30,257	34,922,836	72,383

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	533 531	0.30 FAR			6,964,199 6,944,858	6,470 6,452
Office/ Commercial	514	0.75 FAR			16,805,775	37,269
Hospitality	441 142	1.00 FAR			6,157,642 6,177,679	7,060 7,082
<i>Subtotal</i>	1,470 1,469				33,599,200 33,599,897	59,682 59,687
Employment						
Business Park	1,507	0.40 FAR			26,261,610	46,075
Industrial	6,372	0.55 FAR			152,661,502	134,132
<i>Subtotal</i>	7,879				178,923,112	180,207
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				
<i>Subtotal</i>	9,906					
<i>Total</i>	31,786		99,878 99,887	345,936 345,971	247,445,148 247,445,845	312,272 312,277

Notes

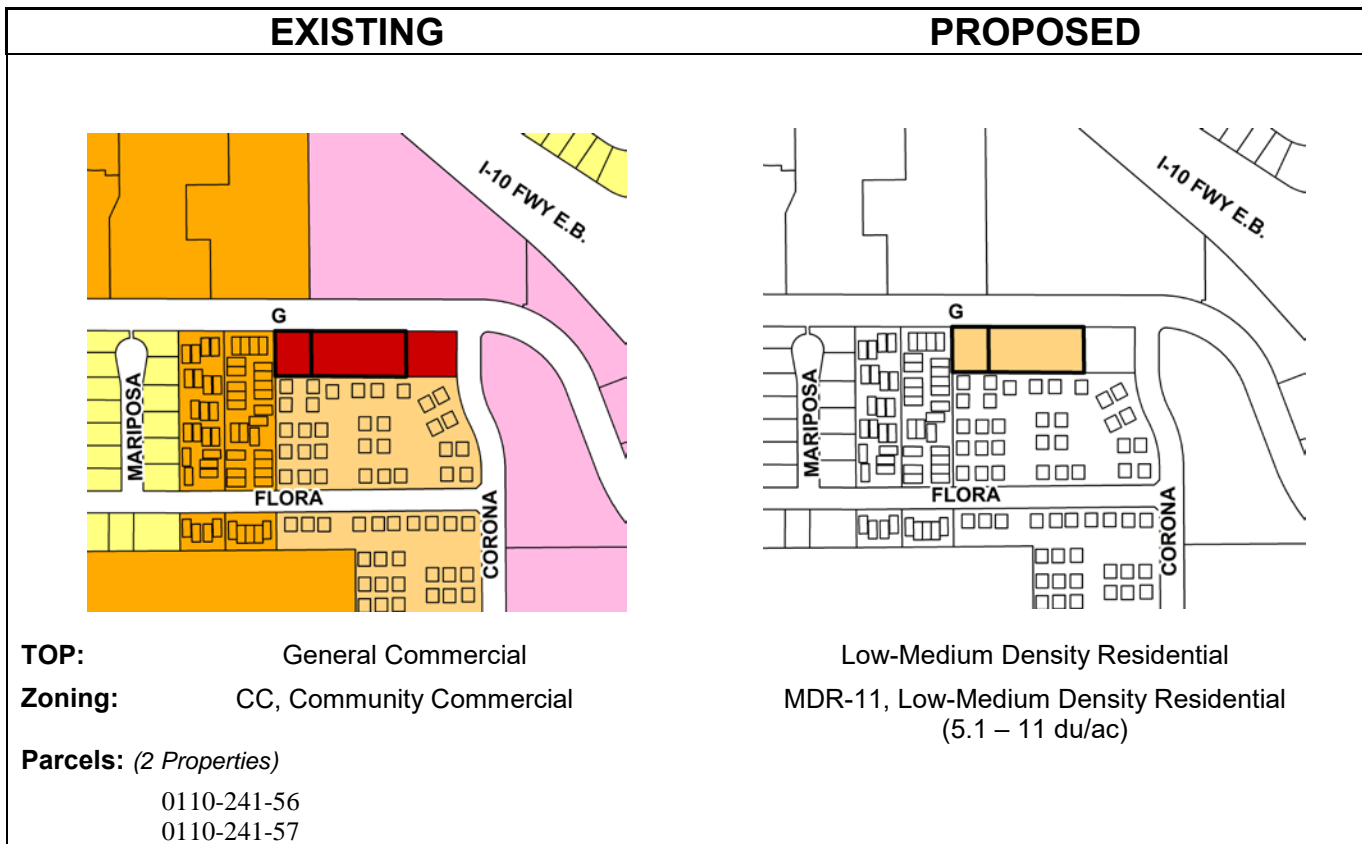
- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead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

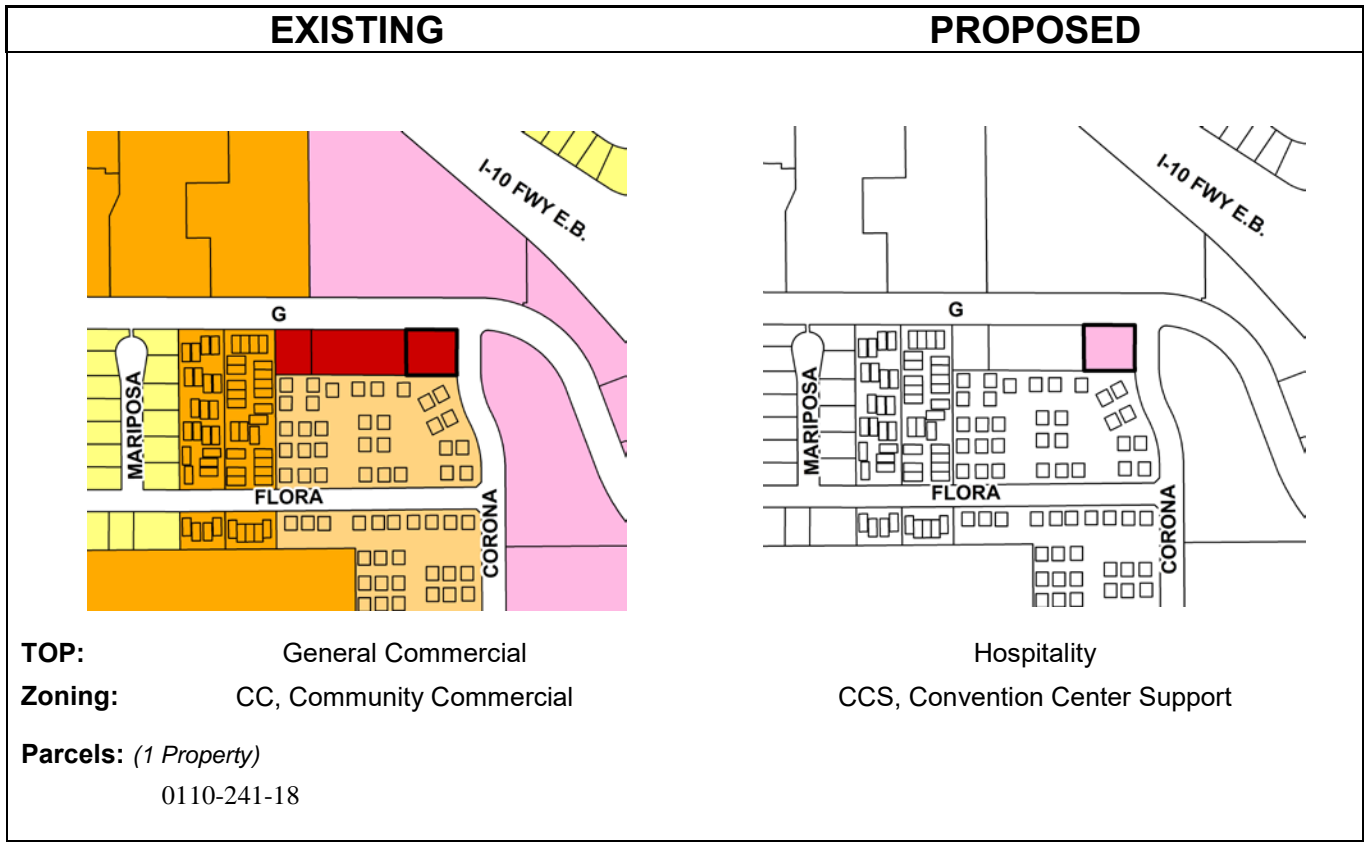
Exhibit C PZC18-003

Proposed Zone Change

ZONING Legend:

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





RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PGPA18-009: A GENERAL PLAN AMENDMENT TO:

- 1) MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATION ON 1.02 ACRES OF LAND FROM GENERAL COMMERCIAL TO LOW-MEDIUM DENSITY RESIDENTIAL (5.1-11 DUS/ACRE) AND CHANGING THE LAND USE DESIGNATION ON 0.46 ACRES OF LAND FROM GENERAL COMMERCIAL TO HOSPITALITY, LOCATED AT THE SOUTHWEST CORNER OF G STREET AND CORONA AVENUE; AND
- 2) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE;

AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-241-18, 0110-241-56 & 0110-241-57. (LAND USE ELEMENT CYCLE 1 FOR THE 2019 CALENDAR YEAR).

WHEREAS, LHL Investments Group, LLC (hereinafter referred to as "Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-009, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3 parcels totaling 1.48 acres of land generally located at the south west corner of G Street and Corona Avenue, within the CC, Community Commercial zone, 1.02 acres of which is proposed to change to MDR-11, Low Medium Density Residential (5.1-11 du/ac) and 0.46 acres of which is proposed to change to CCS, Convention Center Support. Two of the parcels are undeveloped and one parcel contains a single story office building; and

WHEREAS, the properties to the north of the Project site are within the MDR-18, Medium Density Residential (11.1-18 du/ac) and the CCS, Convention Center Support zoning districts, and are developed with Multi-family Residential units and a Hotel. The property to the east is within the CCS, Convention Center Support zoning district, and is undeveloped land. The property to the south is within the MDR-11, Low-Medium Density Residential (5.1-11 du/ac) zoning district, and is developed with Multi-family Residential units. The property to the west is within the MDR-18, Medium Density Residential (11.1-18 du/ac) zoning district, and is developed with Multi-family Residential units; and

WHEREAS, a related Zone Change (File No. PZC18-003) is being processed concurrently with this application to change the zoning on 1.02 acres of land from CC, Community Commercial to MDR-11, Low-Medium Density Residential (5.1-11 du/ac) and to change 0.46 acres of land from CC, Community Commercial to CCS, Convention Center Support; 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 Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to 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 25, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on June 25, 2019, the Planning Commission recommended City Council approval of a resolution adopting an Addendum to a previous Environmental Impact Report prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of less than significance; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending 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 recommends City Council find as follows:

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

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

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

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

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

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

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

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects; and

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future

land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

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.

- LU1-6: 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.

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area, and provides opportunities for choice in living and working environments.

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

- 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 and Zone Change reflect the existing uses of the properties or closely coordinates with land use

designations in the surrounding area, and will not create adverse impacts on adjacent properties.

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

- LU5-7: ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment and Zone Change are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario International Airport and Chino Airport.

Safety Element — Noise Hazards

- Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

- 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 subject property is located within the 60 to 65 CNEL Noise Impact area and the proposed Low-Medium Density Residential and Hospitality/Convention Center Support 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 because the proposed land use is compatible with the land uses in the area.

(3) The Land Use Element is a mandatory element of the Policy Plan (General Plan) component of The Ontario Plan, which, pursuant to GC Section 65358, may be amended up to four times per calendar year, and the proposed General Plan Amendment is the first cycle amendment to the Land Use Element within the 2019 calendar year.

(4) During the amendment of the Policy Plan (General Plan) component of The Ontario Plan, opportunities for the involvement of citizens, California Native American Indian tribes (pursuant to GC 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 GC Section 65351.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as detailed in “Exhibit A” and “Exhibit B” attached hereto, 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 25th day of June, 2019, 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 June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:



ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit A PGPA18-009 Proposed General Plan Amendment

TOP Legend:

 Rural Residential	 Neighborhood Commercial	 Airport	 Public Facility
 Low Density Residential	 General Commercial	 Land Fill	 Public School
 Low-Medium Density Residential	 Office Commercial	 Open Space - Parkland	 COM Overlay
 Medium Density Residential	 Hospitality	 Open Space - Water	 BP Overlay
 High Density Residential	 Business Park	 Open Space - Non-Recreation	 IND Overlay
 Mixed Use	 Industrial	 Rail	

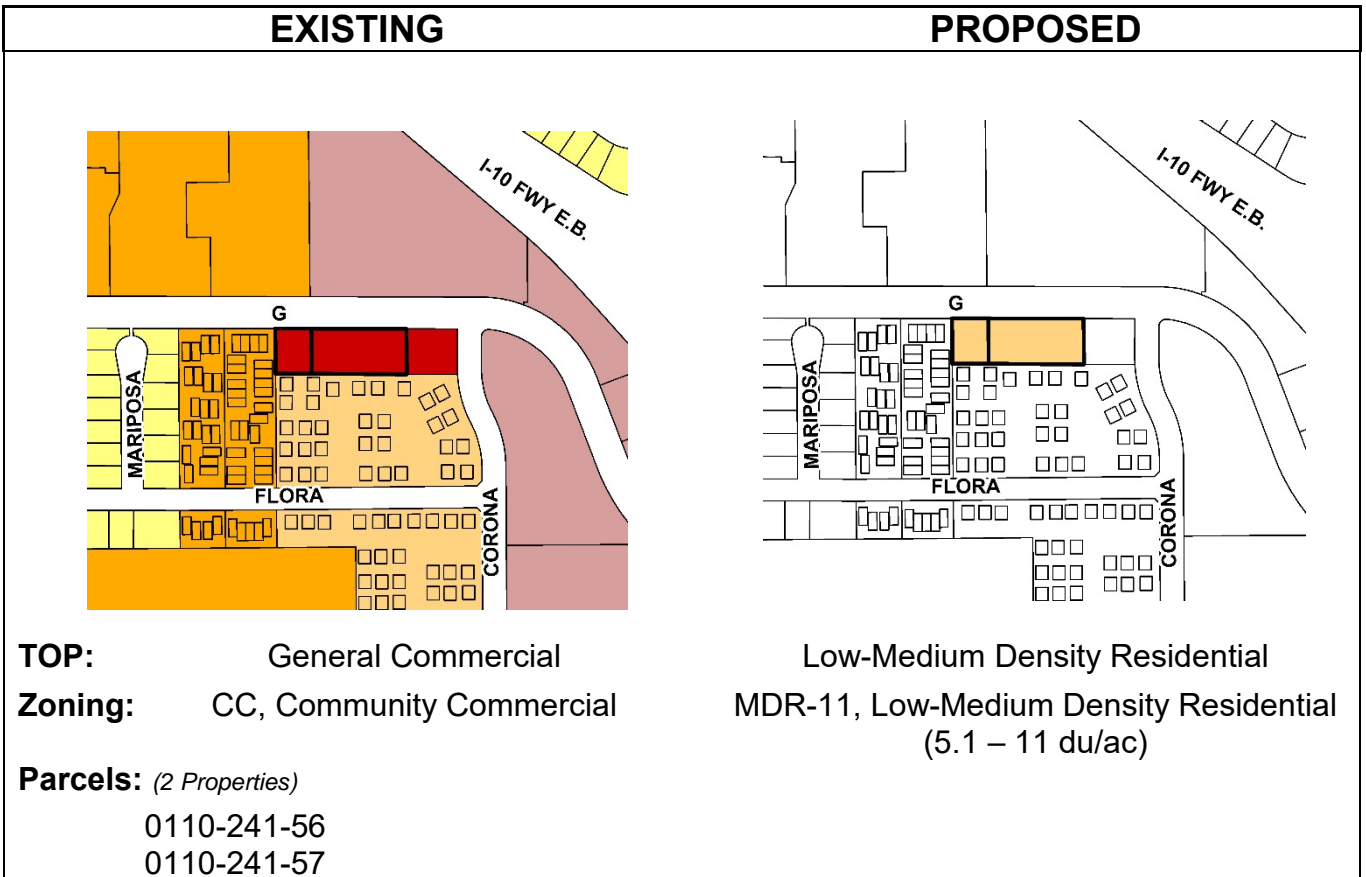


Exhibit A: (cont.)

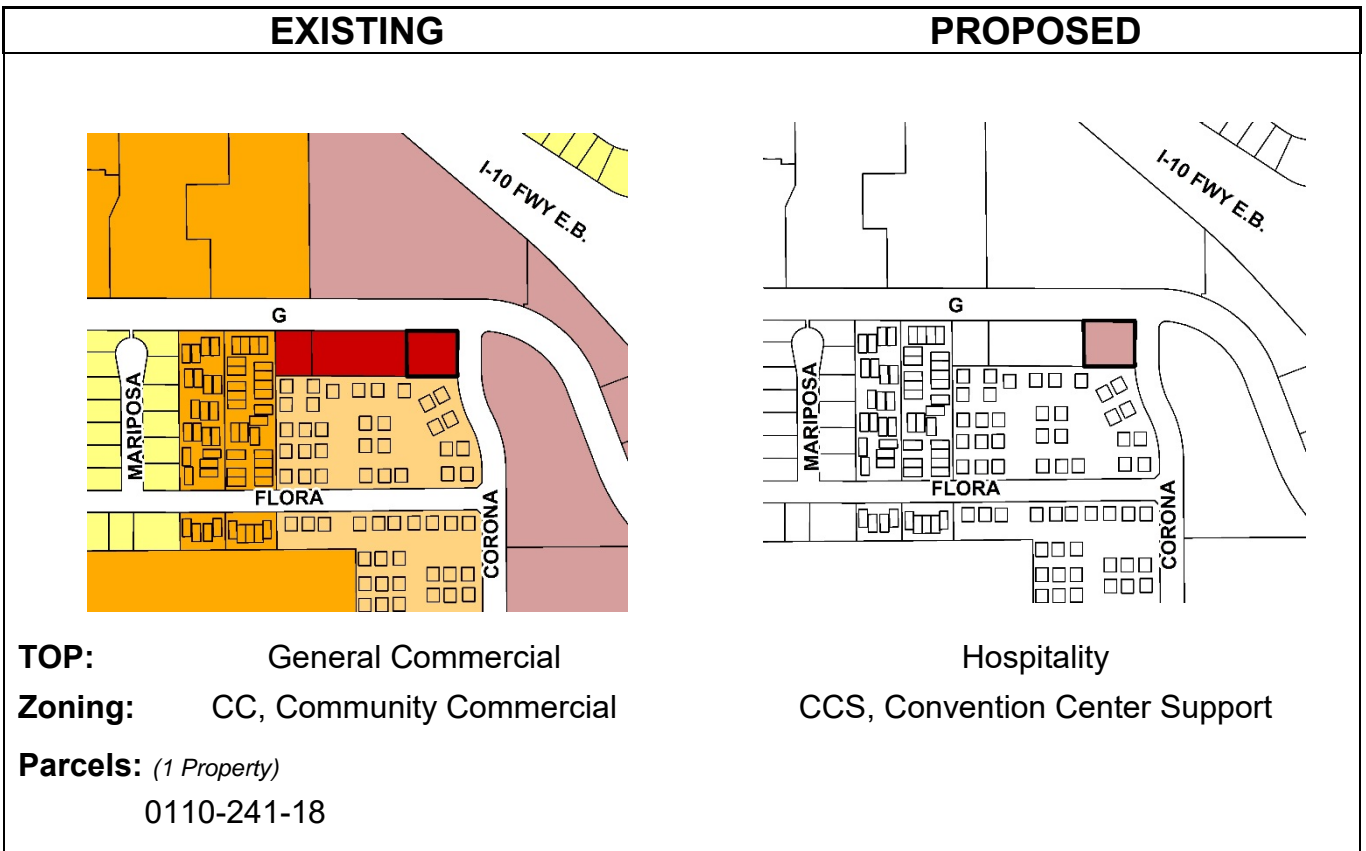


Exhibit B LU-03 Future Buildout



Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	999 1,000	8.5 du/ac	8,492 8,500	33,941 33,976		
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		
<i>Subtotal</i>	10,864 10,865		84,750 84,758	315,679 315,713		
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 1.0 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 1.0 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 1.0 FAR retail • 50% of area at .70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5. 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 0.5 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.7 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 0.8 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 1.5 FAR office	185	369	924,234	2,098
<i>Subtotal</i>	1,668		15,129	30,257	34,922,836	72,383

Exhibit B: (cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	533 531	0.30 FAR			6,964,199 6,944,858	6,470 6,452
Office/ Commercial	514	0.75 FAR			16,805,775	37,269
Hospitality	444 142	1.00 FAR			6,157,642 6,177,679	7,060 7,082
<i>Subtotal</i>	1,470 1,469				33,599,200 33,599,897	59,682 59,687
Employment						
Business Park	1,507	0.40 FAR			26,261,610	46,075
Industrial	6,372	0.55 FAR			152,661,502	134,132
<i>Subtotal</i>	7,879				178,923,112	180,207
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				
<i>Subtotal</i>	9,906					
<i>Total</i>	31,786		99,878 99,887	345,936 345,971	247,445,148 247,445,845	312,272 312,277

Notes

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

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PZC18-003, A ZONE CHANGE REQUEST TO CHANGE THE ZONING DESIGNATION ON 1.02 ACRES OF LAND FROM CC, COMMUNITY COMMERCIAL TO MDR-11, LOW-MEDIUM DENSITY RESIDENTIAL (5.1-11 DU/AC) AND TO CHANGE THE ZONING DESIGNATION ON 0.46 ACRES OF LAND FROM CC, COMMUNITY COMMERCIAL TO CCS, CONVENTION CENTER SUPPORT, LOCATED AT THE SOUTH WEST CORNER OF G STREET AND CORONA AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-241-18, 0110-241-56 & 0110-241-57.

WHEREAS, LHL Investments Group, LLC (hereinafter referred to as "Applicant") has filed an Application for the approval of a Zone Change, File No. PZC18-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3 parcels totaling 1.48 acres of land generally located at the south west corner of G Street and Corona Avenue, within the CC, Community Commercial zone, 1.02 acres of which is proposed to change to MDR-11, Low Medium Density Residential (5.1-11 du/ac) and 0.46 acres of which is proposed to change to CCS, Convention Center Support. Two of the parcels are undeveloped and one parcel contains a single story office building; and

WHEREAS, the properties to the north of the Project site are within the MDR-18, Medium Density Residential (11.1-18 du/ac) and the CCS, Convention Center Support zoning districts, and are developed with Multi-family Residential units and a Hotel. The property to the east is within the CCS, Convention Center Support zoning district, and is undeveloped land. The property to the south is within the MDR-11, Low-Medium Density Residential (5.1-11 du/ac) zoning district, and is developed with Multi-family Residential units. The property to the west is within the MDR-18, Medium Density Residential (11.1-18 du/ac) zoning district, and is developed with Multi-family Residential units; and

WHEREAS, a related General Plan Amendment (File No. PGPA18-009) is being processed concurrently with this application to change the General Plan land use designation on 1.02 acres of land from General Commercial to Low-Medium Density Residential and to change 0.46 acres of land from General Commercial to Hospitality; 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 Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to 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 25, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on June 25, 2019, the Planning Commission recommended City Council approval of a resolution adopting an Addendum to a previous Environmental Impact Report prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of less than significance; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending 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 recommends City Council find as follows:

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

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

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

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

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

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

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

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

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the

Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

(ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

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

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.
 - LU1-6: *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.

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area, and provides opportunities for choice in living and working environments.

- Goal LU2: Compatibility between a wide range of uses.
 - 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 and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area, and will not create adverse impacts on adjacent properties.

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

➤ LU5-7: ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment and Zone Change are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario International Airport and Chino Airport.

Safety Element — Noise Hazards

▪ Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ 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 subject property is located within the 60 to 65 CNEL Noise Impact area and the proposed Low-Medium Density Residential and Hospitality/Convention Center Support land use designations are compatible with the Noise Impact area.

(2) The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because the proposed zoning designations are compatible with the zoning and land uses in the surrounding area.

(3) The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses because the surrounding properties to the south, and east have the same land use designations and the properties to the north and west has a coordinating land use designations. The allowed uses of the properties will be similar to other properties in the area.

(4) The subject site is physically suitable, including, but not limited to, parcel sizes, shapes, access, and availability of utilities, for the requested zoning change from CC, Community Commercial to MDR-11, Low-Medium Density Residential and CCS, Convention Center Support and to the anticipated future development with allowable uses.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as detailed in "Exhibit A" attached hereto 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 25th day of June, 2019, 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

Planning Commission Resolution
File No. PZC18-003
June 25, 2019
Page 8

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on June 25, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit A: File No. PZC18-003 Proposed Zone Change

ZONING Legend:

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

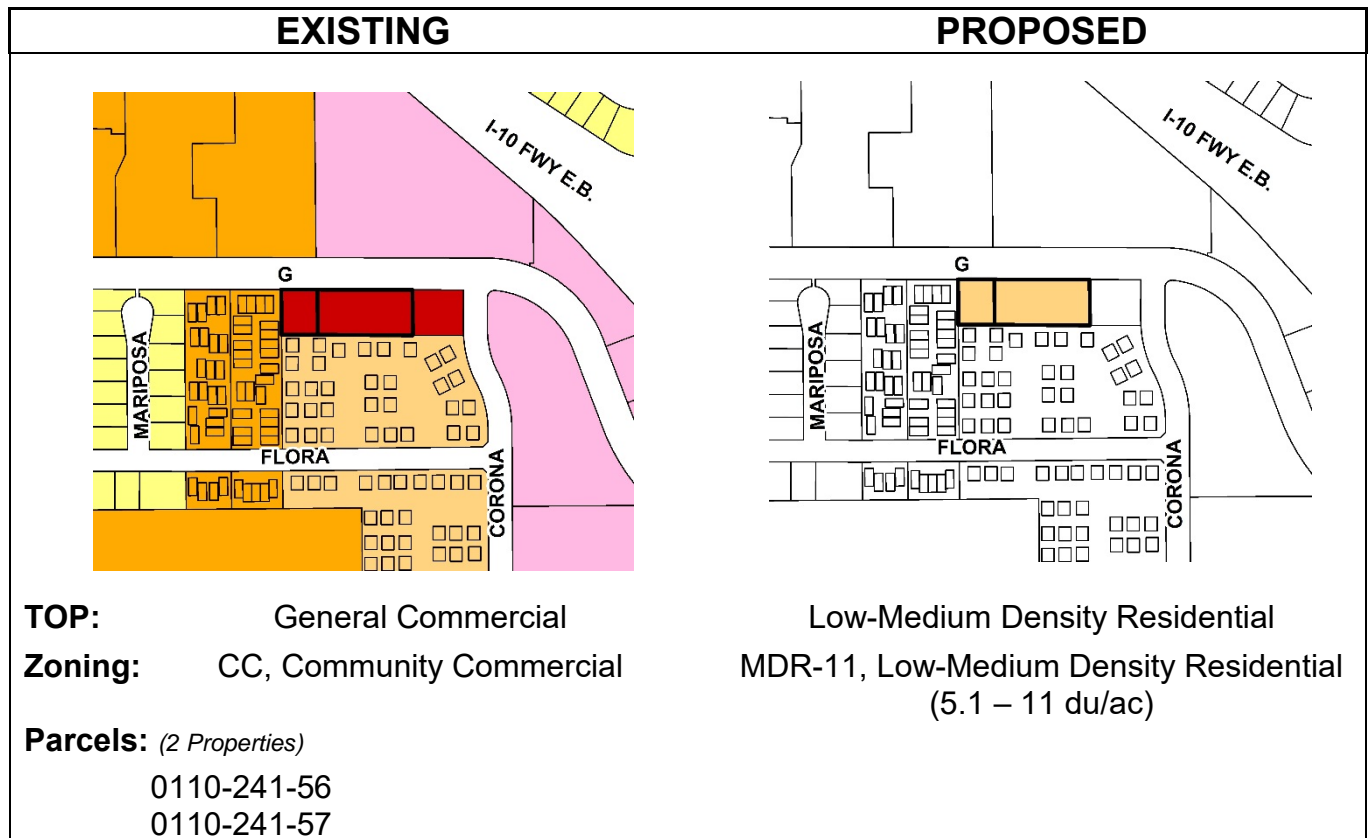
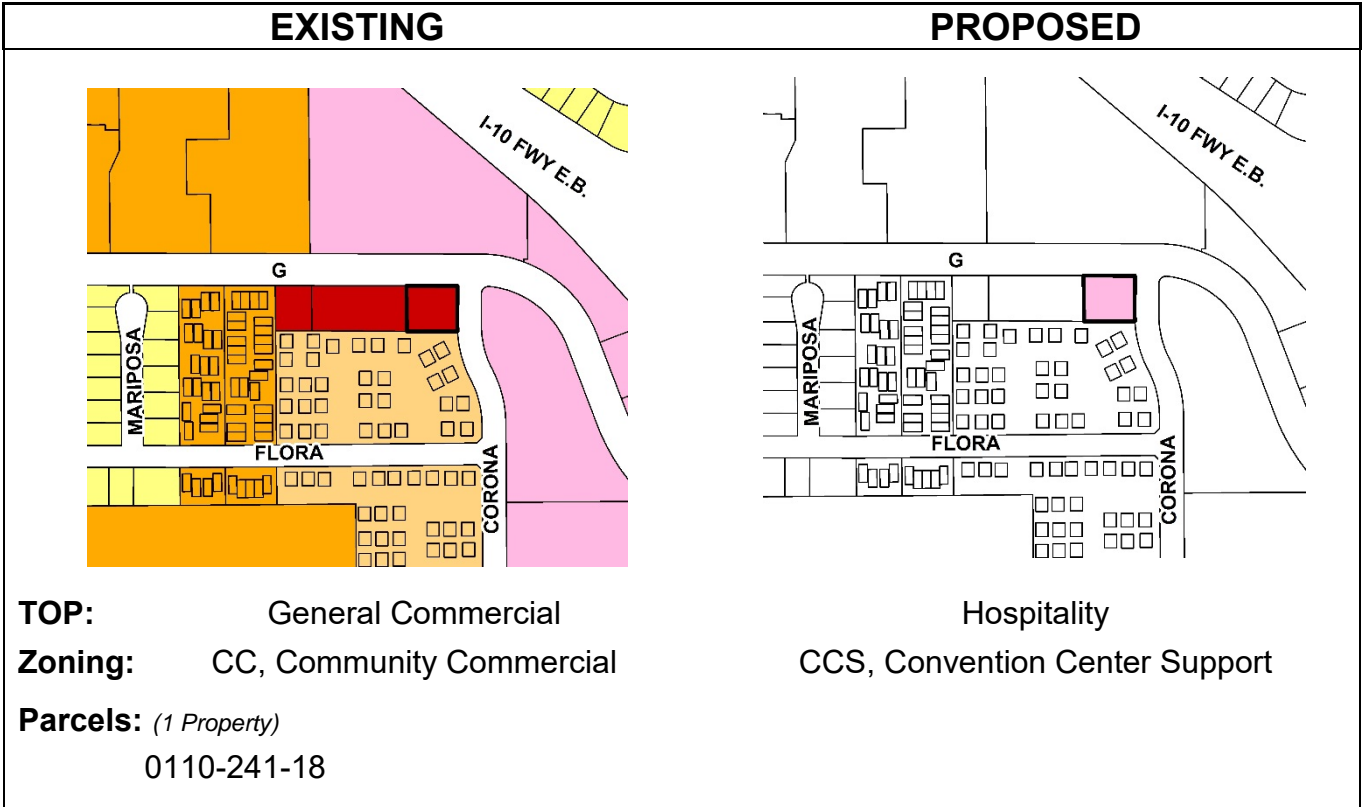


Exhibit A: (cont.)





CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Planning Director *CW*

DATE: June 25, 2019

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF MAY 2019

Attached, you will find the Planning Department Monthly Activity Report for the month of May 2019. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications>, and actions taken on applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions>.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

DEVELOPMENT ADVISORY BOARD MEETING

May 6, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-017:

A Development Plan to construct a 3,080-square foot commercial building (Chase Bank) and drive-thru within a previously approved commercial shopping center (New Haven Marketplace) on approximately 0.69 acres of land located on the south side of Ontario Ranch Road, between New Haven Drive and Haven Avenue, at 3470 East Ontario Ranch Road, within the Retail land use district of The Avenue Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan EIR (SCH# 2005071109) certified by the City Council on December 19, 2006. 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). (APN: 0218-412-02) **submitted by Chase Bank.**

Action: The Development Advisory Board approved the project subject to conditions.

ZONING ADMINISTRATOR MEETING

May 6, 2019

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP18-040: A Conditional Use Permit to establish a 5,900-square foot preschool on 2.78 acres of land located at 602 North Virginia Avenue, within the MDR18 (Medium Density Residential-11.1 to 18 DU/Acre) and MDR11 (Medium Density Residential-5.1 to 11 DU/Acre) zoning districts. 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: 1048-451-51, 1048-451-49 & 1048-451-32) **Submitted by Truth Preschool Academy.**

Action: The Zoning Administrator approved the project subject to conditions.

CITY COUNCIL/HOUSING AUTHORITY MEETING

May 7, 2019

PROCLAMATION OF HISTORIC PRESERVATION MONTH MAY 2019

Action: The City Council Proclaimed the Month of May 2019 as “Historic Preservation Month” in the City of Ontario.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT FOR FILE NO. PDA07-005: A Development Agreement Amendment (First Amendment - File No. PDA07-005) between the City of Ontario and Stratham Properties, Inc. a California Corporation, to modify certain infrastructure requirements associated with the development of Tentative Tract Maps Nos. 18026 (PMTT11-003) and 18027 (PMTT11-002), located on the northwest corner of Haven Avenue and Chino Avenue, and the northwest corner of Haven Avenue and Schaefer Avenue, within Planning Areas 4 and 8 of the West Haven Specific Plan. 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 (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The environmental impacts of this project were previously reviewed in conjunction with West Haven Specific Plan (PSP03-006) for which an EIR (SCH# 2004071095), was certified by the City Council on July 17, 2007. (APNs: 2018-151-11 and 0218-151-38). **Submitted by STG Communities II, LLC.** The Planning Commission recommended approval of this item on March 26, 2019 with a vote of 6 to 0.

Action: The City Council approved the First Amendment (File No. PDA07-005) to the Development Agreement between the City of Ontario and STG Communities II, LLC, modifying certain infrastructure requirements associated with the development of Tentative Tract Map Nos. 18026 (File No. PMTT11-003) and 18027 (File No. PMTT11-002).

NINETEENTH ANNUAL MODEL COLONY AWARDS FILE NO. PHP19-002: A request for the Historic Preservation Commission to accept the nominations for the Nineteenth Annual Model Colony Awards; **submitted by City of Ontario.**

Action: The City Council presented the Annual Model Colony Awards.

DEVELOPMENT ADVISORY BOARD MEETING

May 20, 2019

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV18-027 AND PCUP18-028: A Development Plan (File No. PDEV18-027) to construct an 83,500-square foot hotel with conference rooms, fitness center, pool, and restaurant in conjunction with a Conditional Use Permit (File No. PCUP18-028) to establish: 1) a 124-room full-service hotel; 2) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption by hotel guests and their visitors (Type 70 ABC License – On-Sale General Restrictive Service); and 3) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption in conjunction with a restaurant (Type 47 ABC License – On-Sale General for Bona Fide Eating Place), on 2.25 acres of land located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan. The environmental impacts of this project were

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. 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: 0210-192-24) **submitted by Cambria Ontario, LLC. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-037:

A Development Plan to construct 176 single-family homes (72 lane-loaded units and 104 conventional units), located on the north side of Ontario Ranch Road, west of Turner Avenue, within Planning Area 8A (Low Density Residential) of The Avenue Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan (File No. PSP05-003) EIR (SCH # 2005071109) certified by the City Council on February 16, 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). 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: 0218-201-26 and 0218-201-27) **submitted by Lennar Homes of CA, Inc. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-010:

A Development Plan to construct 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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) that was certified by the City Council on December 4, 2007 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by the City Council on January 27, 2010. 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

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-011:

A Development Plan to construct 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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) that was certified by the City Council on December 4, 2007 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-012:

A Development Plan to construct 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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) that was certified by the City Council on December 4, 2007 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

ZONING ADMINISTRATOR MEETING

May 20, 2019

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP19-005: A Conditional Use Permit to establish alcoholic beverage sales, including beer and wine for on-premises consumption (Type 41 ABC License — On Sale Beer and Wine for a bona fide eating place) in conjunction with an existing 1,400-square foot restaurant (Burgerim) on 1.8 acres of land located at 990 Ontario Mills Drive, within the commercial/office land use district of the Ontario Mills Specific Plan (formerly known as the California Commerce Center North, Ontario Gateway Plaza and Wagner Properties 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: 0238-014-03) **submitted by Liliger Damaso**

Action: The Zoning Administrator approved the project subject to conditions.

CITY COUNCIL/HOUSING AUTHORITY MEETING

May 21, 2019

Meeting Cancelled

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING

May 28, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-037:

A Development Plan to construct 176 single-family homes (72 lane-loaded units and 104 conventional units), located on the north side of Ontario Ranch Road, west of Turner Avenue, within Planning Area 8A (Low Density Residential) of The Avenue Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan (File No. PSP05-003) EIR (SCH # 2005071109) certified by the City Council on February 16, 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). The project site is also located within the Airport Influence area of

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

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: 0218-201-26 and 0218-201-27) **submitted by Lennar Homes of CA, Inc.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-010:

A Development Plan to construct 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by the City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

Action: The Planning Commission continued this item to the June 25, 2019 meeting.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-011:

A Development Plan to construct 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

Action: The Planning Commission continued this item to the June 25, 2019 meeting.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-012:

A Development Plan to construct 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land located at the northeast corner of Ontario Ranch Road and

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. 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); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

Action: The Planning Commission continued this item to the June 25, 2019 meeting.

ENVIRONMENTAL ASSESSMENT AND MINOR VARIANCE AND DEVELOPMENT PLAN REVIEW

FOR FILE NOS. PVAR18-006 AND PDEV18-025: A Minor Variance (File No. PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66 (TM17931), in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (PSP05-002), Environmental Impact Report (SCH#. 2002061047) certified by the City Council on February 6, 2007. 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); (APN: 0218-252-16) **submitted by Christopher Development Group, Inc.** This item was continued from the April 23, 2019 Planning Commission meeting.

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV18-027 AND PCUP18-028:

A Development Plan (File No. PDEV18-027) to construct an 83,500-square foot hotel with conference rooms, fitness center, pool, and restaurant in conjunction with a Conditional Use Permit (File No. PCUP18-028) to establish: 1) a 124-room full-service hotel; 2) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption by hotel guests and their visitors (Type 70 ABC License – On-Sale General Restrictive Service); and 3) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption in conjunction with a restaurant (Type 47 ABC License – On-Sale General for Bona Fide Eating Place), on 2.25 acres of land located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan. The environmental impacts of this project were

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of May 2019

previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. 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: 0210-192-24) **submitted by Cambria Ontario, LLC. City Council action is required.**

Action: The Planning Commission approved the Development Plan (File No. PDEV18-027) and the sale of alcoholic beverages, including the requested Type 70 and Type 47 ABC licenses (portion of File No. PCUP18-028), and recommended the City Council approve the establishment of a 124-room full service hotel.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE

NO. PDCA19-001: A Development Code Amendment revising portions of Development Code Chapters 2 (Administration and Procedures), 4 (Permits, Actions and Decisions), 5 (Zoning and Land Use), and 9 (Definitions and Glossary), as they apply to Wireless Telecommunications Facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests. This project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder pursuant to Section 15061(b)(3) of the CEQA Guidelines. The 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); **City Initiated. City Council action is required.**

Action: The Planning Commission recommended the City Council approve the project.

Monthly Activity Report—New Applications

Month of May 2019

PADV19-004:

Submitted by City of Ontario

2019 APA Award Nomination for TOP-Zoning Consistency Project for Best Practices Award. **City Council action required.**

PCUP19-010:

Submitted by Goldnest, Inc.

A Conditional Use Permit to establish alcoholic beverage sales (Type 20 ABC License), limited to beer and wine, for off-premises consumption in conjunction with a proposed 6,000-square foot gas station and convenience store situated on one acre of land located at the southeast corner of Acacia Street and Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-54). Related File: PDEV19-026. **Planning Commission action required.**

PCUP19-011:

Submitted by Lewis Retail Centers

A Conditional Use Permit to establish alcoholic beverage sales (Type 21 ABC License), including beer, wine, and distilled spirits, for off-premise consumption in conjunction with a proposed 3,083-square foot convenience store (7-Eleven) on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Urban Commercial land use district of the Ontario Center Specific Plan (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, and 0210-531-14). Related File: PDEV17-016. **Zoning Administrator action required.**

PDEV19-024:

Submitted by IKEA Property, Inc.

A Development Plan to construct a 329,850-square foot retail building (IKEA) on 26 acres of land located on the south side of Inland Empire Boulevard, approximately 275 feet west of Archibald Avenue, at 2350 East Inland Empire Boulevard, within the Urban Commercial land use district of the Meredith International Center Specific Plan (APNs: 0110-321-74, 0110-321-75, 0110-321-76, 0110-321-77, and 0110-321-29). **Development Advisory Board action required.**

PDEV19-025:

Submitted by GH Palmer Associates

A Development Plan to construct a mixed-use project consisting of 925 multiple-family dwellings and 5,000 square feet of retail space on 22.39 acres of land located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard, within the Mixed Use land use district of the Meredith International Centre Specific Plan (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55). Related File : PSPA19-002. **Planning Commission action required.**

PDEV19-026:

Submitted by Goldnest, Inc

A Development Plan to construct a 6,000-square foot gas station and convenience store on one acre of land located at the southeast corner of Acacia Street and Grove Avenue, within the

City of Ontario Planning Department
Monthly Activity Report—New Applications
Month of May 2019

Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-54). Related File: PCUP19-010. **Planning Commission action required.**

PDEV19-027: **Submitted by Comstock Realty Partners**

A Development Plan to construct a 104,078-square foot industrial building on 5.35 acres of land located at the southwest corner State Street and San Antonio Avenue, within the IL (Light Industrial) zoning district (APNs 1049-301-05 and 1049-301-06). **Development Advisory Board action required.**

PDEV19-028: **Submitted by Maria Oseguera**

A Development Plan to construct 5 multiple-family dwellings on 0.28 acres of land located at 1063 East Elma Street, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district (APNs: 1048-461-17 and 1048-491-23). Related Files: PVAR19-004, PZC19-001 and PGPA19-001. **Planning Commission action required.**

PDEV19-029: **Submitted by KCT Investment, LLC**

A Development Plan to construct a 44,300-square foot industrial building on 5.05 acres of land located at 1485 and 1493 East Spruce Street, within the IG (General Industrial) zoning district (APNs: 0113-462-10 and 0113-462-19). **Development Advisory Board action required.**

PDEV19-030: **Submitted by Christopher Development Group, Inc**

A Development Plan to construct 126 multiple-family dwellings on 9.41 acres of land located at the northeast corner of Clifton Avenue and Eucalyptus Avenue, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01). Related Files: PMTT19-010, PSPA19-003 and PGPA19-003. **Planning Commission action required.**

PGPA19-001: **Submitted by Maria Oseguera**

A General Plan Amendment revising Exhibit LU-01 (Land Use Plan) of the Policy Plan (General Plan) component of The Ontario Plan, changing the land use designation on approximately 0.07 acres of land from Low-Medium Density Residential to Medium-Density Residential, on property generally located on the north side of Elma Street, approximately 485 feet west of Virginia Avenue, adjoining 1063 East Elma Street, within the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DU/Acre) zoning district, and amending Exhibit LU-03 (Future Buildout Table) consistent with the proposed land use change (APN: 1048-491-23). Related Files: PDEV19-028, PVAR19-004 and PZC19-001. **Planning Commission and City Council action required.**

PGPA19-002: **Submitted by City of Ontario**

A General Plan Amendment revising Exhibit LU-01 (Land Use Plan) of the Policy Plan (General Plan) component of The Ontario Plan, changing the land use designation on approximately 11.9

Monthly Activity Report—New Applications

Month of May 2019

acres of land from General Commercial to Industrial, on properties generally located at the southeast and northeast corners of Walls Street and Wanamaker Avenue, at 4600 East Wall Street and 981 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan and Light Industrial land use district of the Pacific Gate-East Gate Specific Plan, and amending Exhibit LU-03 (Future Buildout Table) consistent with the proposed land use change (APNs: 0238-221-36 and 0238-221-23). Related Files: PDEV18-041 and PDEV18-042. **Planning Commission and City Council action required.**

PGPA19-003: **Submitted by Christopher Development Group, Inc**

A General Plan Amendment revising Exhibit LU-01 (Land Use Plan) of the Policy Plan (General Plan) component of The Ontario Plan, changing the land use designation on 9.41 gross acres of land from Low Density Residential to Medium Density Residential, on property generally located at the northeast corner of Clifton Avenue and Eucalyptus Street, within the PA-4 land use district of the Esperanza Specific Plan, and amending Exhibit LU-03 (Future Buildout Table) consistent with the proposed land use change (APN: 0218-302-01). Related Files: PDEV19-030, PMTT19-010 and PSPA19-003. **Planning Commission and City Council action required.**

PHP-19-004: **Submitted by Darius P Long**

A Mills Act contract for designated local landmark No. 82, the Dr. Robert N. Williams House, a 2,040-square foot single-family residence located at 205 East Sixth Street (APN: 1047-241-03). **Historic Preservation Commission and City Council action required.**

PHP-19-005: **Submitted by City of Ontario**

A request to remove a single-story commercial building (Eligible Historic Resource) from the Ontario Register of Historic Resources, located at 110 West E Street, within the MU-1 (Downtown Mixed Use) zoning district (APN: 1048-355-10). **Historic Preservation Commission action required.**

PHP-19-006: **Submitted by City of Ontario**

A request to install up to 4 monument entry signs on the Euclid Avenue, median near Interstate 10, Merrill Avenue, and SR-60 on/off ramps. **Staff action required.**

PMTT19-009: **Submitted by IKEA Property, Inc.**

A Tentative Parcel Map to subdivide 26 acres of land into two parcels located on the south side of Inland Empire Boulevard, approximately 275 feet west of Archibald Avenue, at 2350 East Inland Empire Boulevard, within the Urban Commercial land use designation of the Meredith International Center Specific Plan (APNs: 0110-321-74, 0110-321-75, 0110-321-76, 0110-321-77, and 0110-321-29). Related File: PDEV19-024. **Planning Commission action required.**

Monthly Activity Report—New Applications

Month of May 2019

PMTT19-010: **Submitted by Christopher Development Group, Inc**

A Tentative Tract Map to subdivide 9.41 gross acres of land into 11 numbered lots and 6 lettered lots located at the northeast corner of Clifton Avenue and Eucalyptus Avenue, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01). Related Files: PDEV19-030, PGPA19-003 and PSPA19-003. **Planning Commission action required.**

PSGN19-056: **Submitted by Chromcraft Industries Co.**

A Sign Plan for the installation of a temporary banner for CHROMCRAFT INDUSTRIES CO. grand opening, to read "Grand Opening Furniture Outlet," located at 1011 South Grove Avenue, within the IG (General Industrial) zoning district. 5/15/2019 through 6/15/2019. **Staff action required.**

PSGN19-057: **Submitted by G & J Neon Signs Inc**

A Sign Plan for the installation of two wall signs for T-MOBILE, located at 4323 East Mills Circle, within the Ontario Mills Specific Plan. **Staff action required.**

PSGN19-058: **Submitted by Samson Mulugeta**

A Sign Plan for the installation of a wall sign for BEST HOME HEALTH CARE, located at 1175 South Grove Avenue, within the Grove Avenue Specific Plan. **Staff action required.**

PSGN19-059: **Submitted by Swain Sign Inc**

A Sign Plan for the reface of an existing monument sign for VOLVO SERVICE, located at 1300 Auto Center Drive, within the California Commerce Center Specific Plan. **Staff action required.**

PSGN19-060: **Submitted by SMG**

A Sign Plan for the installation of new signage for the Arena, replacing "Citizens Business Bank Arena" with "Toyota Arena," located at 4000 Ontario Center Parkway, within the Ontario Center Specific Plan. **Staff action required.**

PSGN19-061: **Submitted by Certified Sign**

A Sign Plan for the reface of two existing monument signs and two wall signs (location and size of the monument signs are to remain as is) for COMFORT INN & SUITES, located at 3333 East Shelby Street, within the Wagner Specific Plan. **Staff action required.**

PSGN19-062: **Submitted by Mingyoung Conservation Inc/ Duko**

A Sign Plan for the installation of two wall signs for DUKO PLUMBING FIXTURES, located at 1455 South Campus Avenue, Unit A, within the IL (Light Industrial) zoning district. **Staff action required.**

Monthly Activity Report—New Applications

Month of May 2019

PSGN19-063:

Submitted by YA YA NAIL & SPA

A Sign Plan for the installation of two wall signs (east (34 SF) and north (14 SF) elevations) for YA YA NAIL & SPA, located at 1802 South Euclid Avenue, Suite 101, within the MU-11 (Euclid/Francis Mixed Use) zoning district. **Staff action required.**

PSGN19-064:

Submitted by New Age Glass

A Sign Plan for the installation of a wall sign for NEW AGE GLASS, located at 2409 South Vineyard Avenue, Suite H, within the CC (Community Commercial) zoning district. **Staff action required.**

PSPA19-002:

Submitted by G.H. Palmer Associates

An Amendment to the Meredith International Center Specific Plan, changing the land use district on 22.39 acres of land, from Urban Commercial to Mixed-Use, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55). Related File: PDEV19-025. **Planning Commission and City Council action required.**

PSPA19-003:

Submitted by Christopher Development Group, Inc

An Amendment to the Esperanza Specific Plan, to establish row townhomes as a permitted land use and increase the maximum allowed density within Planning Area 4 in conjunction with the proposed construction of 126 multiple-family dwellings on approximately 9.41 gross acres of land located at the northeast corner of Clifton Avenue and East Eucalyptus, within the PA-4 land use district of the Esperanza Specific Plan (APNs: 0218-302-01). Related Files: PDEV19-030, PMTT19-010 and PGPA19-003. **Planning Commission and City Council action required.**

PTUP19-028:

Submitted by Montecito Baptist Church

A Temporary Use Permit for a Pastor's School Conference hosted by Montecito Baptist Church, located at 2560 South Archibald Avenue, within the CC (Community Commercial) zoning district. Event to be held: 6/3/2019, from 3:00PM to 11:00PM; 6/4/2019, from 7:00AM to 11:00PM; 6/5/2019, from 7:00AM to 11:00PM; and 6/6/2019, from 7:00AM to 11:00PM. The event anticipates approximately 1,500 guest. **Staff action required.**

PTUP19-029:

Submitted by Henkels and McCoy, INC

A Temporary Use Permit to establish a Temporary Utility Service Yard, consisting of one office trailer, storage of utility poles (overhead wire, underground cable reels), storage containers, materials and equipment, located at 7435 East Schaefer Avenue. **Staff action required.**

Monthly Activity Report—New Applications

Month of May 2019

PTUP19-030:

Submitted by Frito-Lay

A Temporary Use Permit for a Company Picnic hosted by Frito-Lay at Guasti Regional Park, located at 800 North Archibald Avenue, within the OR-R (Open Space - Recreation) zoning district. Event to be held on 6/8/2019, from 7:30AM to 5:30PM. **Staff action required.**

PTUP19-031:

Submitted by Grocery Outlet

A Temporary Use Permit for a hiring event for Grocery Outlet, located at 4420 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan. Event to be held on 6/20/2019, from 9:00AM to 12:00PM. **Staff action required.**

PTUP19-032:

Submitted by Patrick McCabe

A Temporary Use Permit for a model homes sales office garage conversion for Christopher Homes, located at 4032 East Fincastle Street (Lot 83 of Tract 17931). **Staff action required.**

PTUP19-033:

Submitted by Gods House Casa De Dios

A Temporary Use Permit for a car wash located at 115 East F Street, within the MU-1 (Downtown Mixed Use) zoning district. Event to be held on 6/8/2019, from 7:00AM to 4:00AM. **Staff action required.**

PTUP19-034:

Submitted by ABC Eyewitness News

A Temporary Use Permit for a food drive event located at 4105 East Inland Empire Boulevard, within the Garden Commercial land use district of the Ontario Center Specific Plan. Event to be held on 6/14/2019, from 4:00AM to 6:30PM. **Staff action required.**

PTUP19-035:

Submitted by Socal Rams Booster Club

A Temporary Use Permit for a Ramfest family Picnic hosted by SoCal Rams Booster Club at Guasti Regional Park, located at 800 North Archibald Avenue, within the OR-R (Open Space - Recreation) zoning district. Event to be held on 6/22/2019, from 10:00AM to 5:00PM. **Staff action required.**

PVAR19-004:

Submitted by MARIA OSEGUERA

A Variance to deviate from the minimum Development Code standard for structure setback, from 10 feet to 5 feet, and to increase the maximum allowable tandem parking space percentage, from 12% to 60%, in conjunction with the construction of a 5-dwelling unit apartment complex (File No. PDEV19-028), on 0.281 acres of land, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. (APNs: 1048-461-17 and 1048-491-23). Related Files: PDEV19-028, PGPA19-001, and PZC19-001. **Planning Commission action required.**

Monthly Activity Report—New Applications

Month of May 2019

PVER19-022: **Submitted by Shark Investments, LLC**

Zoning Verification for property located at 726 South Vine Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district (APN: 1049-294-18). **Staff action required.**

PVER19-023: **Submitted by Oscar Pinto**

Zoning Verification for property located at 233 West I Street, within the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DU/Acre) zoning district (APN: 1048-261-11). **Staff action required.**

PVER19-024: **Submitted by OCBP, LLC**

Zoning Verification for properties located at 1405, 1407, 1423 and 1427 South Cucamonga Avenue, within the IG (General Industrial) zoning district (APNs: 1050-151-18, 1050-151-19, 1050-151-22, and 1050-151-24). **Staff action required.**

PVER19-025: **Submitted by Josh Flores**

Zoning Verification for properties located at 4460 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan (APN: 0238-041-30). **Staff action required.**

PVER19-026: **Submitted by Tammy Pote**

Zoning Verification for properties located at 4850 East Airport Drive, within the IL (Light Industrial) land use district of the Pacific Gate/East Gate Specific Plan (APN: 0238-211-23). **Staff action required.**

PVER19-027: **Submitted by Carvana**

Zoning Verification for property located at 520 North Turner Avenue, within the CR (Regional Commercial) zoning district (APN: 0210-551-01). **Staff action required.**

PVER19-028: **Submitted by Alexis Vadnais**

Zoning Verification for properties located at 151, 181 and 201 South Wineville Avenue, and 5140 East Airport Drive, within the IH (Heavy Industrial) zoning district (APNs: 0238-081-38 and 0238-081-39). **Staff action required.**

PVER19-029: **Submitted by Tiffany Golson**

Zoning Verification for property located at 2600 East Francis Street, within the IG (General Industrial) zoning district (APN: 0211-242-39). **Staff action required.**

Monthly Activity Report—New Applications

Month of May 2019

PVER19-030:

Submitted by Tiffany Golson

Zoning Verification for property located at 2500 East Francis Street, within the IG (General Industrial) zoning district (APN: 0211-242-38). **Staff action required.**

PVER19-031:

Submitted by Florida Property Search

Zoning Verification for property located at the southwest corner of Hamner Avenue and Ontario Ranch Road, within the Rich-Haven Specific Plan (APN: 0218-211-25). **Staff action required.**

PVER19-032:

Submitted by Florida Property Search

Zoning Verification for property located at the northeast corner of Edison and Cleveland Avenues, within the Rich-Haven Specific Plan (APN: 0218-211-12). **Staff action required.**

PVER19-033:

Submitted by Armada Analytics Inc.

Zoning Verification for property located at 2100 South Cypress Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district (APN: 1014-511-21). **Staff action required.**

PVER19-034:

Submitted by NV5 Transaction Services

Zoning Verification Letter for property located at 305 Sequoia Avenue within the IL (Light Industrial) zoning district (APN: 0210-212-63). **Staff action required.**

PZC-19-001:

Submitted by MARIA OSEGUERA

A Zone Change, amending the zoning designation on approximately 0.07 acres of land, from MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DU/Acre) to MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre), on property generally located on the north side of Elma Street, approximately 485 feet west of Virginia Avenue, adjoining 1063 East Elma Street (APN: 1048-491-23). Related Files: PDEV19-028, PVAR19-004 and PGPA19-001. **Planning Commission and City Council action required.**