

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

March 23, 2021

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

6:30 PM

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

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

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

TO VIEW THE MEETING:

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

TO PROVIDE PUBLIC COMMENT:

1. **PROVIDE PUBLIC TESTIMONY DURING THE MEETING:** Submit your request to speak no later than 4:00 PM the day of the meeting by either (1) emailing your name, telephone number, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov or (2) by completing the Comment Form on the City's website at: www.ontarioca.gov/Agendas/PlanningCommission.

Comments will be limited to 5 minutes. If a large number of individuals wish to speak on an item, the Planning Commission Chairman may limit the time for individuals wishing to speak to 3 minutes in order to provide an opportunity for more people to be heard. Speakers will be alerted when their time is up, and no further comments will be permitted.

In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.

2. **COMMENT BY E-MAIL:** Submit your comments by email no later than 4:00 PM on the day of the meeting by emailing your name, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov . All comments received by the deadline will be forwarded to the Planning Commission for consideration before action is taken on the matter.
3. **COMMENT BY TELEPHONE:** Submit your comments by telephone no later than 4:00 PM on the day of the meeting by providing your name, agenda item you are commenting on, and your comment by calling (909) 395-2036. All comments received by the deadline will be provided to the Planning Commission for consideration before action is taken on the matter.
4. **COMMENT BY MAIL:** To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Planning Department, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be actually received by the Planning Department no later than 4:00 PM on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the Planning Commission for consideration before action is taken on the matter.

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

The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.

ROLL CALL

DeDiemar __ Gage __ Gregorek __ Lampkin __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of February 23, 2021, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV20-005: A Development Plan to construct a 256,711 square foot industrial building on 11.3 acres of land located at 875 West State Street, within the IL (Light Industrial) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1011-161-04 and 1011-161-05) **submitted by Inland Harbor LLC.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV20-031: A Development Plan to construct a 5-level parking structure with a total of approximately 411 parking spaces on 0.83-acre of land located at the northwest corner of C Street and Lemon Avenue, at 153 East C Street, within the C1 Block of the Downtown Civic Center Planned Unit Development area and the MU-1 (Downtown Mixed Use) zoning district. The environmental impacts of this project were previously reviewed in conjunction with an amendment to the Ontario Downtown Civic Center PUD, File No. PUD08-001, for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (State Clearinghouse No. 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1048-551-10 and 1048-551-13). **City Initiated.**

PUBLIC HEARING ITEMS

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

PLANNING COMMISSION ITEMS

B. ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS, ADMINISTRATIVE EXCEPTION, AND DEVELOPMENT PLAN REVIEW FOR FILE

NOS. PHP19-016, PDEV19-060, AND PVAR21-001: A Certificate of Appropriateness (File No. PHP19-016) to demolish a Tier III historic resource (a 2,117 square foot Craftsman Bungalow single-family residence) and a Development Plan (File No. PDEV19-060) to construct 22 multiple-family dwelling units in conjunction with an Administrative Exception (File No. PVAR21-001) for a 10 percent reduction in the number of on-site parking spaces, from 46 to 42 spaces, on 0.88-acre of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 DUs/Acre) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an Environmental Impact Report (State Clearinghouse No. 2008101140) was certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1011-361-15) **submitted by AJ1 Development, LLC.**

1. CEQA Determination

No action necessary – use of a previous EIR

2. File No. PHP19-016 (Certificate of Appropriateness)

Motion to Approve/Deny

3. File No. PVAR21-001 (Administrative Exception)

Motion to Approve/Deny

4. File No. PDEV19-060 (Development Plan)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS, DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP REVIEW FOR FILE NOS. PHP20-014, PDEV20-014 AND PMTT20-004:

A Certificate of Appropriateness (File No. PHP20-014) and a Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location approximately 130 feet southeast to the corner of the site in conjunction with a Tentative Parcel Map (File No. PMTT20-004/TPM 20255) to subdivide 1.1-acres of land into 4 lots within the LDR-5 (Low Density Residential –2.1 to 5.0 DU/Acre) zoning district located at 730 West Fourth Street. A Mitigated Negative Declaration of environmental effects has been prepared for this project. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1047-594-52) **submitted by Fred Herzog.**

1. File Nos. PHP20-014, PMTT20-004, and PDEV20-014

Motion to continue item to April 27, 2021

D. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NOS. PGPA19-006 & PSPA19-008:

A General Plan Amendment (File No. PGPA19-006) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 14.29 acres of land from Office

Commercial to Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes, in conjunction with Specific Plan Amendment (File No. PSPA19-008) revising the Haven Gateway Centre Specific Plan, changing the land use designation on the project site from Commercial/Office to Industrial, generally located at the northeast corner of Haven Avenue and SR-60 Freeway. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN:108-332-01) **submitted by Executive Development, LLC. City Council action is required.**

1. CEQA Determination

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

2. File No. PGPA19-006 (General Plan Amendment)

Motion to recommend Approval/Denial

3. File No. PSPA19-008 (Specific Plan Amendment)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NOS. PGPA19-005 AND PSPA19-006: A request

for approval of the following:

[1] A General Plan Amendment (File No. PGPA19-005) to modify Policy Plan (general plan) Exhibit LU-01, Policy Plan Land Use Plan, changing the land use designation on 105.4 acres of Low Density Residential (2.1 – 5 du/ac), 66.01 acres of Mixed Use (9 – NMC East) and 10.36 acres of Open Space – Non Recreation designated property, to 23.41 acres of Low Density Residential (2.1 – 5 du/ac), 24.16 acres of Low-Medium Density Residential (5.1 – 11 du/ac), 57.83 acres of Medium Density Residential (11.1 – 25 du/ac), 20.46 acres of Mixed Use (9 – NMC East), 48.61 acres of Industrial, and 7.3 acres of Open Space – Non Recreation designated property; and modify Policy Plan (general plan) Exhibit LU-03, Future Buildout, to be consistent with the herein described land use changes; and

[2] An amendment (File No. PSPA19-006) to the Rich Haven Specific Plan, which includes the following map and text revisions:

[A] Change the land use designation on 110.1 gross acres of land from Planning Area 1A – 1F (Residential - SFD), to 25.5 gross acres of Planning Area 1A (Residential - SFD), 24.5 gross acres of Planning Area 1B (Residential – SFD/SFA) and 60.6 gross acres of Planning Area 1C (Residential - SFD/SFA);

[B] Change the land use designation on 81.1 gross acres of land within Planning Area 7 (Stand-Alone Residential Overlay, Mixed-Use Overlay, Regional Commercial, and SCE Easement/Gas Easement) to, Planning Area 7A (49.4 gross acres of Light Industrial and 6.6 gross acres of Open Space – Non Recreation) and Planning Area 7B (25.1 gross acres of Regional Commercial);

[C] Change the land use designation on 4.13 acres of land within Planning Area 6A from Regional Commercial to Stand-Alone Residential Overlay;

[D] Change the land use designation on 4.13 acres of land within Planning Area 9A from Stand-Alone Residential Overlay to Regional Commercial; and

[E] Various changes to the Specific Plan development standards, exhibits, and text, to reflect the proposed land uses.

The Rich Haven Specific Plan is generally bounded by Riverside Drive, Colony High School and the SCE substation to the north, Hamner Avenue to the east, Old Edison Road to the south, and Hamner Avenue to the west. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-161-04, 0218-161-05, 0218-161-10, 0218-161-11, 0218-211-17, 0218-211-24, 0218-211-27, 0218-211-01 and 0218-393-10) **submitted by Rich Haven Marketplace LLC and Brookcal Ontario, LLC. City Council action is required.**

1. File Nos. PGPA19-005 and PSPA19-006

Motion to continue item to April 27, 2021

F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT REVIEW FOR FILE NO. PDA16-003:

A First Amendment to the Development Agreement (File No. PDA16-003) to defer the commencement of certain street improvements and establish the terms and conditions for the development of Tentative Tract Map 20265 (File No. PMTT19-006), a 21.10 acre property located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-652-27) **submitted by GDCI-RCCD 2, LP. City Council action is required.**

1. CEQA Determination

No action necessary – use of a previous EIR

2. File No. PDA16-003 (Development Agreement)

Motion to recommend Approval/Denial

G. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR

FILE NO. PMTT19-006 (TM 20265): A Tentative Tract Map to subdivide 21.10 gross acres of land into 111 numbered lots and 36 lettered lots for land generally located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-652-27) **submitted by GDC-RCC 2, L.P.**

1. CEQA Determination

No action necessary – use of a previous EIR

2. File No. PMTT19-006 (TTM 20265) (Tentative Tract Map)

Motion to Approve/Deny

H. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR

FILE NO. PMTT20-008: A Tentative Parcel Map (TPM 20287) to subdivide 1.17 acres of land into 2 parcels generally located at the northeast corner of Campus Avenue and Belmont Street, at 1121 South Campus Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. 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. 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: 1049-451-14) **submitted by Alex Espinoza.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15315

2. File No. PMTT19-008 (TPM 20287) (Tentative Parcel Map)

Motion to Approve/Deny

I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW

FOR FILE NO. PDA18-004: A Development Agreement (File No. PDA18-004) between the City of Ontario and Merrill Commerce Center East LLC, to establish the terms and conditions for the development of Tentative Parcel Map 20273 (File No. PMTT20-010), a 366.65 acre property generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File No. PSP18-001), for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06) **submitted by Merrill Commerce Center East LLC. City Council action is required.**

1. CEQA Determination

No action necessary – use of a previous EIR

2. File No. PDA18-004 (Development Agreement)

Motion to recommend Approval/Denial

- J. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT20-010 (TPM 20273) AND WILLIAMSON ACT CONTRACT CANCELLATIONS FOR FILE NOS. PWIL20-001 (NO. 69-147) AND PWIL20-002 (NO. 70-167):** A Tentative Parcel Map (TPM 20273) to subdivide 366.65 gross acres of land into 22 lettered lots and 22 numbered lots, and Tentative Cancellation of Williamson Act Contract Nos. 69-147 and 70-167. The project is bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PGPA18-003 and PSP18-001 regarding the Merrill Commerce Center Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06) **submitted by Prologis. City Council action is required on the Tentative Williamson Act Contract cancellations.**

1. CEQA Determination

No action necessary – use of a previous EIR

2. File Nos. PWIL20-001 & PWIL20-002 (Williamson Act Contract Cancellations)

Motion to recommend Approval/Denial

3. File No. PMTT20-010 (TPM 20273) (Tentative Parcel Map)

Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
- Reports From Subcommittees

- Historic Preservation (Standing): Met on March 11, 2021.
- 2) New Business
 - Chairperson and Vice-Chairperson appointments for April 2021 to March 2022
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT

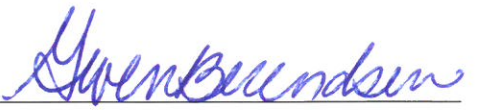
- 1) Monthly Activity Report


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

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



I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, March 19, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.


Gwen Berendsen, Secretary Pro Tempore


Rudy Zeledon, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

February 23, 2021

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

MINUTES

February 23, 2021

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

COMMISSIONERS

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

Absent:

OTHERS PRESENT: Planning Director Zeledon, City Attorney Otto, Principal Planner
Mercier, Senior Planner Ayala, Assistant Planner Vaughn,
Transportation Manager Bautista, and Planning Secretary
Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Lampkin.

ANNOUNCEMENTS

Mr. Zeledon stated there were no changes to the agenda.

PUBLIC COMMENTS

Mr. Zeledon stated no public correspondence had been received.

Mr. Mercier stated there were no callers wishing to speak.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of January 26, 2021, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV20-019: A Development Plan to construct 102 single-family dwellings on 19.7 acres of land located at the northwest corner of Chino Avenue and Haven Avenue, within the PA4 – Single Family Residential and Park land use districts of the West Haven Specific Plan. The environmental impacts of this project were previously

reviewed in conjunction with File No. PSP03-006, the West Haven Specific Plan, for which an Environmental Impact Report (SCH # 2004071095) was certified by the City Council on January 16, 2007. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-151-11) **submitted by KB Home Coastal, Inc.**

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Lampkin, to approve the Consent Calendar including Planning Commission Minutes of January 26, 2021, as written, and the Development Plan, File No. PDEV20-019, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW FOR FILE NO. PUD20-002:** An Amendment to the Downtown Civic Center Planned Unit Development, to allow for ground floor residential land use, at grade stand-alone parking structures, and increase height of building element projections from 60 feet to 65 feet, reconfigure vehicular access points, and modify parking stall and drive aisle width development standards. The environmental impacts of this project were previously reviewed in conjunction with an amendment to the Ontario Downtown Civic Center PUD, File No. PUD08-001, for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (SCH # 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 1048-551-10 through 13; 1048-552-13 through 19; 1048-553-01 through 17; 1048-547-04 through 94; and 1048-548-01 through 54). **City Initiated. City Council action required.**

Senior Planner Ayala, presented the staff report. She described the history of the Downtown area and the developments that have been completed. She stated the changes needed to bring the PUD into alignment with the development standards. She explained the conceptual ideas and elevations that the amendment would facilitate. She stated that staff is recommending the Planning Commission recommend approval of File No. PUD20-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughby wanted to know if the residential units would be viewed as for sale or for lease units.

Ms. Ayala stated that we have received a development plan application for the C1 block and those proposed units would be for rent.

Mr. Willoughby stated that the proposed units would be similar to those on the A3/A4 Block.

Ms. Ayala stated that is correct.

Mr. Gage wanted Ms. Ayala to explain how the TOP goals and policies have to be updated to coincide with the Ontario Plan.

Ms. Ayala stated that the PUD was adopted in 2006 and the TOP was adopted in 2010, and this would be updating the PUD with the current 'TOP' goals and policies, and this is really a housekeeping matter.

Mr. Gage stated that these are just general updates and this project abides by the present TOP standards.

Ms. Ayala stated yes, this project does, and we have named the specific policies that would be updated with the PUD.

Mr. Lampkin wanted to clarify if the courtyard in the elevations would be for public use or only for the residents living within the development.

Ms. Ayala stated the application received that is still under review, proposes that this area would be private.

Mr. Willoughby wanted to clarify that this is conceptual only.

Ms. Ayala stated that is correct.

Mr. Gage wanted to clarify that tonight we are approving the number of parking spaces in the parking structure that would be used by the residential and commercial uses.

Ms. Ayala stated they would be approving the amendment to the PUD development standards that would facilitate the development of a stand-alone parking structure and mixed use, and that the development or construction would require a development plan that would come before the commission. She stated that the PUD creates the standards for development that facilitate the construction.

Mr. Gage stated the parking structure has 411 parking spaces and we are estimating 270 used by residential, which is about 2/3 and is this a real figure, or has this been estimated and how much is needed.

Ms. Ayala stated the calculations have been estimated.

Mr. Gage wanted to clarify that we are not approving the parking spaces tonight.

Ms. Ayala stated that is correct, the development and number of spaces would be reviewed with a future development plan.

Mr. Willoughby stated this amendment will allow parking structures in the C1 and A1 block, for future development.

Ms. Ayala stated that is correct.

PUBLIC TESTIMONY

Mr. Mercier stated there were no public callers wishing to speak on this item.

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

Mr. Gage stated it is nice to see the Downtown developing like this. He stated it looks like all the components needed, residential, commercial and parking, are all finally being brought together to help make our historic Downtown a success.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Gregorek, to recommend adoption of a resolution to approve the Planned Unit Development Amendment, File No., PUD20-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on February 11, 2021.

Mr. Gregorek stated that the public hearing items were eligibility issue for 2112 S Oaks Ave voted to remove it from the eligibility list and a Certificate of Appropriateness to demolish a Tier III building at 1445 W Mission Blvd, which we approved. He stated the discussion items were detached accessory dwellings, Jay Littleton Ballpark National Register application and the CLG Grant.

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

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

Mr. Gage wanted to give a heads up regarding the Blink Fitness at G Street and Euclid and the landscaping and paving all redone and have new tenants, the transformation is a success story of what can happen when we ask for quality development.

Mr. Willoughby stated yes, this center is a true success story, and looks night and day from what it was before.

DIRECTOR'S REPORT

Mr. Zeledon stated both months are in their packets. He stated the center is a success story that the commission recognized that the center needed upkeep, and Elly, Diane and Jamie worked really hard to push for the updates and the elevations, and Reliable came in and worked with a lot of various property owners, and it is a big win and that he appreciates the comments, and it all starts with the commission.

ADJOURNMENT

Mr. Lampkin stated that Charles Boyer, the artist that created the Disney money and lithographs who passed away recently and was also our neighbor in Ontario, that he would like to adjourn the meeting in his memory.

DeDiemar motioned to adjourn, seconded by Lampkin. The meeting was adjourned at 7:10 PM to the next regular meeting on March 23, 2021.

Secretary Pro Tempore

Chairman, Planning Commission

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NO: PDEV20-005

SUBJECT: A Development Plan to construct a 256,711 square foot industrial building on 11.3 acres of land located at 875 West State Street, within the IL (Light Industrial) zoning district; (APNs: 1011-161-04 and 1011-161-05) **submitted by Inland Harbor LLC.**

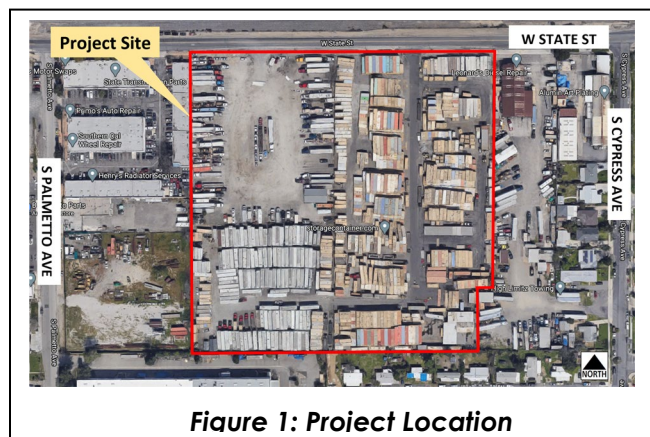
PROPERTY OWNER: Inland Harbor LLC


RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV20-005, 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 11.3 acres of land located on the south side of State Street, mid-block between Palmetto and Cypress Avenues, at 875 West State Street, and is depicted on Figure 1: Project Location, below. The site is currently used as a metal container and truck trailer storage yard. The site is surrounded by Union Pacific Railroad tracks to the north, a diesel repair shop to the east, an industrial building and the Grove Manor Mobile Home Park to the south, and industrial buildings to the west. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On March 4, 2020, the applicant filed the subject Development Plan application, requesting approval to construct a 256,711 square foot industrial building on the above-described Project site, with a floor area ratio of 0.52. On March 15, 2021, the Development Advisory Board recommended approval of the Development Plan application to the Planning Commission.



Case Planner:	Denny D. Chen
Planning Director Approval:	
Submittal Date:	3/4/2020

Hearing Body	Date	Decision	Action
DAB	3/15/21	Approval	Recommend
PC	3/23/21		Final
CC			

(2) Site Design/Building Layout — The proposed building is oriented north to south, with the front office entrances located along the Project's State Street frontage, facing north toward the street. The building will be setback 65 feet from State Street (north) property line, 141 feet from the East property line, and 145 feet from the West property line, and 60.5 feet from the South property line (see Exhibit B: Site Plan, attached).

The building is designed in a cross-dock configuration, with two office areas totaling 13,910 square feet located at the northwest and northeast corners of the proposed building, fronting State Street. The balance of the building (242,801 square feet) is planned for warehouse/distribution activities.

Two truck yards designed for loading activities, tractor-trailer parking, truck maneuvering, and outdoor staging, are located on the west and east sides of the proposed building, behind the office areas. A total of 51 truck loading docks are proposed along the east and west sides of the warehouse building. Twenty-eight dock-high loading doors and one at-grade loading door are proposed on the west side of the building and 23 dock-high loading doors and one at-grade loading door are proposed on the east side of the building. Both truck yard areas will be screened from public street (State Street) views by a combination of building walls (office elements) and screen walls with view-obstructing access gates.

(3) Site Access/Circulation — The parking and loading areas will be accessed from three points along State Street (see Exhibit B—Site Plan, attached). Driveways located at the northwest and northeast corners of the Project site provide direct truck access to the secured yard areas. A driveway located mid-point along the street frontage provides automobile access to the site's employee and visitor parking areas.

(4) Parking — The Project has provided 139 off-street parking spaces, consistent with the "Warehouse and Distribution" parking standards specified in the Development Code. Additionally, the City's off-street parking and loading standards require that the Project provide a minimum of one tractor trailer parking space for each four dock-high loading spaces. Fifteen tractor trailer parking spaces have been provided, exceeding the minimum requirement for the Project, as shown in Table A: Parking Summary, below.

Table A: Parking Summary						
Bldg.	Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
			Required	Provided	Required	Provided
	Warehouse/ Distribution	256,711 SF	12	15	138	139
Total:					138	139

(5) Architecture — The proposed building elevations illustrate the type of high-quality architecture promoted by the Development Code's development standards and design guidelines. The building will be composed of concrete tilt-up walls that incorporate a contemporary architectural design (see Exhibit C—Building Elevations, attached). The proposed building design incorporates 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. To accent the building design, the following materials, finishes, and fixtures have been incorporated into the design of the building:

- Painted finishes incorporating color blocking;
- Concrete tilt-up panels with wood siding finish;
- Horizontal and vertical reveal lines;
- Recessed windows and wall panels at key locations;
- Aluminum storefronts with clear anodized mullions and blue glazing;
- Prefabricated metal canopies finished to match the storefront mullions; and
- Double glazed windows with clear anodized mullions.

(6) Landscaping — The Project proposes a 10 percent landscape coverage, meeting the minimum requirement for interior lots in the IL (Light Industrial) zoning district. The landscape pallet for the Project incorporates a mix of 24-inch, 36-inch, and 48-inch box accent and shade trees, including Afghan Pine, California Sycamore, and Coast Live Oak, along with a variety of shrubs and groundcovers (see Exhibit D—Landscape Plan). Furthermore, two outdoor employee break areas will be provided. The break areas will be located outside the east and west sides of the office areas. The break areas will feature decorative paving, patio chairs and tables, and a trellis structure with decorative posts (see Exhibit E—Employee Break Area Perspective View, attached).

(7) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a vegetated swale(s) designed to accept runoff from building roofs, parking lots and project roadways, which lead to an underground stormwater infiltration system, which is located along the southern portion of the Project site. Any overflow drainage will be conveyed to the surrounding street.

(8) Community Outreach — The Project site is bordered by residential properties (Grove Manor Mobile Home Park) at the southeast area of the project site and is within close proximity to residential properties to the east of Cypress Avenue. To solicit community input from the surrounding residents, a Community Meeting Notice was mailed to all property owners within a 500-foot radius of the Project site, in both English and Spanish. On March 11, 2021, the Planning Department held a community meeting, via Zoom, to inform the surrounding property owners/residents of the proposed Project, and to address any questions or concerns they may have regarding the Project. In addition to the Applicant's attendees, one member of the public attended the Zoom meeting and no concerns with the project were expressed. As of the preparation of this

report, no correspondence, telephone calls, or emails requesting additional information related to the proposed Project have been received.

(9) HRA (Health Risk Assessment) — Senate Bill 1000 (SB-1000), signed into law by the Governor in 2016, requires cities and counties throughout California to include an Environmental Justice element in their General Plans. With this legislation, all cities and counties must identify “disadvantaged communities” and develop strategies to mitigate and reduce environment-related health risks by requiring applicants to provide a Health Risk Assessment (“HRA”) report for a proposed development project if the project is located less than 1,000 feet away from sensitive land uses (such as residential areas).

The Project is located less than 1,000 feet away from a sensitive land use and therefore the Applicant was required to submit an HRA report, in conjunction with the subject Application (See Attachment A – Health Risk Assessment). The HRA is a comprehensive analysis to determine the potential health risks from diesel particulate matter (DPM) created by the proposed project. The HRA report (Vista Environmental, November 30, 2020) prepared for the Project determined that:

1. The project's emissions would not exceed the SCAQMD (South Coast Air Quality Management District) project level health risk cancer significance threshold of 10 in one million persons; and
2. The project's emissions would not exceed the SCAQMD project level non-cancer chronic and acute hazard index of 1.0; and
3. The Project Site will not exceed more than 100 trucks per day and no more than 40 trucks with operating transportation refrigeration units (TRUs) per day.

Therefore, according to the HRA report, the proposed Project will have no significant health impacts on the surrounding environment.

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

(1) City Council Goals.

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

(2) Governance.

Decision Making:

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

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

(3) Policy Plan (General Plan)

Land Use Element:

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

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

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

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

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

Community Economics Element:

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan, for which an Environmental Impact Report (State Clearinghouse No. 2008101140) was adopted and certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Industrial/Vacant/Open Space	Industrial	IL (Light Industrial)	N/A
North	Southern Pacific Railroad	Railroad	RC (Rail Corridor)	N/A
South	Warehouse/ Grove Manor Mobile Home Park	Business Park/ Mobile Home Park	IL (Light Industrial)/ MHP (Mobile Home Park)	N/A
East	Industrial Building	Industrial	IL (Light Industrial)	N/A
West	Industrial Buildings	Industrial	IL (Light Industrial)	N/A

General Site & Building Statistics

Item	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	256,711 SF	270,725 SF (Max.)	Y
Lot/Parcel Size:	11.3 acres	10,000 SF (Min.)	Y
Floor Area Ratio:	0.52	0.55 (Max.)	Y
Building Height:	45 FT	160 FT (Max.)	Y

Off-Street Parking:

New Bldg.	Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
			Required	Provided	Required	Provided
	Warehouse / Distribution	124,012 SF	12	15	138	139
Parking Totals:					138	139

Exhibit A—PROJECT LOCATION MAP

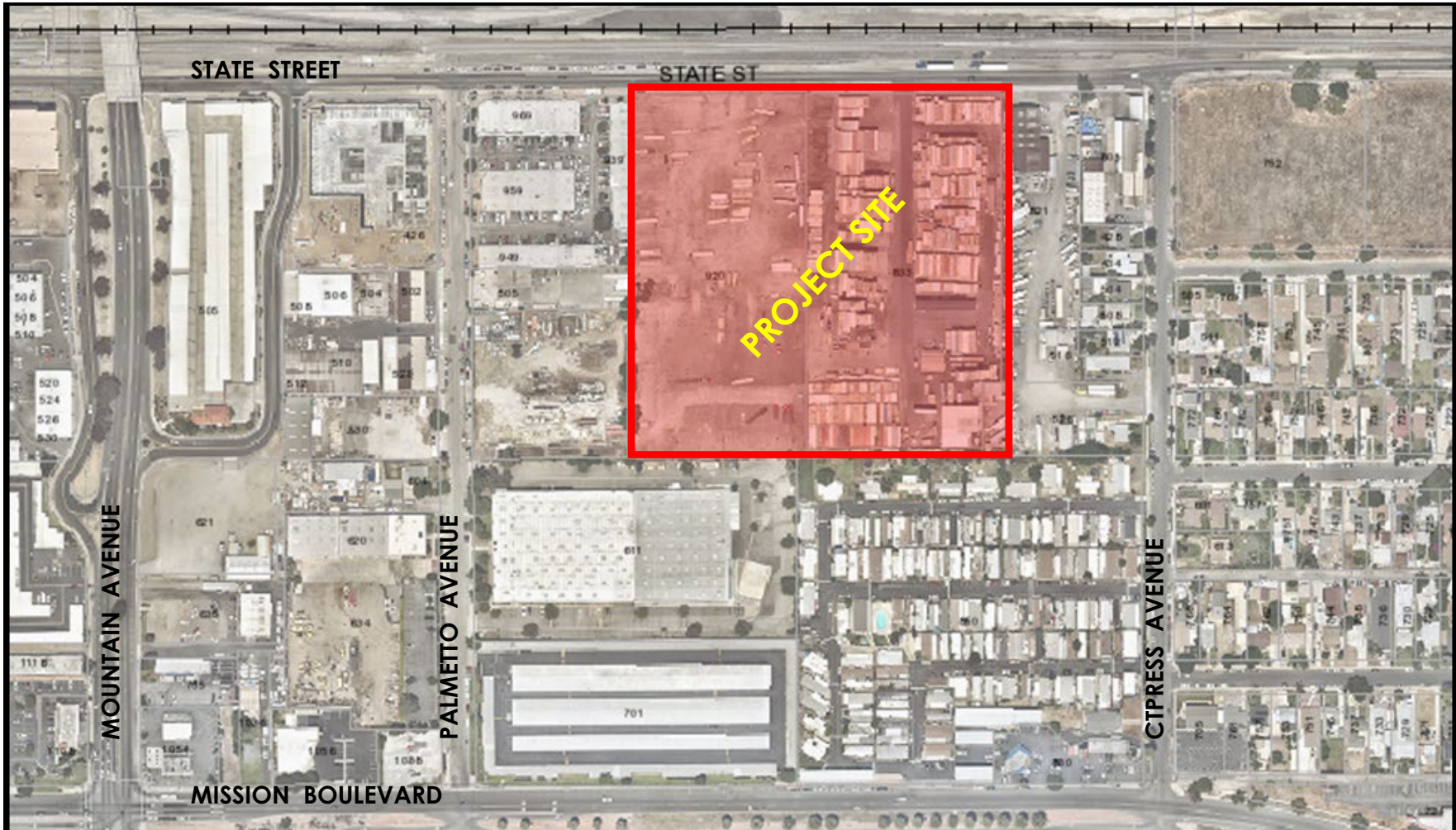


Exhibit B—SITE PLAN

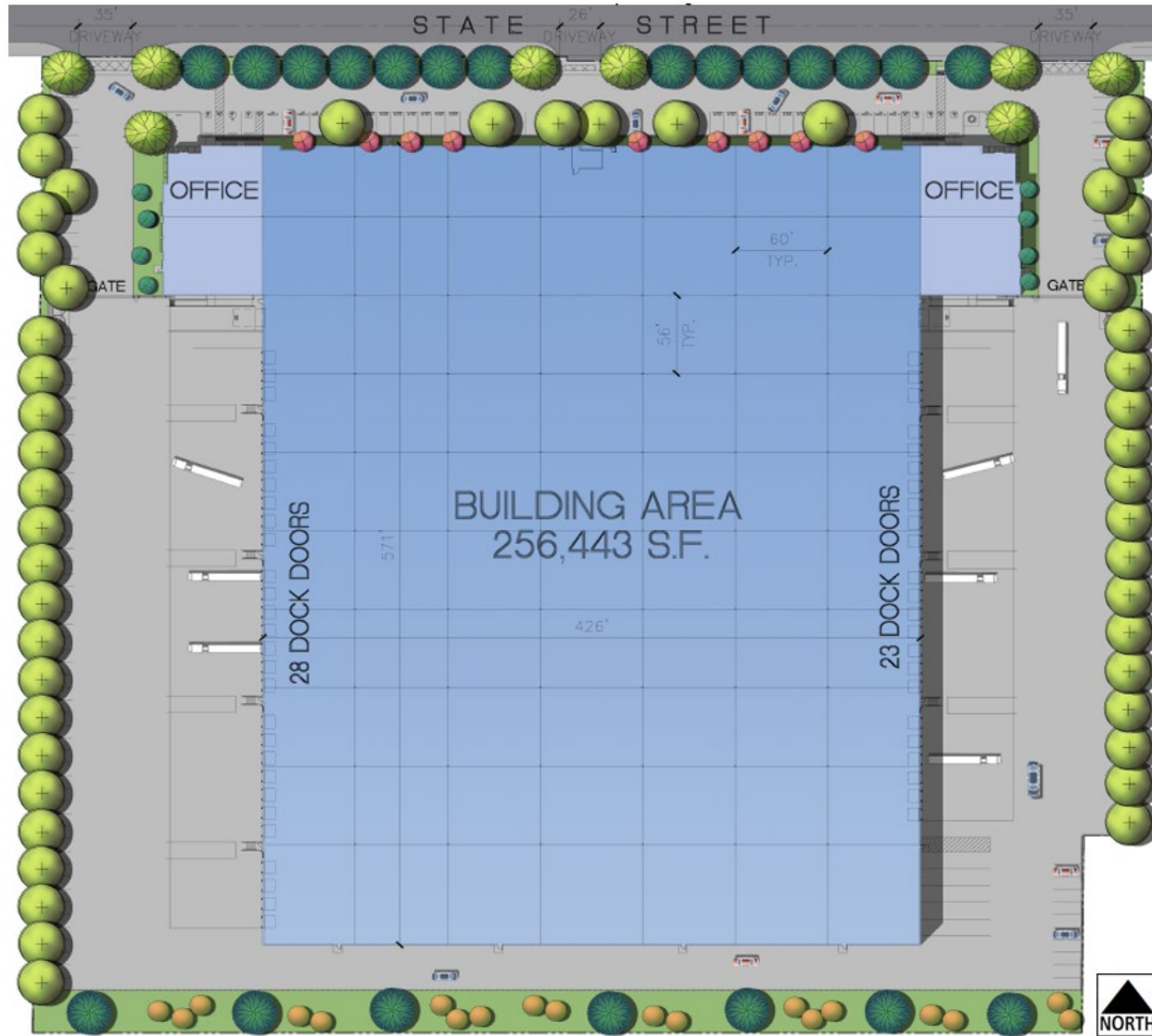


Exhibit C—BUILDING ELEVATIONS



NORTH ELEVATION



SOUTH ELEVATION

Exhibit C—BUILDING ELEVATIONS (CONTINUED)



EAST ELEVATION



WEST ELEVATION

Exhibit D—LANDSCAPE PLAN



Exhibit E—EMPLOYEE BREAK AREA PERSPECTIVE VIEW



Attachment A

Diesel Emissions Health Risk Assessment

To follow this page

DIESEL EMISSIONS HEALTH RISK ASSESSMENT

STATE DISTRIBUTION CENTER PROJECT

CITY OF ONTARIO

Lead Agency:

City of Ontario
303 East B Street
Ontario, CA 91764

Prepared by:

Vista Environmental
1021 Didrickson Way
Laguna Beach, California 92651
949 510 5355
Greg Tonkovich, AICP

Project No. 20098

November 30, 2020

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Appendix B – AERMOD Model Years 2022-2024 DPM Concentrations Printouts

Appendix C – AERMOD Model Years 2024-2038 DPM Concentrations Printouts

Appendix D – AERMOD Model Years 2038-2051 DPM Concentrations Printouts

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ACRONYMS AND ABBREVIATIONS

Air Basin	South Coast Air Basin
CalEEMod	California Emissions Estimator Model
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CEC	California Energy Commission
CEQA	California Environmental Quality Act
City	City of Ontario
DPM	Diesel particulate matter
EPA	Environmental Protection Agency
HAP	Hazardous Air Pollutants
HRA	Health Risk Assessment
MATES	Multiple Air Toxics Exposure Study
MSAT	Mobile Source Air Toxics
NAAQS	National Ambient Air Quality Standards
PM	Particle matter
PM10	Particles that are less than 10 micrometers in diameter
PM2.5	Particles that are less than 2.5 micrometers in diameter
PPM	Parts per million
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCAG	Southern California Association of Governments
TAC	Toxic air contaminants

1.0 INTRODUCTION

1.1 Purpose of Analysis and Study Objectives

This Health Risk Assessment (HRA) has been completed to determine the potential health risks from diesel emissions created by the proposed State Distribution Center project (proposed project) from the impacts created by the diesel particulate matter (DPM) emissions, created from diesel trucks operating on and in the vicinity of the project site. The following is provided in this report:

- A description of the proposed project;
- A description of toxic air contaminants (TAC);
- A description of the modeling parameters utilized in this analysis; and
- An analysis of DPM concentrations created by the proposed project at the nearby residential uses and a comparison of the calculated cancer and acute non-cancer risks with applicable thresholds.

1.2 Site Location and Study Area

The project site is located in the western portion of the City of Ontario (City). The project site is currently utilized as a truck trailer storage facility and is bounded by State Street and the Union Pacific San Gabriel Line to the north, industrial uses to the east, a mobile home park and industrial uses to the south, and industrial uses to the west. The project study area is shown in Figure 1.

Sensitive Receptors in Project Vicinity

The nearest sensitive receptors to the project site is a mobile home park that is adjacent to the south side of the project site. There are also single-family homes scattered between industrial uses to the east, northeast and southwest sides of the project site. The nearest school is Kingsley Elementary School, which is located as near as 0.9-mile northwest of the project site.

1.3 Proposed Project Description

The proposed project consists of development of a 257,921 square foot warehouse distribution facility. The proposed warehouse facility is expected to be used for light industrial, light manufacturing, assembly, and/or distribution of finished goods and materials that may include a last mile delivery facility. The proposed warehouse facility would also include two truck loading areas, with one located on the west side of the warehouse and the other located on the east side of the warehouse. The proposed site plan is shown in Figure 2.

1.4 Summary of Analysis

The principal focus was on assessing the long-term health impacts from DPM created from diesel-powered truck emissions generated from operation of the proposed project. The analyses contained in this report support the following conclusions:

- The proposed project emissions would not exceed the SCAQMD project level health risk cancer significance threshold of 10 in one million persons.
- The proposed project emissions would not exceed the SCAQMD project level non-cancer chronic and acute hazard index of 1.0.



SOURCE: Google Maps.

Imagery ©2020 Google, Imagery ©2020 County of San Bernardino, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 200 ft



Figure 1
Project Study Area

PROJECT INFORMATION

Owner / Applicant
 CSC
 591 SAN NICOLAS DRIVE, SITE 16A,
 1820 BARBERA AVE, STE 100
 TEL: 949-453-8484
 CONTACT: BRIAN CORNELL

Code Analysis
 2018 CALIFORNIA BUILDING CODE
 2018 CALIFORNIA AERIAL CODE
 2018 CALIFORNIA FIRE CODE
 2018 CALIFORNIA ENERGY CODE
 2018 CALIFORNIA GREEN BUILDING STANDARDS

Construction Type
 CONCRETE TILT-UP BUILDING
 BUILDING OCCUPANCY: S-1 / B
 CONSTRUCTION TYPE: I-1 / I-2
 EBR SYSTEM
 APN
 Zoning
 M-3 MANUFACTURED LIGHT,
 280N VERA(V)

VICINITY MAP



PROJECT DATA



SITE PLAN KEYNOTES

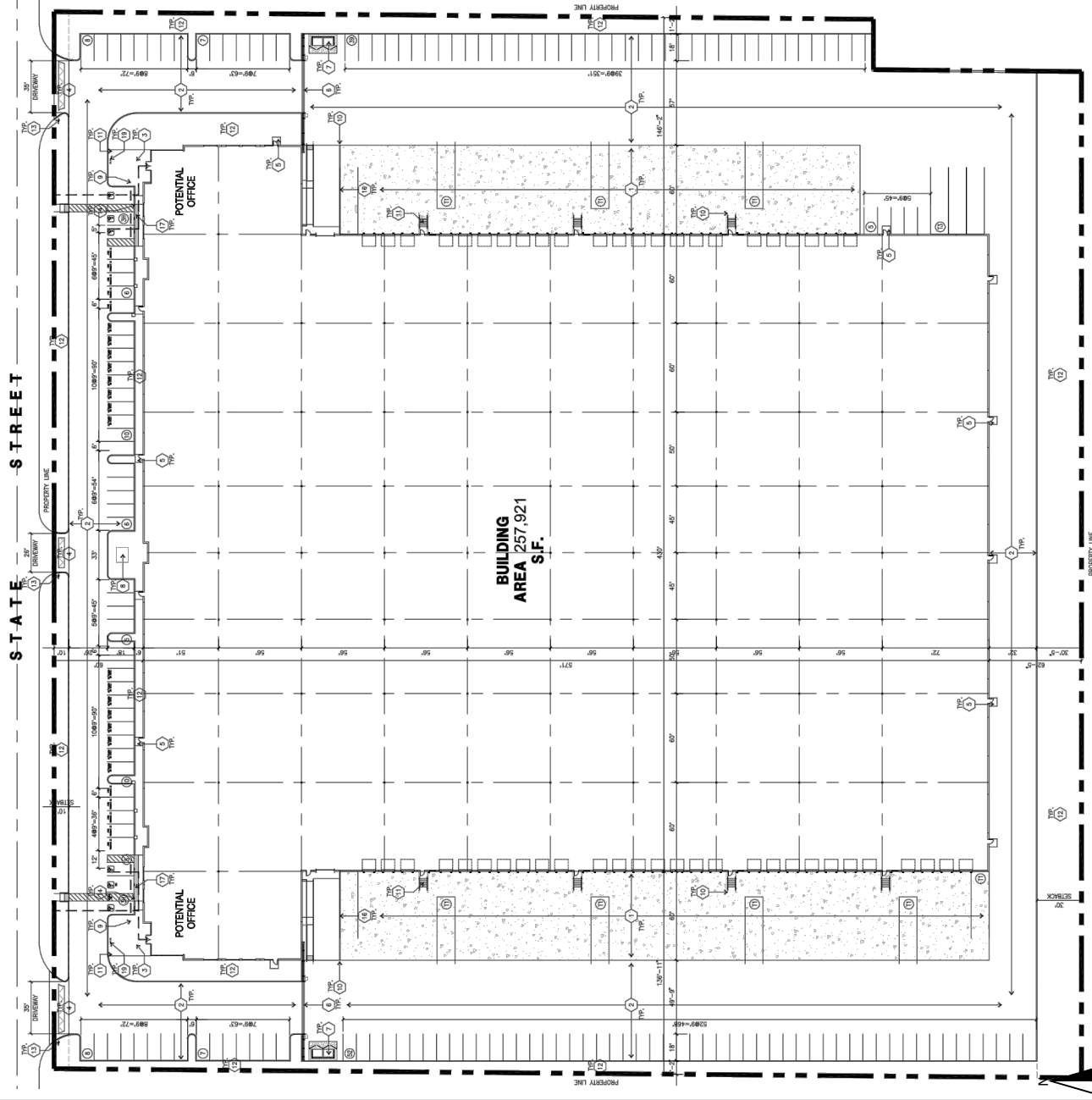
1. HEAVY BROOM FINISH CONCRETE PARADEWAY.
2. ASPHALT CONCRETE (AC) FINISH.
3. CONCRETE WALKWAY, MEDIAN BROOM FINISH.
4. DRIVEWAY APONS TO BE CONSTRUCTED.
5. 4'-0" X 8'-0" X 4" THICK CONCRETE EXTERIOR LANDING PAD TOP AT ALL ROOM ENTRY FRAMES.
6. 2' HIGH METAL GATES W/ 1/4" BRASS FOR FIRE DEPARTMENT STANDARDS PER BUREAU.
7. THRESH THROUGHS PER CITY STANDARD.
8. APPROXIMATE LOCATION OF TRANSFORMER.
9. PRE-CAST CONCRETE WHEEL STOP.
10. CONCRETE FILLED GUARD POST 7" DIA. UNLTD. 42" H.
11. EXTERIOR CONCRETE SINK.
12. LANDSCAPE ALL LANDSCAPE AREAS INDICATED BY SHADING.
13. ACCESSIBLE ENTRY SIDE.
14. ACCESSIBLE PARKING SPILL SIDE.
15. 4" HIGH METAL FENCE.
16. 4" HIGH CONCRETE CURB/WALL.
17. TRUNCATED DOME.
18. EXTERIOR SINK AREA.
19. DESIGNATED SHOWING AREA.

SITE PLAN GENERAL NOTES

1. THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY...
2. IF SOILS ARE EXPANSE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL CONCRETE SHALL BE 4000 PSI STRENGTH.
4. SEE "C" PLANS FOR ALL CONCRETE CORERS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. ALL SCHEDULED MAINTENANCE OF PUBLIC UTILITIES SHALL BE TO BE OFF-SITE UTILITIES.
7. PROVIDE POSTING CHANGES AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTORS TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SEE PLANS ARE FOR GROUND AND STAIRWAY LAYOUT POINTS.
9. SEE "C" DRAWINGS FOR FISH CRACK ELEVATIONS.
10. CONCRETE JOINTS TO BE A MINIMUM OF 4" THICK W/ TOILED JOINTS AT ALL EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH UNLTD.
11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PALMDALE PER THE DEVELOPMENT AND PRODUCE SHOTS TO BEYOND OF THE LINES AS REQUIRED BY THE DEVELOPMENT.
12. CONSTRUCTION DOCUMENTS REFERENCING TO THE LANDSCAPE AND IRRIGATION TO BE APPROVED BY PUBLIC FACILITIES DEPARTMENT PRIOR TO ISSUANCE OF BUILDING PERMIT TO COMMENCE CONSTRUCTION.
13. REFER TO FINAL CITY ORDINANCE, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEPARTMENT.
14. ALL LANDSCAPE AND IRRIGATION DRAWINGS SHALL MEET CURRENT CITY REQUIREMENTS AND BE SUBMITTED TO THE CITY OF PALMDALE PER PUBLIC FACILITIES DEPARTMENT.
15. LANDSCAPED AREAS SHALL BE DEMARCAED WITH A MINIMUM SIX INCHES (6") DIA. GROUND MOUNTED UTILITY CONDUITS SUCH AS TRANSFORMERS, MISC. EQUIPMENT AND MISC. UTILITY CONDUITS SHALL BE LOCATED OUT OF VIEW OF THE DEVELOPMENT.
16. LANDSCAPING AND/OR WALKWAY WALLS.

SITE LEGEND

- 1. 2" W/ 4" THICK REBAR FOR THICKNESS
- 2. 4" W/ 4" THICK REBAR FOR THICKNESS
- 3. CONCRETE FINISH
- 4. 20" W/ 1/2" THICK PRELIME
- 5. 20" W/ 1/2" THICK PRELIME
- 6. 20" W/ 1/2" THICK PRELIME
- 7. 20" W/ 1/2" THICK PRELIME
- 8. 20" W/ 1/2" THICK PRELIME
- 9. 20" W/ 1/2" THICK PRELIME
- 10. 20" W/ 1/2" THICK PRELIME
- 11. 20" W/ 1/2" THICK PRELIME
- 12. 20" W/ 1/2" THICK PRELIME
- 13. 20" W/ 1/2" THICK PRELIME
- 14. 20" W/ 1/2" THICK PRELIME
- 15. 20" W/ 1/2" THICK PRELIME



SOURCE: HPA Architecture.



Figure 2 Proposed Site Plan

2.0 ATMOSPHERIC SETTING

The project site is located within City of Ontario within the County of San Bernardino, which is part of the South Coast Air Basin (Air Basin) that includes the non-desert portions of Riverside, San Bernardino, and Los Angeles Counties and all of Orange County. The Air Basin is located on a coastal plain with connecting broad valleys and low hills to the east. Regionally, the Air Basin is bounded by the Pacific Ocean to the southwest and high mountains to the east forming the inland perimeter.

The climate of western San Bernardino County, technically called an interior valley subclimate of the Southern California's Mediterranean-type climate, is characterized by hot dry summers, mild moist winters with infrequent rainfall, moderate afternoon breezes, and generally fair weather. Occasional periods of strong Santa Ana winds and winter storms interrupt the otherwise mild weather pattern. The clouds and fog that form along the area's coastline rarely extend as far inland as western San Bernardino County. When morning clouds and fog form, they typically burn off quickly after sunrise. The most important weather pattern from an air quality perspective is associated with the warm season airflow across the densely populated areas located west of the project site. This airflow brings polluted air into western San Bernardino County late in the afternoon. This transport pattern creates unhealthy air quality that may extend to the project site particularly during the summer months.

Winds are an important parameter in characterizing the air quality environment of a project site because they both determine the regional pattern of air pollution transport and control the rate of dispersion near a source. Daytime winds in western San Bernardino County are usually light breezes from off the coast as air moves regionally onshore from the cool Pacific Ocean to the warm Mojave Desert interior of Southern California. These winds allow for good local mixing, but as discussed above, these coastal winds carry significant amounts of industrial and automobile air pollutants from the densely urbanized western portion of the Air Basin into the interior valleys which become trapped by the mountains that border the eastern and northern edges of the Air Basin.

In the summer, strong temperature inversions may occur that limit the vertical depth through which air pollution can be dispersed. Air pollutants concentrate because they cannot rise through the inversion layer and disperse. These inversions are more common and persistent during the summer months. Over time, sunlight produces photochemical reactions within this inversion layer that creates ozone, a particularly harmful air pollutant. Occasionally, strong thermal convections occur which allows the air pollutants to rise high enough to pass over the mountains and ultimately dilute the smog cloud.

In the winter, light nocturnal winds result mainly from the drainage of cool air off of the mountains toward the valley floor while the air aloft over the valley remains warm. This forms a type of inversion known as a radiation inversion. Such winds are characterized by stagnation and poor local mixing and trap pollutants such as automobile exhaust near their source. While these inversions may lead to air pollution "hot spots" in heavily developed coastal areas of the Air Basin, there is not enough traffic in inland valleys to cause any winter air pollution problems. Despite light wind conditions, especially at night and in the early morning, winter is generally a period of good air quality in the project vicinity. The wind rose from Ontario Airport, which is the nearest monitoring station to the project site is shown in Figure 3.

The temperature and precipitation levels for the Claremont Pomona College Monitoring station, which is the nearest weather station to the project site with historical data are shown below in Table A. Table A shows that August is typically the warmest month and December is typically the coolest month. Rainfall in the project area varies considerably in both time and space. Almost all the annual rainfall comes from

the fringes of mid-latitude storms from late November to early April, with summers being almost completely dry.

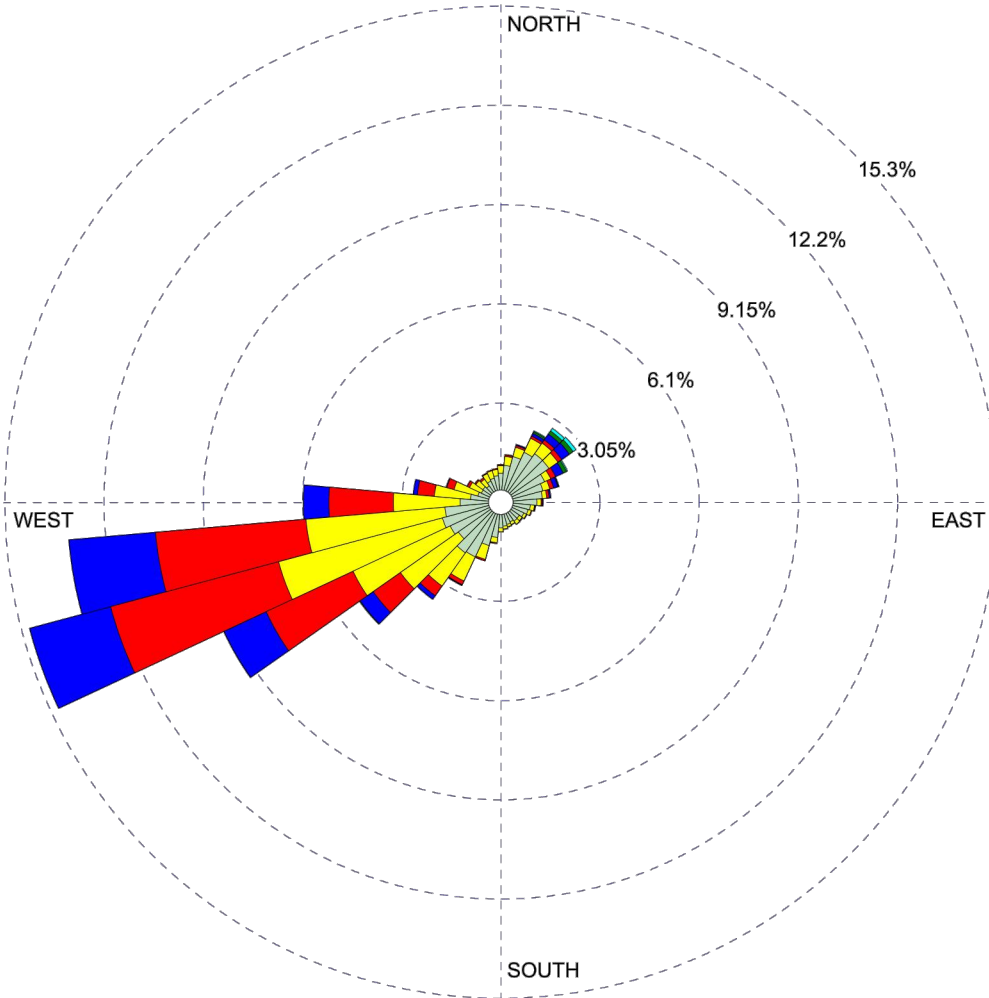
Table A – Monthly Climate Data

Month	Average Maximum Temperature (°F)	Average Minimum Temperature (°F)	Average Total Precipitation (inches)
January	63.7	38.6	3.48
February	65.7	40.5	3.40
March	67.8	42.1	2.89
April	71.6	44.9	1.32
May	75.6	48.6	0.50
June	82.9	52.5	0.06
July	90.4	57.3	0.03
August	90.3	57.7	0.11
September	87.1	55.6	0.28
October	79.8	50.2	0.72
November	72.9	44.0	1.44
December	65.8	39.8	2.72
Annual	76.1	47.7	16.95

Source: <https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca1779>

WIND ROSE PLOT:
Station #3102

DISPLAY:
Wind Speed
Direction (blowing from)



WIND SPEED
(Knots)

- >= 21.58
- 17.11 - 21.58
- 11.08 - 17.11
- 7.00 - 11.08
- 4.08 - 7.00
- 0.97 - 4.08

Calms: 2.91%

COMMENTS:

DATA PERIOD:

Start Date: 1/1/2012 - 00:00
End Date: 12/31/2016 - 23:59

COMPANY NAME:

MODELER:

CALM WINDS:

2.91%

TOTAL COUNT:

43599 hrs.

AVG. WIND SPEED:

5.60 Knots

DATE:

11/30/2020

PROJECT NO.:

SOURCE: SCAQMD.

3.0 TOXIC AIR CONTAMINANTS

Toxic air contaminants (TACs) is a term that is defined under the California Clean Air Act and consists of the same substances that are defined as Hazardous Air Pollutants (HAPs) in the Federal Clean Air Act. There are over 700 hundred different types of TACs with varying degrees of toxicity. Sources of TACs include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Cars and trucks release at least 40 different toxic air contaminants. The most important of these TACs, in terms of health risk, are diesel particulates, benzene, formaldehyde, 1,3-butadiene, and acetaldehyde. Public exposure to TACs can result from emissions from normal operations as well as from accidental releases. Health effects of TACs include cancer, birth defects, neurological damage, and death.

3.1 Diesel Particulate Matter

According to *The California Almanac of Emissions and Air Quality 2013 Edition*, the majority of the estimated health risk from TACs can be attributed to relatively few compounds, the most important of which is diesel particulate matter (DPM). DPM is typically considered a subset of PM_{2.5} because the size of diesel particles are typically 2.5 microns and smaller, however this analysis considers DPM to be equal to PM₁₀, in order to provide a conservative analysis. The identification of DPM as a TAC in 1998 led the California Air Resources Board (CARB) to adopt the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-fueled Engines and Vehicles in September 2000. The plan's goals are a 75-percent reduction in DPM by 2010 and an 85-percent reduction by 2020 from the 2000 baseline. Diesel engines emit a complex mixture of air pollutants, composed of gaseous and solid material. The visible emissions in diesel exhaust are known as particulate matter or PM, which includes carbon particles or "soot." Diesel exhaust also contains a variety of harmful gases and over 40 other cancer-causing substances. California's identification of DPM as a toxic air contaminant was based on its potential to cause cancer, premature deaths, and other health problems. Exposure to DPM is a health hazard, particularly to children whose lungs are still developing and the elderly who may have other serious health problems. Overall, diesel engine emissions are responsible for the majority of California's potential airborne cancer risk from combustion sources. The various pollutants within DPM that also cause acute and chronic health impacts are detailed below in Table B. Table B was developed through crosschecking all diesel emissions pollutants provided in San Diego Air Pollution Control District's (SDAPCD) Diesel Fired Engines Emissions Factor Table to the list of acute and chronic reference exposure levels provided at: <http://oehha.ca.gov/air/allrels.html>.

According to the California Office of Environmental Health and Hazards Assessment (OEHHA), no acute risk has been found to be directly created from DPM, so there is no Acute Reference Exposure Level (AREL) assigned to DPM. However, as detailed in Table B, other TAC emissions associated with diesel exhaust do have an acute REL assigned to them. In order to account for the acute risk from all TAC emissions associated with diesel emissions, a hypothetical acute REL was calculated for DPM through multiplying each TAC with an acute REL to its diesel weight fraction and then adding together the results, which resulted in a hypothetical acute AREL of 137 for diesel emissions.

Table B – Diesel Emission Pollutants that Cause Acute and Chronic Health Impacts

TAC	TAC Potency Factors ($\mu\text{g}/\text{m}^3$) ¹		Percent of DPM Emission Rate ³	Target Organ Systems
	Acute REL ²	Chronic REL		
1,3-Butadiene	660	140	0.51%	Development
Acetaldehyde	470	140	1.84%	Eyes, respiratory system (sensory irritation)
Acrolein	2.5	0.35	0.08%	Eyes, respiratory system
Arsenic	0.2	0.015	0.004%	Reproductive/developmental, cardiovascular system, nervous system
Benzene	27	3	0.44%	Hematologic system, immune system, reproductive/developmental
Cadmium	--	0.02	0.004%	kidney, respiratory system
Chlorobenzene	--	1,000	0.0005%	Eyes, respiratory system
Chromium (hexavalent)	--	0.2	0.001%	Respiratory system, hematologic system
Copper	100	--	0.01%	Respiratory system
Ethyl benzene	--	5	0.03%	Liver, kidney, developmental
Formaldehyde	55	9	4.07%	Eyes, immune system, respiratory
Hexane	--	200	0.06%	Nervous system
Hydrogen Chloride	2,100	9	0.44%	Eyes, respiratory system
Manganese	--	0.09	0.01%	Nervous system
Mercury	0.6	0.03	0.005%	Reproductive/developmental
Naphthalene	--	9	0.05%	Respiratory system
Nickel	0.2	002	0.01%	Immune system, respiratory system
Propylene	--	3000	1.10%	Respiratory System
Selenium	--	20	0.01%	Liver, cardiovascular system, nervous system
Toluene	37000	300	0.25%	Nervous system, eyes, respiratory system, reproductive/developmental
Xylene	22000	700	0.10%	Eyes, nervous and respiratory systems
DPM	--	5	--	Respiratory system

Notes:

¹ Potency factors obtained from: <http://www.oehha.ca.gov/risk/ChemicalDB/index.asp>

² REL = Reference Exposure Level

³ Percentage of DPM Emission Rate calculated by dividing the pollutant's pounds per 1,000 gallons rate by the PM2.5 pounds per 1,000 gallons rate provided by the SDAPCD

Sources: SDAPCD, 2011 and OEHHA, 2014.

3.2 Asbestos

Asbestos is listed as a TAC by CARB and as a Hazardous Air Pollutant by the EPA. Asbestos occurs naturally in mineral formations and crushing or breaking these rocks, through construction or other means, can release asbestiform fibers into the air. Asbestos emissions can result from the sale or use of asbestos-containing materials, road surfacing with such materials, grading activities, and surface mining. The risk of disease is dependent upon the intensity and duration of exposure. When inhaled, asbestos fibers may remain in the lungs and with time may be linked to such diseases as asbestosis, lung cancer, and

mesothelioma. The nearest likely locations of naturally occurring asbestos, as identified in the *General Location Guide for Ultramafic Rocks in California*, prepared by the California Division of Mines and Geology, is located in Santa Barbara County. The nearest historic asbestos mine to the project site, as identified in the *Reported Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California*, prepared by U.S. Geological Survey, is located at Asbestos Mountain, which is approximately 70 miles southeast of the project site in the San Jacinto Mountains. Due to the distance to the nearest natural occurrences of asbestos, the project site is not likely to contain asbestos.

3.3 TAC Regulatory Setting

The TACs emissions from the nearby existing uses are addressed through the efforts of various federal, state, regional, and local government agencies. These agencies work jointly, as well as individually, to reduce TACs through legislation, regulations, planning, policy-making, education, and a variety of programs. The agencies responsible for improving TACs are discussed below.

Federal and State

The United States Environmental Protection Agency (EPA) is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for atmospheric pollutants. There are national standards for six common “criteria” air pollutants including ozone, nitrogen dioxide, carbon monoxide, particulate matter (PM₁₀ and PM_{2.5}), lead, and sulfur dioxide, which were identified from provisions of the Clean Air Act of 1970. California, under the California Clean Air Act, has also defined a set of health protective California Ambient Air Quality Standards (CAAQS).

Besides the “criteria” air pollutants, there is another group of substances found in ambient air referred as Hazardous Air Pollutants (HAPs) under the Federal Clean Air Act and Toxic Air Contaminants (TACs) under the California Clean Air Act. These contaminants tend to be localized to their sources and are found in relatively low concentrations in ambient air. They are regulated at the federal, state and regional levels, due to their potential of causing adverse health effects from exposure to low concentrations for long periods of time. HAPs are the air contaminants identified by the EPA as known or suspected to cause cancer, serious illness, birth defects, or death. Many of the contaminants originate from human activities, such as fuel combustion and solvent use. Mobile Source Air Toxics (MSATs) are a subset of the 188 identified HAPs. Of the 21 different HAPs that constitute the MSATs, there are six primary HAPs identified that include diesel exhaust, benzene, formaldehyde, acetaldehyde, acrolein, and 1, 3-butadiene. While vehicle miles traveled in the United States is anticipated to increase by 64 percent between 2000 and 2020, emissions of MSATs are anticipated to decrease between 57 and 67 percent as a result of efforts to control mobile source emissions.

The CARB Statewide comprehensive air toxics program was established in the early 1980s. The TAC Identification and Control Act (Assembly Bill 1807, Tanner 1983 [AB 1807]) created California’s program to reduce exposure to air toxics. The Air Toxics “Hot Spots” Information and Assessment Act (Assembly Bill 2588, Connelly 1987 [AB 2588]) supplements the AB 1807 program by requiring a statewide air toxics inventory, notification of people exposed to a significant health risk, and facility plans to reduce these risks.

AB 1807, requires the CARB to identify and control TACs. In selecting substances, the CARB must consider “the risk of harm to the public health, amount or potential amount of emissions, manner of, and exposure to, usage of the substance in California, persistence in the atmosphere, and ambient concentrations in

the community.” AB 1807 also requires the CARB to use available information gathered from the AB 2588 program to include in the prioritization of compounds. In 1992, the Hot Spots Act was amended by Senate Bill 1731, to require facilities that pose a significant health risk to reduce their risk through a risk management plan.

In 2000, the CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled engines and vehicles. The goal of the plan is to reduce PM emissions and the associated health risks by 75 percent by 2010 and 85 percent by 2020. The plan provides a roadmap that identifies steps CARB will be taking to develop specific regulations to reduce diesel particulate matter (DPM) emissions.

As a result of controls on motor vehicles, fuels, stationary sources, and consumer products, the public’s exposure to air toxics has decreased dramatically. Between the early 1990’s and today, the decrease in statewide average health risk ranged from approximately 20 percent from formaldehyde to approximately 90 for perchlorethylene. 1,3-butadiene and benzene have also seen significant decreases of 80 to 85 percent as a result of CARB’s mobile source control program. In addition dioxins have been reduced by 99 percent in that time period, however that is primarily due to CARB’s restrictions on medical waste incinerators.

Executive Order N-79-20

The California Governor issued Executive Order N-79-20 on September 23, 2020 that requires all new passenger cars and trucks and commercial drayage trucks sold in California to be zero-emissions by the year 2035 and all medium- heavy-duty vehicles (commercial trucks) sold in the state to be zero-emission by 2045 for all operations where feasible. Executive Order N-79-20 also requires all off-road vehicles and equipment to transition to 100 percent zero-emission equipment, where feasible by 2035.

CCR Title 13, Section 2025 - On-Road Diesel Truck Fleets

On December 12, 2008 the CARB adopted Resolution 08-43, which limits NOx, PM10 and PM2.5 emissions from on-road diesel truck fleets that operate in California. On October 12, 2009 Executive Order R-09-010 was adopted that codified Resolution 08-43 into Section 2025, title 13 of the California Code of Regulations. This regulation requires that by the year 2023 all commercial diesel trucks that operate in California shall meet model year 2010 (Tier 4 Final) or latter emission standards. In the interim period, this regulation provides annual interim targets for fleet owners to meet. By January 1, 2020, 90 percent of a truck fleet is required to have installed Best Available Control Technology (BACT) for NOx emissions and 100 percent of a truck fleet installed BACT for PM10 emissions. This regulation also provides a few exemptions including a onetime per year 3-day pass for trucks registered outside of California and a low use exemption for trucks that operate less than 1,000 miles per year or less than 100 hours, if the truck operates in a stationary mode. As of January 1, 2020, the DMV will no longer register any vehicles that do not meet the Section 2025, title 13 requirements. All on-road diesel trucks utilized during construction of the proposed project will be required to comply with Resolution 08-43.

CCR Title 13, Section 2485 - Commercial Vehicle Idling and Auxiliary Power Systems

On October 20, 2005 the CARB approved regulatory measures including the adoption of Title 13, Chapter 9, Article 8, Section 2485 of the California Code of Regulations (CCR) (Section 2485), which regulates idling activities and auxiliary power systems (APS) in commercial vehicle vehicles with a vehicle weight rating of greater than 10,000 pounds. On December 5, 2014, the Office of Administrative Law (OAL) approved new

Amendments Section 2485, which became effective on January 1, 2015, and now all APS systems operated in California are required to meet the model year 2007 or newer emissions standards and all new APS systems are required to meet the Tier 4f emission standards and by 2023 all APS systems operating in California will be required to meet the Tier 4f emissions standards. Section 2485 also restricts vehicle idling to no more than five minutes at any one location and restricts the operation of an APS to no more than five minutes in any location within 100 feet of a sensitive receptor.

Regional

The South Coast Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control for the South Coast Air Basin (Air Basin). The SCAQMD is responsible for regulating emissions primarily from stationary sources and certain areawide and indirect sources, but has no authority over motor vehicle emissions and other non-stationary sources of TAC emissions. To that end, as a regional agency, the SCAQMD works directly with the Southern California Association of Governments (SCAG), county transportation commissions, and local governments and cooperates actively with all federal and state agencies. The SCAQMD with coordination of SCAG is also responsible for developing, updating and implementing the Air Quality Plans for the Air Basin. In addition, the SCAQMD has prepared the *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*, August 2003, which sets forth recommended thresholds of significance, analysis methodologies, and provides guidance on mitigating significant TAC impacts.

In order to determine the Air Basin-wide risks associated with major airborne carcinogens, the SCAQMD conducted the Multiple Air Toxics Exposure Study (MATES) studies. According to the SCAQMD's MATES-IV Interactive Map¹, the project site has an estimated cancer risk of: **1,196 per million persons** chance of cancer from exposure to TAC emissions. In comparison, the average cancer risk for the Air Basin is 991 per million persons, which is based on the use of age-sensitivity factors detailed in the OEHHA Guidelines (OEHHA, 2015). It should be noted that the cancer risks shown in the *Mates-IV Final Report*, prepared May 2015, found that the average cancer risk in the Basin is 367 per million does not align with the values shown in the Interactive Map, which has been updated since the Final Mates-IV Report was released to account for the cancer risk methodology revisions provided in the 2015 OEHHA Guidelines.

In order to provide a perspective of risk, it is often estimated that the incidence in cancer over a lifetime for the U.S. population ranges between 1 in 4 to 1 in 3, or a risk of about 300,000 per million persons. The MATES-III study referenced a Harvard Report on Cancer Prevention, which estimated that of cancers associated with known risk factors, about 30 percent were related to tobacco, about 30 percent were related to diet and obesity, and about 2 percent were associated with environmental pollution related exposures that includes hazardous air pollutants.

1 The Mates-IV Interactive Map is provided at: <https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f>

4.0 MODELING PARAMETERS AND ASSUMPTIONS

The dispersion modeling utilized for analyzing the TAC emissions in this analysis has been based on the recommended methodology described in *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel idling Emissions for CEQA Air Quality Analysis* (SCAQMD HRA Guidance), prepared by SCAQMD, 2003, *Air Toxics Hot Spots Program Risk Assessment Guidelines* (OEHHA Guidelines), prepared by Office of Environmental Health Hazard, February 2015, and *Risk Assessment Procedures for Rules 1401, 1401.1 and 212* (SCAQMD Risk Assessment Procedures), prepared by SCAQMD, September 1, 2017. Important issues that affect the dispersion modeling include the following: 1) Model Selection, 2) Source Treatment, 3) Meteorological Data, and 4) Receptor Grid. Each of these issues is addressed below

4.1 Model Selection

The AERMOD View Version 9.9.0 Model was used for all dispersion modeling. Key dispersion modeling options selected included the regulatory default options and urban modeling option for San Bernardino County with a population of 2,035,210. Flagpole receptor height was set to 0 meters, which is based on SCAQMD recommended modeling parameters for AERMAP (the terrain pre-processor for AERMOD) was run with a USGS DEM 1 degree map for West San Bernardino County.

Meteorological Data

Meteorological data from the SCAQMD's Ontario Airport monitoring site was selected for this modeling application, since this is the nearest monitoring site with meteorological data available to the project site. Five full years of sequential meteorological data were collected at the Ontario Airport Station by the SCAQMD for years 2012 to 2016. The SCAQMD processed the data for input to the model. An elevation of 289 meters was utilized for the Ontario Airport Station per SCAQMD.

Receptor Grid

The nearest sensitive receptors to the project site is a mobile home park that is adjacent to the south side of the project site. There are also single-family homes scattered between industrial uses to the east, northeast and southwest sides of the project site. Discrete receptors were placed at nine (9) representative nearby homes. Figure 4 shows the locations of the sources and receptors modeled in the AERMOD model for TAC emissions.

4.2 EMFAC2017 Model

The truck travel and truck idling emission rates were obtained from the EMFAC2017 model Version 1.0.3. The EMFAC2017 model is the latest emissions inventory model released by CARB that calculates motor vehicle emissions from vehicles operating on roads in California. The EMFAC2017 includes the latest data on California's car and truck fleets and travel activity and also reflects the emissions reductions associated with CARB's recent rulemaking, including on-road diesel fleet rules, Advanced Clean Car Standards, and the Smartway/Phase I Heavy-Duty Vehicle GHG Regulations.

The operational tractor-trailer truck trips were modeled in the EMFAC2017 model through use of the Truck 2 Vehicle Category that covers all truck classifications over 14,000 pounds and would represent all of the 4+-axle truck trips. The operational small truck (2-axle and 3-axle) trips were modeled in the EMFAC2017 model through use of the Truck 1 Vehicle Category that covers all truck classifications between 8,500 and 14,000 pounds. Since vehicle emission factors are dependent on vehicle speed,

emission factors were obtained for 10 and 35 miles per hour and idling rates. The EMFAC2017 model run printout is provided in Appendix A.

The cancer risk analysis is based on a 30-year analysis period. Therefore, the analysis period was segmented into three age sensitivity time periods, plus the construction time period, consistent with the cancer risk estimation methodology. The DPM PM10 truck running emission rates utilized in this assessment are shown in Table C; the DPM PM10 truck idling emission rates utilized in this assessment are shown in Table D.

Table C – EMFAC2017 Diesel Truck Running PM10 Emission Rates

Vehicle Class	Speed (mph)	EMFAC2017 PM10 Running Emissions Rates (grams/mile)		
		2022 to 2024	2024 to 2038	2038 to 2051
Truck 1	10	0.0273	0.0184	0.0118
	35	0.0099	0.0073	0.0052
Truck 2	10	0.0200	0.0084	0.0077
	35	0.0116	0.0066	0.0064

Source: EMFAC2017 version 1.0.3.

Table D – EMFAC2017 Diesel Truck Idling PM10 Emission Rates

Vehicle Class	EMFAC2017 PM10 Idling Emissions Rates (grams/hour)		
	2022 to 2024	2024 to 2038	2038 to 2051
Truck 1	0.460	0.492	0.510
Truck 2	0.020	0.013	0.010

Source: EMFAC2017 version 1.0.3.

4.3 TAC Emission Sources

Operational DPM emissions would be generated from truck trips generated by the operation of the proposed project as a distribution center. According to Linscott, Law & Greenspan, the proposed project would generate 209 daily truck trips, of which 35 would be 2-axle, 42 would be 3-axle, and 132 would be 4+-axle truck trips. The project-related truck emissions have been analyzed separately for truck travel and truck idling that utilized emission rates from the EMFAC model.

Operational Truck Travel

Per SCAQMD HRA modeling guidance, the truck travel has been modeled onsite and a quarter mile offsite. It is anticipated half of the truck trips would travel west on State Street to Mountain Avenue and the other half of truck trips would travel east on State Street to San Antonio Avenue.

The emission rates utilized in the AERMOD model were calculated by converting the emissions created for one truck to grams per second and then calculating the time it takes to travel the road length and multiplying this time by the per day and then dividing by 24 hours. The calculated emission rates are shown in Table E. The diesel truck line volume source truck routes were modeled with a 6-foot height and 12-foot width for the onsite roads and a 20-foot width on State Street.

Table E – AERMOD Model Operational DPM Truck Travel Emissions Sources

Source ID	Description	Daily Truck Trips ¹	Length of Truck Route (meters)	DPM Emission Rates (grams/second)		
				2022-2024	2024-2038	2038-2051
<u>Onsite Driveways</u>						
	2-axle and 3-axle Truck Trips	39	194	1.46E-06	9.88E-07	6.34E-07
	4-axle Truck Trips	66	194	1.84E-06	7.72E-07	7.11E-07
RDONW	Onsite West Driveway	105	--	3.31E-06	1.76E-06	1.35E-06
	2-axle and 3-axle Truck Trips	39	168	1.27E-06	8.56E-07	5.49E-07
	4-axle Truck Trips	66	168	1.59E-06	6.68E-07	6.16E-07
RDONE	Onsite East Driveway	105	--	2.86E-06	1.52E-06	1.16E-06
<u>Offsite Roads</u>						
	2-axle and 3-axle Truck Trips	39	476	1.31E-06	9.66E-07	6.88E-07
	4-axle Truck Trips	66	476	2.61E-06	1.50E-06	1.45E-06
RDSTATEW	State Street west of Project Site	105	--	3.92E-06	2.47E-06	2.14E-06
	2-axle and 3-axle Truck Trips	39	350	9.62E-07	7.10E-07	5.06E-07
	4-axle Truck Trips	66	350	1.92E-06	1.10E-06	1.07E-06
RDSTATEE	State Street east of Project Site	105	--	2.88E-06	1.81E-06	1.57E-06

Notes:

¹ Daily truck trips represent one-way trips (i.e., entering the project site or leaving the project site equal one trip).

Source: Linscott, Law & Greenspan, 2020.

Onsite Truck Idling

The onsite diesel truck idling emissions were modeled as a point source located in the center of the loading area on the west side of the proposed warehouse. The analysis was based on each truck delivery idling on the project site for 15 minutes or 5 minutes for arriving to the loading area, 5 minutes for leaving the loading area, and 5 minutes for queueing activities at the loading area. The 5-minute period is based on Section 2485 of the California Code of Regulations that limits commercial truck idling to 5 minutes at any location.

The idling point source was modeled in the AERMOD model with a 12.6-foot height, a 0.1-meter diameter, a velocity of 50 meters per second, and a temperature of 366°K. The idling point source emission rates entered into the AERMOD model are shown in Table F. The idling source emissions were determined by multiplying 15 minutes by the daily truck operations and dividing it by 24 hours in order to determine the percent of daily idling time. The daily idling time was then multiplied by the EMFAC2017 emissions rates that are detailed above and were converted to grams per second.

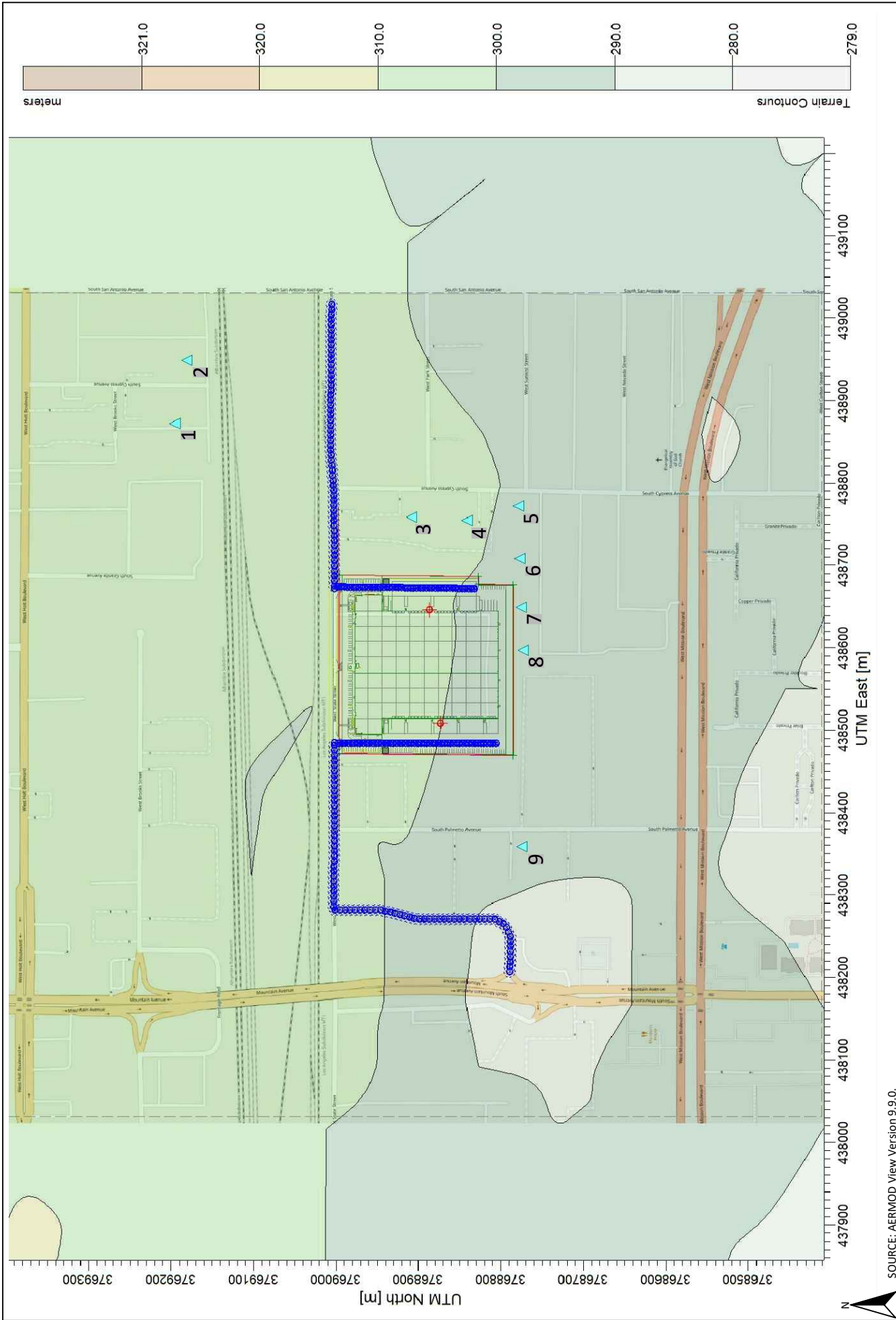
Table F – AERMOD Model Operational DPM Truck Idling Emissions Sources

Source ID	Description	Daily Truck Deliveries ¹	DPM Emission Rates (grams/second)		
			2022-2024	2024-2038	2038-2051
	2-axle and 3-axle Truck Idling	19	2.56E-05	2.74E-05	2.94E-05
	4-axle Truck Idling	33	1.96E-06	1.20E-06	9.79E-07
IDLINGW	Total Idling West Loading Dock	52	2.76E-05	2.86E-05	2.94E-05
	2-axle and 3-axle Truck Idling	19	2.56E-05	2.74E-05	2.94E-05
	4-axle Truck Idling	33	1.96E-06	1.20E-06	9.79E-07
IDLINGE	Total Idling East Loading Dock	52	2.76E-05	2.86E-05	2.94E-05

Notes:

¹ Each daily truck delivery represent two trips (i.e., one entering the project site and one leaving the project site).

Source: EMFAC2017; Linscott, Law & Greenspan, 2020.



SOURCE: AERMOD View Version 9.9.0.



Figure 3
AERMOD Model Sources and Receptors Placement

5.0 THRESHOLDS OF SIGNIFICANCE

Any project with the potential to expose sensitive receptors or the general public to substantial levels of TACs would be deemed to have a potentially significant impact. A health risk is the probability that exposure to a TAC under a given set of conditions will result in an adverse health effect. The health risk is affected by several factors, such as the amount, toxicity, and concentration of the contaminant; meteorological conditions; distance from the emission sources to people; the distance between emission sources; the age, health, and lifestyle of the people living or working at a location; and the length of exposure to the toxic air contaminant.

The term “risk” usually refers to the chance of contracting cancer as a result of an exposure, and it is expressed as a probability: chances-in-a-million. The values expressed for cancer risk do not predict actual cases that will result from exposure to toxic air contaminants. Rather, they state a probability of contracting cancer over and above the background level and over a given exposure to toxic air contaminants.

According to the SCAQMD CEQA Handbook, any project that has the potential to expose the public to toxic air contaminants in excess of the following thresholds would be considered to have a significant air quality impact:

- If the Maximum Incremental Cancer Risk is 10 in one million or greater; or
- Toxic air contaminants from the proposed project would result in a Hazard Index increase of 1 or greater.

6.0 PROJECT IMPACTS

The proposed project would consist of the development of a warehouse distribution facility. Operation of the proposed project would generate diesel truck emissions, which are a known sources of TAC emissions. The TAC impacts to the nearby sensitive receptors have been analyzed through use of the AERMOD model and the model input parameters detailed above in Section 4.0.

Health risks from TACs are twofold. First, TACs are carcinogens according to the State of California. Second, short-term acute and long-term chronic exposure to TACs can cause health effects to the respiratory system. Each of these health risks is discussed below.

6.1 Cancer Risks

According to the OEHHA Guidance (OEHHA, 2015) and *Risk Assessment Procedures for Rules 1401, 1401.1 and 212*, (SCAQMD, 2017), the cancer risk should be calculated using the following formula:

Cancer Risk = [Dose-inh (mg/(Kg-day))] * [Cancer Potency Factor (kg-day)/mg]*[1x10⁶] * Age Sensitivity Factor * Fraction of Time at Home

$$\text{Dose-inh} = (C_{\text{air}} * \text{DBR} * A * \text{EF} * \text{ED} * 10^6) / \text{AT}$$

Where:

C_{air} [Concentration in air (µg/m³)] = (Calculated by AERMOD Model)

DBR [Daily breathing rate (L/kg body weight – day)]

A [Inhalation absorption factor]

EF [Exposure frequency (days/year)]

ED [Exposure duration (years)]

10⁶ [Micrograms to milligrams conversion]

AT [Average time period over which exposure is averaged in days]

The cancer risk parameters used in this evaluation for the nearby residential uses are shown in Table G.

Table G – Cancer Risk Calculation Parameters

Parameter	Cancer Risks at Nearby Residential Uses		
	2022 – 2024 (3 rd Trimester to 2 years)	2024 – 2038 (2 to 16 years)	2038 – 2051 (16 to 30 years)
Cancer Potency Factor (mg/kg-day) for DPM	1.1	1.1	1.1
Daily Breathing Rate (L/kg body weight-day)	1,009 ⁽¹⁾	572	261
Inhalation Absorption Factor	1	1	1
Exposure Frequency (days/year)	350	350	350
Exposure Duration (years)	2.25	14	13.75
Age Sensitivity Factor	10	3	1
Fraction of Time at Home	1.0	1.0	1.0
Averaging Time ² (days)	25,550	25,550	25,550
Potential Cancer Risk =	C _{air} * 342	C _{air} * 362	C _{air} * 39.5

Notes:

¹ Based on 95th percentile breathing rate of 361 for 3rd trimester for 3 months and 1,090 for 0 to 2 years for 24 months (OEHHA, 2015; SCAQMD, 2017).

² Based on a 70-year average lifetime (OEHHA, 2015; SCAQMD, 2017)

Table H provides a summary of the calculated diesel emission concentrations at the nearest sensitive receptors and Appendices B, C, and D provide the AERMOD printouts.

Table H – TAC Cancer Risks at Nearby Sensitive Receptors

Sensitive Receptor ¹	Receptor Location		Annual PM10 Concentration (µg/m ³)			Cancer Risk Per Million People ²
	X	Y	2022-2023	2023- 2038	2038-2051	
1	438,872	3,769,195	0.0004	0.0004	0.0004	0.3
2	438,949	3,769,181	0.0005	0.0005	0.0005	0.3
3	438,759	3,768,908	0.0036	0.0035	0.0035	2.6
4	438,755	3,768,841	0.0016	0.0015	0.0015	1.1
5	438,772	3,768,779	0.0008	0.0007	0.0007	0.5
6	438,708	3,768,777	0.0009	0.0009	0.0009	0.7
7	438,649	3,768,776	0.0011	0.0010	0.0010	0.8
8	438,597	3,768,773	0.0012	0.0012	0.0012	0.9
9	438,359	3,768,775	0.0008	0.0007	0.0007	0.6
Threshold of Significance						10
Exceed Threshold?						No

Notes:

¹ The locations of each Sensitive Receptor are shown above in Figure 4.

² The residential cancer risk based on: $C_{air} (2022-2023) * 342 + C_{air} (2023-2038) * 362 + C_{air} (2038-2051) * 39.5$.

Source: Calculated from ISC-AERMOD View Version 9.9.0.

Table H shows that the cancer risk from the proposed project’s TAC emissions would be as high as **2.6 per million persons** at the single-family homes located east of the project site (Sensitive Receptor 3). The project-related cancer risk from TAC emissions would be within the SCAQMD’s threshold of 10 per million persons. Therefore, operation of the proposed project would result in a less than significant impact due to the cancer risk from TAC emissions.

6.2 Non-Cancer Risks

In addition to the cancer risk from exposure to TAC emissions there is also the potential TAC exposure may result in adverse health impacts from acute and chronic illnesses, which are detailed below.

Chronic Health Impacts

Chronic health effects are characterized by prolonged or repeated exposure to a TAC over many days, months, or years. Symptoms from chronic health impacts may not be immediately apparent and are often irreversible. The chronic hazard index is based on the most impacted sensitive receptor from the proposed project and is calculated from the annual average concentrations of PM10. The relationship for non-cancer chronic health effects is given by the equation:

$$HI_{DPM} = C_{DPM} / REL_{DPM}$$

Where,

HI_{DPM} = Hazard Index; an expression of the potential for non-cancer health effects.

C_{DPM} = Annual average diesel particulate matter concentration in $\mu\text{g}/\text{m}^3$.

REL_{DPM} = Reference Exposure Level (REL) for diesel particulate matter; the diesel particulate matter concentration at which no adverse health effects are anticipated.

The REL_{DPM} is $5 \mu\text{g}/\text{m}^3$. The Office of Environmental Health Hazard Assessment as protective for the respiratory system has established this concentration. As shown above in Table H, the AERMOD model found that the highest annual DPM concentration of $0.0043 \mu\text{g}/\text{m}^3$ for DPM chronic non-cancer risk emissions. The resulting Hazard Index is:

$$HI_{DPM} = 0.0043 / 5 = 0.00086$$

The criterion for significance is a Chronic Hazard Index increase of 1.0 or greater, which is detailed above in Section 5.0. Therefore, the non-cancer chronic health risks to residents at the proposed homes would be within the SCAQMD standards.

Acute Health Impacts

Acute health effects are characterized by sudden and severe exposure and rapid absorption of a TAC. Normally, a single large exposure is involved. Acute health effects are often treatable and reversible. The acute hazard index is calculated from the maximum 24-hour concentrations of PM10 at the point of maximum impact (PMI), which has been calculated with the AERMOD model and the parameters detailed above in Section 4.0 and Appendix B provides the AERMOD output of the 24-hour concentrations. The relationship for non-cancer acute health effects is given by the equation:

$$AHI = C / AREL$$

Where,

AHI = Acute Hazard Index; an expression of the potential for non-cancer health effects.

C = Maximum hourly concentration of either PM10 in $\mu\text{g}/\text{m}^3$.

AREL = Acute Reference Exposure Level.

No acute risk has been found to be directly created from DPM, so there is no AREL assigned to DPM, however in order to provide an DPM equivalent AREL, the ARELs from all of the other TACs that are emitted in diesel exhaust were added together based on their diesel weighting shown above in Table B. This resulted in a diesel emission weighted equivalent AREL of $137 \mu\text{g}/\text{m}^3$. The AERMOD model found that the highest 24-hour concentration at the PMI is $0.00814 \mu\text{g}/\text{m}^3$ for DPM equivalent acute non-cancer risk emissions. The resulting Hazard Index is:

$$AHI = 0.00814 / 137 = 0.00163$$

The criterion for significance is an Acute Hazard Index increase of 1.0 or greater, which is detailed above in Section 5.0. Therefore, the non-cancer acute health risks to the residents at the proposed homes would be within the SCAQMD standards.

7.0 REFERENCES

California Air Pollution Control Officers Association, *Health Risk Assessments for Proposed Land Use Projects*, 2009.

California Air Resources Board, *2010 California Toxic Inventory in Tons per Year*, November 2013.

California Air Resources Board, *Ambient Air Quality Standards*, June 4, 2013.

California Air Resources Board, *Appendix VII Risk Characterization Scenarios*, October 2000.

California Air Resources Board, *The California Almanac of Emissions and Air Quality – 2013 Edition*.

California Air Resources Board, *Resolution 08-43*, December 12, 2008.

California Department of Transportation (Caltrans), *2016 Annual Average Daily Truck Traffic on the California State Highway System*, 2018.

City of Ontario, *The Ontario Plan*, 2010.

Environmental Protection Agency, *Code of Federal Regulation Title 40 Protection of Environment Part 60*, July, 2013.

Environmental Protection Agency, *EPA's Proposal to Update the Air Quality Standards for Ground-Level Ozone By the Numbers*, November 25, 2014.

Environmental Protection Agency, *Quantitative Health Risk Assessment for Particulate Matter*, June 2010.

Office of Environmental Health Hazard Assessment (OEHHA), *Air Toxics Hot Spots Program Risk Assessment Guidelines*, February 2015.

South Coast Air Quality Management District, *CEQA Air Quality Handbook*, April 1993.

South Coast Air Quality Management District, *Draft Report Multiple Air Toxics Exposure Study in the South Coast Air Basin, MATES-IV*, October 2014.

South Coast Air Quality Management District, *Risk Assessment Procedures for Rules 1401, 1401.1 and 212*, September 1, 2017.

APPENDIX A

EMFAC2017 Model Printouts

EMFAC2017 Version 1.0.3

calendar_season	mc	sub_area	vehicle_cla	tempe	relative_process	speed_pollutant	emission_rate
2022	Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.028742
2022	Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.01033
2022	Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.041512
2022	Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.020946
2022	Annual	San Bernar	Truck1		IDLEX	PM10	0.457468
2022	Annual	San Bernar	Truck1		PMTW	PM10	0.010036
2022	Annual	San Bernar	Truck1		PMBW	PM10	0.07915
2022	Annual	San Bernar	Truck2		IDLEX	PM10	0.02432
2022	Annual	San Bernar	Truck2		PMTW	PM10	0.027157
2022	Annual	San Bernar	Truck2		PMBW	PM10	0.087008
2023	Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.027248
2023	Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.009921
2023	Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.009267
2023	Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.006825
2023	Annual	San Bernar	Truck1		IDLEX	PM10	0.463256
2023	Annual	San Bernar	Truck1		PMTW	PM10	0.010061
2023	Annual	San Bernar	Truck1		PMBW	PM10	0.079164
2023	Annual	San Bernar	Truck2		IDLEX	PM10	0.016651
2023	Annual	San Bernar	Truck2		PMTW	PM10	0.027152
2023	Annual	San Bernar	Truck2		PMBW	PM10	0.087021
2024	Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.025803
2024	Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.009522
2024	Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.009211
2024	Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.006892
2024	Annual	San Bernar	Truck1		IDLEX	PM10	0.468639
2024	Annual	San Bernar	Truck1		PMTW	PM10	0.010082
2024	Annual	San Bernar	Truck1		PMBW	PM10	0.079176
2024	Annual	San Bernar	Truck2		IDLEX	PM10	0.015803
2024	Annual	San Bernar	Truck2		PMTW	PM10	0.02715
2024	Annual	San Bernar	Truck2		PMBW	PM10	0.087029
2025	Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.024442
2025	Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.009141
2025	Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.009096
2025	Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.006898
2025	Annual	San Bernar	Truck1		IDLEX	PM10	0.474122
2025	Annual	San Bernar	Truck1		PMTW	PM10	0.010102
2025	Annual	San Bernar	Truck1		PMBW	PM10	0.079186
2025	Annual	San Bernar	Truck2		IDLEX	PM10	0.015069
2025	Annual	San Bernar	Truck2		PMTW	PM10	0.027152
2025	Annual	San Bernar	Truck2		PMBW	PM10	0.087021
2026	Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.023113
2026	Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.008762
2026	Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.008955
2026	Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.00687
2026	Annual	San Bernar	Truck1		IDLEX	PM10	0.47885

calendar_season	mcsub_area	vehicle_class	temp	relative_process	speed	pollutant	emission_rate
2026 Annual	San Bernar	Truck1		PMTW		PM10	0.010118
2026 Annual	San Bernar	Truck1		PMBW		PM10	0.079193
2026 Annual	San Bernar	Truck2		IDLEX		PM10	0.014429
2026 Annual	San Bernar	Truck2		PMTW		PM10	0.02716
2026 Annual	San Bernar	Truck2		PMBW		PM10	0.086998
2027 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.021851
2027 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.008396
2027 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.008793
2027 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006822
2027 Annual	San Bernar	Truck1		IDLEX		PM10	0.482621
2027 Annual	San Bernar	Truck1		PMTW		PM10	0.010132
2027 Annual	San Bernar	Truck1		PMBW		PM10	0.079198
2027 Annual	San Bernar	Truck2		IDLEX		PM10	0.013768
2027 Annual	San Bernar	Truck2		PMTW		PM10	0.027168
2027 Annual	San Bernar	Truck2		PMBW		PM10	0.086974
2028 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.020676
2028 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.00805
2028 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.008671
2028 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006783
2028 Annual	San Bernar	Truck1		IDLEX		PM10	0.486277
2028 Annual	San Bernar	Truck1		PMTW		PM10	0.010144
2028 Annual	San Bernar	Truck1		PMBW		PM10	0.079202
2028 Annual	San Bernar	Truck2		IDLEX		PM10	0.013313
2028 Annual	San Bernar	Truck2		PMTW		PM10	0.027184
2028 Annual	San Bernar	Truck2		PMBW		PM10	0.086931
2029 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.019569
2029 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.007719
2029 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.008536
2029 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006731
2029 Annual	San Bernar	Truck1		IDLEX		PM10	0.489007
2029 Annual	San Bernar	Truck1		PMTW		PM10	0.010154
2029 Annual	San Bernar	Truck1		PMBW		PM10	0.079205
2029 Annual	San Bernar	Truck2		IDLEX		PM10	0.012832
2029 Annual	San Bernar	Truck2		PMTW		PM10	0.027199
2029 Annual	San Bernar	Truck2		PMBW		PM10	0.086885
2030 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.01855
2030 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.00741
2030 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.008406
2030 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006677
2030 Annual	San Bernar	Truck1		IDLEX		PM10	0.491559
2030 Annual	San Bernar	Truck1		PMTW		PM10	0.010162
2030 Annual	San Bernar	Truck1		PMBW		PM10	0.079207
2030 Annual	San Bernar	Truck2		IDLEX		PM10	0.012376
2030 Annual	San Bernar	Truck2		PMTW		PM10	0.027218
2030 Annual	San Bernar	Truck2		PMBW		PM10	0.086832
2031 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.017628

calendar_season	mcsub_area	vehicle_cla	tempe	relative_process	speed_pollutant	emission_rate
2031 Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.007126
2031 Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.008289
2031 Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.006629
2031 Annual	San Bernar	Truck1		IDLEX	PM10	0.493714
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2031 Annual	San Bernar	Truck1		PMBW	PM10	0.079208
2031 Annual	San Bernar	Truck2		IDLEX	PM10	0.01198
2031 Annual	San Bernar	Truck2		PMTW	PM10	0.027231
2031 Annual	San Bernar	Truck2		PMBW	PM10	0.086795
2032 Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.016811
2032 Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.006871
2032 Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.008198
2032 Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.00659
2032 Annual	San Bernar	Truck1		IDLEX	PM10	0.496281
2032 Annual	San Bernar	Truck1		PMTW	PM10	0.010177
2032 Annual	San Bernar	Truck1		PMBW	PM10	0.079207
2032 Annual	San Bernar	Truck2		IDLEX	PM10	0.011729
2032 Annual	San Bernar	Truck2		PMTW	PM10	0.027245
2032 Annual	San Bernar	Truck2		PMBW	PM10	0.086755
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2033 Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.008111
2033 Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.006553
2033 Annual	San Bernar	Truck1		IDLEX	PM10	0.498537
2033 Annual	San Bernar	Truck1		PMTW	PM10	0.010182
2033 Annual	San Bernar	Truck1		PMBW	PM10	0.079207
2033 Annual	San Bernar	Truck2		IDLEX	PM10	0.011508
2033 Annual	San Bernar	Truck2		PMTW	PM10	0.027261
2033 Annual	San Bernar	Truck2		PMBW	PM10	0.08671
2034 Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.015399
2034 Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.006426
2034 Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.008018
2034 Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.006508
2034 Annual	San Bernar	Truck1		IDLEX	PM10	0.500415
2034 Annual	San Bernar	Truck1		PMTW	PM10	0.010188
2034 Annual	San Bernar	Truck1		PMBW	PM10	0.079206
2034 Annual	San Bernar	Truck2		IDLEX	PM10	0.011286
2034 Annual	San Bernar	Truck2		PMTW	PM10	0.027278
2034 Annual	San Bernar	Truck2		PMBW	PM10	0.086659
2035 Annual	San Bernar	Truck1	48	50 RUNEX	10 PM10	0.014735
2035 Annual	San Bernar	Truck1	48	50 RUNEX	35 PM10	0.006214
2035 Annual	San Bernar	Truck2	48	50 RUNEX	10 PM10	0.007933
2035 Annual	San Bernar	Truck2	48	50 RUNEX	35 PM10	0.006467
2035 Annual	San Bernar	Truck1		IDLEX	PM10	0.501581
2035 Annual	San Bernar	Truck1		PMTW	PM10	0.010193
2035 Annual	San Bernar	Truck1		PMBW	PM10	0.079205

calendar_season	mcsub_area	vehicle_class	temp	relative_process	speed	pollutant	emission_rate
2035 Annual	San Bernar	Truck2		IDLEX		PM10	0.011097
2035 Annual	San Bernar	Truck2		PMTW		PM10	0.027296
2035 Annual	San Bernar	Truck2		PMBW		PM10	0.086608
2036 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.014223
2036 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.006045
2036 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007872
2036 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006443
2036 Annual	San Bernar	Truck1		IDLEX		PM10	0.50302
2036 Annual	San Bernar	Truck1		PMTW		PM10	0.010196
2036 Annual	San Bernar	Truck1		PMBW		PM10	0.079204
2036 Annual	San Bernar	Truck2		IDLEX		PM10	0.010957
2036 Annual	San Bernar	Truck2		PMTW		PM10	0.027319
2036 Annual	San Bernar	Truck2		PMBW		PM10	0.086543
2037 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.013737
2037 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005884
2037 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007828
2037 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006425
2037 Annual	San Bernar	Truck1		IDLEX		PM10	0.504169
2037 Annual	San Bernar	Truck1		PMTW		PM10	0.010198
2037 Annual	San Bernar	Truck1		PMBW		PM10	0.079203
2037 Annual	San Bernar	Truck2		IDLEX		PM10	0.010843
2037 Annual	San Bernar	Truck2		PMTW		PM10	0.027342
2037 Annual	San Bernar	Truck2		PMBW		PM10	0.086476
2038 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.013309
2038 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005739
2038 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007794
2038 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006413
2038 Annual	San Bernar	Truck1		IDLEX		PM10	0.504982
2038 Annual	San Bernar	Truck1		PMTW		PM10	0.0102
2038 Annual	San Bernar	Truck1		PMBW		PM10	0.079201
2038 Annual	San Bernar	Truck2		IDLEX		PM10	0.010737
2038 Annual	San Bernar	Truck2		PMTW		PM10	0.027366
2038 Annual	San Bernar	Truck2		PMBW		PM10	0.086407
2039 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.012921
2039 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005607
2039 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.00777
2039 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006406
2039 Annual	San Bernar	Truck1		IDLEX		PM10	0.50588
2039 Annual	San Bernar	Truck1		PMTW		PM10	0.010201
2039 Annual	San Bernar	Truck1		PMBW		PM10	0.079199
2039 Annual	San Bernar	Truck2		IDLEX		PM10	0.010635
2039 Annual	San Bernar	Truck2		PMTW		PM10	0.02739
2039 Annual	San Bernar	Truck2		PMBW		PM10	0.086339
2040 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.012591
2040 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005493
2040 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007751

calendar_season	mcsub_area	vehicle_class	temp	relative_process	speed	pollutant	emission_rate
2040 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006404
2040 Annual	San Bernar	Truck1		IDLEX		PM10	0.506958
2040 Annual	San Bernar	Truck1		PMTW		PM10	0.010203
2040 Annual	San Bernar	Truck1		PMBW		PM10	0.079199
2040 Annual	San Bernar	Truck2		IDLEX		PM10	0.010536
2040 Annual	San Bernar	Truck2		PMTW		PM10	0.027414
2040 Annual	San Bernar	Truck2		PMBW		PM10	0.086269
2041 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.012322
2041 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005398
2041 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007733
2041 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006401
2041 Annual	San Bernar	Truck1		IDLEX		PM10	0.507768
2041 Annual	San Bernar	Truck1		PMTW		PM10	0.010205
2041 Annual	San Bernar	Truck1		PMBW		PM10	0.0792
2041 Annual	San Bernar	Truck2		IDLEX		PM10	0.010445
2041 Annual	San Bernar	Truck2		PMTW		PM10	0.027427
2041 Annual	San Bernar	Truck2		PMBW		PM10	0.086232
2042 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.012083
2042 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005313
2042 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007725
2042 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006404
2042 Annual	San Bernar	Truck1		IDLEX		PM10	0.508471
2042 Annual	San Bernar	Truck1		PMTW		PM10	0.010206
2042 Annual	San Bernar	Truck1		PMBW		PM10	0.079201
2042 Annual	San Bernar	Truck2		IDLEX		PM10	0.010373
2042 Annual	San Bernar	Truck2		PMTW		PM10	0.027449
2042 Annual	San Bernar	Truck2		PMBW		PM10	0.086171
2043 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.011901
2043 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005248
2043 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007718
2043 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006407
2043 Annual	San Bernar	Truck1		IDLEX		PM10	0.50921
2043 Annual	San Bernar	Truck1		PMTW		PM10	0.010207
2043 Annual	San Bernar	Truck1		PMBW		PM10	0.079202
2043 Annual	San Bernar	Truck2		IDLEX		PM10	0.010308
2043 Annual	San Bernar	Truck2		PMTW		PM10	0.02747
2043 Annual	San Bernar	Truck2		PMBW		PM10	0.086111
2044 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.011714
2044 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005184
2044 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007711
2044 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006412
2044 Annual	San Bernar	Truck1		IDLEX		PM10	0.510037
2044 Annual	San Bernar	Truck1		PMTW		PM10	0.010209
2044 Annual	San Bernar	Truck1		PMBW		PM10	0.079203
2044 Annual	San Bernar	Truck2		IDLEX		PM10	0.010243
2044 Annual	San Bernar	Truck2		PMTW		PM10	0.027491

calendar_season	mcsub_area	vehicle_class	temp	relative_process	speed	pollutant	emission_rate
2044 Annual	San Bernar	Truck2				PMBW PM10	0.08605
2045 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.011559
2045 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005131
2045 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007704
2045 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006416
2045 Annual	San Bernar	Truck1		IDLEX		PM10	0.51099
2045 Annual	San Bernar	Truck1		PMTW		PM10	0.010211
2045 Annual	San Bernar	Truck1		PMBW		PM10	0.079204
2045 Annual	San Bernar	Truck2		IDLEX		PM10	0.010184
2045 Annual	San Bernar	Truck2		PMTW		PM10	0.027512
2045 Annual	San Bernar	Truck2		PMBW		PM10	0.08599
2046 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.011411
2046 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.00508
2046 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007698
2046 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.00642
2046 Annual	San Bernar	Truck1		IDLEX		PM10	0.511821
2046 Annual	San Bernar	Truck1		PMTW		PM10	0.010212
2046 Annual	San Bernar	Truck1		PMBW		PM10	0.079204
2046 Annual	San Bernar	Truck2		IDLEX		PM10	0.01012
2046 Annual	San Bernar	Truck2		PMTW		PM10	0.02753
2046 Annual	San Bernar	Truck2		PMBW		PM10	0.08594
2047 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.011292
2047 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.00504
2047 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007688
2047 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006423
2047 Annual	San Bernar	Truck1		IDLEX		PM10	0.51258
2047 Annual	San Bernar	Truck1		PMTW		PM10	0.010213
2047 Annual	San Bernar	Truck1		PMBW		PM10	0.079205
2047 Annual	San Bernar	Truck2		IDLEX		PM10	0.010042
2047 Annual	San Bernar	Truck2		PMTW		PM10	0.027547
2047 Annual	San Bernar	Truck2		PMBW		PM10	0.085892
2048 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.011178
2048 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.005002
2048 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.00769
2048 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006426
2048 Annual	San Bernar	Truck1		IDLEX		PM10	0.513533
2048 Annual	San Bernar	Truck1		PMTW		PM10	0.010215
2048 Annual	San Bernar	Truck1		PMBW		PM10	0.079206
2048 Annual	San Bernar	Truck2		IDLEX		PM10	0.010004
2048 Annual	San Bernar	Truck2		PMTW		PM10	0.027564
2048 Annual	San Bernar	Truck2		PMBW		PM10	0.085843
2049 Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.011082
2049 Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.004969
2049 Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007694
2049 Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006431
2049 Annual	San Bernar	Truck1		IDLEX		PM10	0.514278

calendar_season	mc	sub_area	vehicle_class	temp	relative_process	speed	pollutant	emission_rate
2049	Annual	San Bernar	Truck1		PMTW		PM10	0.010216
2049	Annual	San Bernar	Truck1		PMBW		PM10	0.079207
2049	Annual	San Bernar	Truck2		IDLEX		PM10	0.009976
2049	Annual	San Bernar	Truck2		PMTW		PM10	0.02758
2049	Annual	San Bernar	Truck2		PMBW		PM10	0.085796
2050	Annual	San Bernar	Truck1	48	50 RUNEX	10	PM10	0.010965
2050	Annual	San Bernar	Truck1	48	50 RUNEX	35	PM10	0.00493
2050	Annual	San Bernar	Truck2	48	50 RUNEX	10	PM10	0.007699
2050	Annual	San Bernar	Truck2	48	50 RUNEX	35	PM10	0.006435
2050	Annual	San Bernar	Truck1		IDLEX		PM10	0.514463
2050	Annual	San Bernar	Truck1		PMTW		PM10	0.010216
2050	Annual	San Bernar	Truck1		PMBW		PM10	0.079205
2050	Annual	San Bernar	Truck2		IDLEX		PM10	0.009947
2050	Annual	San Bernar	Truck2		PMTW		PM10	0.027596
2050	Annual	San Bernar	Truck2		PMBW		PM10	0.08575

APPENDIX B

AERMOD Model Years 2022-2024 DPM Concentrations Printouts

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**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 9.9.0
** Lakes Environmental Software Inc.
** Date: 11/25/2020
** File: C:\Vista Env\2020\20098 Ontario\AERMOD\2022\2022.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE State Distribution Project - DPM Emission Years 2022-2024
  TITLETWO PM10
  MODELOPT DFAULT CONC
  AVERTIME 24 ANNUAL
  URBANOPT 2035210 San_Bernardino_Co
  POLLUTID PM_10
  RUNORNOT RUN
  ERRORFIL 2022.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** -----
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = RDSTATEW
** DESCRSRC State Street west of Project to Mountain Ave
** PREFIX
** Length of Side = 6.10
** Configuration = Adjacent
** Emission Rate = 3.92E-06
** Vertical Dimension = 1.83
** SZINIT = 0.85
** Nodes = 8
** 438484.689, 3769002.029, 301.34, 0.00, 2.84
** 438281.920, 3769002.622, 302.69, 0.00, 2.84
** 438282.487, 3768946.403, 300.89, 0.00, 2.84
** 438271.538, 3768902.898, 298.12, 0.00, 2.84
** 438271.053, 3768807.851, 289.27, 0.00, 2.84
** 438263.976, 3768793.904, 289.08, 0.00, 2.84
** 438249.196, 3768787.867, 288.87, 0.00, 2.84

```

** 438204.233, 3768788.908, 288.46, 0.00, 2.84

**

LOCATION	L0000181	VOLUME	438481.641	3769002.038	301.18
LOCATION	L0000182	VOLUME	438475.545	3769002.056	301.25
LOCATION	L0000183	VOLUME	438469.449	3769002.073	301.30
LOCATION	L0000184	VOLUME	438463.353	3769002.091	301.36
LOCATION	L0000185	VOLUME	438457.257	3769002.109	301.41
LOCATION	L0000186	VOLUME	438451.161	3769002.127	301.47
LOCATION	L0000187	VOLUME	438445.065	3769002.145	301.52
LOCATION	L0000188	VOLUME	438438.969	3769002.163	301.58
LOCATION	L0000189	VOLUME	438432.874	3769002.180	301.63
LOCATION	L0000190	VOLUME	438426.778	3769002.198	301.69
LOCATION	L0000191	VOLUME	438420.682	3769002.216	301.74
LOCATION	L0000192	VOLUME	438414.586	3769002.234	301.80
LOCATION	L0000193	VOLUME	438408.490	3769002.252	301.85
LOCATION	L0000194	VOLUME	438402.394	3769002.269	301.90
LOCATION	L0000195	VOLUME	438396.298	3769002.287	301.96
LOCATION	L0000196	VOLUME	438390.202	3769002.305	302.02
LOCATION	L0000197	VOLUME	438384.106	3769002.323	302.08
LOCATION	L0000198	VOLUME	438378.010	3769002.341	302.14
LOCATION	L0000199	VOLUME	438371.914	3769002.359	302.20
LOCATION	L0000200	VOLUME	438365.818	3769002.376	302.26
LOCATION	L0000201	VOLUME	438359.722	3769002.394	302.32
LOCATION	L0000202	VOLUME	438353.626	3769002.412	302.38
LOCATION	L0000203	VOLUME	438347.530	3769002.430	302.44
LOCATION	L0000204	VOLUME	438341.434	3769002.448	302.50
LOCATION	L0000205	VOLUME	438335.338	3769002.466	302.56
LOCATION	L0000206	VOLUME	438329.242	3769002.483	302.62
LOCATION	L0000207	VOLUME	438323.146	3769002.501	302.67
LOCATION	L0000208	VOLUME	438317.050	3769002.519	302.67
LOCATION	L0000209	VOLUME	438310.954	3769002.537	302.67
LOCATION	L0000210	VOLUME	438304.858	3769002.555	302.67
LOCATION	L0000211	VOLUME	438298.762	3769002.572	302.66
LOCATION	L0000212	VOLUME	438292.666	3769002.590	302.66
LOCATION	L0000213	VOLUME	438286.570	3769002.608	302.66
LOCATION	L0000214	VOLUME	438281.935	3769001.176	302.60
LOCATION	L0000215	VOLUME	438281.996	3768995.080	302.34
LOCATION	L0000216	VOLUME	438282.058	3768988.984	302.07
LOCATION	L0000217	VOLUME	438282.119	3768982.889	301.81
LOCATION	L0000218	VOLUME	438282.180	3768976.793	301.54
LOCATION	L0000219	VOLUME	438282.242	3768970.697	301.28
LOCATION	L0000220	VOLUME	438282.303	3768964.601	301.02
LOCATION	L0000221	VOLUME	438282.365	3768958.506	300.75
LOCATION	L0000222	VOLUME	438282.426	3768952.410	300.49
LOCATION	L0000223	VOLUME	438282.465	3768946.317	300.22
LOCATION	L0000224	VOLUME	438280.977	3768940.405	299.97
LOCATION	L0000225	VOLUME	438279.490	3768934.494	299.71
LOCATION	L0000226	VOLUME	438278.002	3768928.582	299.46
LOCATION	L0000227	VOLUME	438276.514	3768922.670	299.20
LOCATION	L0000228	VOLUME	438275.026	3768916.759	298.87
LOCATION	L0000229	VOLUME	438273.539	3768910.847	298.27
LOCATION	L0000230	VOLUME	438272.051	3768904.935	297.67
LOCATION	L0000231	VOLUME	438271.518	3768898.903	297.06
LOCATION	L0000232	VOLUME	438271.487	3768892.807	296.44

LOCATION	VOLUME				
L0000233	VOLUME	438271.456	3768886.711	295.83	
L0000234	VOLUME	438271.425	3768880.615	295.21	
L0000235	VOLUME	438271.394	3768874.519	294.60	
L0000236	VOLUME	438271.362	3768868.423	293.98	
L0000237	VOLUME	438271.331	3768862.327	293.36	
L0000238	VOLUME	438271.300	3768856.231	292.75	
L0000239	VOLUME	438271.269	3768850.136	292.13	
L0000240	VOLUME	438271.238	3768844.040	291.52	
L0000241	VOLUME	438271.207	3768837.944	290.90	
L0000242	VOLUME	438271.176	3768831.848	290.28	
L0000243	VOLUME	438271.145	3768825.752	289.67	
L0000244	VOLUME	438271.114	3768819.656	289.60	
L0000245	VOLUME	438271.082	3768813.560	289.53	
L0000246	VOLUME	438270.878	3768807.506	289.46	
L0000247	VOLUME	438268.120	3768802.070	289.33	
L0000248	VOLUME	438265.361	3768796.634	289.20	
L0000249	VOLUME	438261.166	3768792.756	289.05	
L0000250	VOLUME	438255.523	3768790.451	288.88	
L0000251	VOLUME	438249.879	3768788.146	288.71	
L0000252	VOLUME	438243.840	3768787.991	288.58	
L0000253	VOLUME	438237.745	3768788.132	288.53	
L0000254	VOLUME	438231.651	3768788.273	288.49	
L0000255	VOLUME	438225.556	3768788.415	288.44	
L0000256	VOLUME	438219.462	3768788.556	288.39	
L0000257	VOLUME	438213.368	3768788.697	288.35	
L0000258	VOLUME	438207.273	3768788.838	288.30	

** End of LINE VOLUME Source ID = RDSTATEW

** -----

** Line Source Represented by Adjacent Volume Sources

** LINE VOLUME Source ID = RDSTATEE

** DESCRSRC State Street East of Project Site to San Antonio Ave

** PREFIX

** Length of Side = 6.10

** Configuration = Adjacent

** Emission Rate = 2.88E-06

** Vertical Dimension = 1.83

** SZINIT = 0.85

** Nodes = 4

** 438672.202, 3769002.020, 302.84, 0.00, 2.84

** 438789.448, 3769002.707, 304.97, 0.00, 2.84

** 438842.357, 3769006.954, 303.08, 0.00, 2.84

** 439021.762, 3769005.515, 302.13, 0.00, 2.84

** -----

L0000337	VOLUME	438675.250	3769002.038	302.76	
L0000338	VOLUME	438681.345	3769002.074	302.98	
L0000339	VOLUME	438687.441	3769002.110	303.19	
L0000340	VOLUME	438693.537	3769002.145	303.41	
L0000341	VOLUME	438699.633	3769002.181	303.63	
L0000342	VOLUME	438705.729	3769002.217	303.85	
L0000343	VOLUME	438711.825	3769002.253	303.98	
L0000344	VOLUME	438717.921	3769002.288	304.05	
L0000345	VOLUME	438724.017	3769002.324	304.13	
L0000346	VOLUME	438730.113	3769002.360	304.20	
L0000347	VOLUME	438736.208	3769002.395	304.27	

LOCATION	VOLUME				
LOCATION L0000348	VOLUME	438742.304	3769002.431	304.34	
LOCATION L0000349	VOLUME	438748.400	3769002.467	304.41	
LOCATION L0000350	VOLUME	438754.496	3769002.503	304.49	
LOCATION L0000351	VOLUME	438760.592	3769002.538	304.56	
LOCATION L0000352	VOLUME	438766.688	3769002.574	304.63	
LOCATION L0000353	VOLUME	438772.784	3769002.610	304.70	
LOCATION L0000354	VOLUME	438778.880	3769002.645	304.78	
LOCATION L0000355	VOLUME	438784.976	3769002.681	304.85	
LOCATION L0000356	VOLUME	438791.066	3769002.837	304.71	
LOCATION L0000357	VOLUME	438797.143	3769003.325	304.57	
LOCATION L0000358	VOLUME	438803.219	3769003.813	304.43	
LOCATION L0000359	VOLUME	438809.296	3769004.301	304.29	
LOCATION L0000360	VOLUME	438815.372	3769004.788	304.14	
LOCATION L0000361	VOLUME	438821.449	3769005.276	304.00	
LOCATION L0000362	VOLUME	438827.525	3769005.764	303.86	
LOCATION L0000363	VOLUME	438833.602	3769006.252	303.72	
LOCATION L0000364	VOLUME	438839.678	3769006.739	303.58	
LOCATION L0000365	VOLUME	438845.765	3769006.927	303.43	
LOCATION L0000366	VOLUME	438851.861	3769006.878	303.27	
LOCATION L0000367	VOLUME	438857.957	3769006.829	303.11	
LOCATION L0000368	VOLUME	438864.053	3769006.780	303.00	
LOCATION L0000369	VOLUME	438870.148	3769006.731	303.00	
LOCATION L0000370	VOLUME	438876.244	3769006.682	303.00	
LOCATION L0000371	VOLUME	438882.340	3769006.633	303.00	
LOCATION L0000372	VOLUME	438888.436	3769006.585	303.00	
LOCATION L0000373	VOLUME	438894.532	3769006.536	303.00	
LOCATION L0000374	VOLUME	438900.628	3769006.487	303.00	
LOCATION L0000375	VOLUME	438906.723	3769006.438	303.00	
LOCATION L0000376	VOLUME	438912.819	3769006.389	303.00	
LOCATION L0000377	VOLUME	438918.915	3769006.340	303.00	
LOCATION L0000378	VOLUME	438925.011	3769006.291	303.00	
LOCATION L0000379	VOLUME	438931.107	3769006.242	303.00	
LOCATION L0000380	VOLUME	438937.202	3769006.193	303.00	
LOCATION L0000381	VOLUME	438943.298	3769006.144	302.94	
LOCATION L0000382	VOLUME	438949.394	3769006.095	302.86	
LOCATION L0000383	VOLUME	438955.490	3769006.047	302.79	
LOCATION L0000384	VOLUME	438961.586	3769005.998	302.71	
LOCATION L0000385	VOLUME	438967.681	3769005.949	302.63	
LOCATION L0000386	VOLUME	438973.777	3769005.900	302.55	
LOCATION L0000387	VOLUME	438979.873	3769005.851	302.47	
LOCATION L0000388	VOLUME	438985.969	3769005.802	302.39	
LOCATION L0000389	VOLUME	438992.065	3769005.753	302.31	
LOCATION L0000390	VOLUME	438998.160	3769005.704	302.23	
LOCATION L0000391	VOLUME	439004.256	3769005.655	302.15	
LOCATION L0000392	VOLUME	439010.352	3769005.606	302.07	
LOCATION L0000393	VOLUME	439016.448	3769005.557	302.00	

** End of LINE VOLUME Source ID = RDSTATEE

** -----

** Line Source Represented by Adjacent Volume Sources

** LINE VOLUME Source ID = RDONW

** DESCRSRC Onsite West Driveway

** PREFIX

** Length of Side = 3.66

** Configuration = Adjacent

** Emission Rate = 3.31E-06
 ** Vertical Dimension = 1.83
 ** SZINIT = 0.85
 ** Nodes = 2
 ** 438484.240, 3768997.613, 301.37, 0.00, 1.70
 ** 438483.840, 3768803.245, 295.33, 0.00, 1.70

LOCATION		VOLUME			
LOCATION L0000394		VOLUME	438484.236	3768995.784	301.36
LOCATION L0000395		VOLUME	438484.229	3768992.126	301.48
LOCATION L0000396		VOLUME	438484.221	3768988.469	301.60
LOCATION L0000397		VOLUME	438484.214	3768984.811	301.72
LOCATION L0000398		VOLUME	438484.206	3768981.154	301.85
LOCATION L0000399		VOLUME	438484.199	3768977.496	301.97
LOCATION L0000400		VOLUME	438484.191	3768973.838	302.09
LOCATION L0000401		VOLUME	438484.184	3768970.181	302.21
LOCATION L0000402		VOLUME	438484.176	3768966.523	302.33
LOCATION L0000403		VOLUME	438484.169	3768962.866	302.46
LOCATION L0000404		VOLUME	438484.161	3768959.208	302.58
LOCATION L0000405		VOLUME	438484.154	3768955.551	302.70
LOCATION L0000406		VOLUME	438484.146	3768951.893	302.82
LOCATION L0000407		VOLUME	438484.139	3768948.235	302.95
LOCATION L0000408		VOLUME	438484.131	3768944.578	303.07
LOCATION L0000409		VOLUME	438484.124	3768940.920	303.19
LOCATION L0000410		VOLUME	438484.116	3768937.263	303.31
LOCATION L0000411		VOLUME	438484.108	3768933.605	303.43
LOCATION L0000412		VOLUME	438484.101	3768929.947	303.56
LOCATION L0000413		VOLUME	438484.093	3768926.290	303.68
LOCATION L0000414		VOLUME	438484.086	3768922.632	303.80
LOCATION L0000415		VOLUME	438484.078	3768918.975	303.92
LOCATION L0000416		VOLUME	438484.071	3768915.317	303.87
LOCATION L0000417		VOLUME	438484.063	3768911.659	303.52
LOCATION L0000418		VOLUME	438484.056	3768908.002	303.17
LOCATION L0000419		VOLUME	438484.048	3768904.344	302.82
LOCATION L0000420		VOLUME	438484.041	3768900.687	302.47
LOCATION L0000421		VOLUME	438484.033	3768897.029	302.12
LOCATION L0000422		VOLUME	438484.026	3768893.371	301.77
LOCATION L0000423		VOLUME	438484.018	3768889.714	301.43
LOCATION L0000424		VOLUME	438484.011	3768886.056	301.08
LOCATION L0000425		VOLUME	438484.003	3768882.399	300.73
LOCATION L0000426		VOLUME	438483.996	3768878.741	300.38
LOCATION L0000427		VOLUME	438483.988	3768875.084	300.03
LOCATION L0000428		VOLUME	438483.981	3768871.426	299.68
LOCATION L0000429		VOLUME	438483.973	3768867.768	299.33
LOCATION L0000430		VOLUME	438483.966	3768864.111	298.99
LOCATION L0000431		VOLUME	438483.958	3768860.453	298.64
LOCATION L0000432		VOLUME	438483.950	3768856.796	298.29
LOCATION L0000433		VOLUME	438483.943	3768853.138	297.94
LOCATION L0000434		VOLUME	438483.935	3768849.480	297.59
LOCATION L0000435		VOLUME	438483.928	3768845.823	297.24
LOCATION L0000436		VOLUME	438483.920	3768842.165	296.90
LOCATION L0000437		VOLUME	438483.913	3768838.508	296.55
LOCATION L0000438		VOLUME	438483.905	3768834.850	296.20
LOCATION L0000439		VOLUME	438483.898	3768831.192	295.85
LOCATION L0000440		VOLUME	438483.890	3768827.535	295.50

LOCATION	L0000441	VOLUME	438483.883	3768823.877	295.19
LOCATION	L0000442	VOLUME	438483.875	3768820.220	295.19
LOCATION	L0000443	VOLUME	438483.868	3768816.562	295.19
LOCATION	L0000444	VOLUME	438483.860	3768812.904	295.18
LOCATION	L0000445	VOLUME	438483.853	3768809.247	295.18
LOCATION	L0000446	VOLUME	438483.845	3768805.589	295.18

** End of LINE VOLUME Source ID = RDOWN
** -----
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = RDONE
** DESCRSRC Onsite East Driveway
** PREFIX
** Length of Side = 3.66
** Configuration = Adjacent
** Emission Rate = 2.86E-06
** Vertical Dimension = 1.83
** SZINIT = 0.85
** Nodes = 2
** 438674.078, 3768998.696, 302.96, 0.00, 1.70
** 438672.120, 3768830.955, 299.03, 0.00, 1.70
** -----

LOCATION	L0000447	VOLUME	438674.056	3768996.868	302.76
LOCATION	L0000448	VOLUME	438674.014	3768993.210	302.79
LOCATION	L0000449	VOLUME	438673.971	3768989.553	302.82
LOCATION	L0000450	VOLUME	438673.928	3768985.896	302.85
LOCATION	L0000451	VOLUME	438673.886	3768982.238	302.88
LOCATION	L0000452	VOLUME	438673.843	3768978.581	302.91
LOCATION	L0000453	VOLUME	438673.800	3768974.924	302.94
LOCATION	L0000454	VOLUME	438673.758	3768971.266	302.97
LOCATION	L0000455	VOLUME	438673.715	3768967.609	303.00
LOCATION	L0000456	VOLUME	438673.672	3768963.951	303.03
LOCATION	L0000457	VOLUME	438673.630	3768960.294	303.07
LOCATION	L0000458	VOLUME	438673.587	3768956.637	303.10
LOCATION	L0000459	VOLUME	438673.544	3768952.979	303.13
LOCATION	L0000460	VOLUME	438673.502	3768949.322	303.16
LOCATION	L0000461	VOLUME	438673.459	3768945.665	303.19
LOCATION	L0000462	VOLUME	438673.416	3768942.007	303.22
LOCATION	L0000463	VOLUME	438673.373	3768938.350	303.25
LOCATION	L0000464	VOLUME	438673.331	3768934.693	303.28
LOCATION	L0000465	VOLUME	438673.288	3768931.035	303.31
LOCATION	L0000466	VOLUME	438673.245	3768927.378	303.35
LOCATION	L0000467	VOLUME	438673.203	3768923.721	303.38
LOCATION	L0000468	VOLUME	438673.160	3768920.063	303.41
LOCATION	L0000469	VOLUME	438673.117	3768916.406	303.44
LOCATION	L0000470	VOLUME	438673.075	3768912.749	303.32
LOCATION	L0000471	VOLUME	438673.032	3768909.091	303.15
LOCATION	L0000472	VOLUME	438672.989	3768905.434	302.98
LOCATION	L0000473	VOLUME	438672.947	3768901.777	302.81
LOCATION	L0000474	VOLUME	438672.904	3768898.119	302.63
LOCATION	L0000475	VOLUME	438672.861	3768894.462	302.46
LOCATION	L0000476	VOLUME	438672.819	3768890.804	302.29
LOCATION	L0000477	VOLUME	438672.776	3768887.147	302.12
LOCATION	L0000478	VOLUME	438672.733	3768883.490	301.94
LOCATION	L0000479	VOLUME	438672.691	3768879.832	301.77

LOCATION	L0000480	VOLUME	438672.648	3768876.175	301.60
LOCATION	L0000481	VOLUME	438672.605	3768872.518	301.43
LOCATION	L0000482	VOLUME	438672.563	3768868.860	301.25
LOCATION	L0000483	VOLUME	438672.520	3768865.203	301.08
LOCATION	L0000484	VOLUME	438672.477	3768861.546	300.91
LOCATION	L0000485	VOLUME	438672.435	3768857.888	300.74
LOCATION	L0000486	VOLUME	438672.392	3768854.231	300.56
LOCATION	L0000487	VOLUME	438672.349	3768850.574	300.39
LOCATION	L0000488	VOLUME	438672.306	3768846.916	300.22
LOCATION	L0000489	VOLUME	438672.264	3768843.259	300.04
LOCATION	L0000490	VOLUME	438672.221	3768839.602	299.87
LOCATION	L0000491	VOLUME	438672.178	3768835.944	299.70
LOCATION	L0000492	VOLUME	438672.136	3768832.287	299.52
** End of LINE VOLUME Source ID = RDONE					
LOCATION	IDLINGW	POINT	438508.800	3768873.340	300.180
** DESCRSRC Total Idling West Loading Dock					
LOCATION	IDLINGE	POINT	438646.330	3768887.240	302.140
** DESCRSRC Total Idling East Loading Dock					
** Source Parameters **					
** LINE VOLUME Source ID = RDSTATEW					
SRCPARAM	L0000181	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000182	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000183	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000184	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000185	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000186	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000187	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000188	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000189	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000190	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000191	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000192	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000193	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000194	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000195	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000196	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000197	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000198	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000199	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000200	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000201	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000202	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000203	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000204	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000205	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000206	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000207	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000208	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000209	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000210	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000211	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000212	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000213	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000214	0.00000005026	0.00	2.84	0.85

SRCPARAM	L0000215	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000216	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000217	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000218	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000219	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000220	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000221	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000222	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000223	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000224	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000225	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000226	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000227	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000228	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000229	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000230	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000231	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000232	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000233	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000234	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000235	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000236	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000237	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000238	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000239	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000240	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000241	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000242	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000243	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000244	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000245	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000246	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000247	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000248	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000249	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000250	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000251	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000252	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000253	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000254	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000255	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000256	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000257	0.00000005026	0.00	2.84	0.85
SRCPARAM	L0000258	0.00000005026	0.00	2.84	0.85

**

** LINE VOLUME Source ID = RDSTATEE

SRCPARAM	L0000337	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000338	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000339	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000340	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000341	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000342	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000343	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000344	0.00000005053	0.00	2.84	0.85

SRCPARAM	L0000345	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000346	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000347	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000348	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000349	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000350	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000351	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000352	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000353	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000354	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000355	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000356	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000357	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000358	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000359	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000360	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000361	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000362	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000363	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000364	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000365	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000366	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000367	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000368	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000369	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000370	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000371	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000372	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000373	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000374	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000375	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000376	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000377	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000378	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000379	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000380	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000381	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000382	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000383	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000384	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000385	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000386	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000387	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000388	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000389	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000390	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000391	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000392	0.00000005053	0.00	2.84	0.85
SRCPARAM	L0000393	0.00000005053	0.00	2.84	0.85

**

 ** LINE VOLUME Source ID = RDONW

SRCPARAM	L0000394	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000395	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000396	0.00000006245	0.00	1.70	0.85

SRCPARAM	L0000397	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000398	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000399	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000400	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000401	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000402	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000403	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000404	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000405	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000406	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000407	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000408	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000409	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000410	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000411	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000412	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000413	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000414	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000415	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000416	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000417	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000418	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000419	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000420	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000421	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000422	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000423	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000424	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000425	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000426	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000427	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000428	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000429	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000430	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000431	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000432	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000433	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000434	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000435	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000436	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000437	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000438	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000439	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000440	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000441	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000442	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000443	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000444	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000445	0.00000006245	0.00	1.70	0.85
SRCPARAM	L0000446	0.00000006245	0.00	1.70	0.85

**

 ** LINE VOLUME Source ID = RDONE

SRCPARAM	L0000447	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000448	0.00000006217	0.00	1.70	0.85

SRCPARAM	L0000449	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000450	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000451	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000452	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000453	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000454	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000455	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000456	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000457	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000458	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000459	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000460	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000461	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000462	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000463	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000464	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000465	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000466	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000467	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000468	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000469	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000470	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000471	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000472	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000473	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000474	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000475	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000476	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000477	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000478	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000479	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000480	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000481	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000482	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000483	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000484	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000485	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000486	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000487	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000488	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000489	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000490	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000491	0.00000006217	0.00	1.70	0.85
SRCPARAM	L0000492	0.00000006217	0.00	1.70	0.85

**

SRCPARAM IDLINGW 0.0000276 3.840 366.000 50.00000
0.100

SRCPARAM IDLINGE 0.0000276 3.840 366.000 50.00000
0.100

URBANSRC ALL
SRCGROUP ALL

SO FINISHED

**

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** AERMOD Receptor Pathway
*****
**
**
RE STARTING
  INCLUDED 2022.rou
RE FINISHED
**
*****
** AERMOD Meteorology Pathway
*****
**
**
ME STARTING
  SURFFILE ..\OntarioIntlAirportADJU\KONT_V9_ADJU\KONT_v9.SFC
  PROFFILE ..\OntarioIntlAirportADJU\KONT_V9_ADJU\KONT_v9.PFL
  SURFDATA 3102 2012 Ontario_Airport
  UAIRDATA 3190 2012
  PROFBASE 289.0 METERS
ME FINISHED
**
*****
** AERMOD Output Pathway
*****
**
**
OU STARTING
  RECTABLE ALLAVE 1ST
  RECTABLE 24 1ST
** Auto-Generated Plotfiles
  PLOTFILE 24 ALL 1ST 2022.AD\24H1GALL.PLT 31
  PLOTFILE ANNUAL ALL 2022.AD\AN00GALL.PLT 32
  SUMMFILE 2022.sum
OU FINISHED
**
*****
** Project Parameters
*****
** PROJCTN  CoordinateSystemUTM
** DESCPTN  UTM: Universal Transverse Mercator
** DATUM    World Geodetic System 1984
** DTMRGN   Global Definition
** UNITS    m
** ZONE     11
** ZONEINX  0
**

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11/25/20
16:16:52

* AERMOD (19191): State Distribution Project - DPM Emission Years 2022-2024

* AERMET (16216):

* MODELING OPTIONS USED: RegDEFAULT CONC ELEV URBAN ADJ_U*

* PLOT FILE OF ANNUAL VALUES AVERAGED ACROSS 5 YEARS FOR SOURCE GROUP: ALL

* FOR A TOTAL OF 15 RECEPTORS.

* FORMAT: (3(1X,F13.5),3(1X,F8.2),2X,A6,2X,A8,2X,I8,2X,A8)

X	Y	AVERAGE CONC	ZELEV	ZHILL	ZFLAG	AVE	GRP	NUM YRS	NET ID
438872.00000	3769195.00000	0.00043	307.98	3062.00	0.00	ANNUAL	ALL	00000005	
438949.00000	3769181.00000	0.00049	308.58	3062.00	0.00	ANNUAL	ALL	00000005	
438758.87000	3768908.02000	0.00361	302.21	3062.00	0.00	ANNUAL	ALL	00000005	
438755.00000	3768841.00000	0.00157	300.97	3062.00	0.00	ANNUAL	ALL	00000005	
438772.00000	3768779.00000	0.00075	298.50	3062.00	0.00	ANNUAL	ALL	00000005	
438708.00000	3768777.00000	0.00093	297.54	3062.00	0.00	ANNUAL	ALL	00000005	
438649.00000	3768776.00000	0.00111	296.71	3062.00	0.00	ANNUAL	ALL	00000005	
438597.00000	3768773.00000	0.00124	296.40	3062.00	0.00	ANNUAL	ALL	00000005	
438359.00000	3768775.00000	0.00080	291.67	3062.00	0.00	ANNUAL	ALL	00000005	
438469.02000	3768785.16000	0.00156	294.82	3062.00	0.00	ANNUAL	ALL	00000005	
438676.53000	3768785.16000	0.00112	297.48	3062.00	0.00	ANNUAL	ALL	00000005	
438677.48000	3768827.34000	0.00267	299.42	3062.00	0.00	ANNUAL	ALL	00000005	
438686.59000	3768827.34000	0.00211	299.65	3062.00	0.00	ANNUAL	ALL	00000005	
438688.51000	3768996.02000	0.00433	303.23	3062.00	0.00	ANNUAL	ALL	00000005	
438471.42000	3768996.50000	0.00247	301.45	3062.00	0.00	ANNUAL	ALL	00000005	

** CONCUNIT ug/m^3

** DEPUNIT g/m^2

* AERMOD (19191): State Distribution Project - DPM Emission Years 2022-2024

* AERMET (16216): PM10

* MODELING OPTIONS USED: RegDEFAULT CONC ELEV URBAN ADJ_U*

* PLOT FILE OF HIGH 1ST HIGH 24-HR VALUES FOR SOURCE GROUP: ALL

* FOR A TOTAL OF 15 RECEPTORS.

* FORMAT: (3(1X,F13.5),3(1X,F8.2),3X,A5,2X,A8,2X,A5,5X,A8,2X,I8)

X	Y	AVERAGE CONC	ZELEV	ZHILL	ZFLAG	AVE	GRP	RANK	NET ID	DATE (CONC)
438872.00000	3769195.00000	0.00208	307.98	3062.00	0.00	24-HR	ALL	1ST		12120224
438949.00000	3769181.00000	0.00221	308.58	3062.00	0.00	24-HR	ALL	1ST		12120224
438758.87000	3768908.02000	0.00814	302.21	3062.00	0.00	24-HR	ALL	1ST		13020624
438755.00000	3768841.00000	0.00420	300.97	3062.00	0.00	24-HR	ALL	1ST		13112024
438772.00000	3768779.00000	0.00266	298.50	3062.00	0.00	24-HR	ALL	1ST		14010624
438708.00000	3768777.00000	0.00369	297.54	3062.00	0.00	24-HR	ALL	1ST		13010324
438649.00000	3768776.00000	0.00365	296.71	3062.00	0.00	24-HR	ALL	1ST		13010224
438597.00000	3768773.00000	0.00388	296.40	3062.00	0.00	24-HR	ALL	1ST		13110124
438359.00000	3768775.00000	0.00285	291.67	3062.00	0.00	24-HR	ALL	1ST		14120224
438469.02000	3768785.16000	0.00513	294.82	3062.00	0.00	24-HR	ALL	1ST		15120624
438676.53000	3768785.16000	0.00436	297.48	3062.00	0.00	24-HR	ALL	1ST		13010324
438677.48000	3768827.34000	0.00811	299.42	3062.00	0.00	24-HR	ALL	1ST		13010224
438686.59000	3768827.34000	0.00611	299.65	3062.00	0.00	24-HR	ALL	1ST		13010224
438688.51000	3768996.02000	0.00774	303.23	3062.00	0.00	24-HR	ALL	1ST		12120224
438471.42000	3768996.50000	0.00490	301.45	3062.00	0.00	24-HR	ALL	1ST		16092024

** CONCUNIT ug/m^3

** DEFUNIT g/m^2

11/25/20
16:16:52

APPENDIX C

AERMOD Model Years 2024-2038 DPM Concentrations Printouts


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**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 9.9.0
** Lakes Environmental Software Inc.
** Date: 11/25/2020
** File: C:\Vista Env\2020\20098 Ontario\AERMOD\2024\2024.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE State Distribution Project - DPM Emission Years 2024-2038
  TITLETWO PM10
  MODELOPT DFAULT CONC
  AVERTIME 24 ANNUAL
  URBANOPT 2035210 San_Bernardino_Co
  POLLUTID PM_10
  RUNORNOT RUN
  ERRORFIL 2024.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** -----
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = RDSTATEW
** DESCRSRC State Street west of Project to Mountain Ave
** PREFIX
** Length of Side = 6.10
** Configuration = Adjacent
** Emission Rate = 2.47E-06
** Vertical Dimension = 1.83
** SZINIT = 0.85
** Nodes = 8
** 438484.689, 3769002.029, 301.34, 0.00, 2.84
** 438281.920, 3769002.622, 302.69, 0.00, 2.84
** 438282.487, 3768946.403, 300.89, 0.00, 2.84
** 438271.538, 3768902.898, 298.12, 0.00, 2.84
** 438271.053, 3768807.851, 289.27, 0.00, 2.84
** 438263.976, 3768793.904, 289.08, 0.00, 2.84
** 438249.196, 3768787.867, 288.87, 0.00, 2.84

```

** 438204.233, 3768788.908, 288.46, 0.00, 2.84

**

LOCATION	L0000493	VOLUME	438481.641	3769002.038	301.18
LOCATION	L0000494	VOLUME	438475.545	3769002.056	301.25
LOCATION	L0000495	VOLUME	438469.449	3769002.073	301.30
LOCATION	L0000496	VOLUME	438463.353	3769002.091	301.36
LOCATION	L0000497	VOLUME	438457.257	3769002.109	301.41
LOCATION	L0000498	VOLUME	438451.161	3769002.127	301.47
LOCATION	L0000499	VOLUME	438445.065	3769002.145	301.52
LOCATION	L0000500	VOLUME	438438.969	3769002.163	301.58
LOCATION	L0000501	VOLUME	438432.874	3769002.180	301.63
LOCATION	L0000502	VOLUME	438426.778	3769002.198	301.69
LOCATION	L0000503	VOLUME	438420.682	3769002.216	301.74
LOCATION	L0000504	VOLUME	438414.586	3769002.234	301.80
LOCATION	L0000505	VOLUME	438408.490	3769002.252	301.85
LOCATION	L0000506	VOLUME	438402.394	3769002.269	301.90
LOCATION	L0000507	VOLUME	438396.298	3769002.287	301.96
LOCATION	L0000508	VOLUME	438390.202	3769002.305	302.02
LOCATION	L0000509	VOLUME	438384.106	3769002.323	302.08
LOCATION	L0000510	VOLUME	438378.010	3769002.341	302.14
LOCATION	L0000511	VOLUME	438371.914	3769002.359	302.20
LOCATION	L0000512	VOLUME	438365.818	3769002.376	302.26
LOCATION	L0000513	VOLUME	438359.722	3769002.394	302.32
LOCATION	L0000514	VOLUME	438353.626	3769002.412	302.38
LOCATION	L0000515	VOLUME	438347.530	3769002.430	302.44
LOCATION	L0000516	VOLUME	438341.434	3769002.448	302.50
LOCATION	L0000517	VOLUME	438335.338	3769002.466	302.56
LOCATION	L0000518	VOLUME	438329.242	3769002.483	302.62
LOCATION	L0000519	VOLUME	438323.146	3769002.501	302.67
LOCATION	L0000520	VOLUME	438317.050	3769002.519	302.67
LOCATION	L0000521	VOLUME	438310.954	3769002.537	302.67
LOCATION	L0000522	VOLUME	438304.858	3769002.555	302.67
LOCATION	L0000523	VOLUME	438298.762	3769002.572	302.66
LOCATION	L0000524	VOLUME	438292.666	3769002.590	302.66
LOCATION	L0000525	VOLUME	438286.570	3769002.608	302.66
LOCATION	L0000526	VOLUME	438281.935	3769001.176	302.60
LOCATION	L0000527	VOLUME	438281.996	3768995.080	302.34
LOCATION	L0000528	VOLUME	438282.058	3768988.984	302.07
LOCATION	L0000529	VOLUME	438282.119	3768982.889	301.81
LOCATION	L0000530	VOLUME	438282.180	3768976.793	301.54
LOCATION	L0000531	VOLUME	438282.242	3768970.697	301.28
LOCATION	L0000532	VOLUME	438282.303	3768964.601	301.02
LOCATION	L0000533	VOLUME	438282.365	3768958.506	300.75
LOCATION	L0000534	VOLUME	438282.426	3768952.410	300.49
LOCATION	L0000535	VOLUME	438282.465	3768946.317	300.22
LOCATION	L0000536	VOLUME	438280.977	3768940.405	299.97
LOCATION	L0000537	VOLUME	438279.490	3768934.494	299.71
LOCATION	L0000538	VOLUME	438278.002	3768928.582	299.46
LOCATION	L0000539	VOLUME	438276.514	3768922.670	299.20
LOCATION	L0000540	VOLUME	438275.026	3768916.759	298.87
LOCATION	L0000541	VOLUME	438273.539	3768910.847	298.27
LOCATION	L0000542	VOLUME	438272.051	3768904.935	297.67
LOCATION	L0000543	VOLUME	438271.518	3768898.903	297.06
LOCATION	L0000544	VOLUME	438271.487	3768892.807	296.44

LOCATION	VOLUME				
L0000545	VOLUME	438271.456	3768886.711	295.83	
L0000546	VOLUME	438271.425	3768880.615	295.21	
L0000547	VOLUME	438271.394	3768874.519	294.60	
L0000548	VOLUME	438271.362	3768868.423	293.98	
L0000549	VOLUME	438271.331	3768862.327	293.36	
L0000550	VOLUME	438271.300	3768856.231	292.75	
L0000551	VOLUME	438271.269	3768850.136	292.13	
L0000552	VOLUME	438271.238	3768844.040	291.52	
L0000553	VOLUME	438271.207	3768837.944	290.90	
L0000554	VOLUME	438271.176	3768831.848	290.28	
L0000555	VOLUME	438271.145	3768825.752	289.67	
L0000556	VOLUME	438271.114	3768819.656	289.60	
L0000557	VOLUME	438271.082	3768813.560	289.53	
L0000558	VOLUME	438270.878	3768807.506	289.46	
L0000559	VOLUME	438268.120	3768802.070	289.33	
L0000560	VOLUME	438265.361	3768796.634	289.20	
L0000561	VOLUME	438261.166	3768792.756	289.05	
L0000562	VOLUME	438255.523	3768790.451	288.88	
L0000563	VOLUME	438249.879	3768788.146	288.71	
L0000564	VOLUME	438243.840	3768787.991	288.58	
L0000565	VOLUME	438237.745	3768788.132	288.53	
L0000566	VOLUME	438231.651	3768788.273	288.49	
L0000567	VOLUME	438225.556	3768788.415	288.44	
L0000568	VOLUME	438219.462	3768788.556	288.39	
L0000569	VOLUME	438213.368	3768788.697	288.35	
L0000570	VOLUME	438207.273	3768788.838	288.30	

** End of LINE VOLUME Source ID = RDSTATEW

** -----

** Line Source Represented by Adjacent Volume Sources

** LINE VOLUME Source ID = RDSTATEE

** DESCRSRC State Street East of Project Site to San Antonio Ave

** PREFIX

** Length of Side = 6.10

** Configuration = Adjacent

** Emission Rate = 1.81E-06

** Vertical Dimension = 1.83

** SZINIT = 0.85

** Nodes = 4

** 438672.202, 3769002.020, 302.84, 0.00, 2.84

** 438789.448, 3769002.707, 304.97, 0.00, 2.84

** 438842.357, 3769006.954, 303.08, 0.00, 2.84

** 439021.762, 3769005.515, 302.13, 0.00, 2.84

** -----

L0000571	VOLUME	438675.250	3769002.038	302.76	
L0000572	VOLUME	438681.345	3769002.074	302.98	
L0000573	VOLUME	438687.441	3769002.110	303.19	
L0000574	VOLUME	438693.537	3769002.145	303.41	
L0000575	VOLUME	438699.633	3769002.181	303.63	
L0000576	VOLUME	438705.729	3769002.217	303.85	
L0000577	VOLUME	438711.825	3769002.253	303.98	
L0000578	VOLUME	438717.921	3769002.288	304.05	
L0000579	VOLUME	438724.017	3769002.324	304.13	
L0000580	VOLUME	438730.113	3769002.360	304.20	
L0000581	VOLUME	438736.208	3769002.395	304.27	

LOCATION	L0000582	VOLUME	438742.304	3769002.431	304.34
LOCATION	L0000583	VOLUME	438748.400	3769002.467	304.41
LOCATION	L0000584	VOLUME	438754.496	3769002.503	304.49
LOCATION	L0000585	VOLUME	438760.592	3769002.538	304.56
LOCATION	L0000586	VOLUME	438766.688	3769002.574	304.63
LOCATION	L0000587	VOLUME	438772.784	3769002.610	304.70
LOCATION	L0000588	VOLUME	438778.880	3769002.645	304.78
LOCATION	L0000589	VOLUME	438784.976	3769002.681	304.85
LOCATION	L0000590	VOLUME	438791.066	3769002.837	304.71
LOCATION	L0000591	VOLUME	438797.143	3769003.325	304.57
LOCATION	L0000592	VOLUME	438803.219	3769003.813	304.43
LOCATION	L0000593	VOLUME	438809.296	3769004.301	304.29
LOCATION	L0000594	VOLUME	438815.372	3769004.788	304.14
LOCATION	L0000595	VOLUME	438821.449	3769005.276	304.00
LOCATION	L0000596	VOLUME	438827.525	3769005.764	303.86
LOCATION	L0000597	VOLUME	438833.602	3769006.252	303.72
LOCATION	L0000598	VOLUME	438839.678	3769006.739	303.58
LOCATION	L0000599	VOLUME	438845.765	3769006.927	303.43
LOCATION	L0000600	VOLUME	438851.861	3769006.878	303.27
LOCATION	L0000601	VOLUME	438857.957	3769006.829	303.11
LOCATION	L0000602	VOLUME	438864.053	3769006.780	303.00
LOCATION	L0000603	VOLUME	438870.148	3769006.731	303.00
LOCATION	L0000604	VOLUME	438876.244	3769006.682	303.00
LOCATION	L0000605	VOLUME	438882.340	3769006.633	303.00
LOCATION	L0000606	VOLUME	438888.436	3769006.585	303.00
LOCATION	L0000607	VOLUME	438894.532	3769006.536	303.00
LOCATION	L0000608	VOLUME	438900.628	3769006.487	303.00
LOCATION	L0000609	VOLUME	438906.723	3769006.438	303.00
LOCATION	L0000610	VOLUME	438912.819	3769006.389	303.00
LOCATION	L0000611	VOLUME	438918.915	3769006.340	303.00
LOCATION	L0000612	VOLUME	438925.011	3769006.291	303.00
LOCATION	L0000613	VOLUME	438931.107	3769006.242	303.00
LOCATION	L0000614	VOLUME	438937.202	3769006.193	303.00
LOCATION	L0000615	VOLUME	438943.298	3769006.144	302.94
LOCATION	L0000616	VOLUME	438949.394	3769006.095	302.86
LOCATION	L0000617	VOLUME	438955.490	3769006.047	302.79
LOCATION	L0000618	VOLUME	438961.586	3769005.998	302.71
LOCATION	L0000619	VOLUME	438967.681	3769005.949	302.63
LOCATION	L0000620	VOLUME	438973.777	3769005.900	302.55
LOCATION	L0000621	VOLUME	438979.873	3769005.851	302.47
LOCATION	L0000622	VOLUME	438985.969	3769005.802	302.39
LOCATION	L0000623	VOLUME	438992.065	3769005.753	302.31
LOCATION	L0000624	VOLUME	438998.160	3769005.704	302.23
LOCATION	L0000625	VOLUME	439004.256	3769005.655	302.15
LOCATION	L0000626	VOLUME	439010.352	3769005.606	302.07
LOCATION	L0000627	VOLUME	439016.448	3769005.557	302.00

** End of LINE VOLUME Source ID = RDSTATEE

**

** Line Source Represented by Adjacent Volume Sources

** LINE VOLUME Source ID = RDONW

** DESCRSRC Onsite West Driveway

** PREFIX

** Length of Side = 3.66

** Configuration = Adjacent

** Emission Rate = 1.76E-06
 ** Vertical Dimension = 1.83
 ** SZINIT = 0.85
 ** Nodes = 2
 ** 438484.240, 3768997.613, 301.37, 0.00, 1.70
 ** 438483.840, 3768803.245, 295.33, 0.00, 1.70

LOCATION	VOLUME				
L0000628	VOLUME	438484.236	3768995.784	301.36	
L0000629	VOLUME	438484.229	3768992.126	301.48	
L0000630	VOLUME	438484.221	3768988.469	301.60	
L0000631	VOLUME	438484.214	3768984.811	301.72	
L0000632	VOLUME	438484.206	3768981.154	301.85	
L0000633	VOLUME	438484.199	3768977.496	301.97	
L0000634	VOLUME	438484.191	3768973.838	302.09	
L0000635	VOLUME	438484.184	3768970.181	302.21	
L0000636	VOLUME	438484.176	3768966.523	302.33	
L0000637	VOLUME	438484.169	3768962.866	302.46	
L0000638	VOLUME	438484.161	3768959.208	302.58	
L0000639	VOLUME	438484.154	3768955.551	302.70	
L0000640	VOLUME	438484.146	3768951.893	302.82	
L0000641	VOLUME	438484.139	3768948.235	302.95	
L0000642	VOLUME	438484.131	3768944.578	303.07	
L0000643	VOLUME	438484.124	3768940.920	303.19	
L0000644	VOLUME	438484.116	3768937.263	303.31	
L0000645	VOLUME	438484.108	3768933.605	303.43	
L0000646	VOLUME	438484.101	3768929.947	303.56	
L0000647	VOLUME	438484.093	3768926.290	303.68	
L0000648	VOLUME	438484.086	3768922.632	303.80	
L0000649	VOLUME	438484.078	3768918.975	303.92	
L0000650	VOLUME	438484.071	3768915.317	303.87	
L0000651	VOLUME	438484.063	3768911.659	303.52	
L0000652	VOLUME	438484.056	3768908.002	303.17	
L0000653	VOLUME	438484.048	3768904.344	302.82	
L0000654	VOLUME	438484.041	3768900.687	302.47	
L0000655	VOLUME	438484.033	3768897.029	302.12	
L0000656	VOLUME	438484.026	3768893.371	301.77	
L0000657	VOLUME	438484.018	3768889.714	301.43	
L0000658	VOLUME	438484.011	3768886.056	301.08	
L0000659	VOLUME	438484.003	3768882.399	300.73	
L0000660	VOLUME	438483.996	3768878.741	300.38	
L0000661	VOLUME	438483.988	3768875.084	300.03	
L0000662	VOLUME	438483.981	3768871.426	299.68	
L0000663	VOLUME	438483.973	3768867.768	299.33	
L0000664	VOLUME	438483.966	3768864.111	298.99	
L0000665	VOLUME	438483.958	3768860.453	298.64	
L0000666	VOLUME	438483.950	3768856.796	298.29	
L0000667	VOLUME	438483.943	3768853.138	297.94	
L0000668	VOLUME	438483.935	3768849.480	297.59	
L0000669	VOLUME	438483.928	3768845.823	297.24	
L0000670	VOLUME	438483.920	3768842.165	296.90	
L0000671	VOLUME	438483.913	3768838.508	296.55	
L0000672	VOLUME	438483.905	3768834.850	296.20	
L0000673	VOLUME	438483.898	3768831.192	295.85	
L0000674	VOLUME	438483.890	3768827.535	295.50	

LOCATION	L0000675	VOLUME	438483.883	3768823.877	295.19
LOCATION	L0000676	VOLUME	438483.875	3768820.220	295.19
LOCATION	L0000677	VOLUME	438483.868	3768816.562	295.19
LOCATION	L0000678	VOLUME	438483.860	3768812.904	295.18
LOCATION	L0000679	VOLUME	438483.853	3768809.247	295.18
LOCATION	L0000680	VOLUME	438483.845	3768805.589	295.18

** End of LINE VOLUME Source ID = RDOWN
 ** -----
 ** Line Source Represented by Adjacent Volume Sources
 ** LINE VOLUME Source ID = RDONE
 ** DESCRSRC Onsite East Driveway
 ** PREFIX
 ** Length of Side = 3.66
 ** Configuration = Adjacent
 ** Emission Rate = 1.52E-06
 ** Vertical Dimension = 1.83
 ** SZINIT = 0.85
 ** Nodes = 2
 ** 438674.078, 3768998.696, 302.96, 0.00, 1.70
 ** 438672.120, 3768830.955, 299.03, 0.00, 1.70
 ** -----

LOCATION	L0000681	VOLUME	438674.056	3768996.868	302.76
LOCATION	L0000682	VOLUME	438674.014	3768993.210	302.79
LOCATION	L0000683	VOLUME	438673.971	3768989.553	302.82
LOCATION	L0000684	VOLUME	438673.928	3768985.896	302.85
LOCATION	L0000685	VOLUME	438673.886	3768982.238	302.88
LOCATION	L0000686	VOLUME	438673.843	3768978.581	302.91
LOCATION	L0000687	VOLUME	438673.800	3768974.924	302.94
LOCATION	L0000688	VOLUME	438673.758	3768971.266	302.97
LOCATION	L0000689	VOLUME	438673.715	3768967.609	303.00
LOCATION	L0000690	VOLUME	438673.672	3768963.951	303.03
LOCATION	L0000691	VOLUME	438673.630	3768960.294	303.07
LOCATION	L0000692	VOLUME	438673.587	3768956.637	303.10
LOCATION	L0000693	VOLUME	438673.544	3768952.979	303.13
LOCATION	L0000694	VOLUME	438673.502	3768949.322	303.16
LOCATION	L0000695	VOLUME	438673.459	3768945.665	303.19
LOCATION	L0000696	VOLUME	438673.416	3768942.007	303.22
LOCATION	L0000697	VOLUME	438673.373	3768938.350	303.25
LOCATION	L0000698	VOLUME	438673.331	3768934.693	303.28
LOCATION	L0000699	VOLUME	438673.288	3768931.035	303.31
LOCATION	L0000700	VOLUME	438673.245	3768927.378	303.35
LOCATION	L0000701	VOLUME	438673.203	3768923.721	303.38
LOCATION	L0000702	VOLUME	438673.160	3768920.063	303.41
LOCATION	L0000703	VOLUME	438673.117	3768916.406	303.44
LOCATION	L0000704	VOLUME	438673.075	3768912.749	303.32
LOCATION	L0000705	VOLUME	438673.032	3768909.091	303.15
LOCATION	L0000706	VOLUME	438672.989	3768905.434	302.98
LOCATION	L0000707	VOLUME	438672.947	3768901.777	302.81
LOCATION	L0000708	VOLUME	438672.904	3768898.119	302.63
LOCATION	L0000709	VOLUME	438672.861	3768894.462	302.46
LOCATION	L0000710	VOLUME	438672.819	3768890.804	302.29
LOCATION	L0000711	VOLUME	438672.776	3768887.147	302.12
LOCATION	L0000712	VOLUME	438672.733	3768883.490	301.94
LOCATION	L0000713	VOLUME	438672.691	3768879.832	301.77

LOCATION	L0000714	VOLUME	438672.648	3768876.175	301.60
LOCATION	L0000715	VOLUME	438672.605	3768872.518	301.43
LOCATION	L0000716	VOLUME	438672.563	3768868.860	301.25
LOCATION	L0000717	VOLUME	438672.520	3768865.203	301.08
LOCATION	L0000718	VOLUME	438672.477	3768861.546	300.91
LOCATION	L0000719	VOLUME	438672.435	3768857.888	300.74
LOCATION	L0000720	VOLUME	438672.392	3768854.231	300.56
LOCATION	L0000721	VOLUME	438672.349	3768850.574	300.39
LOCATION	L0000722	VOLUME	438672.306	3768846.916	300.22
LOCATION	L0000723	VOLUME	438672.264	3768843.259	300.04
LOCATION	L0000724	VOLUME	438672.221	3768839.602	299.87
LOCATION	L0000725	VOLUME	438672.178	3768835.944	299.70
LOCATION	L0000726	VOLUME	438672.136	3768832.287	299.52
** End of LINE VOLUME Source ID = RDONE					
LOCATION	IDLINGW	POINT	438508.800	3768873.340	300.180
** DESCRSRC Total Idling West Loading Dock					
LOCATION	IDLINGE	POINT	438646.330	3768887.240	302.140
** DESCRSRC Total Idling East Loading Dock					
** Source Parameters **					
** LINE VOLUME Source ID = RDSTATEW					
SRCPARAM	L0000493	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000494	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000495	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000496	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000497	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000498	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000499	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000500	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000501	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000502	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000503	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000504	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000505	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000506	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000507	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000508	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000509	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000510	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000511	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000512	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000513	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000514	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000515	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000516	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000517	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000518	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000519	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000520	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000521	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000522	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000523	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000524	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000525	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000526	0.00000003167	0.00	2.84	0.85

SRCPARAM	L0000527	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000528	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000529	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000530	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000531	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000532	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000533	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000534	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000535	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000536	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000537	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000538	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000539	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000540	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000541	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000542	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000543	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000544	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000545	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000546	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000547	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000548	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000549	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000550	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000551	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000552	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000553	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000554	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000555	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000556	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000557	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000558	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000559	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000560	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000561	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000562	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000563	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000564	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000565	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000566	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000567	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000568	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000569	0.00000003167	0.00	2.84	0.85
SRCPARAM	L0000570	0.00000003167	0.00	2.84	0.85

**

 ** LINE VOLUME Source ID = RDSTATEE

SRCPARAM	L0000571	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000572	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000573	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000574	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000575	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000576	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000577	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000578	0.00000003175	0.00	2.84	0.85

SRCPARAM	L0000579	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000580	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000581	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000582	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000583	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000584	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000585	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000586	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000587	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000588	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000589	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000590	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000591	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000592	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000593	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000594	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000595	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000596	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000597	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000598	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000599	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000600	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000601	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000602	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000603	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000604	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000605	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000606	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000607	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000608	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000609	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000610	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000611	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000612	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000613	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000614	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000615	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000616	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000617	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000618	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000619	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000620	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000621	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000622	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000623	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000624	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000625	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000626	0.00000003175	0.00	2.84	0.85
SRCPARAM	L0000627	0.00000003175	0.00	2.84	0.85

**

 ** LINE VOLUME Source ID = RDONW

SRCPARAM	L0000628	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000629	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000630	0.00000003321	0.00	1.70	0.85

SRCPARAM	L0000631	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000632	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000633	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000634	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000635	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000636	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000637	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000638	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000639	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000640	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000641	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000642	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000643	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000644	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000645	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000646	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000647	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000648	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000649	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000650	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000651	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000652	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000653	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000654	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000655	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000656	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000657	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000658	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000659	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000660	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000661	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000662	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000663	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000664	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000665	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000666	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000667	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000668	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000669	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000670	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000671	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000672	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000673	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000674	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000675	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000676	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000677	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000678	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000679	0.00000003321	0.00	1.70	0.85
SRCPARAM	L0000680	0.00000003321	0.00	1.70	0.85

**

 ** LINE VOLUME Source ID = RDONE

SRCPARAM	L0000681	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000682	0.00000003304	0.00	1.70	0.85

SRCPARAM	L0000683	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000684	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000685	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000686	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000687	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000688	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000689	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000690	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000691	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000692	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000693	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000694	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000695	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000696	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000697	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000698	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000699	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000700	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000701	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000702	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000703	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000704	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000705	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000706	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000707	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000708	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000709	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000710	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000711	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000712	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000713	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000714	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000715	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000716	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000717	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000718	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000719	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000720	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000721	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000722	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000723	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000724	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000725	0.00000003304	0.00	1.70	0.85
SRCPARAM	L0000726	0.00000003304	0.00	1.70	0.85

**

SRCPARAM	IDLINGW	0.0000286	3.840	366.000	50.00000
0.100					
SRCPARAM	IDLINGE	0.0000286	3.840	366.000	50.00000
0.100					

URBANSRC ALL
SRCGROUP ALL

SO FINISHED

**

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** AERMOD Receptor Pathway
*****
**
**
RE STARTING
  INCLUDED 2024.rou
RE FINISHED
**
*****
** AERMOD Meteorology Pathway
*****
**
**
ME STARTING
  SURFFILE ..\OntarioIntlAirportADJU\KONT_V9_ADJU\KONT_v9.SFC
  PROFFILE ..\OntarioIntlAirportADJU\KONT_V9_ADJU\KONT_v9.PFL
  SURFDATA 3102 2012 Ontario_Airport
  UAIRDATA 3190 2012
  PROFBASE 289.0 METERS
ME FINISHED
**
*****
** AERMOD Output Pathway
*****
**
**
OU STARTING
  RECTABLE ALLAVE 1ST
  RECTABLE 24 1ST
** Auto-Generated Plotfiles
  PLOTFILE 24 ALL 1ST 2024.AD\24H1GALL.PLT 31
  PLOTFILE ANNUAL ALL 2024.AD\AN00GALL.PLT 32
  SUMMFILE 2024.sum
OU FINISHED
**
*****
** Project Parameters
*****
** PROJCTN  CoordinateSystemUTM
** DESCPTN  UTM: Universal Transverse Mercator
** DATUM    World Geodetic System 1984
** DTMRGN   Global Definition
** UNITS    m
** ZONE     11
** ZONEINX  0
**

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11/25/20
16:25:27

* AERMOD (19191): State Distribution Project - DPM Emission Years 2024-2038

* AERMET (16216):

* MODELING OPTIONS USED: RegDEFAULT CONC ELEV URBAN ADJ_U*

* PLOT FILE OF ANNUAL VALUES AVERAGED ACROSS 5 YEARS FOR SOURCE GROUP: ALL

* FOR A TOTAL OF 15 RECEPTORS.

* FORMAT: (3(1X,F13.5),3(1X,F8.2),2X,A6,2X,A8,2X,I8,2X,A8)

X	Y	AVERAGE CONC	ZELEV	ZHILL	ZFLAG	AVE	GRP	NUM YRS	NET ID
438872.00000	3769195.00000	0.00039	307.98	3062.00	0.00	ANNUAL	ALL	00000005	
438949.00000	3769181.00000	0.00045	308.58	3062.00	0.00	ANNUAL	ALL	00000005	
438758.87000	3768908.02000	0.00346	302.21	3062.00	0.00	ANNUAL	ALL	00000005	
438755.00000	3768841.00000	0.00147	300.97	3062.00	0.00	ANNUAL	ALL	00000005	
438772.00000	3768779.00000	0.00071	298.50	3062.00	0.00	ANNUAL	ALL	00000005	
438708.00000	3768777.00000	0.00086	297.54	3062.00	0.00	ANNUAL	ALL	00000005	
438649.00000	3768776.00000	0.00104	296.71	3062.00	0.00	ANNUAL	ALL	00000005	
438597.00000	3768773.00000	0.00117	296.40	3062.00	0.00	ANNUAL	ALL	00000005	
438359.00000	3768775.00000	0.00073	291.67	3062.00	0.00	ANNUAL	ALL	00000005	
438469.02000	3768785.16000	0.00137	294.82	3062.00	0.00	ANNUAL	ALL	00000005	
438676.53000	3768785.16000	0.00103	297.48	3062.00	0.00	ANNUAL	ALL	00000005	
438677.48000	3768827.34000	0.00205	299.42	3062.00	0.00	ANNUAL	ALL	00000005	
438686.59000	3768827.34000	0.00174	299.65	3062.00	0.00	ANNUAL	ALL	00000005	
438688.51000	3768996.02000	0.00312	303.23	3062.00	0.00	ANNUAL	ALL	00000005	
438471.42000	3768996.50000	0.00172	301.45	3062.00	0.00	ANNUAL	ALL	00000005	

** CONCUNIT ug/m^3

** DEPUNIT g/m^2

APPENDIX D

AERMOD Model Years 2038-2051 DPM Concentrations Printouts

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**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 9.9.0
** Lakes Environmental Software Inc.
** Date: 11/25/2020
** File: C:\Vista Env\2020\20098 Ontario\AERMOD\2038\2038.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
  TITLEONE State Distribution Project - DPM Emission Years 2038 - 2051
  TITLETWO PM10
  MODELOPT DFAULT CONC
  AVERTIME 24 ANNUAL
  URBANOPT 2035210 San_Bernardino_Co
  POLLUTID PM_10
  RUNORNOT RUN
  ERRORFIL 2038.err
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
** -----
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = RDSTATEW
** DESCRSRC State Street west of Project to Mountain Ave
** PREFIX
** Length of Side = 6.10
** Configuration = Adjacent
** Emission Rate = 2.14E-06
** Vertical Dimension = 1.83
** SZINIT = 0.85
** Nodes = 8
** 438484.689, 3769002.029, 301.34, 0.00, 2.84
** 438281.920, 3769002.622, 302.69, 0.00, 2.84
** 438282.487, 3768946.403, 300.89, 0.00, 2.84
** 438271.538, 3768902.898, 298.12, 0.00, 2.84
** 438271.053, 3768807.851, 289.27, 0.00, 2.84
** 438263.976, 3768793.904, 289.08, 0.00, 2.84
** 438249.196, 3768787.867, 288.87, 0.00, 2.84

```

** 438204.233, 3768788.908, 288.46, 0.00, 2.84

**

LOCATION	L0000727	VOLUME	438481.641	3769002.038	301.18
LOCATION	L0000728	VOLUME	438475.545	3769002.056	301.25
LOCATION	L0000729	VOLUME	438469.449	3769002.073	301.30
LOCATION	L0000730	VOLUME	438463.353	3769002.091	301.36
LOCATION	L0000731	VOLUME	438457.257	3769002.109	301.41
LOCATION	L0000732	VOLUME	438451.161	3769002.127	301.47
LOCATION	L0000733	VOLUME	438445.065	3769002.145	301.52
LOCATION	L0000734	VOLUME	438438.969	3769002.163	301.58
LOCATION	L0000735	VOLUME	438432.874	3769002.180	301.63
LOCATION	L0000736	VOLUME	438426.778	3769002.198	301.69
LOCATION	L0000737	VOLUME	438420.682	3769002.216	301.74
LOCATION	L0000738	VOLUME	438414.586	3769002.234	301.80
LOCATION	L0000739	VOLUME	438408.490	3769002.252	301.85
LOCATION	L0000740	VOLUME	438402.394	3769002.269	301.90
LOCATION	L0000741	VOLUME	438396.298	3769002.287	301.96
LOCATION	L0000742	VOLUME	438390.202	3769002.305	302.02
LOCATION	L0000743	VOLUME	438384.106	3769002.323	302.08
LOCATION	L0000744	VOLUME	438378.010	3769002.341	302.14
LOCATION	L0000745	VOLUME	438371.914	3769002.359	302.20
LOCATION	L0000746	VOLUME	438365.818	3769002.376	302.26
LOCATION	L0000747	VOLUME	438359.722	3769002.394	302.32
LOCATION	L0000748	VOLUME	438353.626	3769002.412	302.38
LOCATION	L0000749	VOLUME	438347.530	3769002.430	302.44
LOCATION	L0000750	VOLUME	438341.434	3769002.448	302.50
LOCATION	L0000751	VOLUME	438335.338	3769002.466	302.56
LOCATION	L0000752	VOLUME	438329.242	3769002.483	302.62
LOCATION	L0000753	VOLUME	438323.146	3769002.501	302.67
LOCATION	L0000754	VOLUME	438317.050	3769002.519	302.67
LOCATION	L0000755	VOLUME	438310.954	3769002.537	302.67
LOCATION	L0000756	VOLUME	438304.858	3769002.555	302.67
LOCATION	L0000757	VOLUME	438298.762	3769002.572	302.66
LOCATION	L0000758	VOLUME	438292.666	3769002.590	302.66
LOCATION	L0000759	VOLUME	438286.570	3769002.608	302.66
LOCATION	L0000760	VOLUME	438281.935	3769001.176	302.60
LOCATION	L0000761	VOLUME	438281.996	3768995.080	302.34
LOCATION	L0000762	VOLUME	438282.058	3768988.984	302.07
LOCATION	L0000763	VOLUME	438282.119	3768982.889	301.81
LOCATION	L0000764	VOLUME	438282.180	3768976.793	301.54
LOCATION	L0000765	VOLUME	438282.242	3768970.697	301.28
LOCATION	L0000766	VOLUME	438282.303	3768964.601	301.02
LOCATION	L0000767	VOLUME	438282.365	3768958.506	300.75
LOCATION	L0000768	VOLUME	438282.426	3768952.410	300.49
LOCATION	L0000769	VOLUME	438282.465	3768946.317	300.22
LOCATION	L0000770	VOLUME	438280.977	3768940.405	299.97
LOCATION	L0000771	VOLUME	438279.490	3768934.494	299.71
LOCATION	L0000772	VOLUME	438278.002	3768928.582	299.46
LOCATION	L0000773	VOLUME	438276.514	3768922.670	299.20
LOCATION	L0000774	VOLUME	438275.026	3768916.759	298.87
LOCATION	L0000775	VOLUME	438273.539	3768910.847	298.27
LOCATION	L0000776	VOLUME	438272.051	3768904.935	297.67
LOCATION	L0000777	VOLUME	438271.518	3768898.903	297.06
LOCATION	L0000778	VOLUME	438271.487	3768892.807	296.44

LOCATION	VOLUME				
L0000779	VOLUME	438271.456	3768886.711	295.83	
L0000780	VOLUME	438271.425	3768880.615	295.21	
L0000781	VOLUME	438271.394	3768874.519	294.60	
L0000782	VOLUME	438271.362	3768868.423	293.98	
L0000783	VOLUME	438271.331	3768862.327	293.36	
L0000784	VOLUME	438271.300	3768856.231	292.75	
L0000785	VOLUME	438271.269	3768850.136	292.13	
L0000786	VOLUME	438271.238	3768844.040	291.52	
L0000787	VOLUME	438271.207	3768837.944	290.90	
L0000788	VOLUME	438271.176	3768831.848	290.28	
L0000789	VOLUME	438271.145	3768825.752	289.67	
L0000790	VOLUME	438271.114	3768819.656	289.60	
L0000791	VOLUME	438271.082	3768813.560	289.53	
L0000792	VOLUME	438270.878	3768807.506	289.46	
L0000793	VOLUME	438268.120	3768802.070	289.33	
L0000794	VOLUME	438265.361	3768796.634	289.20	
L0000795	VOLUME	438261.166	3768792.756	289.05	
L0000796	VOLUME	438255.523	3768790.451	288.88	
L0000797	VOLUME	438249.879	3768788.146	288.71	
L0000798	VOLUME	438243.840	3768787.991	288.58	
L0000799	VOLUME	438237.745	3768788.132	288.53	
L0000800	VOLUME	438231.651	3768788.273	288.49	
L0000801	VOLUME	438225.556	3768788.415	288.44	
L0000802	VOLUME	438219.462	3768788.556	288.39	
L0000803	VOLUME	438213.368	3768788.697	288.35	
L0000804	VOLUME	438207.273	3768788.838	288.30	

** End of LINE VOLUME Source ID = RDSTATEW

** -----

** Line Source Represented by Adjacent Volume Sources

** LINE VOLUME Source ID = RDSTATEE

** DESCRSRC State Street East of Project Site to San Antonio Ave

** PREFIX

** Length of Side = 6.10

** Configuration = Adjacent

** Emission Rate = 1.57E-06

** Vertical Dimension = 1.83

** SZINIT = 0.85

** Nodes = 4

** 438672.202, 3769002.020, 302.84, 0.00, 2.84

** 438789.448, 3769002.707, 304.97, 0.00, 2.84

** 438842.357, 3769006.954, 303.08, 0.00, 2.84

** 439021.762, 3769005.515, 302.13, 0.00, 2.84

** -----

L0000805	VOLUME	438675.250	3769002.038	302.76	
L0000806	VOLUME	438681.345	3769002.074	302.98	
L0000807	VOLUME	438687.441	3769002.110	303.19	
L0000808	VOLUME	438693.537	3769002.145	303.41	
L0000809	VOLUME	438699.633	3769002.181	303.63	
L0000810	VOLUME	438705.729	3769002.217	303.85	
L0000811	VOLUME	438711.825	3769002.253	303.98	
L0000812	VOLUME	438717.921	3769002.288	304.05	
L0000813	VOLUME	438724.017	3769002.324	304.13	
L0000814	VOLUME	438730.113	3769002.360	304.20	
L0000815	VOLUME	438736.208	3769002.395	304.27	

LOCATION	L0000816	VOLUME	438742.304	3769002.431	304.34
LOCATION	L0000817	VOLUME	438748.400	3769002.467	304.41
LOCATION	L0000818	VOLUME	438754.496	3769002.503	304.49
LOCATION	L0000819	VOLUME	438760.592	3769002.538	304.56
LOCATION	L0000820	VOLUME	438766.688	3769002.574	304.63
LOCATION	L0000821	VOLUME	438772.784	3769002.610	304.70
LOCATION	L0000822	VOLUME	438778.880	3769002.645	304.78
LOCATION	L0000823	VOLUME	438784.976	3769002.681	304.85
LOCATION	L0000824	VOLUME	438791.066	3769002.837	304.71
LOCATION	L0000825	VOLUME	438797.143	3769003.325	304.57
LOCATION	L0000826	VOLUME	438803.219	3769003.813	304.43
LOCATION	L0000827	VOLUME	438809.296	3769004.301	304.29
LOCATION	L0000828	VOLUME	438815.372	3769004.788	304.14
LOCATION	L0000829	VOLUME	438821.449	3769005.276	304.00
LOCATION	L0000830	VOLUME	438827.525	3769005.764	303.86
LOCATION	L0000831	VOLUME	438833.602	3769006.252	303.72
LOCATION	L0000832	VOLUME	438839.678	3769006.739	303.58
LOCATION	L0000833	VOLUME	438845.765	3769006.927	303.43
LOCATION	L0000834	VOLUME	438851.861	3769006.878	303.27
LOCATION	L0000835	VOLUME	438857.957	3769006.829	303.11
LOCATION	L0000836	VOLUME	438864.053	3769006.780	303.00
LOCATION	L0000837	VOLUME	438870.148	3769006.731	303.00
LOCATION	L0000838	VOLUME	438876.244	3769006.682	303.00
LOCATION	L0000839	VOLUME	438882.340	3769006.633	303.00
LOCATION	L0000840	VOLUME	438888.436	3769006.585	303.00
LOCATION	L0000841	VOLUME	438894.532	3769006.536	303.00
LOCATION	L0000842	VOLUME	438900.628	3769006.487	303.00
LOCATION	L0000843	VOLUME	438906.723	3769006.438	303.00
LOCATION	L0000844	VOLUME	438912.819	3769006.389	303.00
LOCATION	L0000845	VOLUME	438918.915	3769006.340	303.00
LOCATION	L0000846	VOLUME	438925.011	3769006.291	303.00
LOCATION	L0000847	VOLUME	438931.107	3769006.242	303.00
LOCATION	L0000848	VOLUME	438937.202	3769006.193	303.00
LOCATION	L0000849	VOLUME	438943.298	3769006.144	302.94
LOCATION	L0000850	VOLUME	438949.394	3769006.095	302.86
LOCATION	L0000851	VOLUME	438955.490	3769006.047	302.79
LOCATION	L0000852	VOLUME	438961.586	3769005.998	302.71
LOCATION	L0000853	VOLUME	438967.681	3769005.949	302.63
LOCATION	L0000854	VOLUME	438973.777	3769005.900	302.55
LOCATION	L0000855	VOLUME	438979.873	3769005.851	302.47
LOCATION	L0000856	VOLUME	438985.969	3769005.802	302.39
LOCATION	L0000857	VOLUME	438992.065	3769005.753	302.31
LOCATION	L0000858	VOLUME	438998.160	3769005.704	302.23
LOCATION	L0000859	VOLUME	439004.256	3769005.655	302.15
LOCATION	L0000860	VOLUME	439010.352	3769005.606	302.07
LOCATION	L0000861	VOLUME	439016.448	3769005.557	302.00

** End of LINE VOLUME Source ID = RDSTATEE

**

** Line Source Represented by Adjacent Volume Sources

** LINE VOLUME Source ID = RDONW

** DESCRSRC Onsite West Driveway

** PREFIX

** Length of Side = 3.66

** Configuration = Adjacent

** Emission Rate = 1.35E-06
 ** Vertical Dimension = 1.83
 ** SZINIT = 0.85
 ** Nodes = 2
 ** 438484.240, 3768997.613, 301.37, 0.00, 1.70
 ** 438483.840, 3768803.245, 295.33, 0.00, 1.70

LOCATION	VOLUME				
L0000862	VOLUME	438484.236	3768995.784	301.36	
L0000863	VOLUME	438484.229	3768992.126	301.48	
L0000864	VOLUME	438484.221	3768988.469	301.60	
L0000865	VOLUME	438484.214	3768984.811	301.72	
L0000866	VOLUME	438484.206	3768981.154	301.85	
L0000867	VOLUME	438484.199	3768977.496	301.97	
L0000868	VOLUME	438484.191	3768973.838	302.09	
L0000869	VOLUME	438484.184	3768970.181	302.21	
L0000870	VOLUME	438484.176	3768966.523	302.33	
L0000871	VOLUME	438484.169	3768962.866	302.46	
L0000872	VOLUME	438484.161	3768959.208	302.58	
L0000873	VOLUME	438484.154	3768955.551	302.70	
L0000874	VOLUME	438484.146	3768951.893	302.82	
L0000875	VOLUME	438484.139	3768948.235	302.95	
L0000876	VOLUME	438484.131	3768944.578	303.07	
L0000877	VOLUME	438484.124	3768940.920	303.19	
L0000878	VOLUME	438484.116	3768937.263	303.31	
L0000879	VOLUME	438484.108	3768933.605	303.43	
L0000880	VOLUME	438484.101	3768929.947	303.56	
L0000881	VOLUME	438484.093	3768926.290	303.68	
L0000882	VOLUME	438484.086	3768922.632	303.80	
L0000883	VOLUME	438484.078	3768918.975	303.92	
L0000884	VOLUME	438484.071	3768915.317	303.87	
L0000885	VOLUME	438484.063	3768911.659	303.52	
L0000886	VOLUME	438484.056	3768908.002	303.17	
L0000887	VOLUME	438484.048	3768904.344	302.82	
L0000888	VOLUME	438484.041	3768900.687	302.47	
L0000889	VOLUME	438484.033	3768897.029	302.12	
L0000890	VOLUME	438484.026	3768893.371	301.77	
L0000891	VOLUME	438484.018	3768889.714	301.43	
L0000892	VOLUME	438484.011	3768886.056	301.08	
L0000893	VOLUME	438484.003	3768882.399	300.73	
L0000894	VOLUME	438483.996	3768878.741	300.38	
L0000895	VOLUME	438483.988	3768875.084	300.03	
L0000896	VOLUME	438483.981	3768871.426	299.68	
L0000897	VOLUME	438483.973	3768867.768	299.33	
L0000898	VOLUME	438483.966	3768864.111	298.99	
L0000899	VOLUME	438483.958	3768860.453	298.64	
L0000900	VOLUME	438483.950	3768856.796	298.29	
L0000901	VOLUME	438483.943	3768853.138	297.94	
L0000902	VOLUME	438483.935	3768849.480	297.59	
L0000903	VOLUME	438483.928	3768845.823	297.24	
L0000904	VOLUME	438483.920	3768842.165	296.90	
L0000905	VOLUME	438483.913	3768838.508	296.55	
L0000906	VOLUME	438483.905	3768834.850	296.20	
L0000907	VOLUME	438483.898	3768831.192	295.85	
L0000908	VOLUME	438483.890	3768827.535	295.50	

LOCATION	L0000909	VOLUME	438483.883	3768823.877	295.19
LOCATION	L0000910	VOLUME	438483.875	3768820.220	295.19
LOCATION	L0000911	VOLUME	438483.868	3768816.562	295.19
LOCATION	L0000912	VOLUME	438483.860	3768812.904	295.18
LOCATION	L0000913	VOLUME	438483.853	3768809.247	295.18
LOCATION	L0000914	VOLUME	438483.845	3768805.589	295.18

** End of LINE VOLUME Source ID = RDOWN
** -----
** Line Source Represented by Adjacent Volume Sources
** LINE VOLUME Source ID = RDONE
** DESCRSRC Onsite East Driveway
** PREFIX
** Length of Side = 3.66
** Configuration = Adjacent
** Emission Rate = 1.16E-06
** Vertical Dimension = 1.83
** SZINIT = 0.85
** Nodes = 2
** 438674.078, 3768998.696, 302.96, 0.00, 1.70
** 438672.120, 3768830.955, 299.03, 0.00, 1.70
** -----

LOCATION	L0000915	VOLUME	438674.056	3768996.868	302.76
LOCATION	L0000916	VOLUME	438674.014	3768993.210	302.79
LOCATION	L0000917	VOLUME	438673.971	3768989.553	302.82
LOCATION	L0000918	VOLUME	438673.928	3768985.896	302.85
LOCATION	L0000919	VOLUME	438673.886	3768982.238	302.88
LOCATION	L0000920	VOLUME	438673.843	3768978.581	302.91
LOCATION	L0000921	VOLUME	438673.800	3768974.924	302.94
LOCATION	L0000922	VOLUME	438673.758	3768971.266	302.97
LOCATION	L0000923	VOLUME	438673.715	3768967.609	303.00
LOCATION	L0000924	VOLUME	438673.672	3768963.951	303.03
LOCATION	L0000925	VOLUME	438673.630	3768960.294	303.07
LOCATION	L0000926	VOLUME	438673.587	3768956.637	303.10
LOCATION	L0000927	VOLUME	438673.544	3768952.979	303.13
LOCATION	L0000928	VOLUME	438673.502	3768949.322	303.16
LOCATION	L0000929	VOLUME	438673.459	3768945.665	303.19
LOCATION	L0000930	VOLUME	438673.416	3768942.007	303.22
LOCATION	L0000931	VOLUME	438673.373	3768938.350	303.25
LOCATION	L0000932	VOLUME	438673.331	3768934.693	303.28
LOCATION	L0000933	VOLUME	438673.288	3768931.035	303.31
LOCATION	L0000934	VOLUME	438673.245	3768927.378	303.35
LOCATION	L0000935	VOLUME	438673.203	3768923.721	303.38
LOCATION	L0000936	VOLUME	438673.160	3768920.063	303.41
LOCATION	L0000937	VOLUME	438673.117	3768916.406	303.44
LOCATION	L0000938	VOLUME	438673.075	3768912.749	303.32
LOCATION	L0000939	VOLUME	438673.032	3768909.091	303.15
LOCATION	L0000940	VOLUME	438672.989	3768905.434	302.98
LOCATION	L0000941	VOLUME	438672.947	3768901.777	302.81
LOCATION	L0000942	VOLUME	438672.904	3768898.119	302.63
LOCATION	L0000943	VOLUME	438672.861	3768894.462	302.46
LOCATION	L0000944	VOLUME	438672.819	3768890.804	302.29
LOCATION	L0000945	VOLUME	438672.776	3768887.147	302.12
LOCATION	L0000946	VOLUME	438672.733	3768883.490	301.94
LOCATION	L0000947	VOLUME	438672.691	3768879.832	301.77

LOCATION	L0000948	VOLUME	438672.648	3768876.175	301.60
LOCATION	L0000949	VOLUME	438672.605	3768872.518	301.43
LOCATION	L0000950	VOLUME	438672.563	3768868.860	301.25
LOCATION	L0000951	VOLUME	438672.520	3768865.203	301.08
LOCATION	L0000952	VOLUME	438672.477	3768861.546	300.91
LOCATION	L0000953	VOLUME	438672.435	3768857.888	300.74
LOCATION	L0000954	VOLUME	438672.392	3768854.231	300.56
LOCATION	L0000955	VOLUME	438672.349	3768850.574	300.39
LOCATION	L0000956	VOLUME	438672.306	3768846.916	300.22
LOCATION	L0000957	VOLUME	438672.264	3768843.259	300.04
LOCATION	L0000958	VOLUME	438672.221	3768839.602	299.87
LOCATION	L0000959	VOLUME	438672.178	3768835.944	299.70
LOCATION	L0000960	VOLUME	438672.136	3768832.287	299.52
**	End of LINE VOLUME Source ID = RDONE				
LOCATION	IDLINGW	POINT	438508.800	3768873.340	300.180
**	DESCRSRC Total Idling West Loading Dock				
LOCATION	IDLINGE	POINT	438646.330	3768887.240	302.140
**	DESCRSRC Total Idling East Loading Dock				
**	Source Parameters **				
**	LINE VOLUME Source ID = RDSTATEW				
SRCPARAM	L0000727	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000728	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000729	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000730	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000731	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000732	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000733	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000734	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000735	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000736	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000737	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000738	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000739	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000740	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000741	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000742	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000743	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000744	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000745	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000746	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000747	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000748	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000749	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000750	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000751	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000752	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000753	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000754	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000755	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000756	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000757	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000758	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000759	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000760	0.00000002744	0.00	2.84	0.85

SRCPARAM	L0000761	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000762	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000763	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000764	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000765	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000766	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000767	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000768	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000769	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000770	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000771	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000772	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000773	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000774	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000775	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000776	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000777	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000778	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000779	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000780	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000781	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000782	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000783	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000784	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000785	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000786	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000787	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000788	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000789	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000790	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000791	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000792	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000793	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000794	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000795	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000796	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000797	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000798	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000799	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000800	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000801	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000802	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000803	0.00000002744	0.00	2.84	0.85
SRCPARAM	L0000804	0.00000002744	0.00	2.84	0.85

**

** LINE VOLUME Source ID = RDSTATEE

SRCPARAM	L0000805	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000806	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000807	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000808	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000809	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000810	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000811	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000812	0.00000002754	0.00	2.84	0.85

SRCPARAM	L0000813	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000814	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000815	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000816	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000817	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000818	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000819	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000820	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000821	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000822	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000823	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000824	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000825	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000826	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000827	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000828	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000829	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000830	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000831	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000832	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000833	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000834	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000835	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000836	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000837	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000838	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000839	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000840	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000841	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000842	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000843	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000844	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000845	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000846	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000847	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000848	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000849	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000850	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000851	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000852	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000853	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000854	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000855	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000856	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000857	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000858	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000859	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000860	0.00000002754	0.00	2.84	0.85
SRCPARAM	L0000861	0.00000002754	0.00	2.84	0.85

**

 ** LINE VOLUME Source ID = RDONW

SRCPARAM	L0000862	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000863	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000864	0.00000002547	0.00	1.70	0.85

SRCPARAM	L0000865	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000866	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000867	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000868	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000869	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000870	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000871	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000872	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000873	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000874	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000875	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000876	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000877	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000878	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000879	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000880	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000881	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000882	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000883	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000884	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000885	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000886	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000887	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000888	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000889	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000890	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000891	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000892	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000893	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000894	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000895	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000896	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000897	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000898	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000899	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000900	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000901	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000902	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000903	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000904	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000905	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000906	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000907	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000908	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000909	0.00000002547	0.00	1.70	0.85
SRCPARAM	L0000910	0.00000002547	0.00	1.70	0.85
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 ** LINE VOLUME Source ID = RDONE

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URBANSRC ALL
SRCGROUP ALL

SO FINISHED

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** AERMOD Receptor Pathway
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RE STARTING
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** AERMOD Meteorology Pathway
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  PROFFILE ..\OntarioIntlAirportADJU\KONT_V9_ADJU\KONT_v9.PFL
  SURFDATA 3102 2012 Ontario_Airport
  UAIRDATA 3190 2012
  PROFBASE 289.0 METERS
ME FINISHED
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** AERMOD Output Pathway
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  RECTABLE ALLAVE 1ST
  RECTABLE 24 1ST
** Auto-Generated Plotfiles
  PLOTFILE 24 ALL 1ST 2038.AD\24H1GALL.PLT 31
  PLOTFILE ANNUAL ALL 2038.AD\AN00GALL.PLT 32
  SUMMFILE 2038.sum
OU FINISHED
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*****
** Project Parameters
*****
** PROJCTN  CoordinateSystemUTM
** DESCPTN  UTM: Universal Transverse Mercator
** DATUM    World Geodetic System 1984
** DTMRGN   Global Definition
** UNITS    m
** ZONE     11
** ZONEINX  0
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11/25/20
16:33:54

* AERMOD (19191): State Distribution Project - DPM Emission Years 2038 - 2051

* AERMET (16216):

* MODELING OPTIONS USED: RegDEFAULT CONC ELEV URBAN ADJ_U*

* PLOT FILE OF ANNUAL VALUES AVERAGED ACROSS 5 YEARS FOR SOURCE GROUP: ALL

* FOR A TOTAL OF 15 RECEPTORS.

* FORMAT: (3(1X,F13.5),3(1X,F8.2),2X,A6,2X,A8,2X,I8,2X,A8)

X	Y	AVERAGE CONC	ZELEV	ZHILL	ZFLAG	AVE	GRP	NUM YRS	NET ID
438872.00000	3769195.00000	0.00038	307.98	3062.00	0.00	ANNUAL	ALL	00000005	
438949.00000	3769181.00000	0.00045	308.58	3062.00	0.00	ANNUAL	ALL	00000005	
438758.87000	3768908.02000	0.00348	302.21	3062.00	0.00	ANNUAL	ALL	00000005	
438755.00000	3768841.00000	0.00147	300.97	3062.00	0.00	ANNUAL	ALL	00000005	
438772.00000	3768779.00000	0.00071	298.50	3062.00	0.00	ANNUAL	ALL	00000005	
438708.00000	3768777.00000	0.00086	297.54	3062.00	0.00	ANNUAL	ALL	00000005	
438649.00000	3768776.00000	0.00103	296.71	3062.00	0.00	ANNUAL	ALL	00000005	
438597.00000	3768773.00000	0.00117	296.40	3062.00	0.00	ANNUAL	ALL	00000005	
438359.00000	3768775.00000	0.00072	291.67	3062.00	0.00	ANNUAL	ALL	00000005	
438469.02000	3768785.16000	0.00134	294.82	3062.00	0.00	ANNUAL	ALL	00000005	
438676.53000	3768785.16000	0.00103	297.48	3062.00	0.00	ANNUAL	ALL	00000005	
438677.48000	3768827.34000	0.00190	299.42	3062.00	0.00	ANNUAL	ALL	00000005	
438686.59000	3768827.34000	0.00166	299.65	3062.00	0.00	ANNUAL	ALL	00000005	
438688.51000	3768996.02000	0.00284	303.23	3062.00	0.00	ANNUAL	ALL	00000005	
438471.42000	3768996.50000	0.00154	301.45	3062.00	0.00	ANNUAL	ALL	00000005	

** CONCUNIT ug/m^3

** DEPUNIT g/m^2

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-005, A DEVELOPMENT PLAN TO CONSTRUCT A 256,711 SQUARE FOOT INDUSTRIAL BUILDING ON 11.3 ACRES LOCATED AT 875 WEST STATE STREET, WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1011-161-04 & 1011-161-05.

WHEREAS, Inland Harbor LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 11.3 acres of land generally located south of State Street, mid-block between Palmetto and Cypress Avenues, at 875 West State Street, within the IL (Light Industrial) zoning district; and

WHEREAS, the property to the north of the Project site is within the RC (Rail Corridor) zoning district, and is developed with the Union Pacific Railroad. The property to the east is within the IL (Light Industrial) zoning district and is developed with industrial building. The property to the south is within the IL (Light Industrial) zoning district and the MHP (Mobile Home Park) zoning district and is developed with one industrial building and the Grove Manor Mobile Home Park. The property to the west is within the IL (Light Industrial) zoning district, and is developed with industrial buildings; and

WHEREAS, on March 4, 2020, the applicant submitted a Development Plan (File No. PDEV20-005) to construct a 256,711 square foot industrial warehouse building on 11.3 acres, located south of State Street, between Palmetto & Cypress Avenues; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan, for which an Environmental Impact Report (State Clearinghouse No. 2008101140), was adopted and certified by the City Council on January 27, 2010. 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, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, the Project is located less than 1,000 feet away from a sensitive land use and therefore the Applicant was required to submit, an HRA report in conjunction with the subject Application. The HRA report (Vista Environmental, November 30, 2020) prepared for the Project determined that:

1. The projects emissions would not exceed the SCAQMD (South Coast Air Quality Management District) project level health risk cancer significance threshold of 10 in one million persons; and
2. The projects emissions would not exceed the SCAQMD project level non-cancer chronic and acute hazard index of 1.0; and
3. The Project Site will not exceed more than 100 trucks per day and no more than 40 trucks with operating transportation refrigeration units (TRUs) per day.

Therefore, according to the HRA report, the proposed Project will have no significant health impacts on the surrounding environment; and

WHEREAS, on March 15, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision DAB21-006, recommending the Planning Commission approve the Application; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by City Council on January 27, 2010 (“Certified EIR”); and

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

(4) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

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

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

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the

preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the IL (Light Industrial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (general plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the IL (Light Industrial) zoning district, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum***

safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project. The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the IL (Light Industrial) zoning district, which is the zoning district in which the Project is located, 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. Furthermore, the proposed Project will replace the current metal container storage yard business with a single story industrial/warehouse building, which will compliment and improve the surrounding neighborhood; and

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

SECTION 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution [Insert PC No.] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV20-005
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: March 23, 2021

File No: PDEV20-005

Related Files: None

Project Description: A Development Plan to construct a 256,711 square foot industrial building on 11.3 acres of land located at 875 West State Street, within the IL (Light Industrial) zoning district; (APNs: 1011-161-04 and 1011-161-05) **submitted by Inland Harbor**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@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) 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.

(c) 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 color pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

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

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

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

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

(g) A minimum of 138 on-site parking spaces and 12 truck trailer parking spaces shall be provided.

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) et seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

(c) Wall packs will not be allowed within the public view areas. All fixtures shall be decorative. Cut sheets shall be submitted to Planning during plan check review.

(d) Decorative light fixtures shall be used on the building to match the proposed architectural style.

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with an EIR for which The Ontario Plan (TOP) Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by City Council on January 27, 2010 ("Certified EIR"); and

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

(c) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

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

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

(f) 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).

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

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

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made

payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County "Clerk of the Board of Supervisors," along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

2.15 Additional Requirements.

(a) The proposed metal canopies over both office entrances (North Elevation) shall project a minimum of 5-feet from the building face. Applicant shall work with staff during the plan check process, to finalize the design, color, and projection of the metal canopies.

(b) A minimum 8-foot tall decorative wall (concrete tilt-up or decorative masonry block) with view-obstructing gates shall be constructed along the north side of the truck loading area to fully screen all roll-up doors, trucks and trailers from public view. Applicant shall work with staff during the plan check process to finalize the screen wall and gate designs.

(c) An 8-foot tall concrete tilt-up screen wall shall be constructed along the project's east, south, and west property lines. All steel gates and fencing shall be powder coated to prevent rust.

(d) Projections in the building parapets shall include wall returns, minimum 6 feet in length, to avoid a false front/unfinished appearance. Applicant shall work with staff during plan check process to finalize the design of the wall returns.

(e) Truck trailers shall utilize only the designated area the dock-high loading area for parking. Truck trailers shall not be parked within areas designated for automobile parking or within truck maneuvering areas.

(f) The building's maximum office area, including any future mezzanine area and/or office addition, shall not exceed 25,671 square feet or 10 percent of the building's GFA (Gross Floor Area). If office area exceeds 10 percent of the building's GFA, additional parking shall be provided for the portion of office floor area exceeding 25,671 square feet.

(g) Plaza areas in front of office main entries shall incorporate decorative paving to the satisfaction of the Planning Director.

(h) Decorative paving shall be provided at employee break areas.

(i) Both employee break areas, located on the East and West sides of the building, shall feature decorative trellis columns. Applicant shall work with staff, during plan check process, to finalize trellis post color, materials, and design.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> 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>PDEV20-005</u> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>	

CITY PROJECT ENGINEER & PHONE NO: Eric Woosley, P.E. (909) 395-2134 *EW*

CITY PROJECT PLANNER & PHONE NO: Denny Chen (909) 395-2424

DAB MEETING DATE: March 15, 2021

PROJECT NAME / DESCRIPTION: A Development Plan to construct a 256,711-square foot industrial building on 11.3 acres of land.

LOCATION: 835 West State Street

APPLICANT: Inland Harbor, LLC

REVIEWED BY: *Raymond Lee* 2/23/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *Khol Do* 2-26-21
 Khol Do, P.E. Date
 City Engineer



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

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 (1) _____
 (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Monte Vista Tract No. 2, Map Book 16, Page 33.**
- 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 – to merge lots, APN:1011-161-04 and APN: 1011-161-05 into one lot.**
- 2.06 Make a Dedication of Easement.
 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:**

3-feet on State Street to make an ultimate half street width of 33-ft from centerline to right-of-way.

Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 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 \$258,436, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions: The applicant/developer shall obtain a private easement with the adjacent property owner located at APN:1011-161-01 for storm water overflow drainage purposes.**



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	State Street	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> New; 20-ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 6 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 Approaches	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input 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 checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
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 Hydrants	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
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 checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input checked="" 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:

The applicant/developer shall be responsible to widen State Street and construct new full asphalt concrete pavement section along the entire project frontage from street centerline to the gutter line, plus a minimum of 5 feet grind and overlay beyond the street centerline per City Standards and of the satisfaction of the City Engineer.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): State Street, 5 feet beyond centerline.



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

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 344 feet west at the intersection of Palmetto Avenue and State Street. The main is to be installed from the point of connection to the easterly property limits.**
- 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. **Construct a monitoring manhole upstream of the proposed sewer lateral. The manhole to be located at the back of the property line and on private property.**
 - 2. **The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/industrial_wastewater_permit_application.pdf). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers.**
 - 3. **As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**

D. WATER

- 2.27 **A 12-inch water main is available for connection by this project in State Street (Ref: Water plan bar code: W11936)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - 1. **Provide a separate domestic water service with back flow device per city's standard.**
 - 2. **Provide a separate irrigation service with back flow device per city's standard.**
 - 3. **This building is to have two fire services and looping them onsite.**
 - 4. **Provide at minimum 10' wall to wall separation for all water services and sewer laterals.**



5. Construct two fire hydrants fronting State Street.

E. RECYCLED WATER

- 2.30 No recycled water main is available for connection by this project. (Ref: Recycled Water plan bar code: N/A)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - 1. The applicant/developer shall design and construct in-fill public streetlights along the frontage of State Street. Street lighting shall be LED-type in accordance with City's Traffic and Transportation Design Guidelines.
 - a. Applicant/developer's Engineer shall meet the City Engineering staff prior to the starting street lighting design plans.
 - 2. The applicant/developer shall construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveways.
 - 3. Property frontage along State Street shall be signed "No Parking Anytime".

G. DRAINAGE / HYDROLOGY

- 2.38 No storm drain main is available to accept flows from this project. (Ref: Storm Drain plan bar code: N/A)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.



- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions: _____

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.



2.49 Other conditions: _____

K. FIBER OPTIC

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

2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual located at: <https://www.ontarioca.gov/OMUC/IntegratedWaste>

2.53 Other conditions:
1. Proposed Trash Enclosure (TE): TE to have a solid roof.
2. Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, submit a final SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utilities Company.

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

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

3.02 Complete all requirements for recycled water usage.

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

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

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

3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.

3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.

3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.



- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: **PDEV20-005**, and/or Parcel Map/Tract Map No. _____

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

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



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



CITY OF ONTARIO MEMORANDUM



DATE: February 22, 2021
TO: Eric Woosley, Engineering
CC: Denny Chen, Planning
FROM: Peter Tran, Utilities Engineering
SUBJECT: DPR #3 – Conditions of Approval (COA) - Utilities Comments (#7328)
PROJECT NO.: PDEV20-005 (A Development Plan to construct one industrial building)

BRIEF DESCRIPTION

A Development Plan to construct one (1) warehouse building totaling 257,920 square feet on 11.24 acres of land located at 835 W. State Street within the IL zoning district (APNs: 1011-161-05 and 1011-161-04).

THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

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

General Conditions:

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

Potable Water Conditions:

3. **Domestic Water Service:** Provide a separate domestic water service with back flow device per city's standard, cannot be shared with irrigation service.
4. **Irrigation Service:** Provide a separate irrigation service with back flow device per city's standard, cannot be shared with the domestic water service.
5. **Fire Service:** This building is to have two fire services and looping them onsite.
6. **Horizontal Separation:** Provide at minimum 10' separation for all water services away from sewer lateral, wall to wall to meet with Division Drinking Water Department.
7. **Fire Hydrants:** Construct two fire hydrants fronting State Street.

Sanitary Sewer Comments:

8. **State Street Sewer Main:** Construct an 8" public sewer main by extending the existing sewer main from the west at the intersection of Palmetto and State across the project site, to the easterly property line. Also, submit plans for design along with the precise grading plans at the time of submittal.
9. **Monitoring Manhole:** Construct a monitoring manhole upstream of the proposed sewer lateral. The manhole to be located at the back of the property line and on private property.
10. Note the following:

The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/industrial_wastewater_permit_application.pdf).

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager

omucenvironmental@ontarioca.gov

Phone: (909) 395-2661

Solid Waste Comments:

11. Proposed Trash Enclosure (TE): TE to have a solid roof, it is appeared to be lattice per the proposed shown on plans, specifically on sheet DAB-A4.1
12. Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, submit a final SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utilities Company.



CITY OF ONTARIO

MEMORANDUM

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

REVISION NO. 2

FROM: Denny Chen, Associate Planner

DATE: December 15, 2020

SUBJECT: FILE #: PDEV20-005 Finance Acct#:

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

PROJECT DESCRIPTION: A Development Plan to construct a 256,711-square foot industrial building on 11.3 acres of land located at 875 West State Street, within the IL (Light Industrial) zoning district (APNs: 1011-161-05 and 1011-161-04).


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

Landscape Planning Division Department J.D. Signature Landscape Planner Title 1/11/2021 Date

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

DAB CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

1/11/2021
 Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV20-005

Case Planner:
 Denny Chen

Project Name and Location:
 Commercial/Industrial Bldg.
 835 W State Street

Applicant/Representative:
 Inland Harbor LLC – Nancy Park
 18831 Bardeen Ave., Suite 100
 Irvine, CA 92612

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (12/15/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Provide an arborist report and tree inventory for offsite trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Include genus, species, trunk diameter, canopy width and condition. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show backflow devices set back 4' from paving all sides. Locate on level grade.
3. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.

Landscape Plans

4. Provide an arborist report and tree inventory as noted in #1.
5. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
6. Dimension all planters to have 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
7. Provide landscaping in 8' parkway along State St. Approved street tree for State Street is *Tristania laurina*. Parkway trees are to be 30' apart.
8. Provide planters spaces adjacent to the parking at entries to building. Provide a tree at parking ends.
9. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
10. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres	\$2,791.00
Inspection—Construction (up to 3 inspections per phase).....	\$600.00
Total.....	\$3,391.00

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

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 09, 2020
SUBJECT: PDEV20-005

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

Conditions of Approval

1. Address for the project is 875 W State St
2. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: July 20, 2020

SUBJECT: PDEV20-005 – A Development Plan to construct a 256,443-square foot industrial building on 11.24 acres of land located at 835 West State Street, within the IL (Light Industrial) zoning district (APNs: 1011-161-05 and 1011-161-04).
(Revision 1)

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: III B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 256,443 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 256,443 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): S

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and Fire Department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

7.0 PROJECT SPECIFIC CONDITIONS

- 7.1 NOTE: Due to the depth of the property off of State Street, private hydrants will be required throughout the project



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner

FROM: Officer Emily Hernandez, Police Department

DATE: March 30, 2020

SUBJECT: PDEV20-005- A DEVELOPMENT PLAN TO CONSRUCT ONE COMMERCIAL/INDUSTRIAL BUILDING TOTALING 257,920 SQUARE FEET LOCATED AT 835 WEST STATE 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 all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- First floor common stairwells shall be constructed to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

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

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDE20-005
 Address: 835 West State Street
 APN: 1011-161-05 & 1011-161-04
 Existing Land Use: Trucking Yard
 Proposed Land Use: Development Plan to construct a 257,920 SF Industrial building
 Site Acreage: 11.24 Proposed Structure Height: 43 FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 9/16/2020
 CD No.: 2020-003
 PALU No.: N/A

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="checkbox"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="checkbox"/> Zone 4		Allowable Height: 160 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) 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: _____

FILE NO: PDEV20-031

SUBJECT: A Development Plan to construct a 5-level parking structure with a total of approximately 411 parking spaces on 0.83-acre of land located at the northwest corner of C Street and Lemon Avenue, at 153 East C Street, within the C1 Block of the Downtown Civic Center Planned Unit Development (“DCCPUD”) area. (APNs: 1048-551-10 and 1048-551-13). Submitted by the City of Ontario.

PROPERTY OWNER: City of Ontario

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV20-031, 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 0.83-acres of land located at northwest corner of C Street and Lemon Avenue, at 153 East C Street, within the C1 Block of the Downtown Civic Center Planned Unit Development area, and is depicted in Figure 1: Project Location, below. The existing site is currently developed with a paved surface parking lot. Existing surrounding land uses include commercial to the west, across Euclid Avenue, the Ovitt Family Community Library to the east, retail to the north, and retail and the Ontario Town Square to the south. The existing surrounding land uses, zoning, and general plan land use designations are summarized in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.

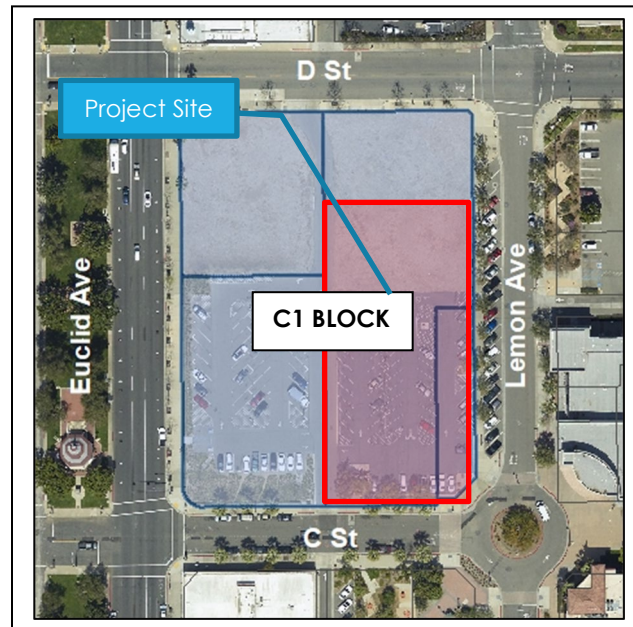



Figure 1: Project Location

Case Planner:	Diane Ayala
Planning Director Approval:	
Submittal Date:	December 17, 2020

Hearing Body	Date	Decision	Action
DAB	03/15/2021	Approval	Recommend
PC	03/15/2021		Final
CC			

PROJECT ANALYSIS:

(1) Background — In June 2006, the City Council adopted Ordinance No. 2829 approving the Downtown Civic Center Planned Unit Development ("DCCPUD"), which governs land use and development within the 6-block area immediately adjacent to the Civic Center complex and is depicted in Exhibit A—DCCPUD Area, attached. The land uses designated for each block are as follows:

- A1 and C1 Blocks (Commercial/Residential Mixed-Use) — The A1 and C1 blocks are designated for vertically-mixed commercial and residential uses (apartments or condominiums) in a mid-rise configuration, with commercial uses on the ground floor and residential units on 3 upper floors. At-grade parking is to be provided for the commercial uses and one level of subterranean parking is to be provided for the residential units. A total of 36,000 square feet of commercial floor area is permitted for each block and residential units may be developed at a density of 45 to 50 dwelling units per acre, not to exceed 100 to 110 dwellings per block. The maximum floor area ratio is 2.7 for all uses.
- A2 Block (Apartments) — The A2 block is designated for multiple-family dwellings at a density range of up to 65 dwelling units per acre, not to exceed 160 housing units, constructed in a stacked-flat configuration over subterranean parking facilities.
- A3 and A4 Blocks (Townhomes) — The A3 and A4 blocks are designated for attached multiple-family townhouse dwellings with tuck-under parking, constructed within a density range of 25 to 35 dwelling units per acre, not to exceed 140 housing units.
- B1 Block (Civic Plaza) — The B1 block is designated for development with a public plaza to provide passive recreation opportunities for the downtown area. Commercial uses are also allowed in this block, not to exceed 10,000 square feet in total area and 2-stories in height. The commercial uses would be housed within the historically significant Bank of Italy building, located at the southwest corner of the block, and a new building that may be constructed at the northwest corner of the block.

Along with the adoption of the DCCPUD in 2006, the Planning/Historic Preservation Commission approved a Certificate of Appropriateness (File No. PHP06-007) to demolish 2 historic buildings located on the C1 block, at 310 and 318 North Euclid Avenue, and a Development Plan (File No. PDEV06-009) for the development of the A2, A3 and A4 blocks with multiple-family residential units and the C1 block with a commercial and residential mixed-use project. Prior to demolition, the 2 historic buildings were fully documented and cataloged, and mitigation fees were paid as required by the Mitigation Measures Monitoring Table in the Certified DCCPUD Environmental Impact Report. The A2, A3 and A4 blocks have since been fully developed by the JH Snyder Company and have been

fully occupied since 2009. The C1 block, however, was not constructed due to the economic downturn of 2008 through 2012 and is currently being used for temporary parking.

In June 2012, the Planning/Historic Preservation Commission, approved a Certificate of Appropriateness (File No. PHP12-005) to facilitate the development of the B1 Block with a 1.7-acre park. The Ontario Town Square has been fully developed by the City of Ontario and the historic Bank of Italy landmark building is currently being rehabilitated and adaptively reused for up to 3 restaurants.

In June 2011, the City Council adopted Ordinance No. 2937, approving an amendment to the DCCPUD to increase the maximum density range for residential development within the Commercial/Residential Mixed-Use District of the C1 block, from 45-50 dwelling units per acre to 45-65 dwelling units per acre, and provided an allowance of "for sale" and "for rent" housing within the A1 and C1 blocks.

In December 2020, the City initiated an amendment to the DCCPUD (File No. PUD20-002) in conjunction with a Development Plan (File No. PDEV20-031) to facilitate the construction of a parking structure within the C1 block. On February 23, 2021, the Planning Commission adopted Resolution No. PC21-003, recommending approval of File No. PUD20-002 to the City Council. Introduction of the ordinance approving the proposed amendment to the DCCPUD (first reading) was reviewed and approved by City Council on March 16, 2021, and approval of the ordinance (second reading) is scheduled for City Council action on April 6, 2021. Approval of File No. PDEV20-031 is contingent upon the City Council's approval of the DCCPUD amendment.

On March 15, 2021, the Development Advisory Board voted unanimously to recommend approval of the subject Development Plan application to the Planning Commission.

(2) Site Design/Building Layout —The City of Ontario proposes to construct an at-grade stand-alone parking structure at the southeast corner of the C1 block, as depicted in Exhibit B—Site Plan, attached. The parking structure, which is rectangular in shape, stands approximately 48 feet in height, with 2 elevator towers projecting to a height of 63 feet. The parking structure will contain 5-levels of parking and provide +/-411 parking spaces, including standard, vanpool, and clean air vehicles, with spaces to accommodate the future installation of electric vehicle charging stations and bicycle parking. The parking structure will provide +/-141 parking spaces within the first two levels for public use, with +/-270 spaces on the three upper levels allocated for possible use by a proposed adjacent 4-story mixed-use project currently undergoing City review. A 10-foot wide building setback has been provided along the west and north interior property lines, which will be developed with a pedestrian pathway and a combination of landscape and hardscape.

(3) Site Access/Circulation —Vehicular access to the parking structure are provided from C Street and Lemon Avenue. Access to upper levels is from an internal ramping

system. Parking stalls are configured in two 90-degree, double-loaded parking bays and is depicted in Exhibit C—Floor Plans, attached. There are at-grade pedestrian access points at three corners of the structure. Pedestrian pathways will connect the structure's access points directly to C Street and Lemon Avenue. Stairs and elevator towers are located on the northwest and southwest corners of the structure and will be visible from C Street.

The parking structure has been designed to accommodate the future addition of 2 pedestrian bridges located at the northwest and northeast corners of the structure, providing proposed residential units to the north and west with direct access from/to parking levels 2, 3, and 4.

(4) Architecture — The proposed parking structure is a steel moment framed, cast-in-place concrete and masonry block structure. The architectural styling is inspired by nearby civic center properties, including the Ovitt Family Community Library and Ontario Town Square. The simplistic utilitarian structure is adorned with a variety of decorative materials, such as variegated concrete masonry, metal screens, perforated panels, cornice, overhangs, and bands of glass, and is depicted in Exhibit D—Elevations, attached.

The main body of the structure is a combination of clean and simple grids of concrete that create 18-foot wide bays and two 24-foot wide vehicular entry points. The south and east elevations are considered primary and the west and north elevations are secondary. Due to the close proximity of future commercial and residential mixed-use development, the north and west elevations will interface with private development. The majority of enhanced architectural detailing will occur on the primary elevations along C Street and Lemon Avenue.

Oriented towards C Street, the dominant feature on the south elevation are the elevator and stairs tower. The vertical height of the tower is accentuated with vertical banding of glass, perforated metal panels, and sourdough and shotblast precision block, topped with a decorative metal cornice. Together, the elevator and stairs create a “marquee” element for the structure, but also relates in color and form to the clock tower found in the adjacent Ontario Town Square. A series of large green colored artistic metal screens are abstract representations of the allée of trees found along Euclid Avenue, interrupted by vertical bands of glass that extend to the fourth level. Matching the geometry of the Ovitt Family Community Library, the parking structure features a defining 3-level high, brow-line beam that wraps around the southeast corner to frame the space. The openness of the corner, which faces the roundabout at Lemon Avenue and C Street, creates an opportunity to support and showcase temporary or permanently affixed locally inspired art.

The east elevation, which fronts onto Lemon Avenue, has grouped bays that are set off by sections with recessed concrete beams and tall vertical metal posts to create contrasting facades. Variegated concrete masonry, coordinated with material on the

Ovitt Family Community Library to the east, is also used as an infill material for another complementary facade type. These individual sections are tied together at the promenade level with a distinct metal cornice, and additional vertical glass bands like those used on the south elevation. Overall, this design application respects, reflects and enhances the architectural context of the existing neighborhood and proposed future retail and housing developments.

(5) Landscaping—Existing street trees will be retained except for one palm tree along C Street, and 2 trees along Lemon Avenue where entry drives are located. On-site landscaping opportunities are located within the street side setback areas, ranging in size from approximately 6.5 feet on C Street to 13 feet on Lemon Avenue, and the 10-foot building setback areas on the north and west, depicted in Exhibit E— Landscape, attached. The southeast corner of the site and drive entries will be enhanced with decorative paving laid in a stacked brick and herringbone design to mimic Ontario Town Square. Night up-lighting of the structure will showcase the Project's distinctive landscape, buildings materials and architectural elements. The landscape design will complement the adjacent properties in terms of plant materials, accent pavement materials and site furnishings, providing plant materials selected from the Master Planting Palette list included in the DDPUD.

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)

(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 LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

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

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

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

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

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

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project does not limit the ability to develop the number of dwelling units (153) and density (65 DU/Ac) on the remainder of the property as specified in the Available Land Inventory.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with an amendment to the Ontario Downtown Civic Center PUD, File No. PUD08-001, for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (State Clearinghouse No. 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011. 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>Site</i>	Undeveloped	Downtown Mixed-Use	DCCPUD
<i>North</i>	Commercial, Retail and Office	Downtown Mixed-Use	MU-1 Mixed Use Downtown
<i>South</i>	Commercial & Public Park	Downtown Mixed-Use and Open Space-Recreation	DCCPUD
<i>East</i>	Civic Center	Public Facility	Civic
<i>West</i>	Euclid Avenue Median and Commercial	Downtown Mixed-Use	MU-1 Mixed Use Downtown

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	0.83 acres	N/A	N/A
<i>Interior Yard:</i>	10 FT	0	Y
<i>Street Side Yard:</i>	4.6 FT (C Street) 6.6 FT (Lemon Avenue)	4.6 FT (C Street) 4 FT (Lemon Avenue)	Y
<i>Building Height:</i>	50 FT	48 FT	Y

Exhibit A—DCCPUD Area

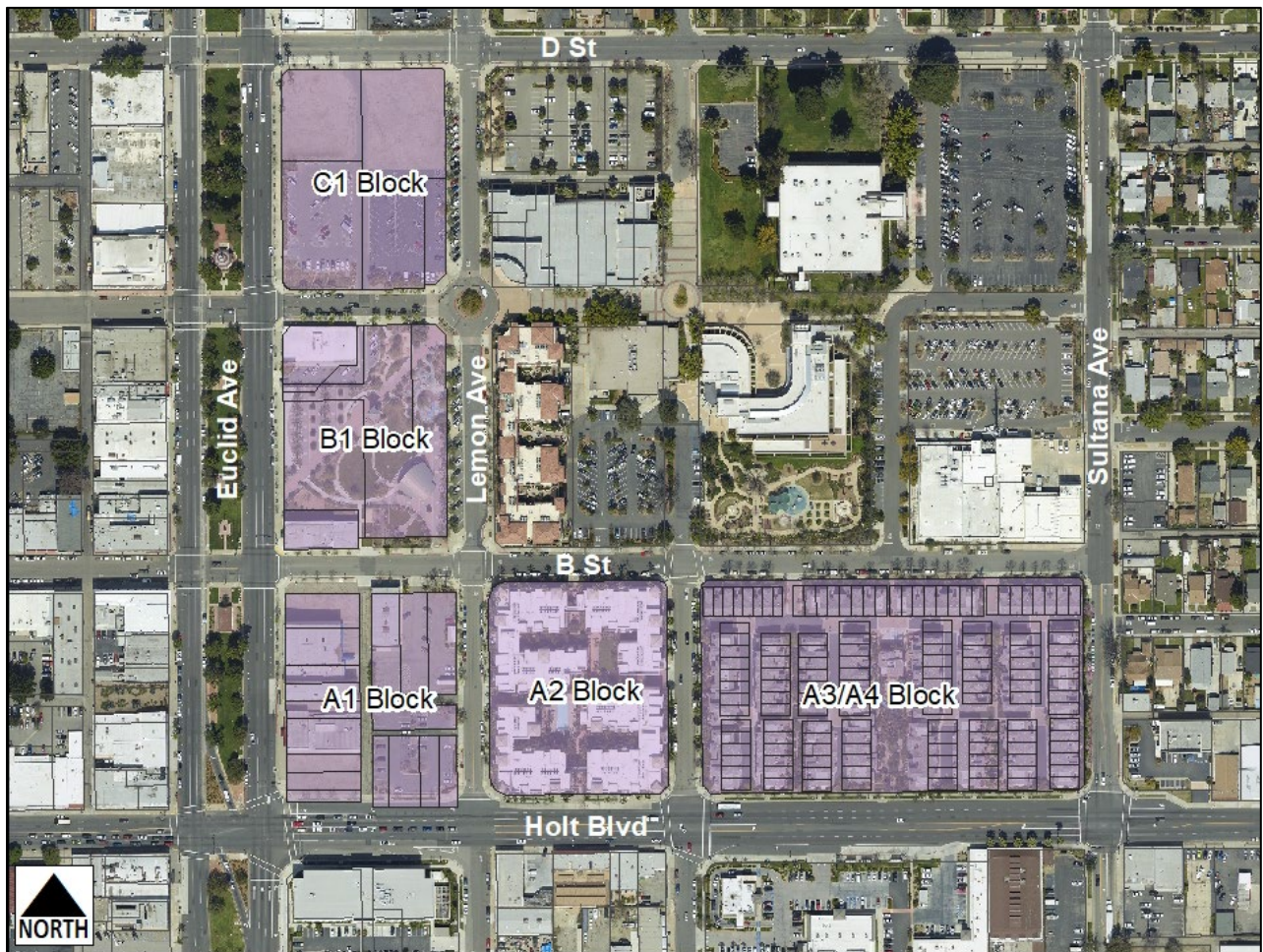


Exhibit B—Site Plan

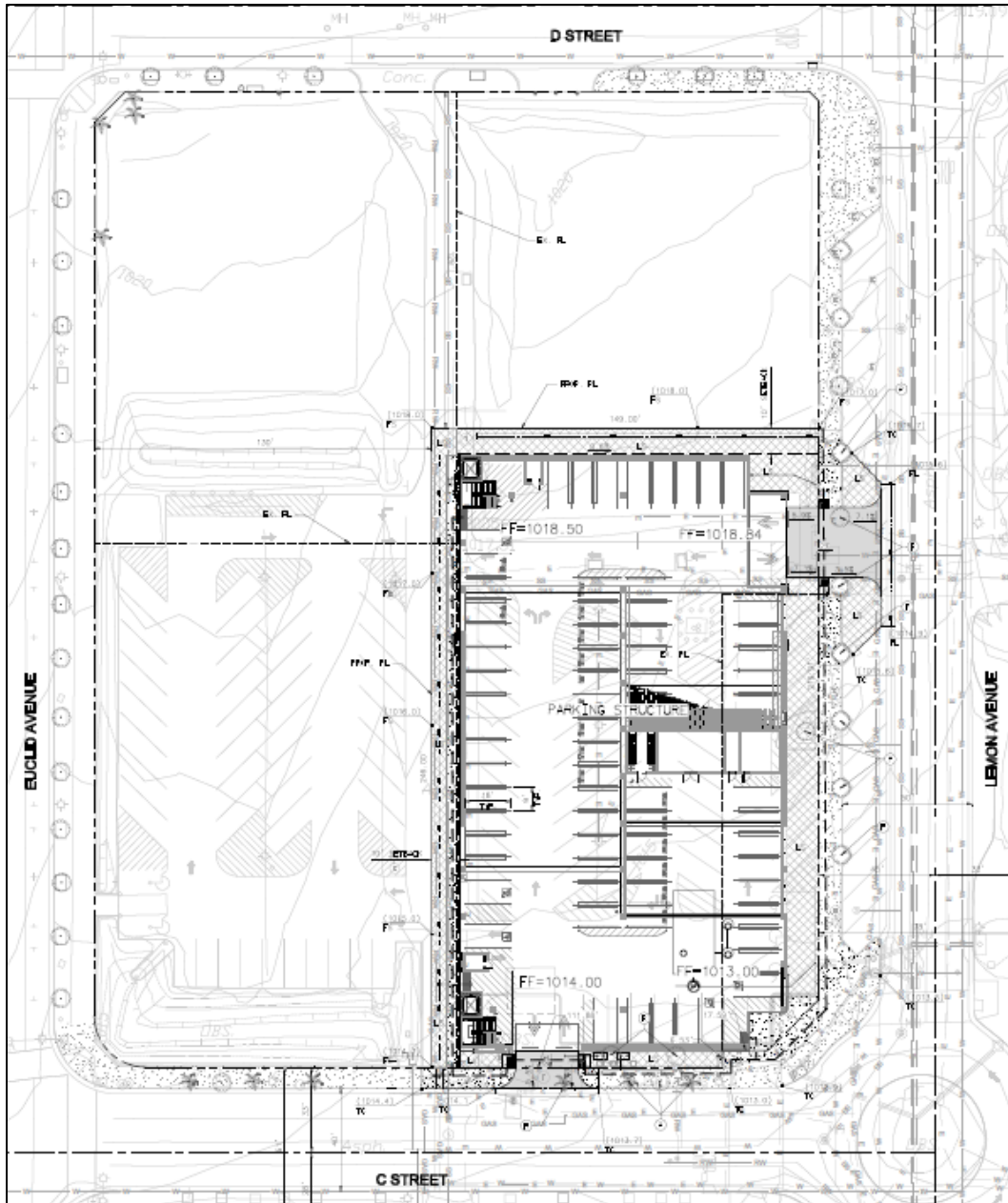
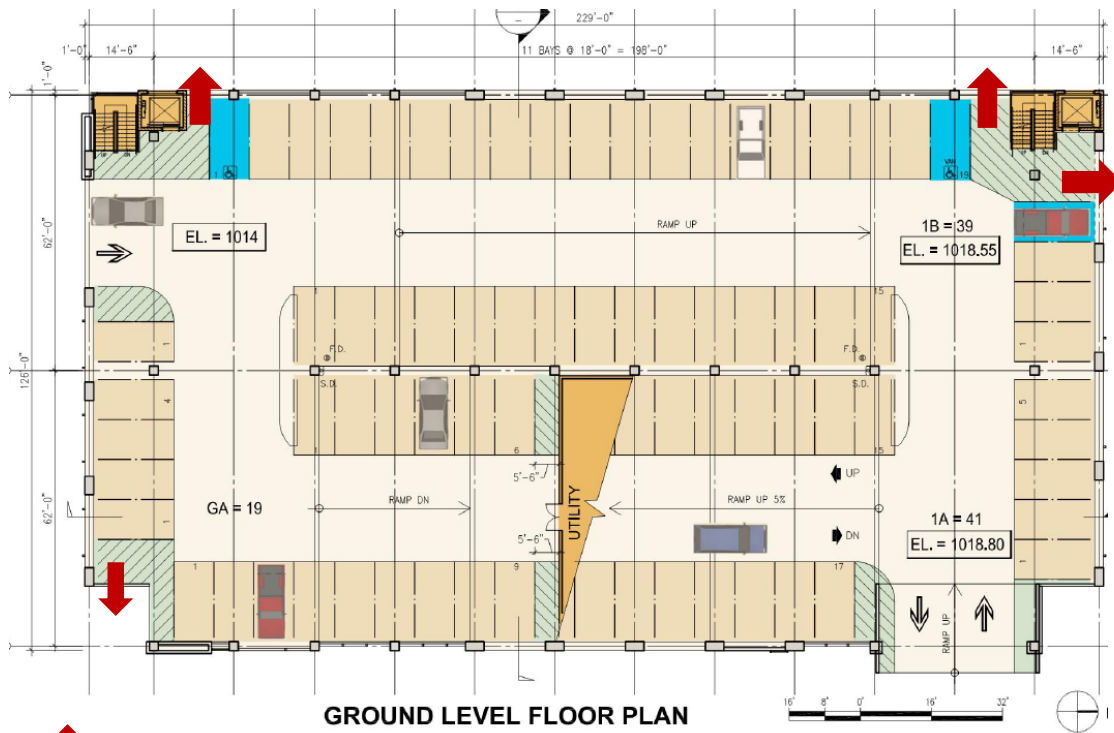
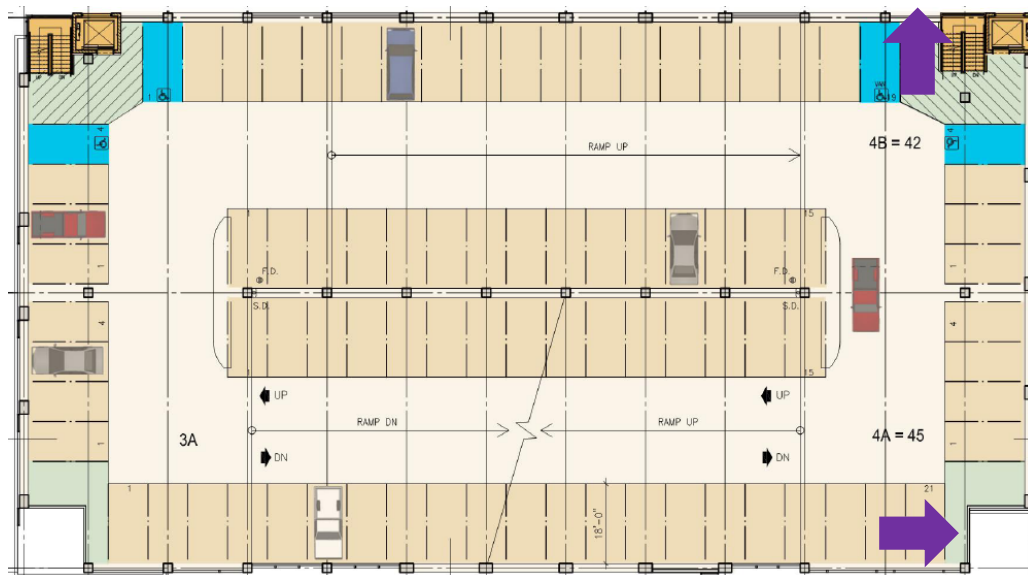


Exhibit C—FLOOR PLANS



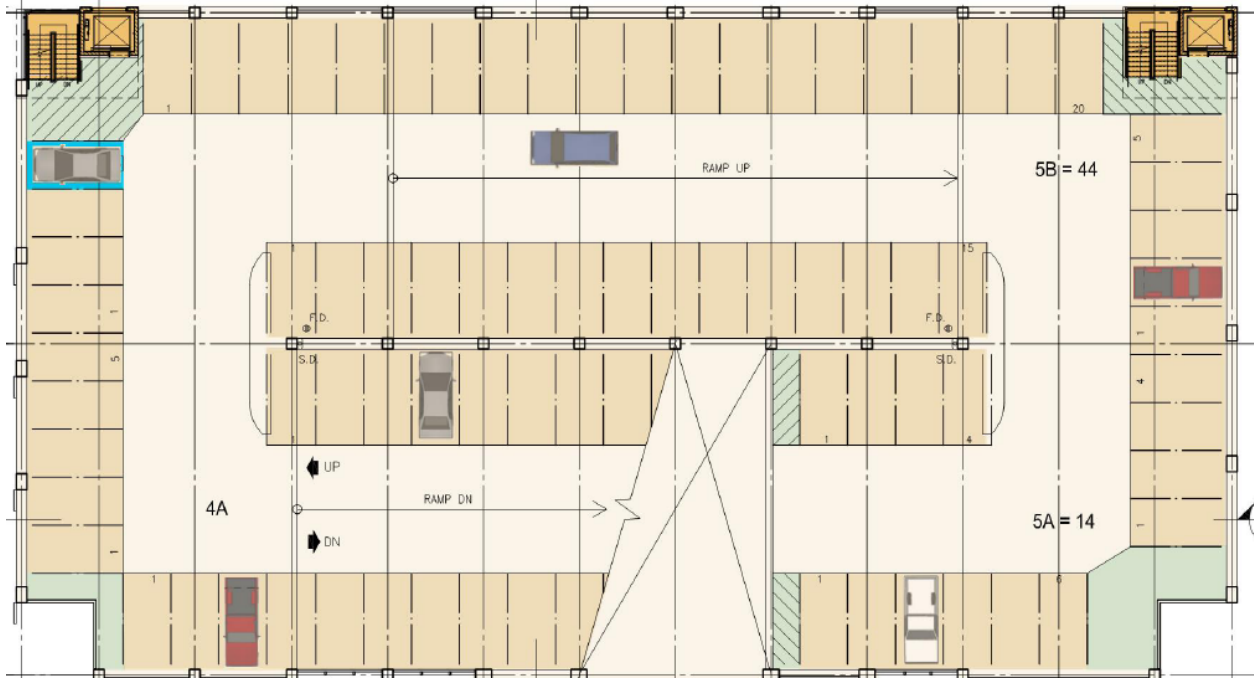
 Pedestrian Access



 Bridge Locations

LEVELS 2, 3 AND 4 (TYPICAL)

Exhibit C—FLOOR PLANS (CONTINUED)

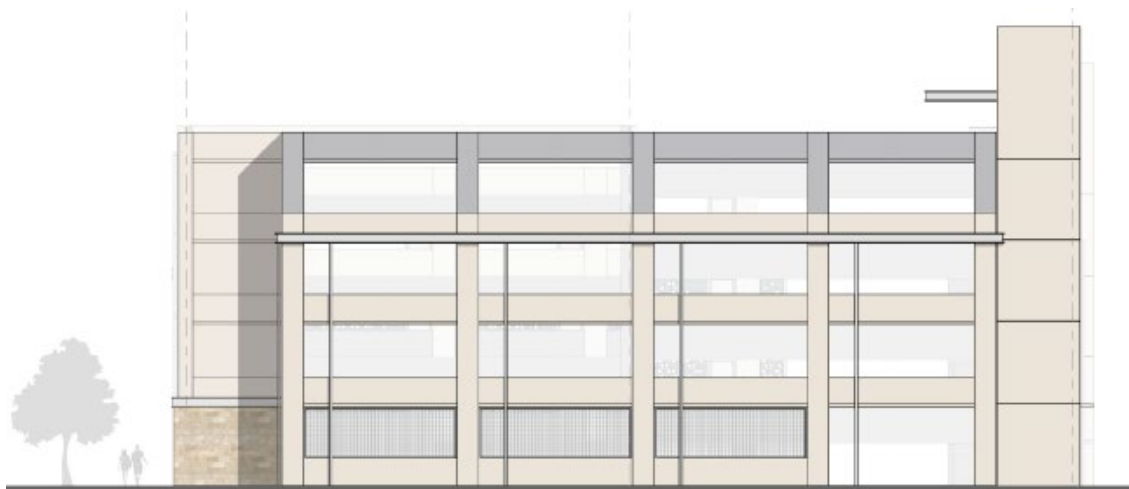


ROOF TOP LEVEL

Exhibit D—ELEVATIONS

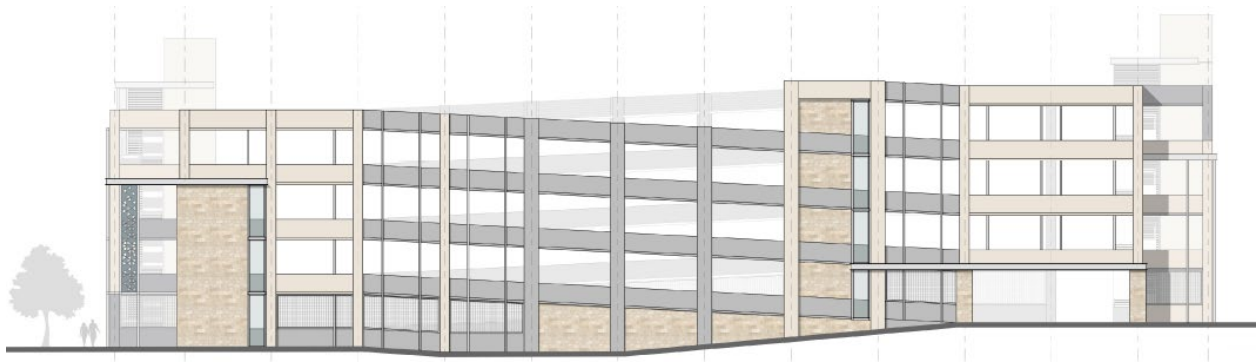


South Elevation- C Street

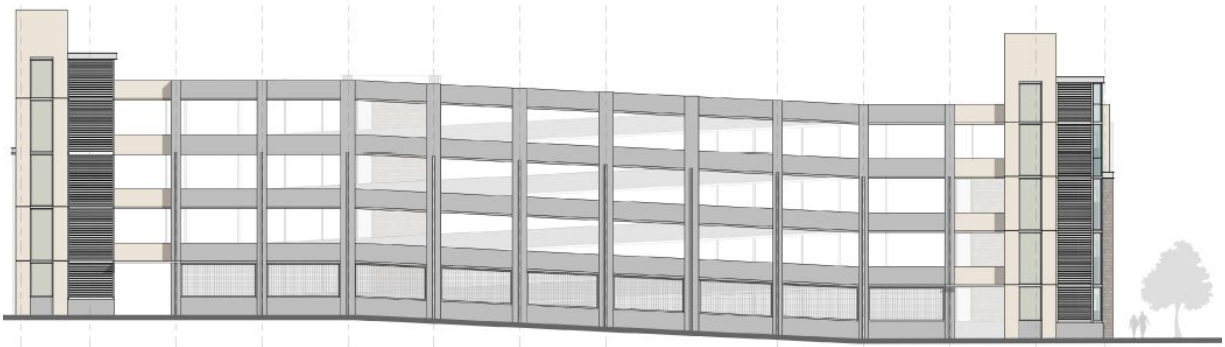


North Elevation

Exhibit D—ELEVATIONS (CONTINUED)



East Elevation- Lemon Avenue



West Elevation

Exhibit D—ELEVATIONS (CONTINUED)

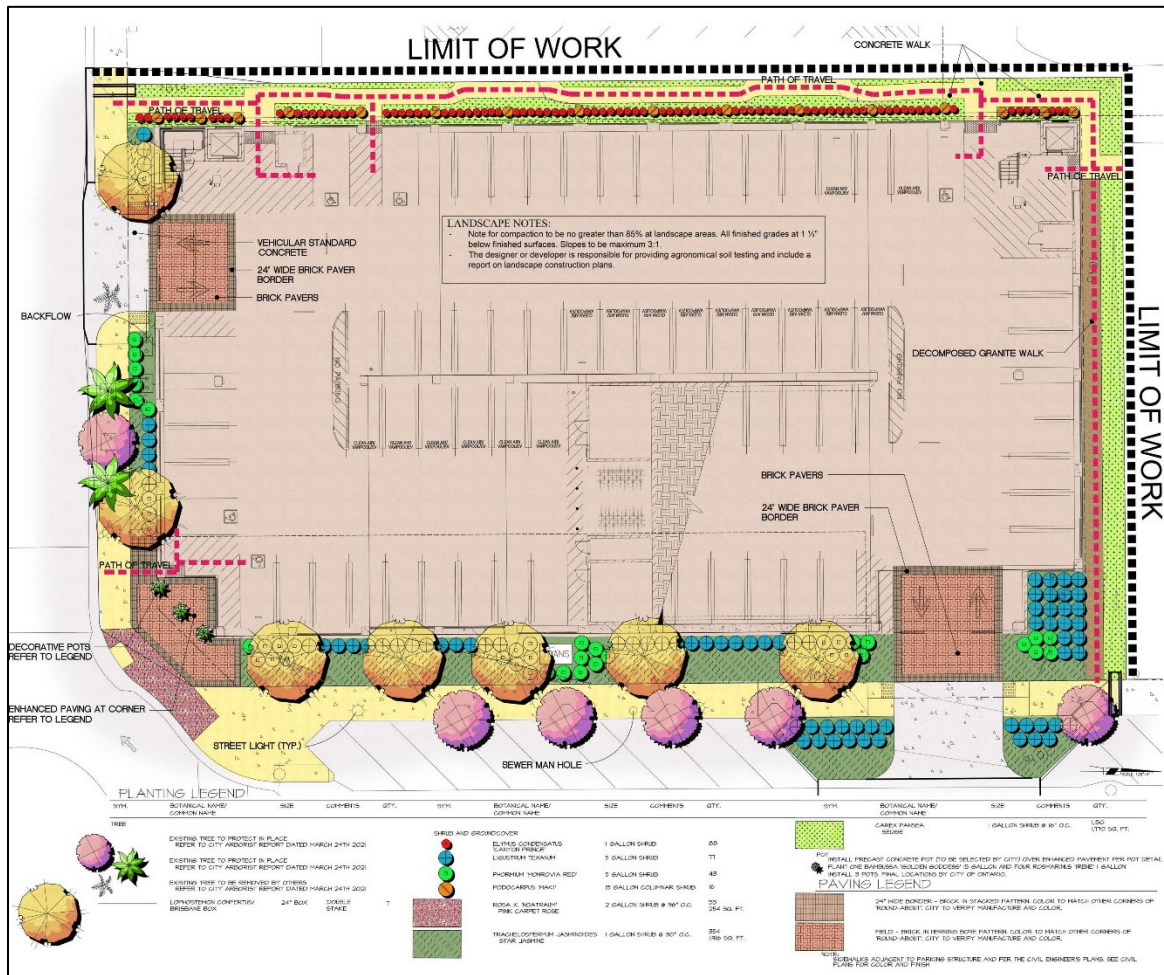


Southeast View from C Street and Lemon Avenue



East View from Lemon Avenue

Exhibit E—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-031, A DEVELOPMENT PLAN TO CONSTRUCT A 5-LEVEL PARKING STRUCTURE WITH A TOTAL OF APPROXIMATELY 411 PARKING SPACES ON 0.83-ACRE OF LAND LOCATED AT THE NORTHWEST CORNER OF C STREET AND LEMON AVENUE, AT 153 EAST C STREET, WITHIN THE C1 BLOCK OF THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT ("DCCPUD") AREA, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1048-551-10 AND 1048-551-13.

WHEREAS, the City of Ontario ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-031, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.83 acres of land generally located at the northwest intersection of C Street and Lemon Avenue, at 153 East C Street within the southeastern portion of the C1 Block of the Downtown Civic Center Planned Unit Development ("DCCPUD") area, and is presently improved with a paved surface parking lot; and

WHEREAS, the property to the north of the Project site is within the MU-1 (Mixed-Use Downtown) zoning district and is developed with commercial and office. The property to the east is within the Civic zoning district and is developed with Civic Center. The property to the south is within the DCCPUD area and is developed with retail and public park. The property to the west is within the MU-1 (Mixed-Use Downtown) zoning district and is developed with retail; 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 an amendment to the Ontario Downtown Civic Center PUD, File No. PUD08-001, for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (State Clearinghouse No. 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011, and this Application introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental

assessment in situations where the impacts of subsequent projects are adequately analyzed; and

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

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

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

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

WHEREAS, on March 15, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-008, recommending the Planning Commission approve the Application; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered

the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Ontario Downtown Civic Center PUD, File No. PUD08-001, for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (State Clearinghouse No. 200405115, certified on November 16, 2004) was prepared; and

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project does not limit the ability to develop the number of dwelling units (153) and density (65 DU/Ac) on the remainder of the property as specified in the Available Land Inventory.

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

implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

Development Plans

(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- Downtown land use district of the Policy Plan Land Use Map, and the Downtown Civic Center Planned Unit Development. 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 Downtown Civic Center Planned Unit Development, including standards relative to the particular land use proposed (parking), as-well-as building and parking setbacks, building height, and on-site and off-site landscaping.

(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 Downtown Civic Center Planned Unit Development 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 Downtown Civic Center Planned Unit Development.

(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 Downtown Civic Center Planned Unit Development that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed. As a result of this review, the 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 Downtown Civic Center Planned Unit Development.

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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV20-031
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: March 23, 2021

File No: PDEV20-031

Related Files: PUD20-002

Project Description: A Development Plan to construct a 5-level parking structure with a total of approximately 411 parking spaces on 0.83-acre of land located at the northwest corner of C Street and Lemon Avenue, at 153 East C Street, within the C1 Block of the Downtown Civic Center Planned Unit Development area and the MU-1 (Downtown Mixed Use) zoning district. (APNs: 1048-551-10 and 1048-551-13); **submitted by City of Ontario, Dan Beers**

Prepared By: Diane Ayala, Senior Planner
Phone: 909.395.2428 (direct)
Email: dayla@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

(b) The setback area located on the west shall provide a paved meandering pedestrian pathway with enhanced paving and have landscaped planters adjacent to the building, if possible.

(c) The setback area to the north shall provide a pedestrian pathway that may be constructed with decomposed granite adjacent to the building.

(d) Comply with the conditions of approval of the Planning Department, Landscape Planning Division.

(e) 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.

(f) 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 (perpendicular).

(c) The parking facility, 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). Short term bike racks should be made available on ground

floor near entryways. If required by Code, long term bicycle storage shall be centrally located at the end of the drive aisle on the ground floor.

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) Up-lighting of the structure and lighting of landscape planters are required.

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

(d) All light fixtures require Planning Department approval prior to installation.

2.7 Mechanical and Rooftop Equipment.

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

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

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

2.9 Signs.

(a) All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations) and Downtown Design Guidelines.

(b) A Master sign plan is required for review and approval prior to installation of any sign.

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 environmental impacts of this project were previously reviewed in conjunction with File No. PUD08-001, a Planned Unit Development (PUD) Amendment, for which an Addendum to the Ontario Civic Center PUD Environmental Impact Report State Clearing House No. 200405115 was previously adopted and certified by the Ontario City Council on November 16, 2004. This application introduces no new significant environmental impacts. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by this reference.

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

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

2.12 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.

2.13 Additional Requirements.

(a) Up to 4 pedestrian access locations are allowed with 2 on the west, one on the north, and one on the east.

(b) Any future bridge connections from parking structure to residential mixed-use development shall respect, reflect, enhance and be compatible with the architectural design of the parking structure. Bridge or any connections to adjacent development shall be adequately setback from street side elevations.

(c) Project approval is contingent upon City Council approval of an Amendment to the DCCPUD, File No. PUD20-002.

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

CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner

02/19/21

Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PDEV20-031	Case Planner: Diane Ayala
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Project Name and Location:

Parking Structure
155 East C Street

Applicant/Representative:

City of Ontario – Daniel Beers (909) 395-2806 dbeers@ontarioca.gov
 1333 S Bon View Ave
 Ontario, CA 91761

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 02/17/21) meets the Standard Conditions for New Development. It has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Provide 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. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain.
2. Garage Entries; change the "herringbone" symbol to match the wide border – brick in stacked pattern. The wide border – brick in stacked pattern shall match the Ontario Town Square, 2'. Confirm with the project planter for additional requirements for the overall dimension of the enhanced paving.
3. Include details for the decorative paving and pots at the corner of C Street and Lemon.
4. Provide a plan or exhibit and include the building's structural footings; provide a detail. Footings shall have a minimum of 12" soil cover and a minimum of 2' in front of the footing before the walkway; the adjacent walk can meander to achieve this. Final planting design and hardscape materials will be determined during the plan check.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.

Landscape Plans

6. Provide an arborist report and tree inventory as noted in #1.
7. See comment #2 & #3.
8. Consider the following plant material for the western elevation; Mahonia aquifolium, Dianella revoluta, Elymus condensatus, Rhamus crocea, Sollya heterophylla, Trachelospermum jasminoides.
9. Call out the type of proposed irrigation system (dripline and pop-up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet the water budget.
10. Remove Root Watering System; Tree irrigation (stream spray bubblers such as RainBird 5HB or 5FB with appropriate PC screen) shall be on a separate valve, 2 heads per tree per 24" box size. Dripline shall be outside of trunk flare 8' square or diameter. Tree bubblers shall be installed on each side of the rootball for consistent wetting, 3' from tree trunk. Tree bubblers shall not overspray onto paving or spray tree stakes.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> 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>PDEV20-031</u> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor (909) 395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Diane Ayala (909) 395-2428

DAB MEETING DATE: March 15, 2021

PROJECT NAME / DESCRIPTION: PDEV20-031 - A Development Plan to construct a 5-level (4-story) parking structure on 0.83-acre of land within the MU-1 (Downtown Mixed Use) zoning district and the Downtown/Civic Center Planned Unit Development

LOCATION: NWC Lemon Avenue and C Street

APPLICANT: City of Ontario (Daniel Beers)

REVIEWED BY: *Raymond Lee* 3/3/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *Khoi Do* 3-4-21
 Khoi Do, P.E. Date
 City Engineer



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

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: **Check When Complete**

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
(1) _____
(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



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

- 2.08 Submit a soils/geology report.

- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____

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

_____ feet on _____

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

- 2.11 Dedicate to the City of Ontario the following easement(s): _____

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

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



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. 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:**
 - a. **The applicant/developer shall submit a Final Utilities Systems Map (USM) as part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**



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	C Street	Lemon Avenue	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> New along drive approach being removed <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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New along drive approach being removed <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^(a)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
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 checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
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 checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
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 checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

- a. Parkway landscape shall be installed along drive approach being removed.**



- 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 verify the existing sidewalk and access ramps along property frontages are ADA compliant. Sidewalk and access ramps along property frontage may need to be removed and replaced if it does not meet ADA.**

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **The applicant/developer shall abandon the existing sewer main along the north of the project site per City's current standards.**

D. WATER

- 2.27 **An 8-inch water main is available for connection by this project in Lemon Avenue. (Ref: Water plan bar code: W11438)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - a. **The applicant/developer shall abandon all unused public utilities onsite per city's current standards.**

E. RECYCLED WATER

- 2.30 **An 8-inch water main is available for connection by this project near the roundabout in Lemon Avenue and C Street. (Ref: Water plan bar code: P10109)**
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.



- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**
Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 **Other conditions:**
 - a. **The applicant/developer shall connect to the future recycled water main located at the southeast corner of the project (currently charged with potable water). However, if recycled water is not live at the time of connection then install a backflow device back of the irrigation meter.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - a. **The applicant/developer shall modify existing parking restriction signs due to proposed driveways along project frontage of Lemon Avenue and C Street.**
 - b. **The applicant/developer shall install 20 feet of red curb on both sides of the proposed driveway located at C Street.**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 21 inch storm drain main is available to accept flows from this project in Lemon Avenue. (Ref: Storm Drain plan bar code: D10570)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.



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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 **Other conditions:**
 - a. **Pretreatment for the retention chambers should be a gravity separator device given the nature of the business.**
 - b. **The infiltration study was calculated per Riverside County but should be calculated per San Bernardino County standards. Please revise, and if needed recalculate the system design. Based on the results, the site plan may need to be redesigned which may require a new submittal and re-entitlement.**

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____



K. FIBER OPTIC

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

- 2.51** Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Integrated Waste

- 2.52** Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:

<https://www.ontarioca.gov/OMUC/IntegratedWaste>

- 2.53** Other conditions:
 - a. Integrated Waste Facility: Project does not propose integrated waste facility, but ultimate design should be coordinated with the solid waste handling plan (SWHP) with the adjacent development.**



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04** Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV20-031,

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

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Diane Ayala, Senior Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: January 13, 2021

SUBJECT: PDEV20-031 - A Development Plan to construct a 4-level plus roof parking structure totaling 412 stalls on 0.83 acres of land located at 155 East C Street within the PUD (Planned Unit Development) zoning district (APNs: 1048-551-10 & -13); Related File: PDEV20-031 & PHP-20-017.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: 1-B
- B. Type of Roof Materials: N/A
- C. Ground Floor Area(s): 27,902
- D. Number of Stories: 4 Stories/ 5 Tiers
- E. Total Square Footage: 138,583 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): S-2 Open Parking Garage

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 1000 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

- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



CITY OF ONTARIO

MEMORANDUM

TO: Diane Ayala, Senior Planner

FROM: Officer Bill Lee, Police Department

DATE: March 3, 2021

SUBJECT: PDEV20-031 - A DEVELOPMENT PLAN TO CONTRUCT 4-LEVEL PLUS ROOF PARKING STRUCTURE, LOCATED AT 155 EAST C ST, WITHIN THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT.

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. This includes but is not limited to areas such as parks, community centers, recreation centers/play areas and paseos. LED lighting will be required for all lighting fixtures. Optimal lighting for visibility and video color rendering is approximately 3000 degrees Kelvin. The lighting shall be as close to 3000 degrees Kelvin as possible. 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.
- Stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Parking garages, stairwells, blind spots and any hidden areas shall have Convex mirrors to allow for visibility to the areas.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry/exits, including pedestrian entries/exits, and the main driveway aisle of each floor. Cameras shall also be placed to cover all stairwells, elevators, and the bicycle storage area. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 720P resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- 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 comments below should be addressed in the plan resubmittal.

- The “Bicycle Storage Area” shall remain locked and only be accessible using a key, key fob, or entry code and shall not be open for public use. Bicycle storage area shall have 24-hour lighting, which will be maintained in proper working order at all times. This bicycle storage area shall also have a convex mirror or similar installed to allow for visibility inside the room around any lockers and stored bicycles. The south/entry side of this bicycle storage area shall be constructed of material allowing clear visibility from floor to ceiling. Parking bollards will be placed in front of south/entry side of the bicycle storage area.
- It is recommended for exterior bicycle racks to be installed on the east side of the structure. This location would help to build a sense of community among users so they can maintain territorial control of the area, reduce crime, and minimize fear of crime. A resulting landscape plan for this area should only include low lying vegetation, no higher than 2’, in order to encourage natural surveillance.
- It is recommended for the Applicant to install “Flock Safety” ALPR (Automated License Plate Recognition) cameras at both vehicle entries/exits. These cameras will be monitored by the Ontario Police Department via the Flock Safety ALPR system.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns regarding these conditions.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-031 & PHP20-017

Address: North West Corner of "C" Street and Lemon Avenue

APN: 1048-551-10 & 13

Existing Land Use: Vacant/Parking Lot

Proposed Land Use: Development Plan to construct a 4-level parking structure

Site Acreage: 0.83 Proposed Structure Height: 60 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Diane Ayala

Date: 1/6/2021

CD No.: 2020-034

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: 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: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2020-034
PALU No.: _____

PROJECT CONDITIONS

1. The maximum height limit for the project site is 70 feet and as such, any construction equipment such as cranes or any other equipment exceeding 70 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NOS: PHP19-016, PDEV19-060 and PVAR21-001

SUBJECT: A Certificate of Appropriateness (File No. PHP19-016) to demolish a Tier III historic resource (a 2,117 square foot Craftsman Bungalow single-family residence) and a Development Plan (File No. PDEV19-060) to construct 22 multiple-family dwelling units in conjunction with a Variance (File No. PVAR21-001) for a reduction in the number of on-site parking spaces, from 46 to 42 spaces, on 0.88-acre of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 DUs/Acre) zoning district. (APN: 1011-361-15). **Submitted by: Mid-Cities Engineering.**


PROPERTY OWNER: AJ1 Development, LLC

RECOMMENDED ACTION: That the Planning\Historic Preservation Commission consider and approve File Nos. PHP19-016, PDEV19-060 and PVAR21-001, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 0.88-acre of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential - 25.1 to 45 DU/Acre) zoning district and is depicted in Figure 1: Project Location. The property is located on the south side of West Mission Boulevard, approximately midblock between Benson Avenue to the west and Oaks Avenue to the east. The site is developed with a single-family residence, detached garage, pool and shade structure (Exhibit A—Existing Site). The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.



Figure 1: Project Location

Case Planner:	Elly Antuna, Associate Planner
Planning Director Approval:	
Submittal Date:	October 15, 2019

Hearing Body	Date	Decision	Action
HPSC	02/11/21	Approval	Recommend
DAB	03/15/21	Approval	Recommend
PC/HPC	03/23/21		Final
CC	N/A		

PROJECT ANALYSIS:

(1) Background — On October 15, 2019, the Applicant submitted a Development Plan (File No. PDEV19-060) to construct 4 multiple-family buildings containing 22 dwelling units, in conjunction with a Certificate of Appropriateness (File No. PHP19-016) to allow for the demolition of the Tier III historic resource (single-family residence), to facilitate the construction of the proposed Project. On February 11, 2021, the Historic Preservation Subcommittee recommended approval of the Certificate of Appropriateness application to the Planning/Historic Preservation Commission. On March 15, 2021, the Development Advisory Board voted unanimously to recommend approval of the Development Plan application to the Planning/Historic Preservation Commission.

On February 3, 2021, the Applicant submitted a Variance (File No. PVAR21-001), requesting a 9 percent reduction in the number of required on-site parking spaces, from 46 to 42 spaces.

The property was previously listed on the Housing Element Available Land Inventory, requiring development of the site with a minimum of 23 units. On March 10, 2021, a Housing Element Available Land Inventory Amendment (File No. PADV21-001), to remove the property from the Available Land Inventory, was approved.

(2) Site Design/Building Layout — The Project is designed in a Motorcourt layout situated on a lot that is 133-feet wide by 288-feet deep. Four detached buildings containing a total of 22 dwelling units are oriented towards a centrally located 24-foot wide drive aisle, with Buildings 1 and 3 located west and Buildings 2 and 4 located east of the drive aisle. Private garages will be accessible from the drive aisle. Units located on the ground floor will have direct access from the garage. Front entries to the units are located from the paseo, side yards and front yards.

A 10-foot landscape setback has been provided along the western and eastern Project boundaries, which incorporate a pedestrian pathway and connects to common open spaces throughout the site, including amenities at the south end of the site and the 17-foot wide paseo located in between the buildings (see Exhibit C—Site Plan, attached).

Each building is 2 stories (24 feet – 7 inches tall), with 8 enclosed parking spaces and 2 units on the first floor. Buildings 1, 2, and 4 have 4 units on the second floor and Building 3 has 2 units on the second floor. There are 4 different floor plans proposed, which range from 571 to 1,204 square feet in size. The Project provides 12 units with one-bedroom floor plans and 10 units with two-bedroom floor plans. The dwelling unit breakdown by building is as follows:

Dwelling Unit Summary – Building 1 (Northwest Building)					
Plan Type No.	No. of Bedrooms/ Bathrooms	Total Living SF	Garage SF	Private Open Space SF	No. of Units
A	2 Bedroom/ 1 Bathroom	820 SF	(2-car) 400 SF	70 SF	2
B	1 Bedroom/ 1 Bathroom	633 SF	(1-car) 217 SF	89 SF	2
C	1 Bedroom/ 1 Bathroom	571 SF	(1-car) 217 SF	62 SF	2
TOTAL					6

Dwelling Unit Summary – Building 2 (Northeast Building)					
Plan Type No.	No. of Bedrooms/ Bathrooms	Total Living SF	Garage SF	Private Open Space SF	No. of Units
A	2 Bedroom/ 1 Bathroom	820 SF	(2-car) 400 SF	70 SF	2
B	1 Bedroom/ 1 Bathroom	633 SF	(1-car) 217 SF	89 SF	2
C	1 Bedroom/ 1 Bathroom	571 SF	(1-car) 217 SF	62 SF	2
TOTAL					6

Dwelling Unit Summary – Building 3 (Southwest Building)					
Plan Type No.	No. of Bedrooms/ Bathrooms	Total Living SF	Garage SF	Private Open Space SF	No. of Units
A	2 Bedroom/ 1 Bathroom	820 SF	(2-car) 400 SF	70 SF	2
D	2 Bedroom/ 2 Bathroom	1,204 SF	2 (1-car) 217 SF	151 SF	2
TOTAL					4

Dwelling Unit Summary – Building 4 (Southeast Building)					
Plan Type No.	No. of Bedrooms/ Bathrooms	Total Living SF	Garage SF	Private Open Space SF	No. of Units
A	2 Bedroom/ 1 Bathroom	820 SF	(2-car) 481 SF	70 SF	2
B	1 Bedroom/ 1 Bathroom	633 SF	(2-car) 481 SF	89 SF	2
C	1 Bedroom/ 1 Bathroom	571 SF	(2-car) 478 SF	62 SF	2
TOTAL					6

(3) Site Access/Circulation — The Project has one point of vehicular access from Mission Boulevard, via a 24-foot wide driveway that runs north-south and terminates with a parking lot and hammerhead at the south end of the site. The hammerhead is 24 feet deep by 120 feet wide, providing the required turnaround access for emergency and refuse vehicles to maneuver out of the development.

As a condition of project approval, public right-of-way improvements, including curb, sidewalk, and landscaped parkway along the Mission Boulevard street frontage, will be constructed. Additionally, the Project site is located within the City of Ontario's Transformative Climate Communities (TCC) Active Transportation project area. The TCC project facilitates the construction of a 5-mile dedicated bicycle/pedestrian facility along Mission Boulevard, from Benson Avenue to Bon View Avenue, which includes striping of bike lanes, pavement arrow markings, and installation of safety signs. As a condition of approval, the bicycle/pedestrian facility along the Project street frontage will be constructed by the Applicant if the installation of improvements has not been commenced by the time of building permit issuance for the Project.

(4) Parking — The Project has provided 42 off-street parking spaces. The "Multiple-Family Residential" parking standards specified in the Development Code requires 46 parking spaces. The Applicant has applied for a Variance (File No. PVAR21-001) to allow for a 9 percent reduction of required off-street parking. The Applicant presented multiple configurations to accommodate the required off-street parking, however due to the narrow lot width and other minimum standards, the constrained site design configuration resulted in a deficiency of 4 off-street guest parking spaces. Each 1-bedroom unit will have one assigned parking space in a garage and each 2-bedroom will have 2 assigned parking spaces in a garage. A condition of approval requiring the garages remain free and clear for parking, has been included as part of the Project. There is also some street parking available along the Project frontage on Mission Boulevard for guest parking. The off-street parking calculations for the Project are provided below.

Type of Use	No. of Units	Parking Ratio	Spaces Required	Spaces Provided
1-bedroom units	12	1.75 spaces per dwelling, including one space in a garage or carport	21	
2-bedroom units	10	2.0 spaces per dwelling, including one space in a garage or carport	20	
Visitor	22	1 Space Per 4 (< 50 Units)	5	
TOTAL			46	42

(5) Architecture — The architectural style proposed is a Craftsman design with a combination of hipped and gabled roofs with wide eaves, exposed rafter tails and decorative corbels (Exhibit D—Proposed Elevations). The rectangular buildings feature horizontal siding and stucco, with wood board and batten at the porch gable ends.

Porches are supported by double wood posts with river rock tapered bases. The Project illustrates the type of high-quality residential architecture promoted by the City's Development Code. This is exemplified by:

- Clustering of units into 2-story buildings consistent with the scale of the surrounding multiple-family development to the east.
- Architectural features and materials authentic to the Craftsman architectural style.
- Articulation in building footprints, incorporating horizontal changes in the exterior building walls (combination of recessed wall areas and the stepping-back of second stories).
- Articulation in the building roof lines, which serves to accentuate the building's entries and openings, and breaks up large expanses of building wall.

(6) Landscaping/Open Space — Perimeter landscaping in the front, side, and rear yards, and throughout the interior of the Project, provides for an overall landscape coverage of 20 percent, meeting minimum Development Code requirements. The proposed on-site and public right-of-way landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the Project site. The landscape plan incorporates a combination of 24-inch, 36-inch, and 48-inch box trees along the Project street frontage and throughout the site, which includes a diverse mix of Chitalpa, Crape Myrtle, and Western Redbud trees. A variety of shrubs and groundcovers are also being provided, which are low or moderate water usage.

A total of 6,820 square feet of private/common open space is required for the Project and a total of 9,605 square feet has been provided, exceeding the minimum standard as shown in the Open Space Summary, below.

Open Space Summary		
Open Space	Total Area Required	Total Area Provided
Common Open Space	5,500 SF	7,837 SF
Private Open Space	1,320 SF	1,768 SF
TOTAL	6,820 SF	9,605 SF

Two minor recreational facilities to serve the Project will be constructed on the southern portion of the site, including a landscaped pedestrian pathway, benches, built-in barbecues, and a tot lot. The balance of the required common area is dispersed throughout the Project site in the form of passive landscaped areas (see Exhibit F—Landscape Plan, attached).

(7) 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 quality discharge/water quality requirements. The PWQMP includes site design measure 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. The proposed development will not substantially alter the existing drainage pattern. The onsite water will be conveyed to a series of catch basins under the hammerhead drive at the south end of the site.

(8) Variance – The Applicant has requested a Variance to reduce the number of off-street parking spaces from 46 spaces to 42 spaces for the Project. Due to the substandard lot width and size of the project site, the Variance will facilitate the related development proposed, while allowing the Project to meet the minimum density, required setbacks, open space, amenities and provide the required turnaround for emergency and refuse vehicles. Other site configurations were explored for the Project that met the minimum parking standards, but created deficiencies in setbacks, open space, and resulted in substandard amenities and unsafe conditions or did not provide the required turnaround for emergency and refuse vehicles. The proposed Project, with the Variance request, will support a superior site design for the multiple-family project. Additionally, there is street parking available along the project frontage on Mission Boulevard, with exception to 40 feet of curb west of the driveway designated No Parking to ensure visibility of oncoming traffic.

The Variance request is consistent with TOP Goal LU3, which promotes flexibility to respond to special conditions and circumstances to achieve TOP's Vision. Furthermore, in this case, the strict interpretation and enforcement of the minimum off-street parking standards results in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Development Code.

In acting on a Variance request, the Planning/Historic Preservation 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:

- ***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 0.88-acre site does not meet the minimum Development Code standards for lot size and width for projects located in the HDR-45 (High Density Residential – 25.1 to 45.0 DU/AC) zoning district. The narrow lot width constrains the site design to a Motorcourt configuration to meet the minimum project density, with parking, amenities, and refuse enclosure located at the south end (rear) of the lot. Other site configurations were explored for the Project that met the minimum parking standards, but created deficiencies in setbacks, open space, and resulted in substandard amenities and unsafe conditions or did not provide the required turnaround for emergency and refuse vehicles. These deficiencies do not meet

the objectives of high-quality residential development as contained in the Development Code and The Ontario Plan. Strict interpretation and enforcement of the required off-street parking for the proposed Project would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code.

- ***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 0.88-acre site does not meet the minimum Development Code standards for lot size and width for projects located in the HDR-45 (High Density Residential – 25.1 to 45.0 DU/AC) zoning district. The narrow lot width constrains the site design to a Motorcourt configuration to meet the minimum project density, with parking, amenities, and refuse enclosure located at the south end (rear) of the lot. Other properties in the vicinity in the same zoning district that have been developed with multiple-family residential projects were not restricted by a substandard lot size and width.
- ***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 off-street parking requirements 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 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 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. The Project meets all other Development Code requirements, including but not limited to minimum density, required setbacks, open space, amenities and provides the required turnaround for emergency and refuse vehicles. There will also be some street parking available along the Project frontage on Mission Boulevard.
- ***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 Project is located with the High-Density Residential land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential-25.1 to 45.0 DU/AC) zoning district. The

development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(9) Certificate of Appropriateness – The Applicant is proposing to demolish a historic single-family residence, and a detached garage, pool, and shade structure to facilitate the Project. The residence was one of the first in this area of the City and was originally surrounded by orchards and other agricultural land. Beginning in the 1960s, the surrounding area began to slowly develop with a mix of commercial, industrial and residential uses. The first recorded owner of the residence was Elbert F. Pardee, a rancher and nurseryman. He moved to Ontario circa 1911 from Illinois. Pardee was a Noble Grand of the Ontario Lodge, Independent Order of Odd Fellows (IOOF), and was a member of the Ontario encampment of the IOOF. The property transferred ownership multiple times since 1947.

The approximate 2,200 square foot residence possesses character defining features of the Craftsman architectural style such as a regular pitch side-gabled roof covered with composition shingles, narrow horizontal wood siding, a gable dormer on the primary and rear façades and a full width front porch supported by simple wood posts. The house sits on a concrete foundation. The primary façade features a single wood and glass entry door surrounded by wood trim, a fixed window and full-length multi-pane triple window. The single-family residence and property were assessed for national, state, and local landmark eligibility. The results of the survey concluded that the Craftsman style residence is not eligible for listing on the National or California registers, but did meet local landmark criteria as a strong local example of Craftsman style architecture. On March 21, 2019, the Historic Preservation Subcommittee approved a Tier III Determination for the residence and is in Attachment "A" Tier Determination of this report. The accessory structure/converted garage, pool and shade structure were not included as part of the historic designation due to their dates of construction and extensive alterations.

There are several policies in The Ontario Plan ("TOP") and regulations in the Ontario Development Code which support and encourage preservation of historic resources. More specifically, TOP contains policies for the management of the City's cultural resources through the updating and maintenance of the City's historic sites and buildings inventory compiled in the Ontario Register. In order to support the preservation goals, the Ontario City Council adopted a tier system with standard criteria and procedures for evaluating the significance of historic or potentially historic resources threatened by major modifications or demolition through a regulatory process. The Ontario Development Code establishes criteria for Tier I, Tier II, or Tier III historic resources, with Tier I and II being the most historically significant. The tier system identifies those historic resources that have the highest preservation value in terms of their architectural and/or historical contribution to the City and establishes a method to evaluate the impacts of their loss in the case of major modification or demolition. Major modification or demolition should not occur to Tier I or Tier II historic resources and preservation and/or avoidance

of such historical resources to prevent demolition is strongly encouraged. Whereas, Tier III historic resources may be modified or demolished under certain circumstances with appropriate mitigation measures in place.

On January 27, 2010, environmental impacts were analyzed in an Environmental Impact Report (State Clearinghouse No. 2008101140) in conjunction with File No. PGPA06-001 adopted by City Council, whereas a statement of overriding considerations for demolition of Tier III historic resources was also adopted. Prior to demolition of the Tier III historic resource, those mitigation measures listed in the Environmental Impact Report and in Section 4.02.050, Certificate of Appropriateness of the Ontario Development Code, will be implemented. As such, conditions of approval to the project require completion of mitigation measures that include advertisement notifying the public of the opportunity to relocate the home, full documentation of the historic resource (as-built drawings, historical narrative and HABS photographs) pursuant to Historic American Building Survey (HABS) Level 3 standards, payment of a mitigation fee and salvage of items within or on the resource as appropriate.

On February 11, 2021, the Historic Preservation Subcommittee ("HPSC") reviewed the Project and recommended approval to the Planning/Historic Preservation Commission, subject to conditions of approval and are attached to this report.

The Planning Commission, serving as the Historic Preservation Commission, must consider and clearly establish certain findings of facts for all Certificate of Appropriateness applications. The demolition of the Tier III historic resource is appropriate because:

- ***The proposed demolition is necessary because all efforts to restore, rehabilitate, and/or relocate the resource have been exhausted.*** The site is located within the HDR-45 (High Density Residential-25.1 to 45 DU/ac) zoning district. Restoration or rehabilitation of the historic resource is not feasible at the site due to the minimum density of the zoning district which requires the site development of a minimum of 22 dwelling units. However, relocation of the historic resource may be possible under certain conditions. Prior to demolition, the Project conditions of approval require advertisements be placed offering the home at no cost for those who can relocate the home off site; and
- ***The proposed demolition is necessary because restoration/rehabilitation is not practical because the extensive alterations required would render the resource not worthy of preservation.*** The proposed multi-family residential development at the Project site is consistent with existing surrounding development and land use. Rehabilitation of the single-family residential building and incorporation into the multi-family residential development is not feasible due to the minimum development standards required for the HDR-45 zoning district; and
- ***The proposed demolition is necessary because failure to demolish the resource would adversely affect or detract from the character of the District.*** The resource is

not located within a potential, proposed, or designated historic district. The surrounding properties are developed with multi-family, commercial and industrial buildings that do not have potential to become a historic district; and

- ***The resource proposed to be demolished has been assigned a Tier III designation.*** The HPSC designated the single-family residence a Tier III historic resource on March 21, 2019, as included in Attachment “A” of this Report. A cultural assessment and evaluation of the Project site was prepared on June 22, 2018 and is included in Attachment “B” of this Report. The survey found that the property was not eligible for listing on the National and California Registers.

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
- 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.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.
- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.
 - H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ENVIRONMENTAL REVIEW: The environmental impacts of the demolition of the Tier III historic resource were previously reviewed in conjunction with File No. PGPA06-001, a General Plan Amendment for The Ontario Plan, for which an environmental impact report was certified by the City Council on January 27, 2010. 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.

The Variance for the reduction in required off-street parking 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 minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but limited to: [a] Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel; [2] issuance of minor encroachment permits; and [3] Reversion to acreage in accordance with the Subdivision Map Act.

The Development Plan is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32. In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill development, and meets all of the following conditions: [1] the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; [2] the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; [3] the project site has no value as habitat for endangered, rare or threatened species; [4] approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] The site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
Site	Single Family Residence	High Density Residential	HDR (High Density Residential-25.1 to 45.0 DU/Acre)
North	Automotive Repair	Business Park	IL (Light Industrial)
South	Multi-Family Residential	High Density Residential	HDR (High Density Residential-25.1 to 45.0 DU/Acre)
East	Multi-Family Residential	High Density Residential	HDR (High Density Residential-25.1 to 45.0 DU/Acre)
West	Convenience Market	High Density Residential	HDR (High Density Residential-25.1 to 45.0 DU/Acre)

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	1.0 AC Min.	.88 AC	N
<i>Maximum project density (dwelling units/ac):</i>	25.1 to 45.0	25.1	Y
<i>Maximum coverage (in %):</i>	100%	37%	Y
<i>Minimum lot size (in SF):</i>	1.0 AC	.88 AC	N
<i>Minimum lot depth (in FT):</i>	200 FT	288 FT	Y
<i>Minimum lot width (in FT):</i>	180 FT	133 FT 6 IN	N
<i>Front yard setback (in FT):</i>	10 FT	16 FT 3 IN	Y
<i>Side yard setback (in FT):</i>	5 FT	10 FT 6 IN	Y
<i>Rear yard setback (in FT):</i>	5 FT	81 FT 3 IN	Y
<i>Drive aisle setback (in FT):</i>	5 FT	5 FT 6 IN to 53 FT 3 IN	Y
<i>Parking setback (in FT):</i>	5 FT	5 FT 6 IN to 25 FT 5 IN	Y
<i>Structure setbacks (in FT):</i>	Dwelling Side to Side 10 FT Garage Entry to Entry 30 FT	17 FT 30 FT	Y
<i>Maximum dwelling units/building:</i>	N/A	4 to 6	-
<i>Maximum height (in FT):</i>	75 FT	24 FT 7 IN	Y
<i>Parking – resident:</i>	41	41	Y
<i>Parking – guest:</i>	5	1	N
<i>Open space – private:</i>	1,320 SF (60 SF/Unit) Min.	1,768 SF	Y
<i>Open space – common:</i>	5,500 SF (250 SF/Unit) Min.	7,837 SF	Y

Dwelling Unit Count:

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Total no. of units</i>	22	22	Y
<i>Total no. of buildings</i>	N/A	4	-
<i>No. units per building</i>	N/A	4 to 6	-

Dwelling Unit Statistics:

<i>Unit Type</i>	<i>Size (in SF)</i>	<i>No. Bedrooms</i>	<i>No. Bathrooms</i>	<i>No. Stories</i>	<i>Private Open Space (in FT)</i>
A	820 SF	2	1	1	70 SF
B	633 SF	1	1	1	89 SF
C	571 SF	1	1	1	62 SF
D	1,204	2	2	1	151 SF

Exhibit A—EXISTING SITE

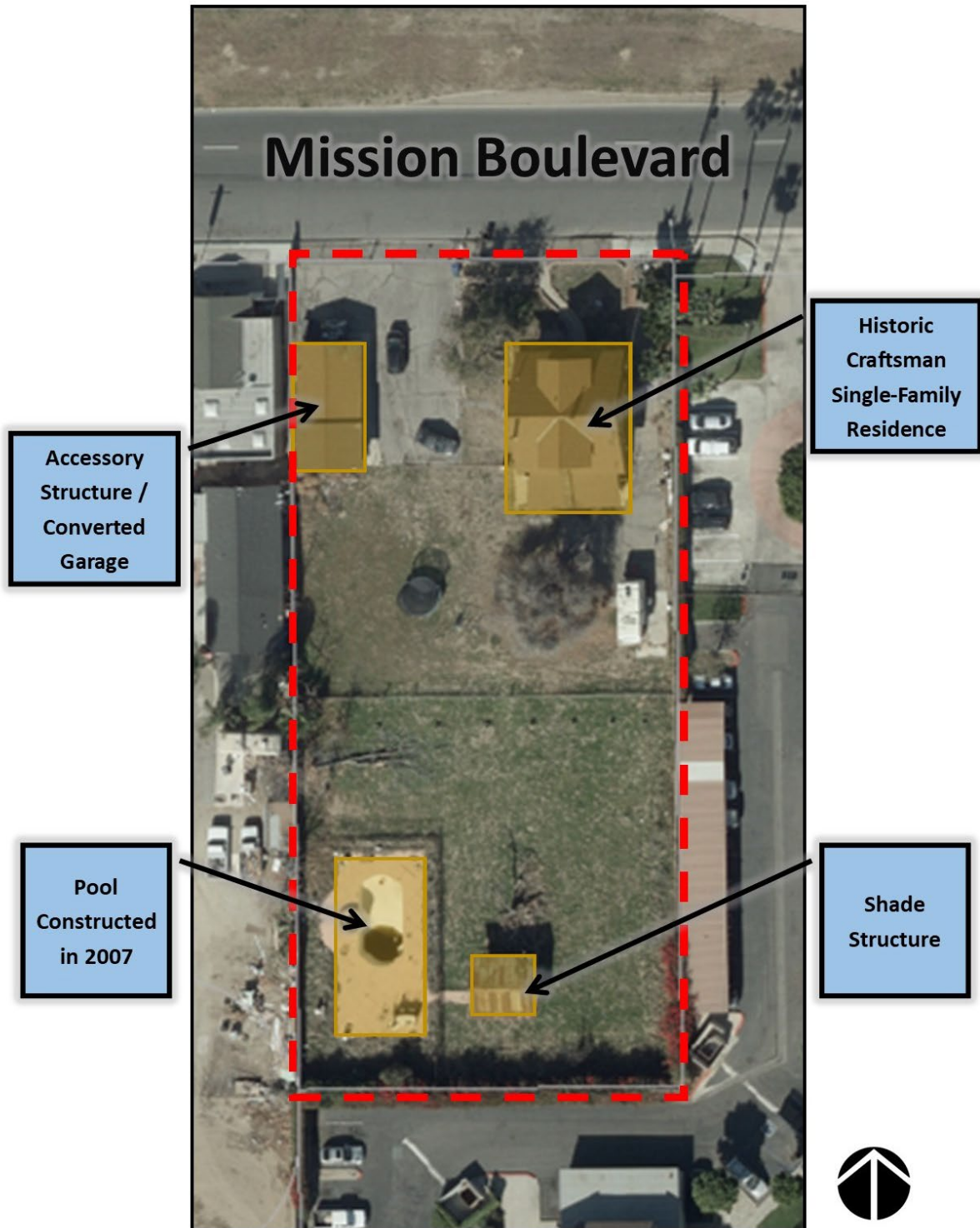


Exhibit B—SITE PHOTOGRAPHS



**Single-Family Residence
North Elevation**



**Single-Family Residence
West Elevation**



**Single-Family Residence
South Elevation**



**Single-Family Residence
East Elevation**



Detached Converted Garage



**Site-View looking South towards Pool and
Shade Structure**

Exhibit C—PROPOSED SITE PLAN

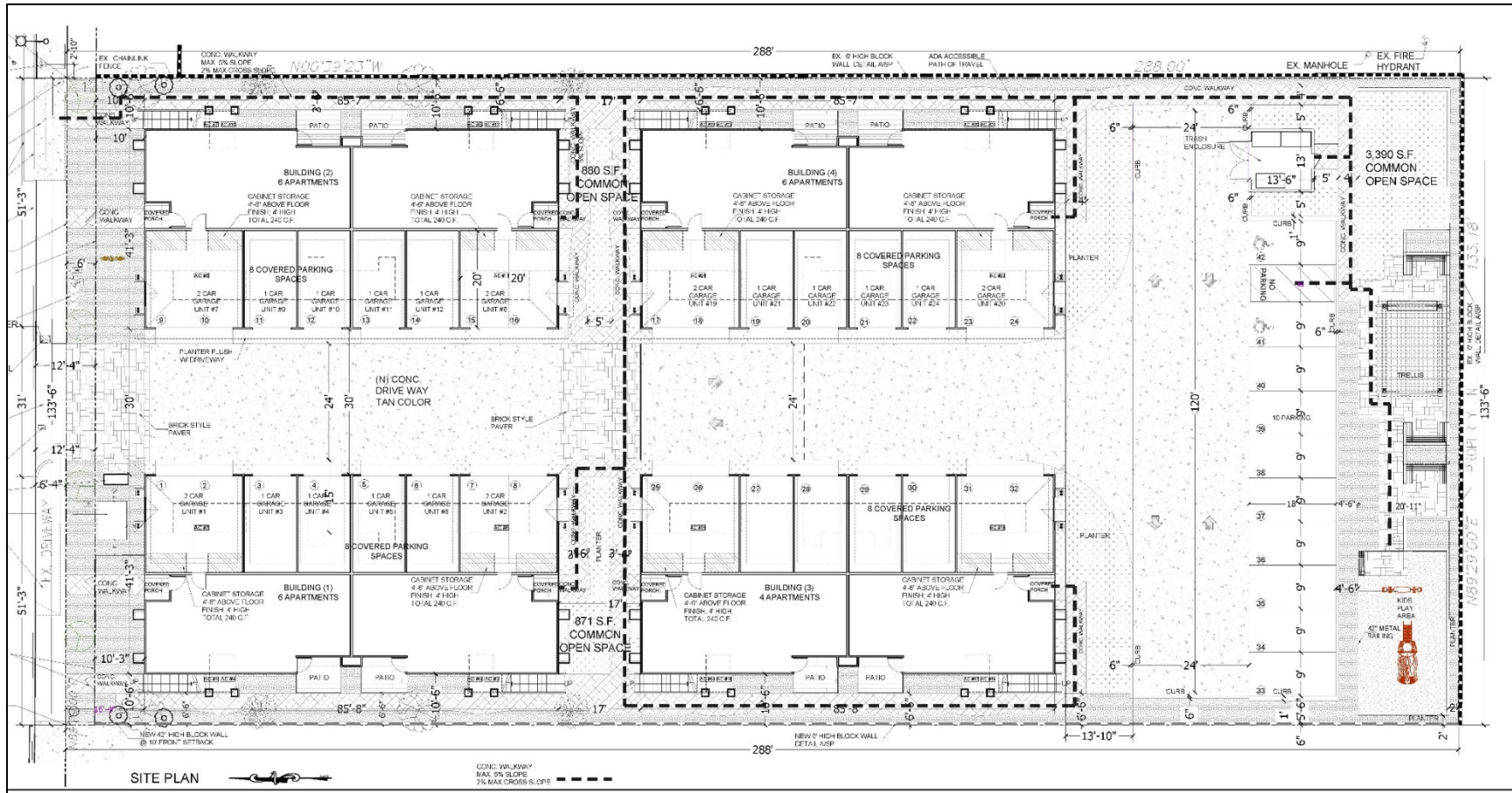


Exhibit D—Proposed Elevations

Buildings 1 and 3



Exhibit D—PROPOSED ELEVATIONS (CONTINUED)

Buildings 2 and 4



Exhibit E—PROJECT RENDERINGS



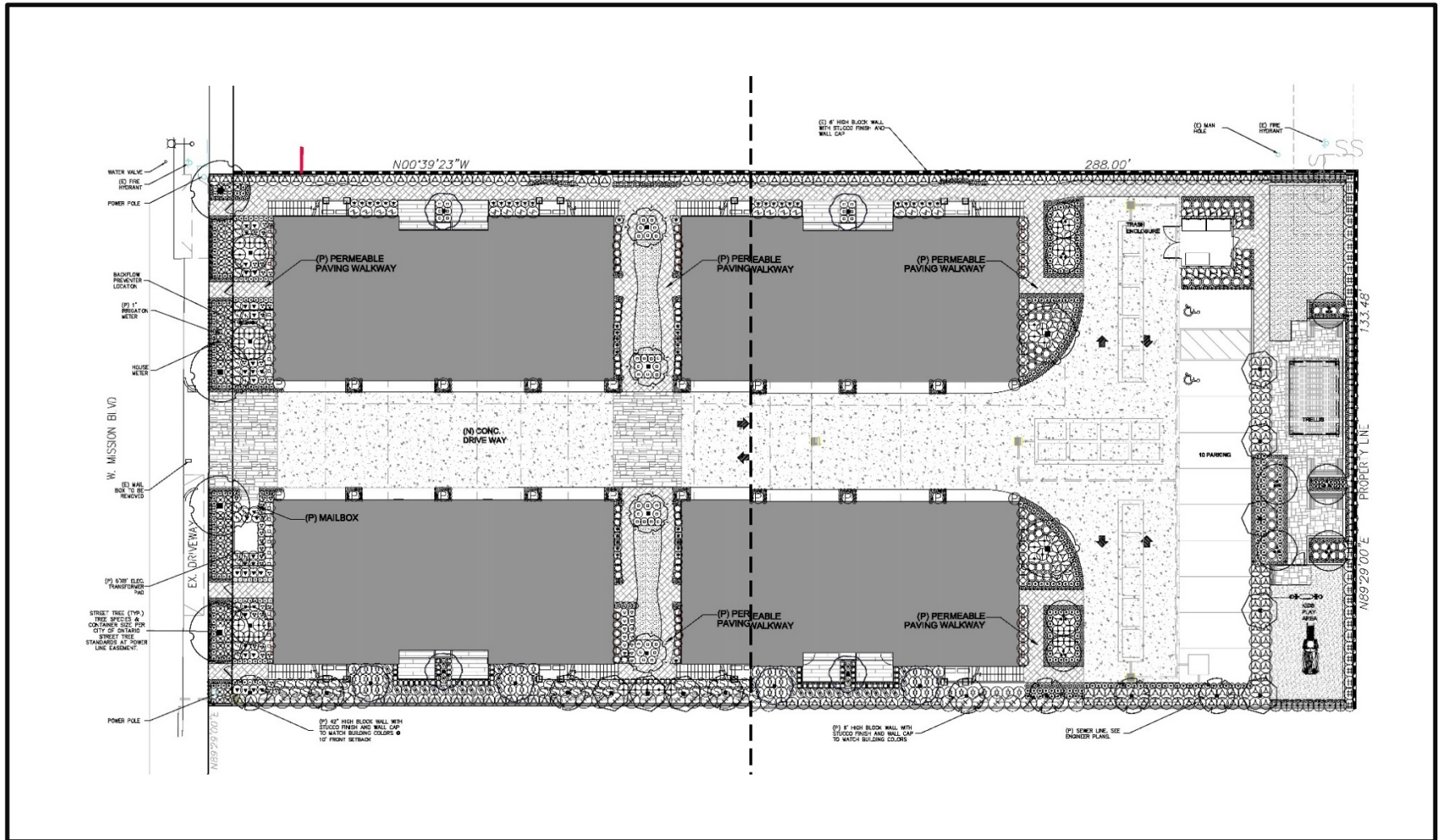
View looking southeast

Exhibit E: PROJECT RENDERINGS (CONTINUED)



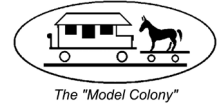
View looking north

Exhibit F—LANDSCAPE PLAN



Attachment “A”—TIER DETERMINATION

(Document follows this page)



HISTORIC PRESERVATION SUBCOMMITTEE/COMMISSION

TIER DETERMINATION

Date: 3/21/2019
Location: 1445 West Mission Boulevard
Historic Name: Elbert F. Pardee House
APN: 1048-565-02
Description:

Decision Date: 3/21/2019
File No.: PHP19-001
Decision Making Body: HPSC
Tier Determination: III
Current Historic Status: Eligible



The two-story single-family residence was constructed in 1912 (est.) in the early Craftsman style of architecture. The approximately 2,200 square foot residence is located at the northeast corner of the site, was originally square in plan, and features a regular pitch side-gabled roof covered in composition shingles with triangular braces in the gable ends. The house is clad in narrow horizontal wood siding, has a gable dormer on the primary and rear façade and a full width front porch supported by simple wood posts. Wood 'X' cross-braced fencing spans between the porch posts. The house sits on a concrete foundation. The primary façade features a single entry wood and glass door surrounded by wood trim, a fixed window and full length multi-pane triple window. The house features a bay with a hipped roof on the western façade and a small, projecting bay window with a shed roof on the eastern façade. A shed roof patio cover extends the length of the rear of the building. The house has numerous wood frame hung and fixed windows surrounded by wood trim. A window on the eastern façade has been replaced with a sliding simulated divided light vinyl window.

INDIVIDUAL PROPERTY

HISTORIC DISTRICT

TIER DETERMINATION

- Tier I** – Properties which should not be demolished or significantly altered. These properties are the most significant historical or cultural properties and must meet any of the following:
 - A property listed on the Ontario Register and meets at least 1 of the architectural category and 3 criteria in the history category as listed below;
 - A contributing structure in a district where the district meets 1 of the criterion in the architecture category and 3 criterion in the history category.

- Tier II** – Properties where demolition should be avoided. These properties must meet any of the following:
- Any property listed or determined eligible for listing in the National Register of Historic Places; or
 - Any property listed or determined eligible for listing in the California Register of Historic Resources; or
 - A property listed on the Ontario Register and meets at least 2 of the criteria in either the architecture or history categories; or
 - A contributing structure in an Eligible Historic District where the district meets at least 2 of the criteria in either architecture or history categories.
- Tier III** – Properties where demolition should be avoided where possible, but may be appropriate under certain circumstances. These properties must be one of the following:
- Designated Historic Landmarks, or
 - Contributing structures in a Designated Historic District, or
 - Eligible Historical Resources as defined in Section 7.01.010.

TIER CRITERIA

Architecture (Check all that apply)

- The structure is (or the district contains resources which are) a prototype of, or one of the finest examples of a period, style, architectural movement, or construction in the City or a particular style of architecture or building type.
- The structure is (or the district contains resources which are) the first, last, only, or one of the finest examples, notable works, or the best surviving work by an architect or designer or major importance to the City, state or nation.

Explanation:

The single family residence is a strong example of the early Craftsman style of architecture which is evidenced by the survival of the building's character-defining features, such as the horizontal wood siding, wide open eaves and exposed rafters, large gable style dormer, and wood framed hung and fixed windows. A permit was issued in 1963 to enclose and convert an existing rear porch into an office and waiting room, and to construct a patio at the rear of the building. The window replacements, enclosure of the rear porch, and porch addition at the rear do not detract from the historic character of the resource and are easily reversible. The Craftsman style residence is largely intact and the integrity is high.

History (Check all that apply)

- It is the location of an historic event(s) that have had a significant contribution to the history of the City, state or nation.
- It is associated with a business, company, or individual that has made a significant cultural, social, or scientific contribution to the City, state, or nation.

- It is identified with a person(s) who has exerted a major influence on the heritage or history of the City, state, or nation.
- It embodies the ideals or principles of the "Model Colony" or furthers the ideals or principals established by the Chaffey Brothers.
- It has a direct relationship to one of the principle historic contexts in the City's history
- It is related with a business, company or individual significant in the agricultural history of the City.

Explanation:

The residence was one of the first in this area of the City, and was originally surrounded by orchards and other agricultural land. Beginning in the 1960s, the surrounding area began to slowly develop with a mix of commercial, industrial and residential uses.

The first recorded owner of the residence was Elbert F. Pardee, a rancher and nurseryman. He moved to Ontario circa 1911 from Illinois. Pardee was a Noble Grand of the Ontario Lodge, Independent Order of Odd Fellows (IOOF), and was a member of the Ontario encampment of the IOOF. Between 1947 and 1949 the Stortis purchased the property. Lindo Storti was originally from Santa Monica and worked as a professional golf instructor at La Mancha Golf Course in Rancho Cucamonga. He was a member of the Professional Golfers Association and was married to Della Storti. The property was then acquired by Diamond Bar Christian Fellowship in the early 1970s.

Research failed to identify any event, person(s), business, or company associated with the resource that made significant contributions to or exerted major influence on the history of the City, state or nation.

Sources include Sapphos Environmental, Inc. 2018 Historic Resource Assessment, Sanborn Fire Insurance Maps, city building permits, city directories, The Ontario Daily Report, and 1980s Citywide Survey.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code: 5S3

Other Listings
Review Code

Reviewer

Date

Page 1 of 11

*Resource Name or # (Assigned by recorder): 1445 W. Mission Boulevard

P1. Other Identifier: None

*P2. Location: Not for Publication Unrestricted

*a. County: San Bernardino and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: Ontario Date: 1981 T1S; R8W; ___ of ___ of Sec 25; ___ B.M.

c. Address: 1445 W. Mission Boulevard City: Ontario Zip: 91726

d. UTM (Give more than one for large and/or linear resources) Zone: 11, 437426.7 mE/ 3768496.7 mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): APN: 1011361150000

*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries):

The subject property (APN 1011361150000) is located on W. Mission Boulevard in the City of Ontario and occupies a large, rectangular lot. The property includes a Craftsman-style residence and vernacular garage. Both buildings on the property have generally rectangular footprints; the residence measures approximately 2,200 square feet whereas the garage measures 1,000 square feet. The residence is located in the central northern region of the parcel whereas the garage is located in the northwestern corner of the lot.

Residence

The residence is constructed of wood with a concrete foundation and features a wood clapboard exterior and gable roof. The residence is Craftsman in style and dates to circa 1912.

(Continued to Continuation Sheet page 4)

*P3b. Resource Attributes (List attributes and codes): HP2 Single-family property

*P4. Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo (view, date, accession #): Primary façade; June 14, 2018; DSCF0347

*P6. Date Constructed/Age and Source:
 Historic Prehistoric Both

*P7. Owner and Address:
AJI Development
Mr. Ayad Jaber,
Mr. Mehdi Jaber1445
W. Mission Boulevard
Ontario, CA 91726

*P8. Recorded by (Name, affiliation, and address): Alexandra Madsen
Sapphos Environmental, Inc.
430 N. Halstead Street
Pasadena, CA 91107

*P9. Date Recorded: June 22, 2018

*P10. Survey Type (Describe): Intensive

*P11. Report Citation (Cite survey report and other sources, or enter "none"): Sapphos Environmental, Inc. 2018. Historic Resource Assessment for 1445 W. Mission Boulevard, Ontario, CA 91726.

Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder): 1445 W. Mission Boulevard
Page 2 of 11

*NRHP Status Code: 5S3

B1. Historic Name: 1445 W. Mission Boulevard

B2. Common Name: 1445 W. Mission Boulevard

B3. Original Use: Residential

B4. Present Use: Residential

***B5. Architectural Style:** Craftsman

***B6. Construction History:** (Construction date, alterations, and date of alterations)

Residence

The subject property was sold by the Merchants Trust Company to Elbert Pardee in 1912. The deed recorded in the *San Bernardino County Sun* reports: "Deed. Jan 11, 1912. \$10. Merchants Tr. Co. to Elbert F. Pardee. Lot 3, blk 18, Monte Vista Tract No. 2." Pardee likely improved the property that same year. In 1958, the residence's vents, unsound timber, and door frame were replaced; and a metal sign was constructed. A tool shed was constructed on the rear of the property that same year. The residence's rear addition awning was added in 1962 with metal posts set in concrete. The existing porch was enclosed and converted into an office and waiting room in 1963. A zero-clearance fireplace was installed in 1978.

Garage

In 1951, the barn was converted into a garage and moved on the foundation. The "3-car stucco garage" was relocated in 1959. In 1963, the garage was altered and enlarged.

***B7. Moved?** No Yes Unknown Date: N/A

Original Location: N/A

***B8. Related Features:** N/A

B9a. Architect: N/A

b. Builder: N/A

***B10. Significance: Theme:** Residential Development

Area: Ontario

Period of Significance: ca.1912 **Property Type:** Residential **Applicable Criteria:** Historic Landmark Criterion D
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

(See Continuation Sheet page 12)

B11. Additional Resource Attributes (List attributes and codes): N/A

***B12. References:**

- City of Ontario. Building Permit No. 15517. Issued October 8, 1951.
- City of Ontario. Miscellaneous Construction Permit No. 23636. Issued January 27, 1958.
- City of Ontario. Building Permit No. 24329. Issued August 18, 1958.
- City of Ontario. Building Permit No. 23462. Issued May 2, 1958.
- City of Ontario. Relocation Permit No. 25771. Issued December 14, 1959.
- City of Ontario. Building Permit No. 28406. Issued October 4, 1962.
- City of Ontario. Building Permit No. 30062. Issued September 30, 1963.
- City of Ontario. Building Permit No. 46498. Issued January 20, 1978.
- "Retired Rancher Taken by Death." 16 December 1943. *The Ontario Daily Report*.
- The Ontario Daily Report*. Lindo Storti. 27 July 1982.

***B13. Remarks:** Alexandra Madsen meets the Secretary of the Interior's professional qualification standards in the fields of History and Architectural History.

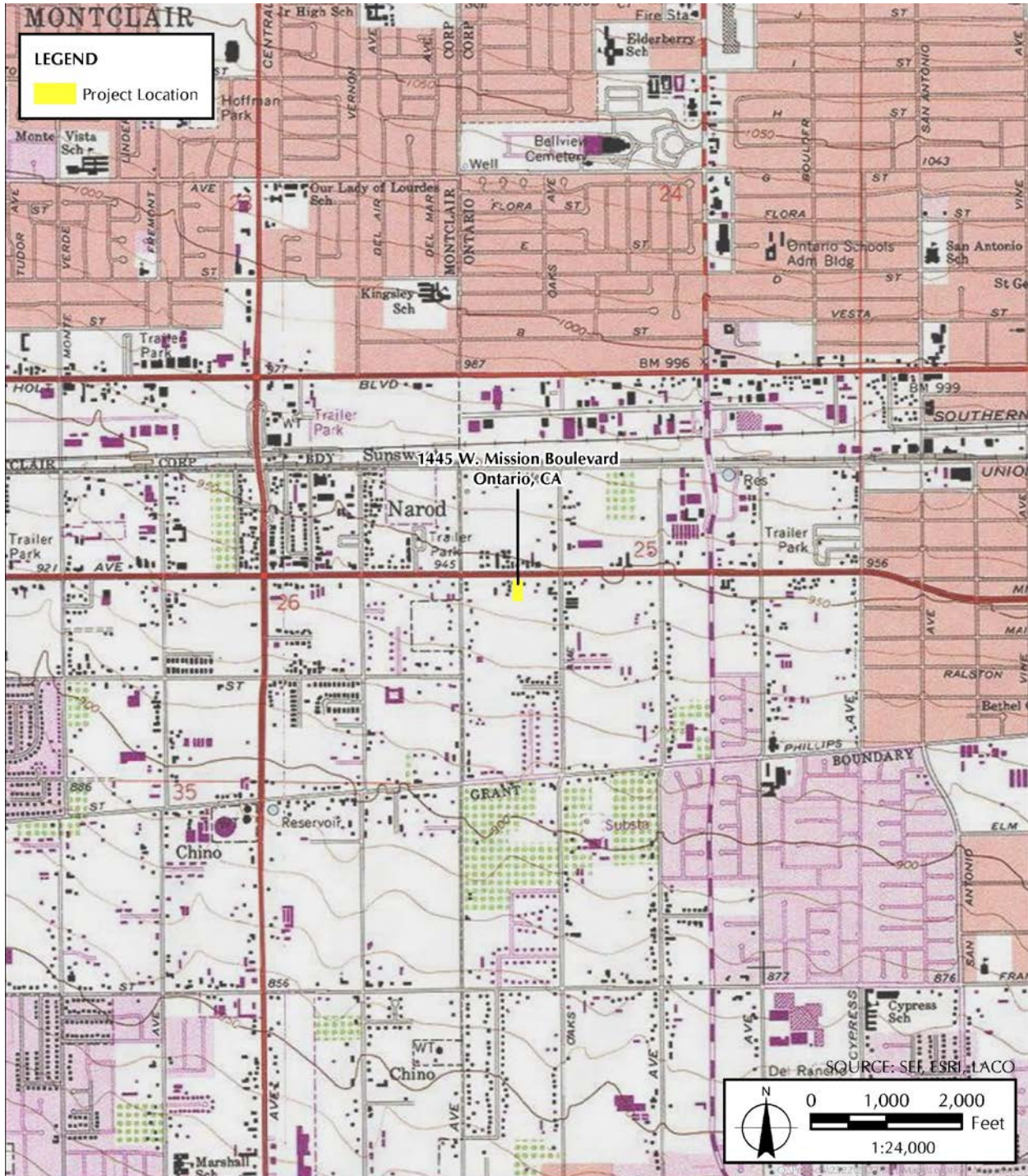
***B14. Evaluator:**

Alexandra Madsen
Sapphos Environmental, Inc.
430 N. Halstead Street
Pasadena, CA 91107

***Date of Evaluation:** June 22, 2018

(This space reserved for official comments.)





P3a. Description: (Continued from Primary Record page 1)

Residence

Primary Façade

The primary façade of the residence is defined by its porch and dormer. The roof overhangs along the front façade of the residence which creates a slightly-raised sheltered porch upheld by thin wood columns. Wood 'X' cross-braced fencing spans between the columns of the porch. The porch roof features projecting rafter tails that are visible beneath the exposed eaves and is boxed with notched rake boards and accented with decorative wood brackets.



Primary Façade, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

The primary entrance features a modern door that was installed at an unknown date, likely within the last 30 years, and is accentuated with a thick door surround. The entrance is accessible via a stone walkway lined with texturized stone blocks and three stone steps. To the right of the entrance is a modern light sconce and large, double-light Arts and Crafts-style picture window. Partially visible from the primary façade is a bay along the western façade, which features a hipped roof and original double-hung window. To the left of the primary entrance is a large, tripartite window that was likely originally a picture window but was replaced at an unknown date.



Primary Entrance, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

(See Continuation Sheet page 5)

P3a. Description: (Continued from Continuation Sheet page 4)

Western Façade

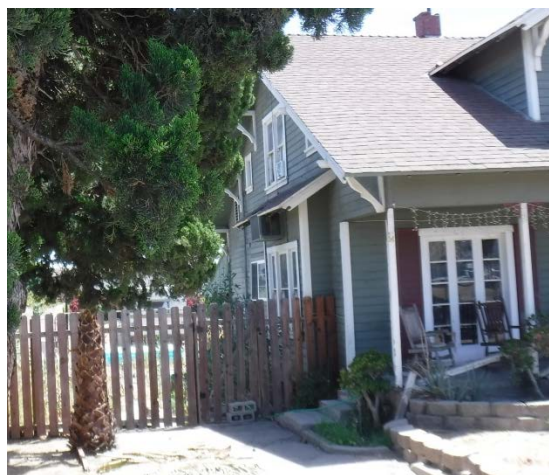
The western façade of the residence is characterized by its clapboard siding and bay projections. The most substantial of these bays is located in the northwestern corner of the building and features two windows; one window is a double-hung window with wood surrounds and the other is a two-light fixed window. This bay has corner boards and a hipped roof with exposed rafter tails. A secondary entrance is located in the bay, as evidenced from the concrete steps and metal hand railing. Another projection is located next to this entrance and includes a metal cylindrical vent that projects from a hipped roof. Smaller vents also line the second floor and foundation of the property to provide passive air flow. Decorative brackets line the eave. The rear of the property includes a shed awning that was constructed in 1962.



Western Façade, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

Eastern Façade

The eastern façade features a small, projecting bay window with a shed roof. Fenestration is comprised of original double-hung windows with wood surrounds and sliding six-light vinyl windows that were installed at an unknown date. The eave is also accentuated with decorative brackets.



Western Façade, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

(See Continuation Sheet page 6)

P3a. Description: (Continued from Continuation Sheet page 5)

Front Yard

The front yard of the residence is broken by winding pathways demarcated by double, stepped, and texturized blocks. The walkway is delineated by a concrete pathway to the front entrance and broken stone slabs that lead to the driveway and garage.



Front Yard, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

Garage

The garage is situated in the northwestern corner of the lot, has a rectangular footprint, and measures approximately 1,000 square feet. The garage was heavily altered in 1951, 1959, and 1963. It has a multi-height side gabled roof clad in composition tiles. A central vent beneath this roof provides passive airflow for the building. Two entrances at either end of the eastern façade flank three aluminum sliding windows. A shed roof provides shelter for the far entrance.



Primary Façade, Garage, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

The garage's western façade features a six-light window and air conditioning unit.

(See Continuation Sheet page 7)

P3a. Description: (Continued from Continuation Sheet page 6)



Western Façade, Garage, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

Rear Yard

The rear yard is composed of a generally large paved surface parking lot and rough lawn. In the far rear of the rear yard is a shelter constructed of metal with a corrugated metal gable roof. This structure is in poor condition. A pool is also located in the rear of the property. Neither of these structures are significant because they are modern.



Rear Yard, 1445 W. Mission Boulevard
SOURCE: Sapphos Environmental, Inc., 2018

*B10. Significance: (Continued from Building, Structure, and Object Record page 2)

Historic Context Statement

The subject property is located on the border of Ontario and Montclair. For this reason brief histories of each city are included.¹

Ontario

Ontario is the sister City of Upland. During the mid- to late-1800s, several land development companies were formed in an effort to generate an economic and real estate boom in San Bernardino County. Ontario, a dry community, was founded in 1882 by George Chaffey, who formed the Ontario Land and Improvement Company with his brother, and named it after their home province in Canada. A townsite was platted, with Euclid Avenue as the main thoroughfare. The townsite was 1 square mile bounded by the Southern Pacific Railroad tracks to the south, Campus Avenue to the east, Fourth Street to the north, and San Antonio Avenue to the west. Ontario has annexed additional territory over the course of time. Water was provided by the Ontario Land and Improvement Company, but Chaffey retained the rights to use water to generate electricity. Ontario became the first town in the west with a hydroelectric plant with the construction of the San Antonio Light and Electric Power Company in 1891. Ontario incorporated as a city in 1891. In the late 1800s and early 1900s, Ontario's agriculture largely consisted of growing oranges and peaches, in addition to olives, apples, grapes, and lemons. Patents for fruit driers and cooking canned fruits were awarded to Ontario citizens in the mid-1880s, which resulted in greater trade of fruit grown there. The Hotpoint Electric Heating Factory, two solar heating factories, a planing mill, gas plant, fertilizer plant, dairies, nurseries, and irrigation supply factory were other industries found in Ontario in 1914. The thriving economy supported a real estate boom which occurred simultaneously.

Further development in Ontario was later spurred by U.S. involvement in World Wars (WW) I and II, and brought the development of wartime industries to the San Bernardino Valley. One such industry was the expansion of the Lockheed Aircraft Service Company, located at the Ontario International Airport. The Ontario International Airport was established in 1923 with the arrival of a J-N-4 Curtis bi-plane, dubbed "Jennie," and the establishment of the Ontario Aircraft Corporation. The Lockheed facility was once the largest of the company's locations and was an important employer in the area. Lockheed contributed to the post-WW II real estate boom in Ontario by attracting more workers to the area. Ontario continues as a thriving community, and due to its location between Los Angeles and San Bernardino, has largely become a bedroom community with commuters traveling to both cities.

Montclair

Montclair was established on land purchased by the Pomona Land and Water Company. Reverend Cyrus T. Mills, for whom Mills Avenue is named, and M.L. Wicks formed the company in 1882 in order to capitalize on the Southern California land boom occurring at this time. The Pomona Land and Water Company sold land to the Chaffey brothers who developed it into the Ontario Colony, and also purchased lands on which Montclair was established. Initially, the land purchase was subdivided into 10-acre lots of the San Antonio Tract for cultivation purposes only. The Pomona Land and Water Company also platted the Monte Vista Tract, for which the street is named, which was also intended for agricultural purposes. In order to avoid being annexed by neighboring cities, the Monte Vista Improvement Association was formed, and Monte Vista Land Tract was incorporated in 1956. In 1958, the city voted to change its name from Monte Vista to Montclair in order to avoid confusion with a different Monte Vista community located elsewhere in California. In 1964, developers proposed a large shopping center, the Montclair Plaza, which opened in 1968 bringing much needed economic stability to the city. As with other small cities located adjacent to I-10 at this time, orchards were redeveloped with residential tracts of a suburban nature, and Montclair became a bedroom community.

(See Continuation Sheet page 9)

¹ The following history is derived from the Interstate 10 Corridor Project in San Bernardino. California Department of Transportation, Historical Resources Evaluation Report: Interstate 10 Corridor Project, April 2015, accessed on June 20, 2018 at: <http://www.gosbcta.com/plans-projects/projects/I-10-Corridor/other/I-10-CP-HRER-April2015.pdf>

*B10. Significance: (Continued from Continuation Sheet page 8)

Ownership/Occupant History

Based upon a review of the San Bernardino County Assessor's parcel data, the property changed ownership several times between 1909 and 2015.

TABLE 1
ASSESSOR DATA, APN 1011361150000

Map Book No.	Page No.	Date	Owners
1:3	451	1909-1913	William H. Starkey Elbert F. Pardee Merchants Trust Co. Elbert F. Pardee
1:3	261	1917-1918	Elbert F. Pardee
2:9B	44	1919-1923	N/A
2:29	12	1924-1929	Elbert F. Pardee
2:50B	12	1930-1935	Elbert F. Pardee
2:91B	39	1936-1941	Elbert F. and Elizabeth Pardee
2:131	17	1942-1947	Elbert F. Pardee
3:31	15	1949-1951	Lindo and Della D. Storti
N/A	N/A	Unknown	Diamond Bar Christian Fellowship*
N/A	N/A	1973	Milton J. and Lucille Dondlinger*
N/A	N/A	1976	Billy J. and Kathryn M. Lowe*
N/A	N/A	1984	Kathryne M. Lowe*
N/A	N/A	1986	Diamond Bar Christian Fellowship*
N/A	N/A	1998	Dollie S. Boyer*
N/A	N/A	2015	AJ1 Development LLC*

Key: *denotes information obtained from the San Bernardino County Assessor's online portal.

Because the residence was constructed circa 1912, the 1909-1911 owner, William H. Starkey, owned the land prior to improvement. The first owner of the residence was Elbert F. Pardee. Pardee was a rancher and nurseryman. His obituary listed his address at the subject property as "1445 West California Boulevard." He moved to Ontario circa 1911 from Illinois. Pardee was a Noble Grand of the Ontario lodge, Independent Order of Odd fellows (IOOF), and was a member of the Ontario encampment of the IOOF.

Between 1947 and 1949 the Stortis purchased the property. Lindo Storti was originally from Santa Monica and worked a professional golf instructor at La Mancha Golf Course in Rancho Cucamonga. He was a member of the Professional Golfers Association and was married to Della Storti. The other owners and occupants of the property owned it after the period of significance, within the last 50 years.

Historical Photography

The residence was photographed in 1984.



1445 W. Mission Boulevard, Circa 1984
 SOURCE: Stacy Corrales

(See Continuation Sheet page 10)

*B10. Significance: (Continued from Continuation Sheet page 9)

EVALUATION

Residence

NATIONAL REGISTER OF HISTORIC PLACES

National Register Criterion A

Based upon a review of the histories of Ontario and Montclair, previous ownership records, and the construction history of the property, the property does not have an important association with important events of national, state, or local history, nor does it exemplify significant contributions to the broad cultural, economic, or social history of the nation, state, city, or community. The building was constructed circa 1912 outside of the original boundary of Ontario which was incorporated approximately 21 years before this property was developed. Therefore, 1445 W. Mission Boulevard is not eligible under Criterion A.

National Register Criterion B

No information was found to suggest that any of the previous owners or residents were historic personages, or that any other individuals of historic significance were associated with the property. Therefore, 1445 W. Mission Boulevard is not eligible under Criterion B.

National Register Criterion C

1445 W. Mission Boulevard was constructed circa 1912. The building reflects Craftsman-style architecture and is a strong local example of this style. However, the level of significance is limited to the local level and does not rise to the threshold for the National Register. Therefore, 1445 W. Mission Boulevard is not eligible under Criterion C.

National Register Criterion D

Criterion D was not considered in this report as it generally applies to archaeological resources. Additionally, there is no reason to believe the property has the potential to yield important information regarding prehistory or history.

Integrity

The residence at 1445 W. Mission Boulevard retains its location, design, materials, workmanship, setting, feeling, and association. Therefore, the residence retains its integrity.

CALIFORNIA REGISTER OF HISTORICAL RESOURCES

The California Register of Historical Resources' eligibility criteria mirror those of the National Register of Historic Places. Therefore, 1445 W. Mission Boulevard is ineligible for listing in the California Register for the same reasons outlined above.

CITY OF ONTARIO HISTORIC LANDMARKS

Similarly, the City of Ontario's Historic Landmark criteria are similar to the National Register and California Register criteria. Therefore, 1445 W. Mission Boulevard is ineligible for designation as a Historic Landmark for the same reasons outlined above pursuant to Criteria A, B, and D. However, in addition to automatically designating properties listed in the National Register of Historic Places and the California Register of Historical Resources as Historic Landmarks, the City also recognizes eight additional criteria for designation:

(See Continuation Sheet page 11)

*B10. Significance: (Continued from Continuation Sheet page 10)

EVALUATION

Residence Continued

- a. It exemplifies or reflects special elements of the City's history;
- b. It is identified with persons or events significant in local, state, or national history;
- c. It is representative of the work of a notable builder, designer, architect, or artist;
- d. It embodies distinguishing architectural characteristics of a style, type, period, or method of construction;
- e. It is a noteworthy example of the use of indigenous materials or craftsmanship;
- f. It embodies elements that represent a significant structural, engineering, or architectural achievement or innovation;
- g. It has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community or the City; or,
- h. It is one of the few remaining examples in the City, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.

Criteria A, B, C, and F are reflected in the National Register of Historic Places and California Register of Historical Resources criteria analysis above.

The subject residence at 1445 W. Mission Boulevard embodies distinguishing architectural characteristics of the Craftsman style of architecture. The property is a strong example of this local interpretation of this style of architecture, and features many character-defining features such as central dormer, gable roof, exposed rafter tails, clapboard exterior, and original windows. Therefore, the residence is eligible for designation as a Historic Landmark pursuant to Criterion D.

The residence is not a noteworthy example of the use of indigenous materials or craftsmanship but was constructed circa 1912 by an unknown architect. Therefore the residence is not eligible for designation as a Historic Landmark pursuant to Criterion E.

The residence does not have a unique location, a singular physical characteristic, and is not an established and familiar visual feature of a neighborhood, community, or the City. Therefore the residence is not eligible for designation as a Historic Landmark pursuant to Criterion G.

The residence is not one of the few remaining examples in the City, region, state, or nation possessing distinguishing characteristics of an architectural or historical type of specimen, although it is a strong local example of Craftsman-style architecture. Therefore, the property is not eligible for designation as a Historic Landmark pursuant to Criterion H.

Based upon research and analysis, the residence located at 1445 W. Mission Boulevard appears to be individually eligible for designation as a Historic Landmark pursuant to Criterion D as a strong local example of Craftsman-style architecture. Therefore, the residence meets the criteria to be considered a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines.

Garage

The garage received extensive alterations in 1951, 1959 and 1963. The garage was originally a barn and was converted to a garage, was later moved, and then altered from a garage to an accessory building. Moreover, the garage does not retain its original exterior siding, windows, or footprint. Therefore, the garage does not retain integrity of location, design, materials, workmanship, setting, feeling, or association. Therefore, the garage does not possess sufficient integrity to be considered a contributing feature of the Historic Landmark-eligible property, and the garage does not meet the criteria to be considered a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines.

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, APPROVING FILE NO. PHP19-016, A CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A TIER III HISTORIC RESOURCE (A 2,117 SQUARE FOOT CRAFTSMAN BUNGALOW SINGLE-FAMILY RESIDENCE) TO ALLOW FOR CONSTRUCTION OF 22 MULTIPLE-FAMILY DWELLING UNITS, ON .88 ACRES OF LAND LOCATED AT 1445 WEST MISSION BOULEVARD, WITHIN THE HDR-45 (HIGH DENSITY RESIDENTIAL – 25.1 TO 45.0 DU/ACRE) ZONING DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1011-361-15

WHEREAS, AJ1 Development, LLC. (“Applicant”) has filed an application for the approval of a Certificate of Appropriateness, File No. PHP19-016, as described in the title of this Resolution (hereinafter referred to as “Project”); and

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

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

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

WHEREAS, the Application applies to 0.88 acres of land generally located on the south side of Mission Boulevard bound by Benson Avenue and Oaks Avenue, at 1445 West Mission Boulevard within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/AC) zoning district, and is presently improved with a historic 2,200 square foot single-family residence, detached garage, pool and shade structure; and

WHEREAS, the property to the north of the Project site is within the IL (Light Industrial zoning district and is developed with an automotive repair shop. The property to the east is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with multi-family residential. The property to the south is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with multi-family residential. The property to the west is within the HDR (High Density

Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with a convenience market; and

WHEREAS, the one-story, single-family 2,200 square foot residence built in the Craftsman architectural style was constructed in 1912 (est.), located at 1445 West Mission Boulevard, met local landmark criteria and was determined by the Historic Preservation Subcommittee, on March 21, 2019, to meet Tier III criteria (File No. PHP19-001); and

WHEREAS, Ontario Development Code Section 4.02.050 requires approval of a replacement structure or development plan by the City of Ontario prior to approval and issuance of a Certificate of Appropriateness for demolition; and

WHEREAS, on October 15, 2019 a Development Plan (File No. PDEV19-060) to construct 4 multi-family buildings totaling 22 dwelling units was submitted in conjunction with the Project; and

WHEREAS, the Project is contingent upon Planning Commission approval of the submitted Development Plan (File No. PDEV19-060); and

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

WHEREAS, on January 27, 2010, The Ontario Plan (TOP), File No. PGPA06-001 for which an Environmental Impact Report (State Clearinghouse No. 2008101140) was adopted by City Council, determining that demolition of Tier III historic resources results in significant and unavoidable impacts that cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the EIR for which a Statement of Overriding Consideration was documented; and

WHEREAS, the environmental impacts of this Project were previously reviewed in conjunction with TOP Environmental Impact Report (State Clearinghouse No. 2008101140) and this Application introduces no new significant environmental impacts; and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the

Historic Preservation Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project site was previously listed on the Housing Element Available Land Inventory, requiring development of the site with a minimum of 23 units; and

WHEREAS, on March 10, 2021, the Zoning Administrator of the City of Ontario approved a Housing Element Available Land Inventory Amendment to remove the property from the Available Land Inventory (File No. PADV21-001); 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 proposed Project is located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT; and

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

WHEREAS, on February 11, 2021, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing and issued Decision No. HPSC21-002, recommending the Historic Preservation Commission approve the Application; and

WHEREAS, on March 23, 2021, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-

making authority for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the previously certified TOP Environmental Impact Report (State Clearinghouse No. 2008101140) and supporting documentation, the Historic Preservation Commission finds as follows:

- (1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PGPA06-001, a General Plan Amendment for The Ontario Plan for which a Certified EIR was adopted by the City Council on January 27, 2010; and
- (2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- (4) The previous Certified EIR reflects the independent judgment of the City Council; and
- (5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

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

- (1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

- (a) The project will have one or more significant effects not discussed in the Certified EIR; or
- (b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or
- (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or
- (d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

policies and criteria set forth within the ALUCP.

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

(1) ***The proposed demolition is necessary because all efforts to restore, rehabilitate, and/or relocate the resource have been exhausted.*** The site is located within the HDR-45 (High Density Residential-25.1 to 45 DU/ac) zoning district. Restoration or rehabilitation of the historic resource is not feasible at the site due to the minimum density of the zoning district which requires the site development of a minimum of 22 dwelling units. However, relocation of the historic resource may be possible under certain conditions. Prior to demolition, the Project conditions of approval require advertisements be placed offering the home at no cost for those who can relocate the home off site; and

(2) ***The proposed demolition is necessary because restoration/rehabilitation is not practical because the extensive alterations required would render the resource not worthy of preservation.*** The proposed multi-family residential development at the Project site is consistent with existing surrounding development and land use. Rehabilitation of the single-family residential building and incorporation into the multi-family residential development is not feasible due to the minimum development standards required for the HDR-45 zoning district; and

(3) ***The proposed demolition is necessary because failure to demolish the resource would adversely affect or detract from the character of the District.*** The resource is not located within a potential, proposed or designated historic district. The surrounding properties are developed with multi-family, commercial and industrial buildings that do not have potential to become a historic district; and

(4) ***The resource proposed to be demolished has been assigned a Tier III designation.*** The HPSC designated the single-family residence a Tier III historic resource on March 21, 2019. A cultural assessment and evaluation of the Project site was prepared on June 22, 2018. The survey found that the property was not eligible for listing on the National and California Registers.

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

SECTION 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 Historic Preservation Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of March 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Rudy Zeledon
Planning Director and Secretary of the
Historic Preservation Commission

Historic Preservation Commission Resolution
File No. PHP19-016
March 23, 2021
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. , was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on March 23, 2021 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:
File No. PHP19-016
Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR21-001, A VARIANCE TO REDUCETHE NUMBER OF ON-SITE PARKING SPACES, FROM 46 TO 42 SPACES, FOR THE CONSTRUCTION OF 22 MULTIPLE-FAMILY DWELLING UNITS, ON .88 ACRES OF LAND LOCATED AT 1445 WEST MISSION BOULEVARD, WITHIN THE HDR-45 (HIGH DESNTIY RESIDENTIAL – 25.1 TO 45.0 DU/ACRE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1011-361-15.

WHEREAS, AJ1 Development, LLC ("Applicant") has filed an Application for the approval of a Variance, File No. PVAR21-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.88 acres of land generally located on the south side of Mission Boulevard bound by Benson Avenue to the east and Oaks Avenue to the west, at 1445 West Mission Boulevard within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/AC) zoning district, and is presently improved with a historic 2,200 square foot single-family residence, detached garage, pool and shade structure; and

WHEREAS, the property to the north of the Project site is within the IL (Light Industrial zoning district and is developed with an automotive repair shop. The property to the east is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with multi-family residential. The property to the south is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with multi-family residential. The property to the west is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with a convenience market; and

WHEREAS, the Variance was submitted in conjunction with a Certificate of Appropriateness (File No. PHP19-016) and Development Plan (File No. PDEV19-060) that proposes to demolish all existing buildings on site and construct a 22-dwelling unit multiple-family residential project on .88 acres of land; and

WHEREAS, the Variance proposes to deviate from the required off-street parking, from 46 spaces to 42 spaces. Due to the substandard lot width and size of the Project site, the Variance will facilitate the related development proposed, while allowing the Project to meet the minimum density, required setbacks, open space, amenities and provide the required turnaround for emergency and refuse vehicles. The proposed Project, with the Variance request, will support a superior site design for the multiple-family project.

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

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

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

WHEREAS, the Project site was previously listed on the Housing Element Available Land Inventory, requiring development of the site with a minimum of 23 units; and

WHEREAS, on March 10, 2021, the Zoning Administrator of the City of Ontario approved a Housing Element Available Land Inventory Amendment to remove the property from the Available Land Inventory (File No. PADV21-001); 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 March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The Project is categorically exempt from environmental review pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but limited to: [a] Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel; [2] issuance of minor encroachment permits; and [3] Reversion to acreage in accordance with the Subdivision Map Act; and

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

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

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** The .88-acre site does not meet the minimum Development Code standards for lot size and width for projects located in the HDR-45 (High Density Residential – 25.1 to 45.0 DU/AC) zoning district. The narrow lot width constrains the site design to a Motorcourt configuration to meet the minimum project density, with parking, amenities, and refuse enclosure located at the south end (rear) of the lot. Other site configurations were explored for the Project that met the minimum parking standards, but created deficiencies in setbacks, open space, and resulted in substandard amenities and unsafe conditions or did not provide the required turnaround for emergency and refuse vehicles. These deficiencies do not meet the objectives of high-quality residential development as contained in the Development Code and The Ontario Plan. Strict interpretation and enforcement of the required off-street parking for the proposed Project would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code.

(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 .88-acre site does not meet the minimum Development Code standards for lot size and width for projects located in the HDR-45 (High Density Residential – 25.1 to 45.0 DU/AC) zoning district. The narrow lot width constrains the site design to a Motorcourt configuration to meet the minimum project density, with parking, amenities, and refuse enclosure located at the south end (rear) of the lot. Other properties in the vicinity in the same zoning district that have been developed with multiple-family residential projects were not restricted by a substandard lot size and width.

(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 off-street parking requirements 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.

(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 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. The Project meets all other Development Code requirements, including but not limited to minimum density, required setbacks, open space, amenities and provides the required turnaround for emergency and refuse vehicles. There will also be street parking available along the project frontage on Mission Boulevard.

(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 Project is located with the High-Density Residential land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential-25.1 to 45.0 DU/AC) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

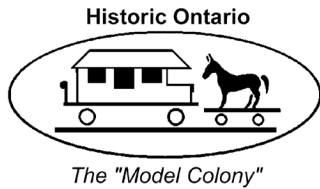
ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PVAR21-001
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



CERTIFICATE OF APPROPRIATENESS- DEMOLITION

CONDITIONS OF APPROVAL

Date: March 23, 2021
File No.: PHP19-016 (Related File Nos. PDEV19-060 & PVAR21-001)
Location: 1445 West Mission Boulevard (APN: 1011-361-15)
Prepared By: Elly Antuna, Associate Planner

Description:

A request for a Certificate of Appropriateness to demolish a Tier III historic resource (a 2,117 square foot Craftsman Bungalow single-family residence) to allow for construction of 22 multiple-family dwelling units on .88-acre of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 DUs/acre) zoning district.

Conditions:

1. The Certificate of Appropriateness shall become void twenty-four (24) months from the date of approval unless a building permit has been issued and work authorized by this approval has commenced prior to the expiration date and is diligently pursued to completion.
2. Approval of this request is contingent upon Planning Commission approval of related Development Plan, File No. PDEV19-060.
3. Prior to issuance of demolition building permit, every effort shall be made to relocate the home. The home shall be offered at no cost for those who can relocate the home off site. Advertisements notifying the public of the opportunity to relocate the home shall be placed for a minimum of 60 days: on-site with temporary signage, in at least 3 local publications (newspapers, magazines, local organization newsletters), and on local bulletin boards (realtor's offices, local business). Applicant shall notify a minimum of 5 non-profit heritage organizations in writing of the home. A social media campaign including a dedicated web page with the home's information (description, square footage, photographs) and contact information should be incorporated into the home's advertisement.
4. Full documentation, including but not limited to as built drawing, historical narrative and HABS photographs, of the historic resource pursuant to Historic American Building Survey (HABS) Level 3 standards shall be submitted to the Planning Department for subsequent release to the Ovitt Family Community Library, Model Colony History Room prior to issuance of demolition building permit.

Conditions of Approval

File No.: PHP19-016

February 11, 2021

5. A mitigation fee pursuant to Section 7.01.030 of the Ontario Development Code shall be paid to the Planning Department prior to issuance of building permit for demolition. For Tier III structures, this mitigation fee is equal to 10% of the price per square foot construction cost as established in the most current ICC Building Valuation Data. The fee amount will be provided by the Planning Department at the time of payment.
6. A determination whether items within or on the resource should be salvaged shall be made by the Planning Department. The applicant shall be responsible for the removal, relocation and donation of such items selected for salvaging. An inventory of salvaged items shall be provided by the applicant to the Planning Department prior to be to issuance of building permit.
7. The applicant shall obtain a building permit prior to any demolition, relocation, or construction.
8. Any deviation from the approved plans shall require approval of the Planning Department and, if necessary, the Historic Preservation Commission.
9. Conditions of Approval table shall be reproduced onto the all plans submitted for permits.



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

Planning Department Conditions of Approval

Meeting Date: March 23, 2021
File No: PVAR21-001
Related Files: PHP19-016 and PDEV19-060

Project Description: A Variance to reduce the required number of off-street parking spaces from 46 to 42 for the construction of 22 multiple-family dwelling units, on 0.88-acres of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential-25.1 to 45.0 DU/ac) zoning district. (APN: 1011-361-15); **submitted by AJ1 Development, LLC.**

Prepared By: Elly Antuna, Associate Planner
Phone: 909.395.2414 (direct)
Email: eantuna@ontarioca.gov

The Planning Department, 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 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 Parking, Circulation and Access.

(a) Parking Management plan shall be reviewed and approved by the Planning Department and shall require garages to maintain an interior clear space of 10 FT x 20 FT for single car garages and 20 FT x 20 FT for 2-car garages to be used for parking.

(b) 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).

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

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

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

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.4 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but limited to:

(i) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;

(ii) issuance of minor encroachment permits; and

(iii) Reversion to acreage in accordance with the Subdivision Map Act.

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

2.6 Additional Fees.

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

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

2.7 Additional Requirements.

(a) Variance approval is contingent upon Planning/Historic Preservation Commission approval of the related Certificate of Appropriateness (File No. PHP19-016) and Development Plan (File No. PDEV19-060) applications.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-060, A DEVELOPMENT PLAN TO CONSTRUCT 22 MULTIPLE-FAMILY DWELLING UNITS, ON .88 ACRES OF LAND LOCATED AT 1445 WEST MISSION BOULEVARD, WITHIN THE HDR-45 (HIGH DENSITY RESIDENTIAL – 25.1 TO 45.0 DU/ACRE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1011-361-15.

WHEREAS, AJ1 Development, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-060, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.88 acres of land generally located on the south side of Mission Boulevard bound by Benson Avenue and Oaks Avenue, at 1445 West Mission Boulevard within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/AC) zoning district, and is presently improved with a historic 2,200 square foot single-family residence, detached garage, pool and shade structure; and

WHEREAS, the property to the north of the Project site is within the IL (Light Industrial zoning district and is developed with an automotive repair shop. The property to the east is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with multi-family residential. The property to the south is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with multi-family residential. The property to the west is within the HDR (High Density Residential- 25.1 to 45.0 DU/Acre) zoning district and is developed with a convenience market; and

WHEREAS, the Project will facilitate the construction of 22 multiple-family dwelling units and a recreational area. Dwelling units will be constructed in 4 floor plans and will range in size from 571 to 1,204 square feet in size. The Project will consist of 4 buildings constructed in the Craftsman architectural style; and

WHEREAS, the Project has provided 42 off-street parking spaces. The "Multiple-Family Residential" parking standards specified in the Development Code requires 46 parking spaces. The Applicant has applied for a Variance to allow for a 9 percent reduction of required off-street parking; and

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

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

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

WHEREAS, the Project site was previously listed on the Housing Element Available Land Inventory, requiring development of the site with a minimum of 23 units; and

WHEREAS, on March 10, 2021, the Zoning Administrator of the City of Ontario approved a Housing Element Available Land Inventory Amendment to remove the property from the Available Land Inventory (File No. PADV21-001); 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 March 15, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-005, recommending that the Planning Commission approve the Application; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill development meeting each of the following conditions: [1] the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; [2] the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; [3] the project site has no value as habitat for endangered, rare or threatened species; [4] approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] The site can be adequately served by all required utilities and public services; and

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

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

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is

not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the High-Density Residential land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential-25.1 to 45.0 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.

(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 HDR-45 (High Density Residential-25.1 to 45.0 DU/Acre) zoning district, 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 Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan.

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

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-060
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 Conditions of Approval

Meeting Date: March 23, 2021
File No: PDEV19-060
Related Files: PHP19-016, PDEV19-060 and PVAR21-001

Project Description: A Development Plan to construct 22 multiple-family dwelling units and Variance to reduce the required number of off-street parking spaces from 46 to 42, on 0.88-acres of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential-25.1 to 45.0 DU/ac) zoning district. (APN: 1011-361-15); **submitted by AJ1 Development, LLC.**

Prepared By: Elly Antuna, Associate Planner
Phone: 909.395.2414 (direct)
Email: eantuna@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

(a) New block walls constructed along the western perimeter of the project site shall be constructed of block covered in stucco to match the building with a decorative concrete cap.

(b) Existing precision block walls along the east and south property lines shall be covered in stucco to match the building with a decorative concrete cap.

(c) Front yard wall, fence and gate design shall not exceed 3 feet in height and shall feature ornamental iron railings with decorative river rock columns.

2.5 Parking, Circulation and Access.

(a) Parking Management plan shall be reviewed and approved by the Planning Department and shall require garages to maintain an interior clear space of 10 FT x 20 FT for single car garages and 20 FT x 20 FT for 2-car garages to be used for parking.

(b) 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).

(c) 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.

(d) All drive aisles shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete.

(e) 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.

(f) 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.

(g) 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).

(h) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.11 Environmental Review.

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

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

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

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

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

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

2.12 Indemnification. The applicant/owner 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) Play equipment shall feature a design to complement the Craftsman architectural style. Play equipment shall be reviewed and approved by the Planning Department Landscape Division prior to installation.

(b) Development Plan approval is contingent upon Planning/Historic Preservation Commission approval of the related Certificate of Appropriateness (File No. PHP19-016) and Variance (File No. PVAR21-001) applications.

(c) Development Plan approval shall not be final and conclusive until the related Housing Element Land Inventory Amendment (File No. PADV21-001) application has been approved by the Zoning Administrator.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> 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. PDEV19-060 RELATED FILE NO(S). PHP19-016	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Elly Antuna (909) 395-2414

DAB MEETING DATE: March 15, 2021

PROJECT NAME / DESCRIPTION: A Development Plan to construct 22 multiple-family dwelling units on 0.88-acre of land, within the HDR-45 (High Density Residential – 25.1 to 45.0 DUs/acre) zoning district

LOCATION: 1445 West Mission Boulevard

APPLICANT: AJ1 Development Plan

REVIEWED BY: Raymond Lee 2/25/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: Khoi Do 2-26-21
 Khoi Do, P.E. Date
 City Engineer



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

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.

(1) _____

(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a 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 a portion of Lot 3, Block 18 of Monte Vista Tract No. 2, as per map recorded in Book 16, Page 33 of Maps, in the office of the County Recorder of San Bernardino.**
- 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 COA 2.11)**



- 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&Rs shall also address the access, 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.
- 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:
- A. Mission Blvd to the ultimate half street right-of-way width of 77 feet along the project frontage
- 2.11 Dedicate to the City of Ontario the following easement(s):
- A. 15 feet wide easement for public utility purposes along the sewer main extension and manhole at the southeast corner of the property. See COA 2.26.
- 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. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.**



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	Mission Boulevard	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 checked="" type="checkbox"/> New (A) <input checked="" type="checkbox"/> Remove and replace (B)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace (C)	<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 checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
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"/> 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 checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
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 checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
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:

- A. The proposed driveway approach shall be designed with radial curb returns per City Std. No. 1205.**
- B. The existing driveway approaches shall be removed and replaced with curb, gutter, and sidewalk per City Std. No. 1201 and 1209.**
- C. Remove existing sections of asphalt sidewalk and replace with concrete sidewalk per City Std. No. 1209.**



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
- A. Mission Blvd along project frontage from curb face to curb face**
- 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 \$46,722, for undergrounding of utilities in Mission Blvd along the project frontage in accordance with Section 7-7.303.e of the City's Municipal Code (\$350 / LF and for 133.49 LF Mission Blvd frontage).**
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 8 inch sewer main is available for connection by this project at the southeast corner of the property. (Ref: Sewer plan bar code: S12262)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - A. Provide a 15 feet wide Public Utilities Easement (PUE) centered on the public sewer main extending from the boundary of Parcel Map No. 8598, containing the new sewer manhole, and ending 10 feet west of the said manhole. See Conceptual USM for additional details.**
 - B. The Onsite Sewer System proposed by the project shall be privately owned and maintained with a point of connection within the new public utility easement. Sewer lines shall not be located under or within storm water conveyance areas, infiltration areas, detention/retention areas, or bioswales.**

D. WATER

- 2.27 **A 8 inch water main is available for connection by this project in Mission Blvd. (Ref: Water plan bar code: W12077)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - A. Abandon all unused existing water service(s) at the main and remove a section of the existing service adjacent to the main.**
 - B. Install separate services with backflow protection devices for domestic water, irrigation and fire service.**
 - C. The onsite water system shall be privately owned and maintained.**



E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____.
(Ref: Recycled Water plan bar code: _____)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - A. Mission Boulevard within 40 feet west of the project driveway shall be signed "No Parking Anytime." Signs shall be shown on the improvement plans, in conformance with all applicable standards, and to the satisfaction of the City Engineer.
 - B. If the City's TCC Active Transportation Project has not completed frontage improvements at the time of construction, then the applicant/developer will be required to construct the necessary public improvements.
 - C. Remove all existing driveway approaches that are not being used and replace them with full height curb and gutter per City of Ontario Standards.
 - D. Remove the existing asphalt concrete sidewalk and replace it with concrete sidewalk in accordance with City of Ontario Standards.
 - E. Design and construct the proposed driveway approach in accordance with City of Ontario Standard Drawing No. 1205 for Residential Driveway Access II. The driveway shall have a radiused approach.
 - F. The proposed site shall not be gated. If the applicant/developer wishes to install gates, adequate turn around shall be provided for vehicles entering the site and not able to gain access.
 - G. The site shall be limited to right-turn ingress/egress only.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____)



- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. 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:**
 - A. The onsite storm drain system, including but not limited to, the sump pump shall be privately owned and maintained.**
 - B. Pay an in-lieu fee, approximately \$62,572 for the project's fair share of the future construction of the 54" storm drain line on Mission Blvd per the Master Plan of Drainage.**

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

- 2.44 **401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.**
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 **Other conditions:** _____



J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontage of Mission Blvd.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
- A. Final Solid Waste Handling Plan (SWHP): The PDEV19-060 Solid Waste Handling Plan, dated 08/29/2019, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "Solid Waste Handling Plan Requirements".
 - B. Integrated Waste Management Report (IWMR): The applicant shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.

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

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



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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV19-060, and/or Parcel Map/Tract Map No. _____

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

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Elly Antuna, Associate Planner
Planning Department

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

DATE: November 7, 2019

SUBJECT: PDEV19-060 – A Development Plan to construct 23 multiple-family dwellings on 0.88-acre of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 DUs/acre) zoning district (APN: 1011-361-15).

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies, Multiple Buildings
- D. Number of Stories: 2
- E. Total Square Footage: Varies
- F. 2016 CBC Occupancy Classification(s): R-2

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

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

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily 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.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

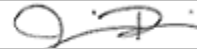
5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

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

DAB CONDITIONS OF APPROVAL

Sign Off



09/10/2020

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV19-060

Case Planner:

Elly Antuna

Project Name and Location:

23 Multiple-Family
 1445 W Mission Blvd.

Applicant/Representative:

Firas Jamal
 9744 Maple Street #101
 Bellflower, CA 90706



A Preliminary Landscape Plan (dated 09/02/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Call out planting areas on grading plans or add landscape hatch to legend.
2. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
3. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.
4. 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.
5. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
6. Show backflow devices set back 4' from paving all sides. Locate on level grade
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. 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

9. Provide detail for play equipment; manufacturer, colors, features. Consider nature play elements such as balance logs, climbing boulders, and ropes; see Play Core and Landscape Structures for examples.
10. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
11. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
12. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
13. Replace invasive, high water using, short lived, high maintenance or poor performing plants: Replace Phormium, Abelia, Blue-eyed grass, and Snowberry; consider long lived evergreen shrubs such as Salvia clevelandii and 'Bee's Bliss', and groundcovers such as Yarrow and Bulbine.
14. Call out all fences and walls, materials proposed and heights.
15. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
16. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
17. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
18. Provide phasing map for multi-phase projects.
19. 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.....	<u>\$1,579.00</u>
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.: PDEV19-060
 Address: 1445 West Mission Blvd.
 APN: 1011-361-15
 Existing Land Use: Single Family Residence
 Proposed Land Use: Development Plan to construct 23 multi-family homes
 Site Acreage: 0.88 Proposed Structure Height: 24 FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Elly Antuna
 Date: 12/17/19
 CD No.: 2019-079
 PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2019-079
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 policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT provided the following conditions are met.

New Residential land uses are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

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



CITY OF ONTARIO

MEMORANDUM

TO: Elly Antuna, Associate Planner

FROM: Officer Emily Hernandez, Police Department

DATE: June 19, 2020

SUBJECT: PDEV19-060-REV-1: A DEVELOPMENT PLAN TO A CONSTRUCT 23 MULTI-FAMILY DWELLINGS LOCATED AT 1445 W. MISSION BOULEVARD.

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- Bollards shall be placed as a barrier between the kids play area and the parking stalls on the south side.
- Landscaping in the common space and kids play area shall adhere to a 2-foot ground and 8-foot canopy height to maintain visibility in all areas of the shared space.

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Elly Antuna
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 23, 2019
SUBJECT: PDEV19-060

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Chairman and Members of the Planning Commission

FROM: Rudy Zeledon, Planning Director *RZ*

DATE: March 23, 2021

SUBJECT: ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS, DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP REVIEW FOR FILE NOS. PHP20-014, PDEV20-014 AND PMTT20-004: A Certificate of Appropriateness (File No. PHP20-014) and a Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location approximately 130 feet southeast to the corner of the site in conjunction with a Tentative Parcel Map (File No. PMTT20-004/TPM 20255) to subdivide 1.1-acres of land into 4 lots within the LDR-5 (Low Density Residential –2.1 to 5.0 DU/Acre) zoning district located at 730 West Fourth Street. A Mitigated Negative Declaration of environmental effects has been prepared for this project. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1047-594-52) **submitted by Fred Herzog**

Staff is recommending that the above-described item be continued to the April 27, 2021, Planning Commission meeting.

FILE NOS: PGPA19-006 and PSPA19-008

SUBJECT: A General Plan Amendment (File No. PGPA19-006) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 14.29 acres of land from Office Commercial to Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes, in conjunction with a Specific Plan Amendment (File No. PSPA19-008) revising the Haven Gateway Centre Specific Plan, changing the land use designation on the project site from Commercial/Office to Industrial, generally located at the northeast corner of Haven Avenue and SR-60 Freeway (APN:1083-321-01); **submitted by Executive Development, LLC. City Council action is required.**


PROPERTY OWNER: Rincon Road, LLC.

RECOMMENDED ACTION: That the Planning Commission consider and recommend the City Council take the following actions:

- (1) Adopt a resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); and
- (2) Adopt resolutions approving File Nos. PGPA19-006 and PSPA19-008, 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 consists of approximately 162 acres of land within southeast Ontario. The site is generally rectangular in shape and is relatively flat, with a varying one to two percent slope to the southeast. The site has been historically used for agriculture uses, including vineyards and row crop production.

The project site is bordered to the north by a mix of commercial and industrial warehouse development, SR-60 (Pomona Freeway) to the south, industrial warehouse uses to the east, and a mix of commercial, hotel, and restaurant uses across Haven Avenue to the west, and is depicted in Figure 1: Project Location, below. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	10-18-19

Hearing Body	Date	Decision	Action
DAB	N/A	N/A	N/A
PC	3-23-21	Recommend	Final
CC	4-20-21		Final



Figure 1: Project Location

PROJECT ANALYSIS:

(1) Background — The Haven Gateway Centre Specific Plan and the Haven Gateway Centre Specific Plan Environmental Impact Report (State Clearinghouse No. 90020570) were certified by City Council on March 1991. The Haven Gateway Centre Specific Plan established the land use designations, development standards, and design guidelines on 162 acres of land, which includes the potential development of 3,528,360 square feet of industrial, business park and commercial/office uses.

Adopted in 2010, The Ontario Plan ("TOP") serves as the framework for the City's business plan and sets forth the land use pattern for the City to achieve its Vision. TOP consists of six 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. The related Environmental Impact Report ("EIR") was certified by the City Council on January 27, 2010. TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by implementation of The Ontario Plan. Consequently, TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan (contained within the Policy Plan) and impacts from the resulting population and employment growth.

On October 15, 2019, the applicant submitted the subject General Plan Amendment (File No. PGPA19-006) and Specific Plan Amendment (File No. PSPA19-008) to facilitate the

development of a 281,000 square foot industrial warehouse building on the 14.29-acre subject site. A Development Plan (File No. 19-057) application is currently undergoing staff review and will be heard at a future date. Approval of the Development Plan would be contingent upon City Council approval of the subject General Plan and Specific Plan Amendments.

(2) Analysis —

(a) General Plan Amendment (File No. PGPA19-006) — The proposed General Plan Amendment will modify the Policy Plan (General Plan) Land Use Plan, changing the land use designation on the subject site from Office Commercial to Industrial. The requested land use change will coordinate well with existing industrial land uses to the east and northeast of the project site (See Figure 2: General Plan Amendment, below).

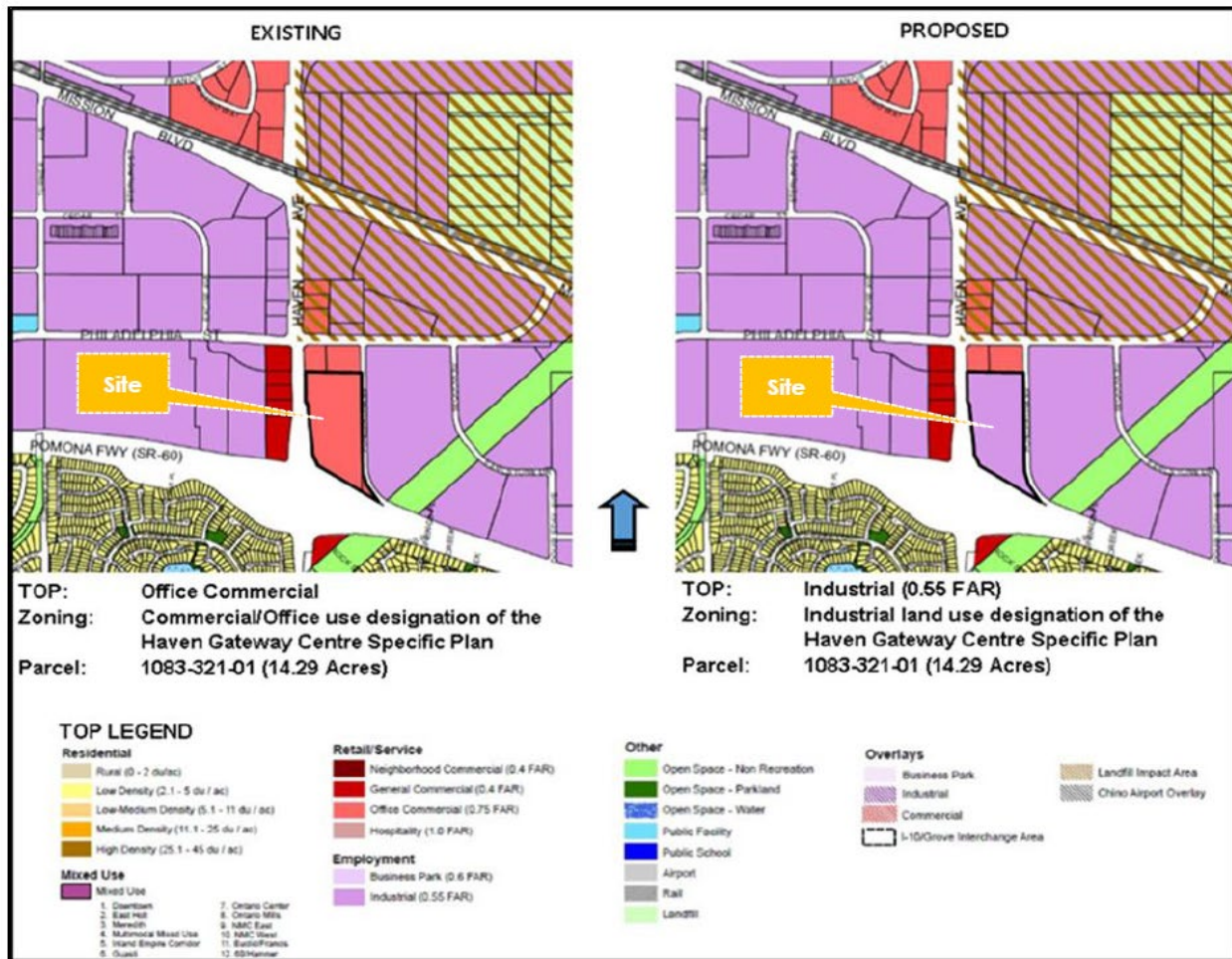


Figure 2: General Plan Amendment

The proposed land use change will replace 14.29 acres of Office Commercial designated land and 475,855 square feet of potential commercial space with an equal amount of

Industrial designated land allowing up to 342,360 square feet of industrial/warehouse/distribution space. The proposed change, if approved, will be reflected on the Policy Plan Exhibit LU-01, Land Use Plan Map, and Policy Plan Exhibit LU-03, Future Buildout Table.

To analyze the economic market impacts of the proposed General Plan Amendment, a Market Feasibility Study was prepared for the Project, which found that the current market indicates that the project site is best suited for industrial development (see Exhibit D—Feasibility Market Study, attached).

The key findings of the study are:

- The Competitive Market Area (CMA) has experienced low vacancy rates and strong rent growth in the industrial market;
- The industrial market has outperformed the office market over the last 5 years;
- The retail market has underperformed and will continue to underperform in an oversupply market;
- Proximity to the 60, the I-10 and the I-15 allows great regional access; and
- The immediate surrounding area is currently developed with industrial development. The majority of office and retail land uses are located along the I-10 freeway. Office and retail at the project site will increase vacancy risk and decrease rents due to being in an inferior location.

Therefore, as a result of the Feasibility Market Study findings, no new negative impacts are anticipated.

(b) Haven Gateway Centre Specific Plan Amendment (File No. PSPA19-008) — The proposed Amendment to the Haven Gateway Centre Specific Plan will change the land use designation on the subject site from Commercial/Office, limited by the Specific Plan to 245,242 square feet of commercial/office space, to Industrial, limited to 281,000 square feet of industrial space (See Figure 3: Specific Plan Land Use Amendment, below). This Specific Plan Amendment will facilitate the future development of an industrial warehouse building, which is currently undergoing Planning Department review (File No. PDEV19-057 -- see Exhibit C—Conceptual Development Plan, attached). The requested change will also coordinate well with the existing land uses to the east and northeast of the project site, as it is currently designated for Industrial development.

In addition to the land use change shown in Figure 3: Specific Plan Land Use Amendment, this Specific Plan Amendment will be revise the Haven Gateway Specific Plan Land Use Summary table, as shown below, to reflect the proposed land use changes.

Land Use Summary Table		
Land Use	Land Area in Acres	Maximum Building Area in Square Feet
Industrial	123 <u>137.29</u>	2,678,940 <u>2,959,940</u>
Business Park	19	413,820
Commercial/Office	20 <u>5.71</u>	435,600 <u>190,358</u>
Total	162	3,528,360 <u>3,564,118</u>

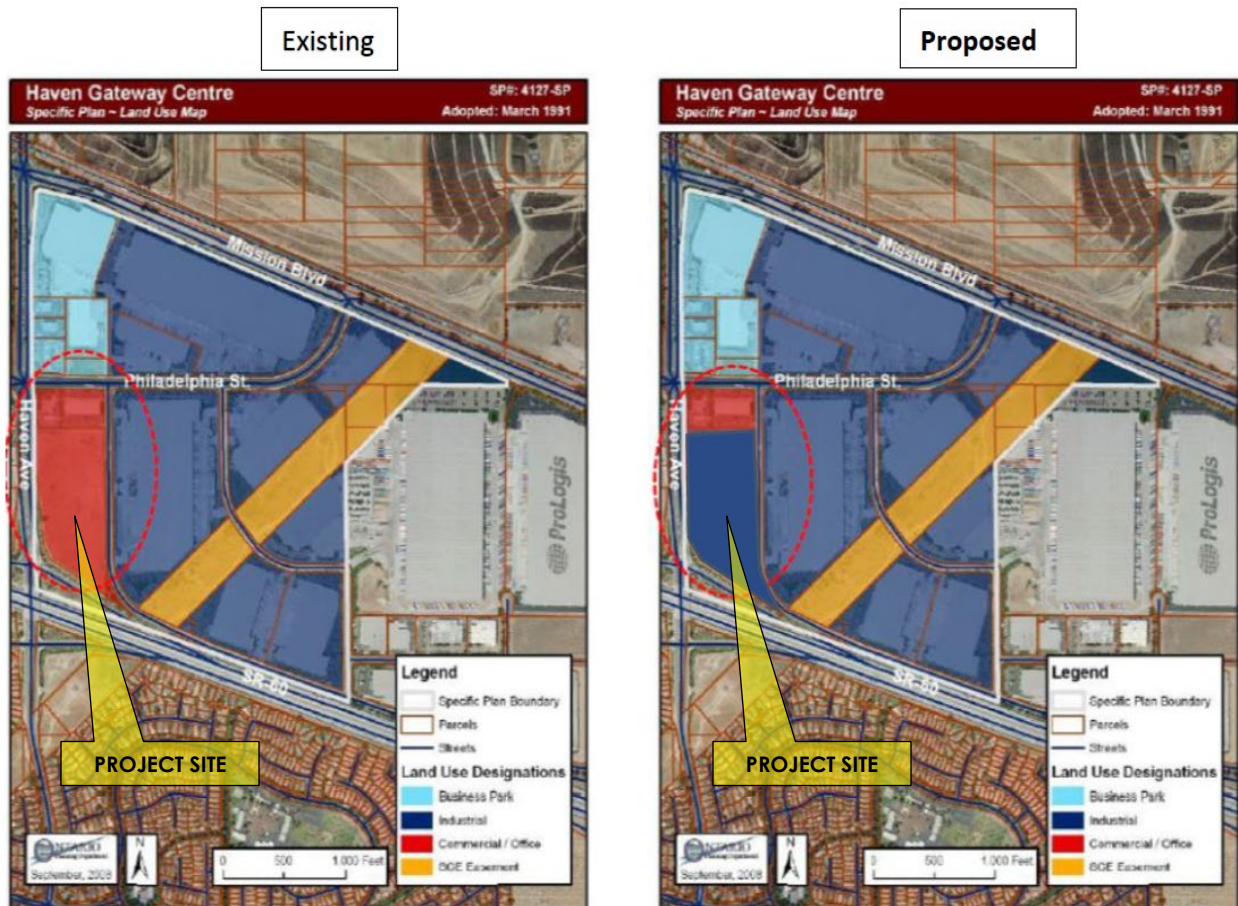


Figure 3: Specific Plan Land Use Amendment

To analyze the traffic impacts of the requested land use change, a Trip Generation Comparison was conducted by the City's Traffic Engineering Division. The study

compared an Office Park use, versus an Industrial Warehouse/Distribution use at a FAR of 0.55. The proposed GPA is forecast to result in 3,585 fewer daily Average Daily Trips (ADT) compared to the maximum allowable development under existing Office/Commercial General Plan land use designation. In addition, the study found 482 fewer Passenger Commuter Equivalent (PCE) trips during the AM peak hour and 340 fewer PCE trips during the PM peak hour (see Exhibit B—Trip Generation Comparison, attached). As a result of the Trip Generation Comparison, no new negative impacts are anticipated.

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

(1) City Council Goals.

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

(2) Vision.

Prosperous Economy:

➤ Mature and highly productive industrial areas that set the standards in the region for efficient land use, environmental management and workforce employment opportunities.

(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.

➤ LU1-5 Jobs-Housing Balance. We coordinate land use, infrastructure, and transportation planning and analysis with regional, county and other local agencies to further regional and subregional goals for jobs-housing balance.

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

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

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

Community Economics Element:

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

- 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.

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

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

- CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.
- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
 - 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 to be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.
- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.
- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

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

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

ENVIRONMENTAL REVIEW: Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This project introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
<i>Site</i>	Vacant	Office Commercial	Haven Center Gateway Specific Plan	Commercial/Office
<i>North</i>	Gas Station/Business Park	Office Commercial	Haven Center Gateway Specific Plan	Commercial/Office
<i>South</i>	SR-60 Pomona Freeway	Freeway	N/A	N/A
<i>East</i>	Industrial Warehouse Use	Industrial	Haven Center Gateway Specific Plan	Industrial
<i>West</i>	Hotel, Fast Food, and Gas Station	General Commercial	California Commerce Center South SP	Commercial/Office

Exhibit A—LU-03 Future Buildout (Revised)



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,058	4,231		
Low Density ⁶	7,231	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,477	121,816		
Low-Medium Density ⁶	992	8.5 du/ac	8,432	33,704		
Medium Density	1,921	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,724	135,508		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,857		85,107	316,729		
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	• 47% of the area at 39.46 du/ac • 48% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	1,725	3,450	832,497	975
• 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 at 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 0.70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.50 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.50 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.70 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.30 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
Subtotal	1,627		15,869	31,738	33,658,311	69,797

Exhibit A—LU-03 Future Buildout (Revised)



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	285	0.30 FAR			3,725,556	9,015
General Commercial	446	0.30 FAR			5,827,805	5,414
Office/Commercial	447 433	0.75 FAR			14,612,311 14,145,457	32,405 31,369
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	1,320 1,306				30,343,352 29,876,497	53,916 52,880
Employment						
Business Park	1,259	0.40 FAR			21,940,980	38,495
Industrial	6,808 6,822	0.55 FAR			163,101,440 163,443,800	143,304 143,605
Subtotal	8,067 8,081				185,042,420 185,384,780	181,799 182,100
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	621	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,891	Not applicable				
Subtotal	9,915					
Total	31,786		100,976	348,467	249,044,003 248,919,589	305,512 304,778

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 B—Trip Generation Comparison

Trip Generation Comparison									
Land Use	Size	Units	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
<i>Proposed Land Use - 281,000 SF Building</i>									
Industrial Warehouse ¹	281	TSF							
Trip Rate			1.74	0.13	0.04	0.17	0.05	0.14	0.19
Trip Generation			489	37	11	48	14	39	53
<i>Existing Land Use - 367,864 SF Building</i>									
Office Park ²	368	TSF							
Trip Rate			11.07	1.28	0.16	1.44	0.07	1.00	1.07
Trip Generation			4074	472	58	530	28	366	394
TOTAL TRIP GENERATION (Proposed - Existing)			-3585	-435	-47	-482	-14	-327	-340
¹ Industrial Warehousing - ITE Land Use 150 ² Office Park - ITE Land Use 750									

Exhibit C—Proposed Conceptual Development Plan



Exhibit D—Market Feasibility Study

(Document follows this page)



Industrial/Warehouse Opportunity in Ontario, California (Haven Gateway Centre)

Report Prepared for
Executive Development
December 2020

EXECUTIVE SUMMARY

HAVEN GATEWAY CENTRE - ONTARIO, CA DECEMBER 2020

Project Overview

Background & Objectives Executive Development is pursuing the entitlement and development of a property on a 14.9 acre parcel at the north east quadrant of Haven Avenue and the 60 Freeway in Ontario. The Property is located in the Haven Gateway Specific Plan area with a commercial/ office land use designation

At this time, Executive Development is proposing the Industrial land use designation, consistent with adjacent parcels, and requires a market analysis to confirm support of their plan. The objective of the assignment is to prepare market driven support for the industrial/warehouse development over potential commercial/ office development on-site. To meet this objective, The Concord Group completed the following scope of work:

	<u>Scope of Work</u>	<u>Section</u>
1.	Assess the overall market environment for new industrial and commercial/ office development in the property's Competitive Market Area	1A, 2A, 2B B1, C1, D1
2.	Visit and evaluate the property and market area with regard to location ,access and future improvements, surrounding land uses, proximity you services, commute times to major employment center, amenities, etc.	1B, 1C
3.	Quantify and characterize the supply of existing and planned retail in the CMA and surveyed projects in CMA relative to mart performance (occupancy, lease rates)	4A, 4B, 4C B3, C3, D3
4.	Assessed relative (over)/under supply conditions in the MCA based on a comparison of current and planned inventory and demand	B6, C6, D6
5.	Conclude to the market viability of industrial/ warehouse vs commercial/ office product at the subject site	

Key Conclusions

TCG's market analysis indicates that the Subject Site's market driven best land use is industrial and is ill-suited for commercial/ office development. TCG's conclusion is based on three key market findings:

- Strong Industrial Market**
 - The CMA has experienced low vacancy rates and strong rent growth despite a large number of deliveries in the CMA. With demand expected to exceed supply over the next 10 years the industrial market is poised for outsized rent growth and strong absorption potential
 - The industrial market has outperformed the office market over the last 5-years and in the near-term
 - The retail market has underperformed and will continue to under perform in an oversupplied market
- Regional Connectivity**
 - Proximity to the 60, the I-10 and the I-15 allows great regional access throughout southern California and access to major transportation nodes like the Port of Long Beach/Los Angeles and multiple airports
- Surrounding Land Uses**
 - The surrounding landscape of the Subject Site is currently all industrial developments. Majority of office and retail product is located along the I-10 freeway north of the Ontario Airport. Office and retail product at the Subject Site would increase vacancy risk and decreased rents due to being in an inferior location for their respective products

Strong fundamentals from the industrial market, and the surrounding landscape of the Subject Site prove the market viability of industrial on-site. The retail market's poor performance over the last 5 years compounded by the future supply vs demand projections, nullifies the viability of retail.

While the office market has performed moderately well, this is attributed to the lack of office activity. The site location is not feasible for office development as tenants will prefer more desirable locations along the I-10. In sum, the Subject Site is best suited for industrial land use, the Subject possesses the necessary growth metrics, supply vs. demand dynamics and location to attract industrial tenants

EXECUTIVE SUMMARY

HAVEN GATEWAY CENTRE - ONTARIO, CA DECEMBER 2020

Location & Market Area Definitions

- Haven Gateway Centre is located on the western edge of the Inland Empire, California in the city of Ontario in a predominately industrial neighborhood
- The Site benefits greatly from its regional connectivity as the site sits on top of the 60 freeway and near the I-10 and I-15 providing access throughout all of southern California
 - The Subject Site also possesses easy access to multiple transportation nodes including the Ontario International Airport, LAX Airport, March Inland Port Airport and the Port of Long Beach/Los Angeles
- The Site also benefits from location within a Foreign Trade Zone ("FTZ"). Foreign trade zones offer numerous benefits including cost and time savings on imported materials and products
- Market Area: The Competitive Market Area ("CMA") represents the area in which the Subject Site will compete with like product on a more or less equal basis. The CMA is defined by the cities of Ontario, Jurupa Valley, Fontana and Eastvale

Industrial Opportunity

Macro Market Supply Trends

- Over 216 million square feet of industrial space exists in the CMA, averaging nearly 5.5 million square feet of annual deliveries over the past five years
 - Although the CMA continues to see significant added space, strong absorption rates have driven vacancy rates down to 3.1%, below the 5 year average of 3.3%
 - Rent growth in the CMA has remained strong averaging 11.5% over the past 5 years and has experienced over 20% growth in 2020 YTD
- In the near term, occupancy rates have remained relatively flat quarter over quarter increasing 0.7% while decreasing 0.5% year over year
 - The CMA has seen outsized rent growth of 13% year over year, outpacing the Inland Empire at 2.7%

Supply vs Demand

- TCG forecasts a demand of over 130 million square feet of industrial space over the next 10 years in the Inland Empire. Based on the CMA's fair share of industrial inventory, the CMA is projected to capture approximately 35% of the demand from the Inland Empire equating to nearly 50 million square feet of industrial space over the next 10 years
- Outsized growth in industrial employment sectors along with the continuing rise of e-commerce drives demand for industrial space and encourages that demand will be strong for the foreseeable future
- Currently, there is over 28 million square feet of industrial space planned in the CMA, based on a percent likelihood to deliver, TCG estimates approximately 15.5 million square feet to be built out over the next 10 years resulting in an undersupply of over 33 million square feet of industrial space
- With supply falling short of demand, CMA occupancy can be expected to rise from current levels which will give rise to further rent increase

Surveyed Rents

- Industrial Rents in the CMA range from \$.80/Sf/mo. to \$0.90/SF/mo. for larger spaces greater than 50,000 SF and up to \$1.50 in smaller spaces, averaging \$1.00/SF/mo.
- Highest rents in the CMA are achieved in the surrounding industrial parks that follow the 15 freeway near the Ontario Airport, with rents averaging over \$1.25/SF.mo

EXECUTIVE SUMMARY

HAVEN GATEWAY CENTRE - ONTARIO, CA DECEMBER 2020

Office Opportunity

- Macro Market Supply Trends:**
- Over 8.5 million square feet of office space is located in the CMA with limited activity occurring. Over the past 5 years the CMA is averaging only 31K SF of office space per year, and no deliveries in 2020
 - With limited supply added, vacancy rates have dropped to 5.2% in the CMA below the 5 year average of 9%
 - 5-year rent growth has averaged a modest 3.2% annual growth
- In the near term, occupancy rates have been relatively flat increasing 0.9% year over year while rent growth has been very strong at 10.2% year over year however the Inland Empire as a whole has outpaced the CMA at 14.1% year over year

- Supply vs Demand**
- TCG forecasts a demand for over 28 million square feet of industrial space over the next 10 years in the Inland Empire. Based on the CMA's fair share of office inventory, the CMA is projected to capture approximately 10% of the demand from the Inland Empire equating to over 2.1 million square feet of office space
 - Currently, there is over 2.8 million square feet of industrial space planned in the CMA, based on a percent likelihood to deliver, TCG projects nearly 650K square feet to build out over the next 10 years resulting in an undersupply of over 2.1 million square feet office space

- Surveyed Rents**
- Office Rents in the CMA range from \$1.70/SF/mo. for older low-rise product up to \$2.70/SF/mo., averaging \$2.37/SF.mo.
 - Majority of office developments are located north of the Ontario airport along the I-10, a major east to west regional connector
 - These office parks are the most desirable office locations and achieve the highest rents in the CMA, situated near attractive retail centers with great freeway access

Retail Opportunity

- Macro Market Supply Trends:**
- The local 3-mile radius is home to 2.9 million SF of retail, serving a population of only 42K people.
 - The local neighborhood is currently oversupplied, with 70 SF of retail per capita in the 3 mile radius while the CMA and Inland Empire have 37 and 42 square feet per capita, respectively
 - Indicative of the oversupply, the local market is only 92% occupied compared to 95% in the CMA while 5-year average rent growth is 0.9%
 - In the near term, CMA occupancy rates have drop 1.3% year over year and rents have experienced stark declines, down nearly 30% year over year

- Supply vs Demand**
- TCG forecasts a demand for approximately 14K SF of new retail space per year in the local 3-mile radius totaling to nearly 140K SF of retail space demand over the next 10-years
- In the same forecasted period, TCG projects 265K SF of retail space to deliver resulting in an oversupply of roughly 125K SF in an already oversupplied market

- Surveyed Rents**
- Retail rents in anchored shopping environments range from the mid \$1.50/SF/mo. (older, more dated centers) to up to \$3.50/SF/mo., averaging \$2.10/SF/mo.
 - Highest rents in the CMA are achieved along the 10-corridor adjacent to the CMA office nodes, with recent lease executions averaging above \$2.75/SF/mo. PSF

SUMMARY

1. Site Information
 - A. Regional Location
 - B. Regional Connectivity
 - C. Surrounding Land Uses
2. Demand Drivers
 - A. Employment
 - B. Demographics
3. Site Plans
4. Product Positioning
 - A. Industrial
 - B. Office
 - C. Retail

DATA APPENDIX

A. Market Overview

1. Employment
 - i. Projection
 - ii. Job Clusters
 - iii. Commuting
2. Demographics
3. E-Commerce Trends

B. Industrial

1. Industrial Market Trends
2. Near-Term Trends Summary
3. Current Inventory
 - i. Location
 - ii. Performance
4. Demand
5. Pipeline
6. Supply vs. Demand

C. Commercial Office

1. Office Market Trends
2. Near-Term Trends Summary
3. Current Inventory
 - i. Location
 - ii. Performance
4. Demand
5. Pipeline
6. Supply vs. Demand

D. Commercial Retail

1. Retail Market Trends
2. Near-Term Trends Summary
3. Current Inventory
 - i. Location
 - ii. Performance
4. Demand
5. Pipeline
6. Supply vs. Demand

Executive Summary

EXHIBIT 1A

SITE INFORMATION - REGIONAL LOCATION
INLAND EMPIRE, CALIFORNIA
DECEMBER 2020

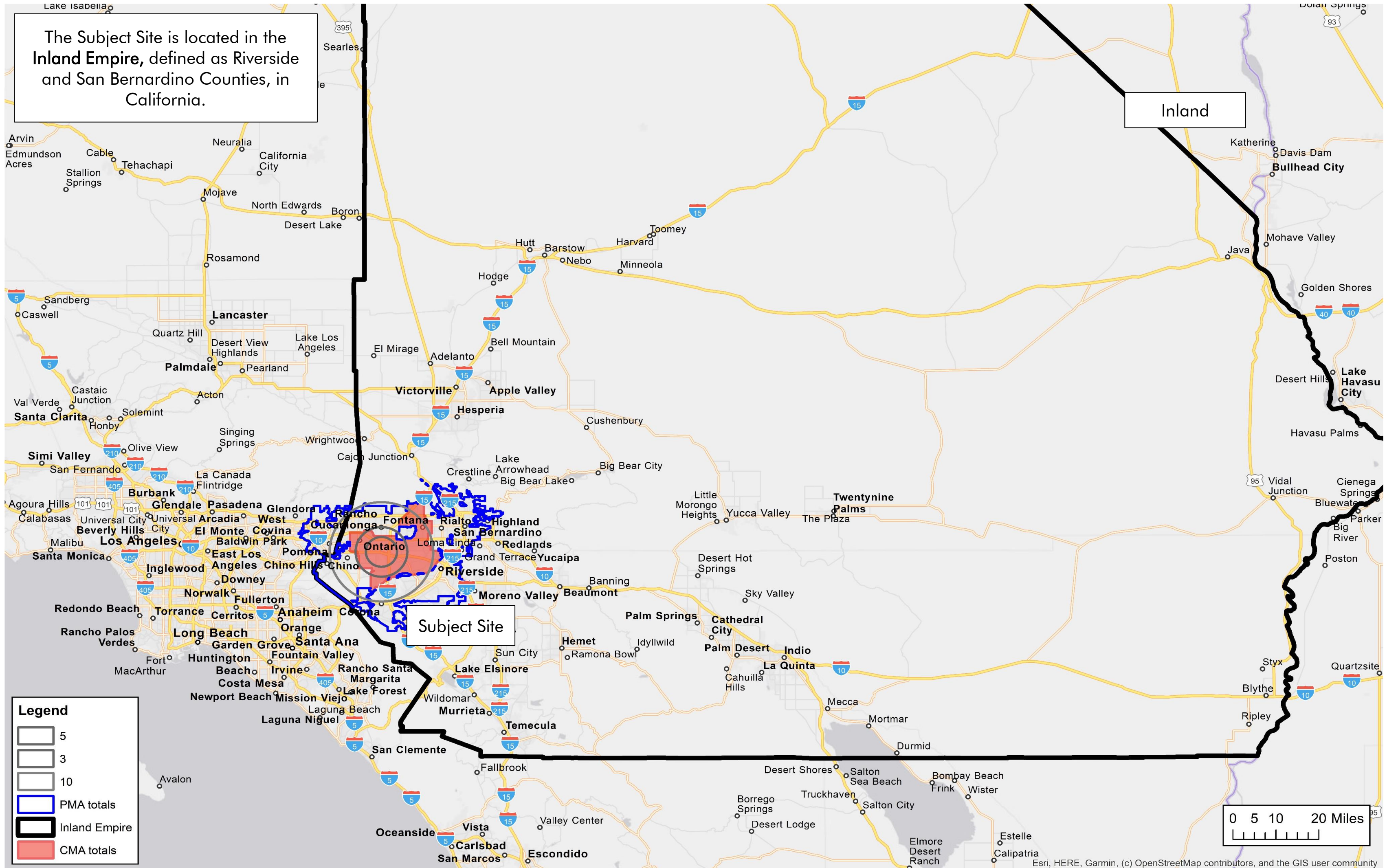
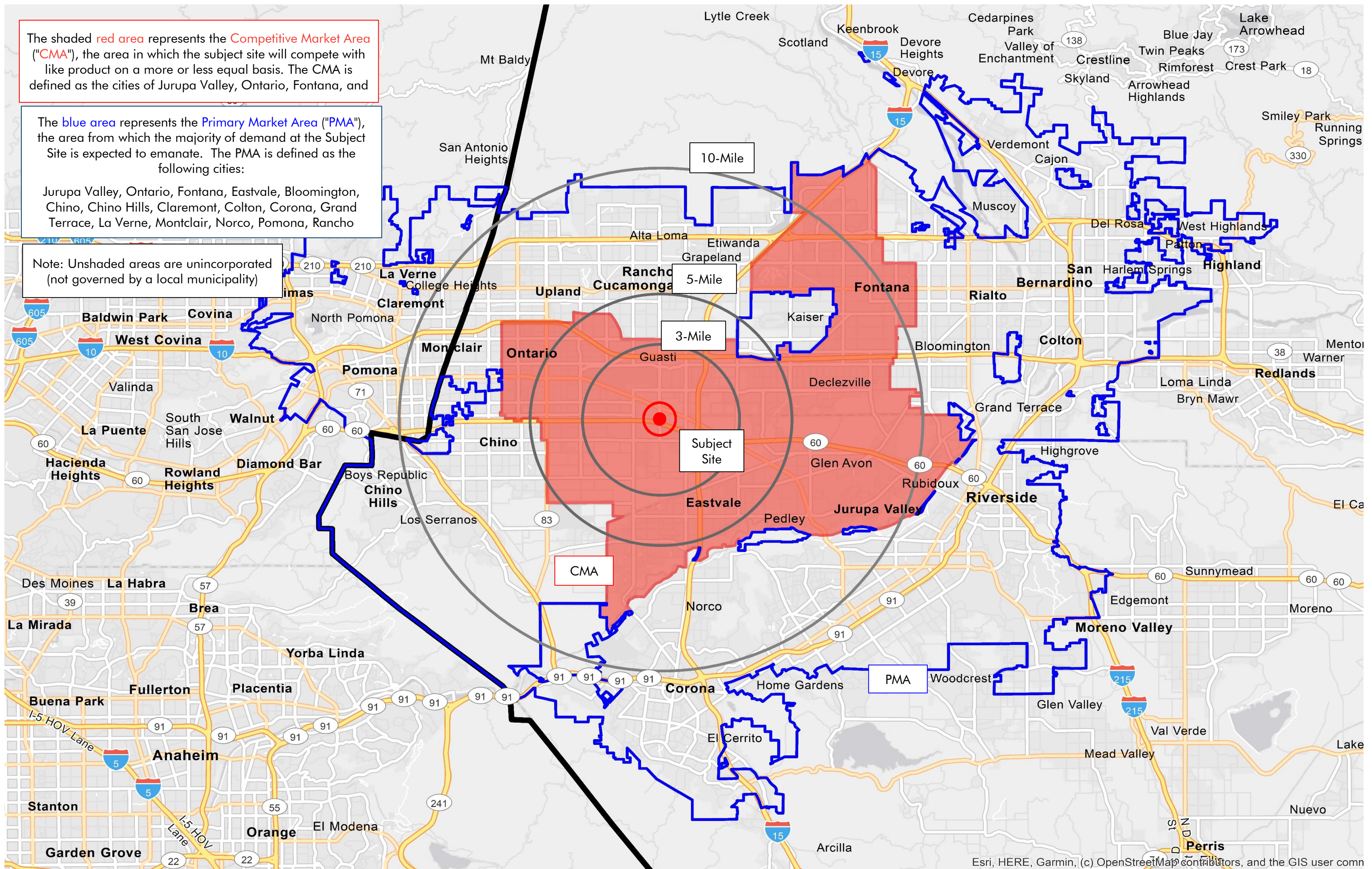


EXHIBIT 1A

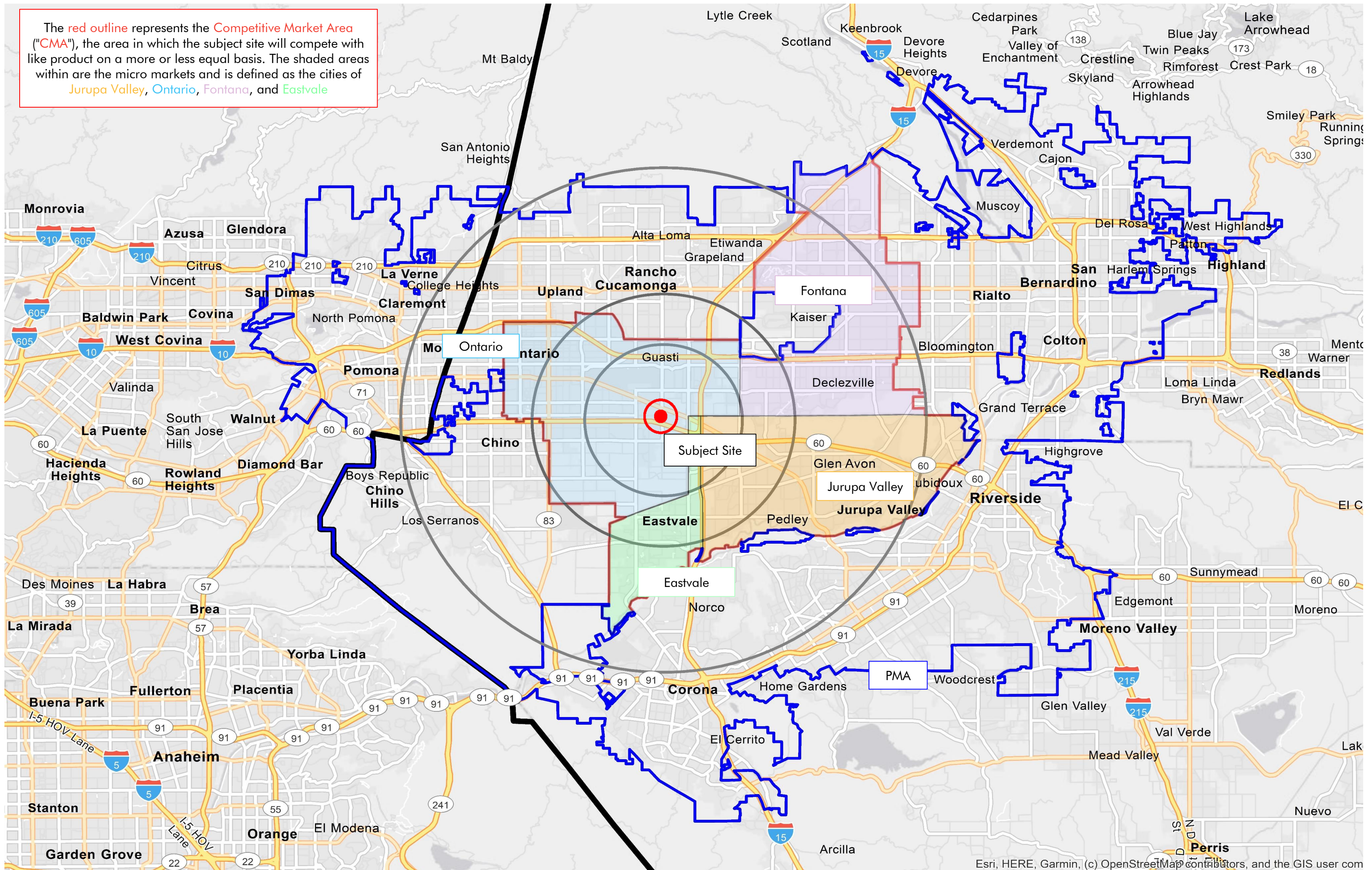
SITE INFORMATION - REGIONAL LOCATION
INLAND EMPIRE, CALIFORNIA
DECEMBER 2020



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

EXHIBIT 1A

SITE INFORMATION - REGIONAL LOCATION
INLAND EMPIRE, CALIFORNIA
DECEMBER 2020



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

EXHIBIT 1B

SITE INFORMATION - REGIONAL CONNECTIVITY
SOUTHERN CALIFORNIA
DECEMBER 2020

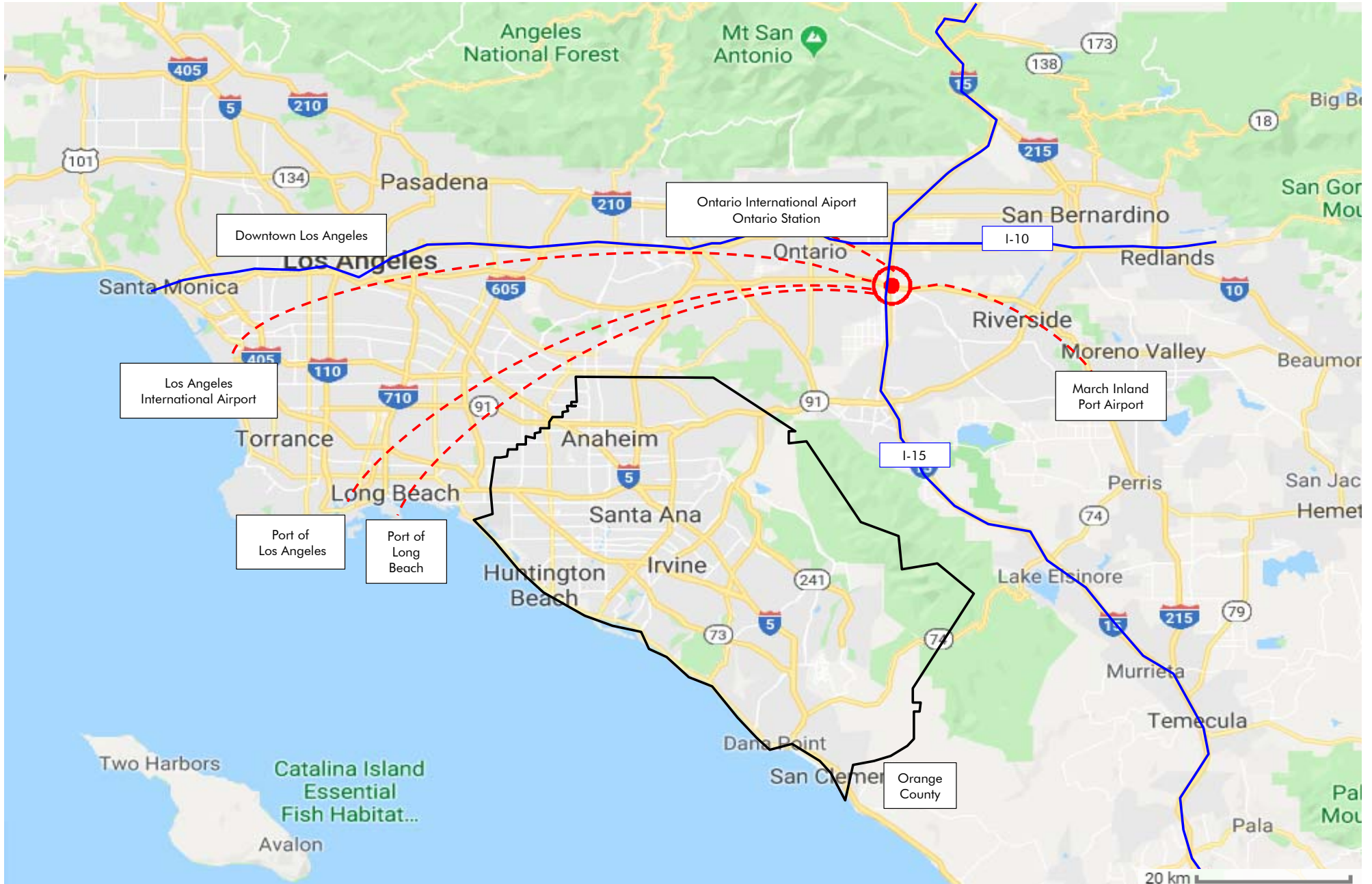


EXHIBIT 1C

SITE INFORMATION - SURROUNDING LAND USES
SOUTHERN CALIFORNIA
DECEMBER 2020



EXHIBIT 1C

SITE INFORMATION - SURROUNDING LAND USES
SOUTHERN CALIFORNIA
DECEMBER 2020

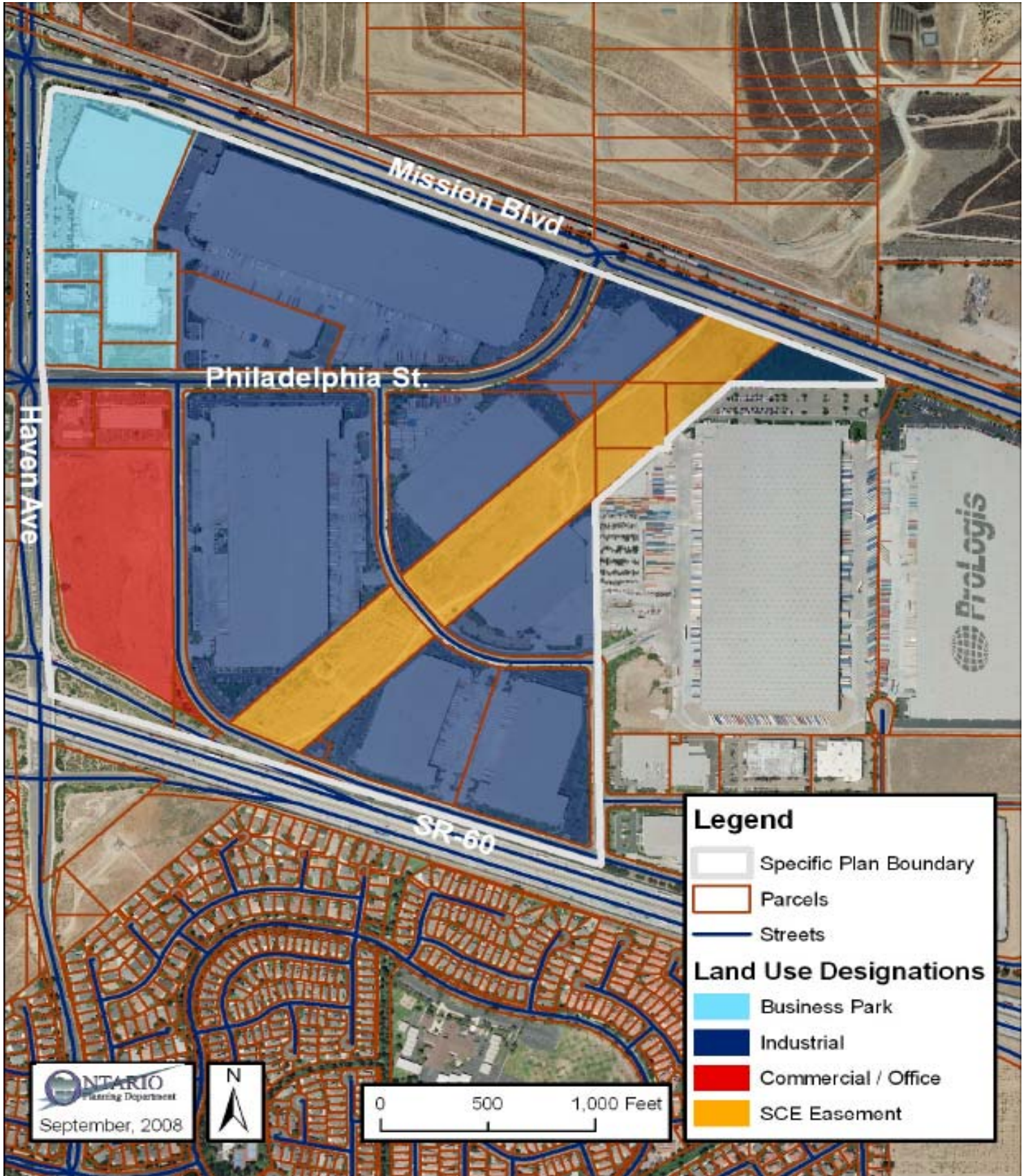
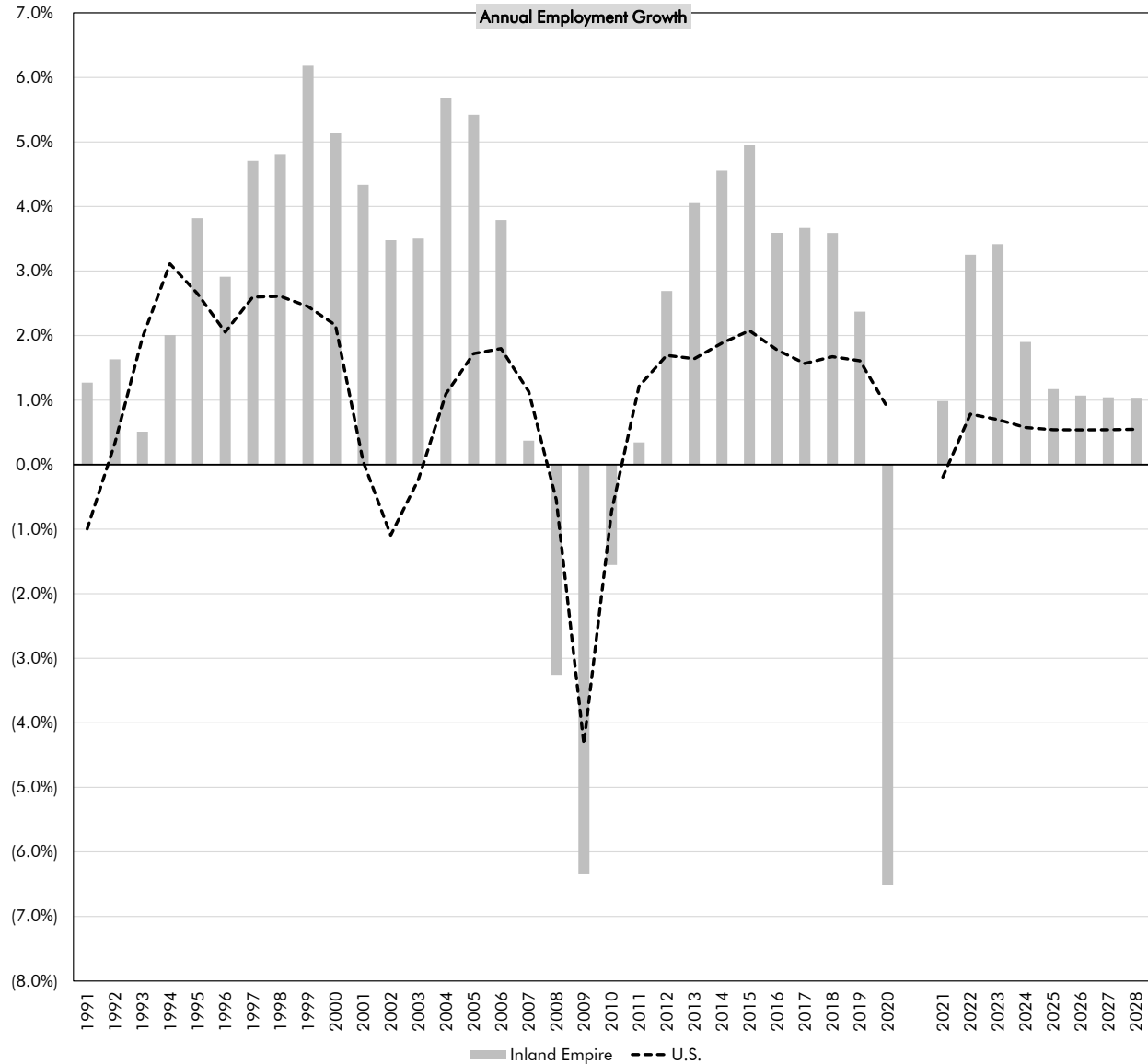


EXHIBIT 2A

MARKET OVERVIEW - EMPLOYMENT - PROJECTION
RIVERSIDE-SAN BERNARDINO-ONTARIO METROPOLITAN STATISTICAL AREA (INLAND EMPIRE)
1991 THROUGH 2025

Year	Inland Empire			U.S.	
	000s	Gr/Year	Gr/Year	000s	Gr/Yr (Perc)
	Num.		Perc.		
Historical					
1991	730	9	1.3%	108,437	(1.0%)
1992	741	12	1.6%	108,796	0.3%
1993	745	4	0.5%	110,937	2.0%
1994	760	15	2.0%	114,389	3.1%
1995	789	29	3.8%	117,417	2.6%
1996	812	23	2.9%	119,829	2.1%
1997	850	38	4.7%	122,941	2.6%
1998	891	41	4.8%	126,147	2.6%
1999	946	55	6.2%	129,237	2.4%
2000	995	49	5.1%	132,031	2.2%
2001	1,038	43	4.3%	132,095	0.0%
2002	1,074	36	3.5%	130,652	(1.1%)
2003	1,112	38	3.5%	130,345	(0.2%)
2004	1,175	63	5.7%	131,774	1.1%
2005	1,239	64	5.4%	134,040	1.7%
2006	1,286	47	3.8%	136,451	1.8%
2007	1,291	5	0.4%	137,995	1.1%
2008	1,248	(42)	(3.3%)	137,242	(0.5%)
2009	1,169	(79)	(6.3%)	131,306	(4.3%)
2010	1,151	(18)	(1.6%)	130,354	(0.7%)
2011	1,155	4	0.3%	131,939	1.2%
2012	1,186	31	2.7%	134,174	1.7%
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2016	1,403	49	3.6%	144,348	1.8%
2017	1,454	51	3.7%	146,611	1.6%
2018	1,507	52	3.6%	149,064	1.7%
2019	1,542	36	2.4%	151,462	1.6%
2020	1,442	(100)	(6.5%)	152,800	0.9%
Annual Average					
5-Yr		54	4.1%		1.8%
10-Yr		26	1.9%		0.8%
20-Yr		31	2.7%		0.8%
Forecast					
2021	1,456	14	1.0%	152,502	(0.2%)
2022	1,504	47	3.3%	153,694	0.8%
2023	1,555	51	3.4%	154,767	0.7%
2024	1,584	30	1.9%	155,656	0.6%
2025	1,603	19	1.2%	156,499	0.5%
5-Yr		32	2.1%		0.5%
2026	1,620	17	1.1%	157,340	0.5%
2027	1,637	17	1.0%	158,189	0.5%
2028	1,654	17	1.0%	159,056	0.5%
2029	1,671	17	1.0%	159,935	0.6%
2030	1,687	17	1.0%	160,814	0.5%
10-Yr		17	1.1%		0.8%

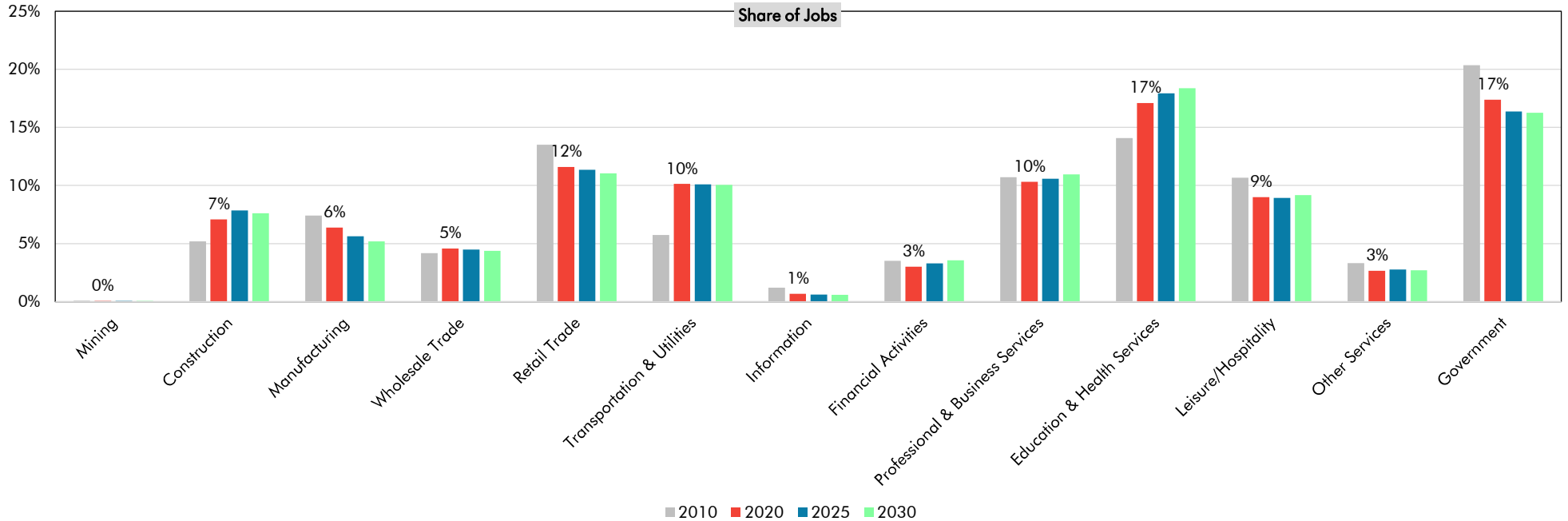


Source: Moody's (December 2020)

EXHIBIT 2A

MARKET OVERVIEW - EMPLOYMENT - PROJECTION
RIVERSIDE-SAN BERNARDINO-ONTARIO METROPOLITAN STATISTICAL AREA (INLAND EMPIRE)
2010 THROUGH 2025

Industry 000s	Historical								Forecast							
	2010		2015	2020		Annual Average		5-Year		Gr/Year		10-Year		Gr/Year		
	Num.	Share	Num.	Num.	Share	10-Yr	5-Yr	Num.	Share	Num.	Perc.	Num.	Share	Num.	Perc.	
Mining	1	0%	1	1	0%	0.7%	(3.6%)	1	0%	(0.0)	(0.0%)	1.0	0%	(0.0)	(0.5%)	
Construction	60	5%	86	102	7%	5.5%	3.6%	126	8%	4.7	4.3%	128.4	8%	0.5	0.4%	
Manufacturing	85	7%	96	92	6%	0.8%	(0.9%)	90	6%	(0.4)	(0.4%)	87.5	5%	(0.6)	(0.6%)	
Wholesale Trade	48	4%	61	66	5%	3.2%	1.7%	72	4%	1.2	1.8%	74.1	4%	0.4	0.5%	
Retail Trade	156	14%	174	167	12%	0.7%	(0.9%)	182	11%	3.0	1.7%	186.5	11%	0.9	0.5%	
Transportation & Utilities	66	6%	98	146	10%	8.3%	8.3%	162	10%	3.1	2.1%	169.7	10%	1.6	1.0%	
Information	14	1%	12	10	1%	(3.4%)	(3.2%)	10	1%	0.0	0.1%	10.2	1%	0.0	0.4%	
Financial Activities	41	4%	44	44	3%	0.7%	(0.0%)	53	3%	1.8	3.9%	60.0	4%	1.5	2.6%	
Professional & Business Services	123	11%	147	149	10%	1.9%	0.2%	169	11%	4.2	2.7%	184.9	11%	3.1	1.8%	
Education & Health Services	162	14%	206	247	17%	4.3%	3.6%	287	18%	8.2	3.1%	310.0	18%	4.5	1.5%	
Leisure/Hospitality	123	11%	152	130	9%	0.6%	(3.1%)	143	9%	2.7	2.0%	154.9	9%	2.3	1.6%	
Other Services	38	3%	44	38	3%	0.0%	(2.7%)	45	3%	1.2	3.0%	45.5	3%	0.2	0.4%	
Government	234	20%	233	251	17%	0.7%	1.4%	262	16%	2.3	0.9%	274.4	16%	2.4	0.9%	
Total	1,151		1,354	1,442		2.3%	1.3%	1,603		32.2	2.1%	1,687		16.9	1.0%	



Source: Moody's (December 2020)

EXHIBIT 2B

DEMAND DRIVERS - DEMOGRAPHICS
PRIMARY MARKET AREA
2020 THROUGH 2025

Geography:	Radius from Site			Competitive Market Area					PMA	Inland Empire	
	3-Mile	5-Mile	10-Mile	Jurupa Valley	Ontario	Fontana	Eastvale	CMA			
Scale											
Population ('20)	42,133	240,696	1,216,650	108,550	182,380	215,334	69,402	575,667	2,235,579	4,649,818	
Households ('20)	12,376	65,567	338,612	28,068	50,535	53,323	17,582	149,508	638,047	1,418,077	
% of PMA	2%	10%	53%	4%	8%	8%	3%	23%	100%	---	
Gr/Yr (#, '20-'25)	169	688	2,533	258	365	354	375	1,352	3,962	11,511	
% of PMA	4%	17%	64%	7%	9%	9%	9%	34%	100%	---	
Over \$100K HH Growth	986	4,096	19,441	1,712	2,442	2,903	2,084	9,140	31,436	73,719	
Under \$100K HH Growth	(143)	(656)	(6,778)	(424)	(615)	(1,132)	(211)	(2,381)	(11,626)	(16,162)	
Gr/Yr (%,'20-'25)	1.3%	1.0%	0.7%	0.9%	0.7%	0.7%	2.0%	0.9%	0.6%	0.8%	
Employment ('20)	54,446	143,567	401,204	24,722	94,181	46,825	7,096	172,299	760,442	1,319,595	
% of PMA	7%	19%	53%	3%	12%	6%	1%	23%	100%	---	
Household Size ('20)											
Average HH Size	3.40	3.62	3.52	3.84	3.59	4.03	3.95	3.84	3.43	3.23	
1-Person	14%	15%	15%	15%	15%	10%	6%	12%	16%	19%	
2-Person	24%	21%	23%	21%	21%	17%	18%	19%	24%	27%	
3+ Person	62%	64%	62%	64%	64%	73%	75%	68%	60%	54%	
Age Breakdown ('20)											
Median Age	33.7	32.1	33.1	32.2	31.9	30.7	32.1	31.5	32.9	34.1	
Under 20	27%	30%	29%	31%	30%	32%	34%	31%	29%	28%	
20-24	7%	7%	7%	7%	8%	8%	5%	7%	8%	7%	
25-34	18%	18%	17%	17%	18%	18%	16%	18%	17%	16%	
35-44	15%	15%	14%	12%	14%	13%	17%	14%	13%	12%	
45-54	12%	12%	12%	11%	12%	12%	14%	12%	12%	12%	
55-64	11%	10%	11%	11%	10%	9%	8%	10%	11%	11%	
65-74	7%	6%	7%	7%	6%	5%	4%	6%	7%	8%	
75+	3%	3%	4%	4%	3%	3%	2%	3%	4%	5%	
Income Breakdown ('20)											
Median Income	\$83,207	\$76,435	\$78,008	\$67,878	\$64,721	\$76,225	\$120,721	\$75,303	\$72,801	\$66,193	
vs. PMA	14%	5%	7%	(7%)	(11%)	5%	66%	3%	100%	91%	
Average Income	\$98,788	\$92,839	\$98,484	\$85,292	\$80,523	\$92,178	\$139,210	\$92,477	\$94,250	\$89,572	
Under \$50K	23%	30%	30%	35%	36%	30%	14%	31%	34%	37%	
\$50-\$75K	19%	19%	18%	19%	21%	19%	11%	19%	18%	17%	
\$75-\$100K	18%	16%	15%	15%	16%	17%	10%	15%	14%	13%	
\$100-\$150K	23%	20%	20%	18%	17%	20%	27%	19%	18%	17%	
\$150-\$200K	10%	9%	10%	7%	7%	8%	22%	9%	9%	8%	
Over \$200K	6%	6%	8%	5%	4%	6%	16%	6%	8%	7%	
Net Worth Breakdown ('20)											
Median Net Worth	\$130,244	\$89,560	\$107,559	\$100,236	\$62,035	\$118,021	\$279,708	\$104,288	\$93,651	\$95,454	
vs. PMA	39%	(4%)	15%	7%	(34%)	26%	199%	11%	100%	---	
Average Net Worth	\$528,174	\$430,435	\$602,639	\$444,552	\$319,343	\$473,606	\$871,541	\$462,804	\$602,751	\$627,739	
Under \$50K	33%	40%	37%	38%	47%	35%	19%	38%	40%	40%	
\$50-\$250K	30%	30%	28%	30%	29%	31%	28%	30%	27%	28%	
\$250-\$500K	14%	12%	12%	14%	12%	15%	16%	14%	12%	12%	
\$500-\$1M	12%	9%	10%	9%	7%	10%	17%	10%	9%	9%	
\$1M-\$1.5M	5%	3%	4%	3%	3%	4%	7%	4%	4%	4%	
\$1.5M-\$2M	1%	1%	2%	1%	1%	1%	3%	1%	2%	2%	
Over \$2M	4%	4%	6%	4%	2%	4%	10%	4%	6%	6%	

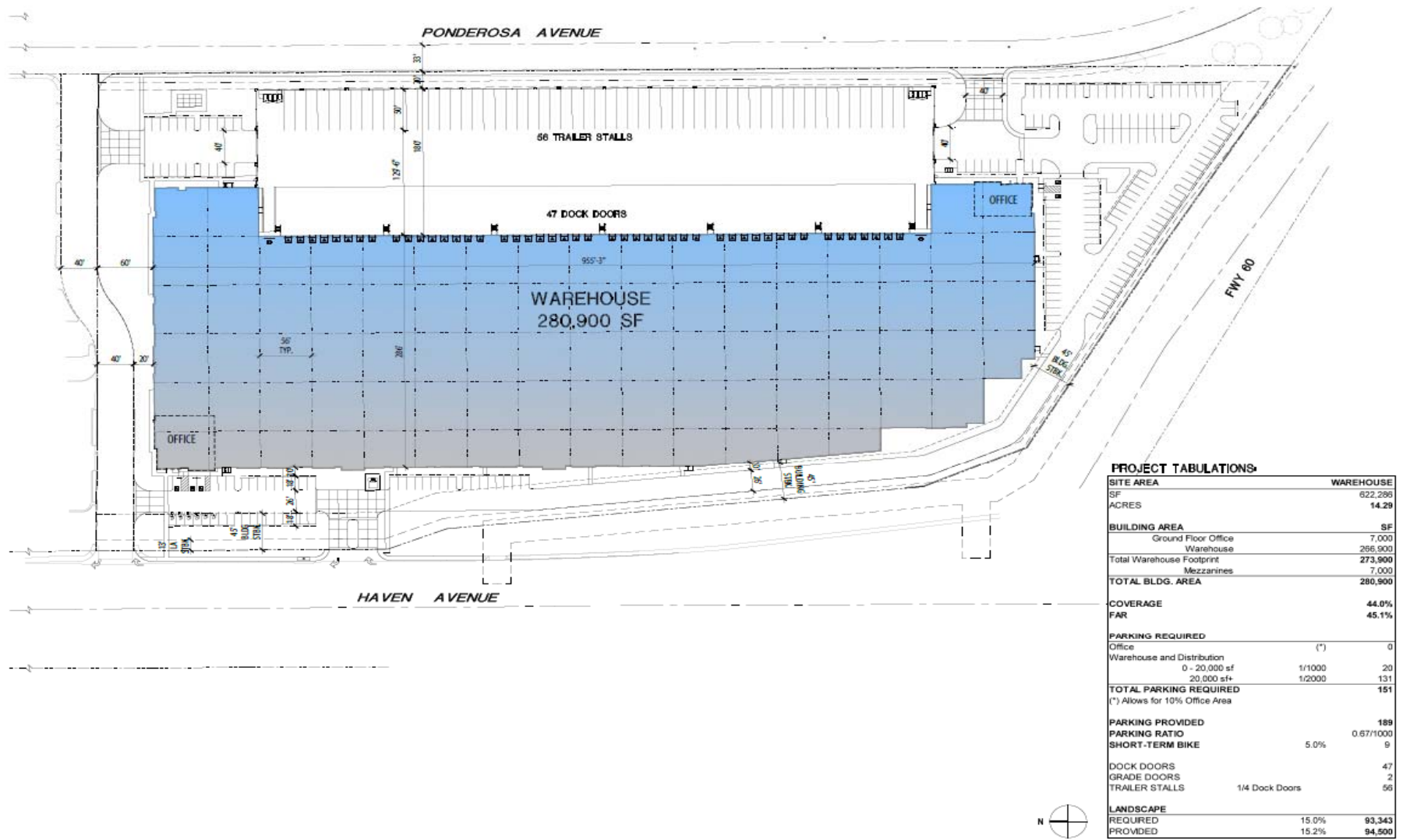
EXHIBIT 2B
DEMAND DRIVERS - DEMOGRAPHICS
PRIMARY MARKET AREA
2020 THROUGH 2025

Geography:	Radius from Site			Competitive Market Area					PMA	Inland Empire
	3-Mile	5-Mile	10-Mile	Jurupa Valley	Ontario	Fontana	Eastvale	CMA		
Rentership ('20)										
% Rent	32%	38%	37%	32%	45%	32%	12%	34%	39%	35%
Renter HHs	3,911	25,153	126,291	9,103	22,825	17,241	2,116	51,285	249,438	501,768
% of PMA	2%	10%	51%	4%	9%	7%	1%	21%	100%	---
Annual New Renters ('20)	53	264	945	84	165	115	45	464	1,549	4,073
% Rent SFD	--	--	--	54%	32%	51%	77%	45%	37%	45%
% Rent 1-4 Unit Attache	--	--	--	11%	24%	12%	9%	17%	19%	18%
% Rent 5-50 Unit Attache	--	--	--	20%	31%	19%	8%	23%	30%	24%
% Rent 50+ Unit Attache	--	--	--	9%	10%	16%	4%	12%	12%	8%
Ownership ('20)										
% Own	68%	62%	63%	68%	55%	68%	88%	66%	61%	65%
Owner HHs	8,465	40,415	212,321	18,965	27,711	36,081	15,466	98,223	388,609	916,309
% of PMA	2%	10%	55%	5%	7%	9%	4%	25%	100%	---
Annual New Owners ('20)	115	424	1,588	174	200	240	330	888	2,413	7,438
% Own SFD	--	--	--	93%	92%	97%	97%	95%	94%	92%
% Own 1-4 Unit Attache	--	--	--	0%	2%	0%	0%	1%	1%	1%
% Own 5-50 Unit Attache	--	--	--	0%	1%	0%	0%	1%	1%	1%
% Own 50+ Unit Attache	--	--	--	7%	5%	2%	3%	4%	4%	6%

Source: ESRI; US Census (American Factfinder)

EXHIBIT 4

SITE PLAN
HAVEN GATEWAY - ONTARIO, CA
DECEMBER 2020



PROJECT TABULATIONS*

SITE AREA		WAREHOUSE
SF		822,286
ACRES		14.29
BUILDING AREA		SF
Ground Floor Office		7,000
Warehouse		296,900
Total Warehouse Footprint		273,900
Mezzanines		7,000
TOTAL BLDG. AREA		280,900
COVERAGE		
FAR		44.0%
FAR		45.1%
PARKING REQUIRED		
Office		(*) 0
Warehouse and Distribution		
0 - 20,000 sf		1/1000 20
20,000 sf+		1/2000 131
TOTAL PARKING REQUIRED		151
(*) Allows for 10% Office Area		
PARKING PROVIDED		189
PARKING RATIO		0.67/1000
SHORT-TERM BIKE		5.0% 9
DOCK DOORS		47
GRADE DOORS		2
TRAILER STALLS		1/4 Dock Doors 56
LANDSCAPE		
REQUIRED		15.0% 93,343
PROVIDED		15.2% 94,500

HAVEN GATEWAY - ONTARIO, CA
EXECUTIVE DEVELOPMENT, LLC.

SCHEME H.2
CONCEPTUAL SITE PLAN

PROJECT NO: E004.01
DATE: 11/19/20

NOTE: LAND AREA AND BUILDING SQUARE FOOTAGE ARE APPROXIMATE AND MAY BE SUBJECT TO CHANGE UPON REVIEW OF RECORD PLANS. THE FINISHED SITE SHALL BE AS SHOWN ON THE RECORD PLANS.



EXHIBIT 5A

INDUSTRIAL PRODUCT POSITIONING
COMPETITIVE MARKET AREA
DECEMBER 2020

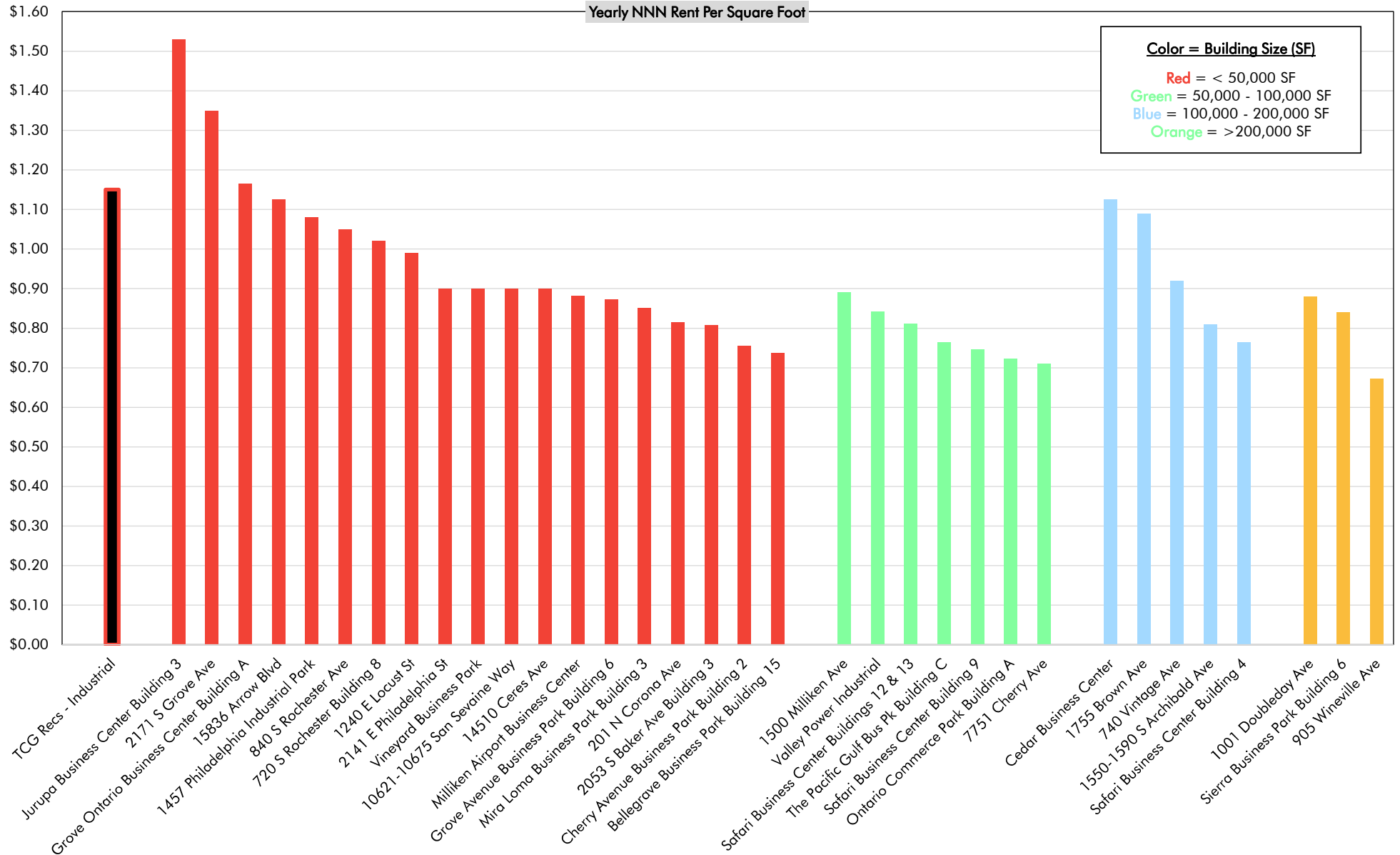


EXHIBIT 5B

OFFICE PRODUCT POSITIONING
COMPETITIVE MARKET AREA
DECEMBER 2020

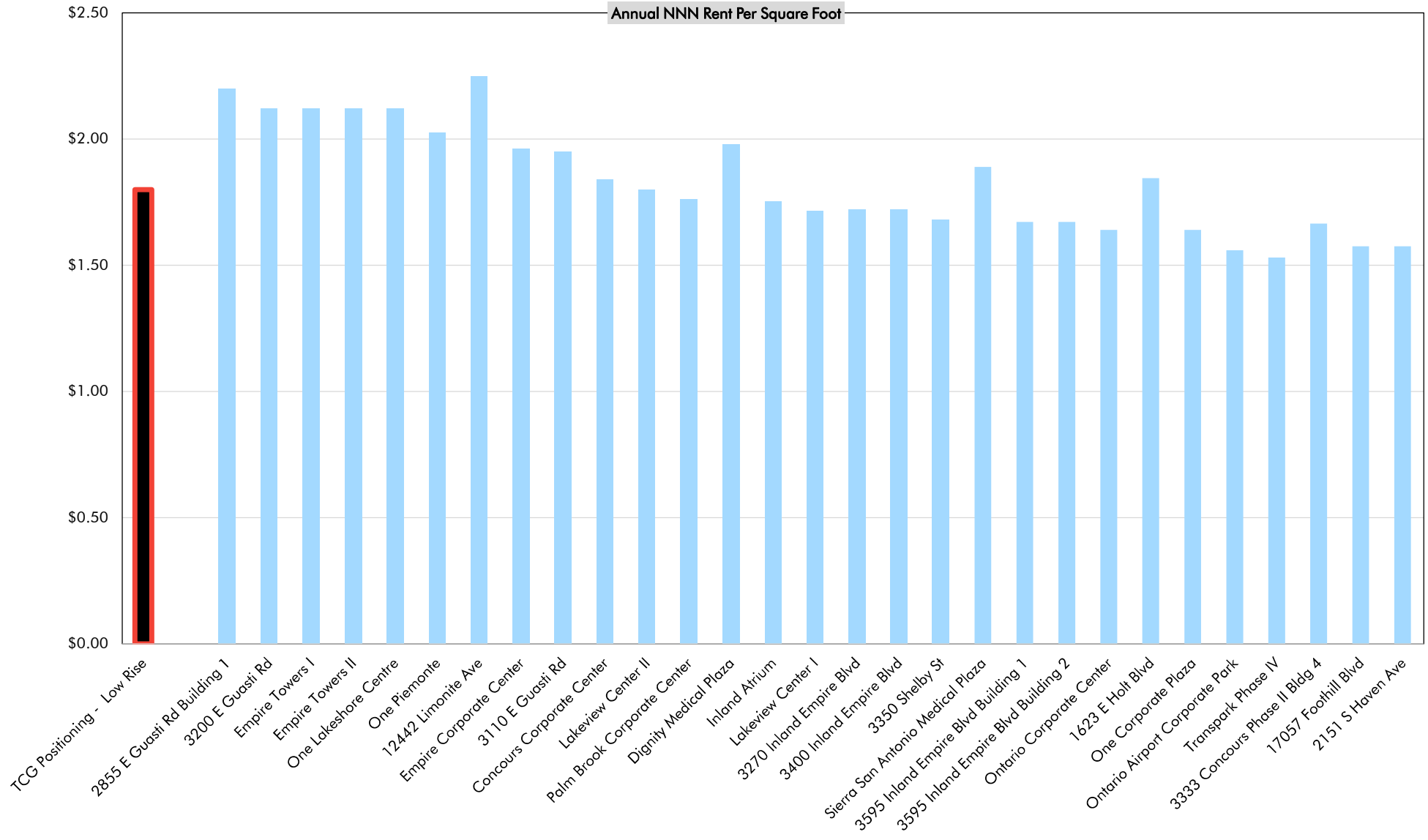
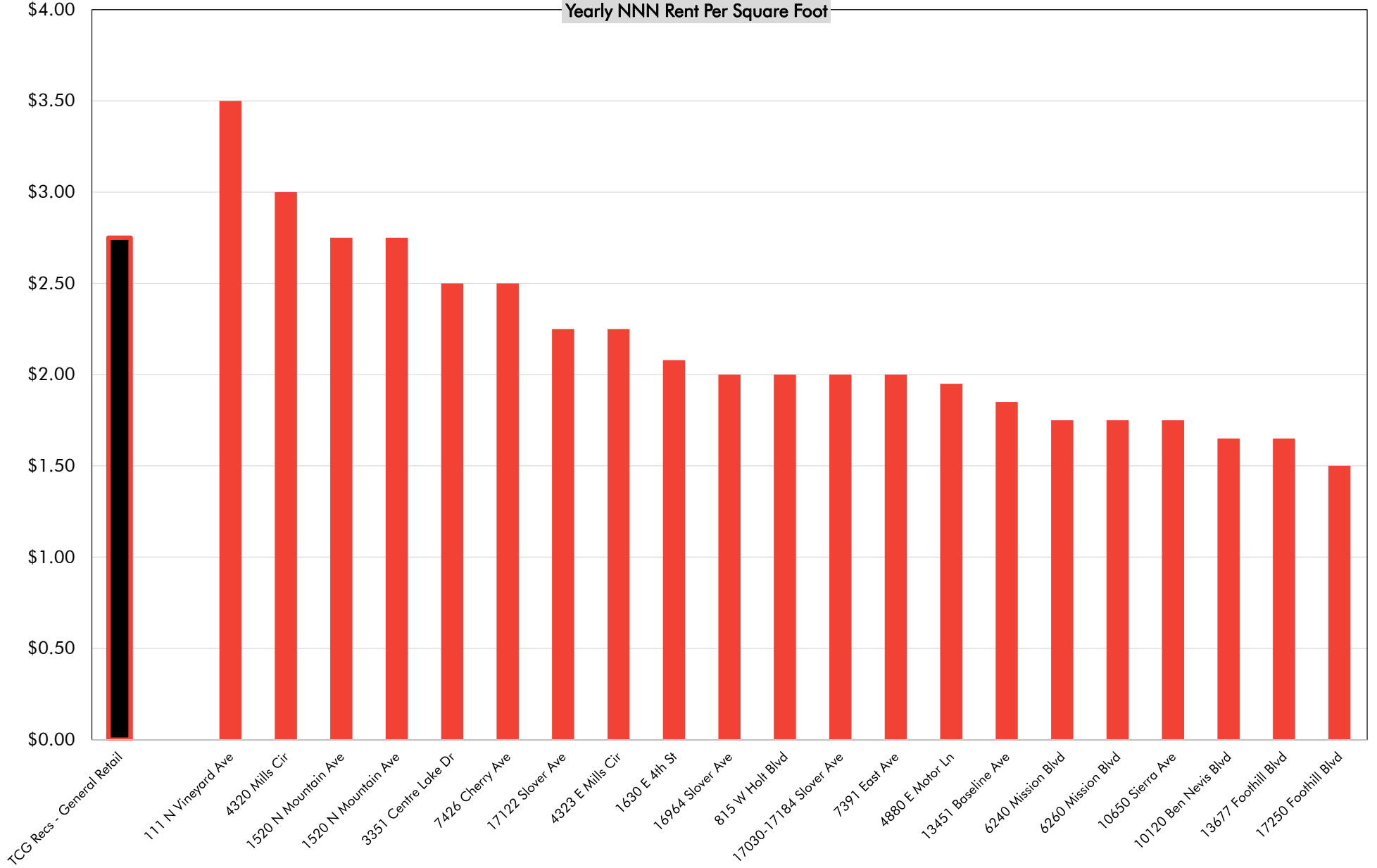


EXHIBIT 5C

RETAIL PRODUCT POSITIONING
COMPETITIVE MARKET AREA
DECEMBER 2020

Yearly NNN Rent Per Square Foot

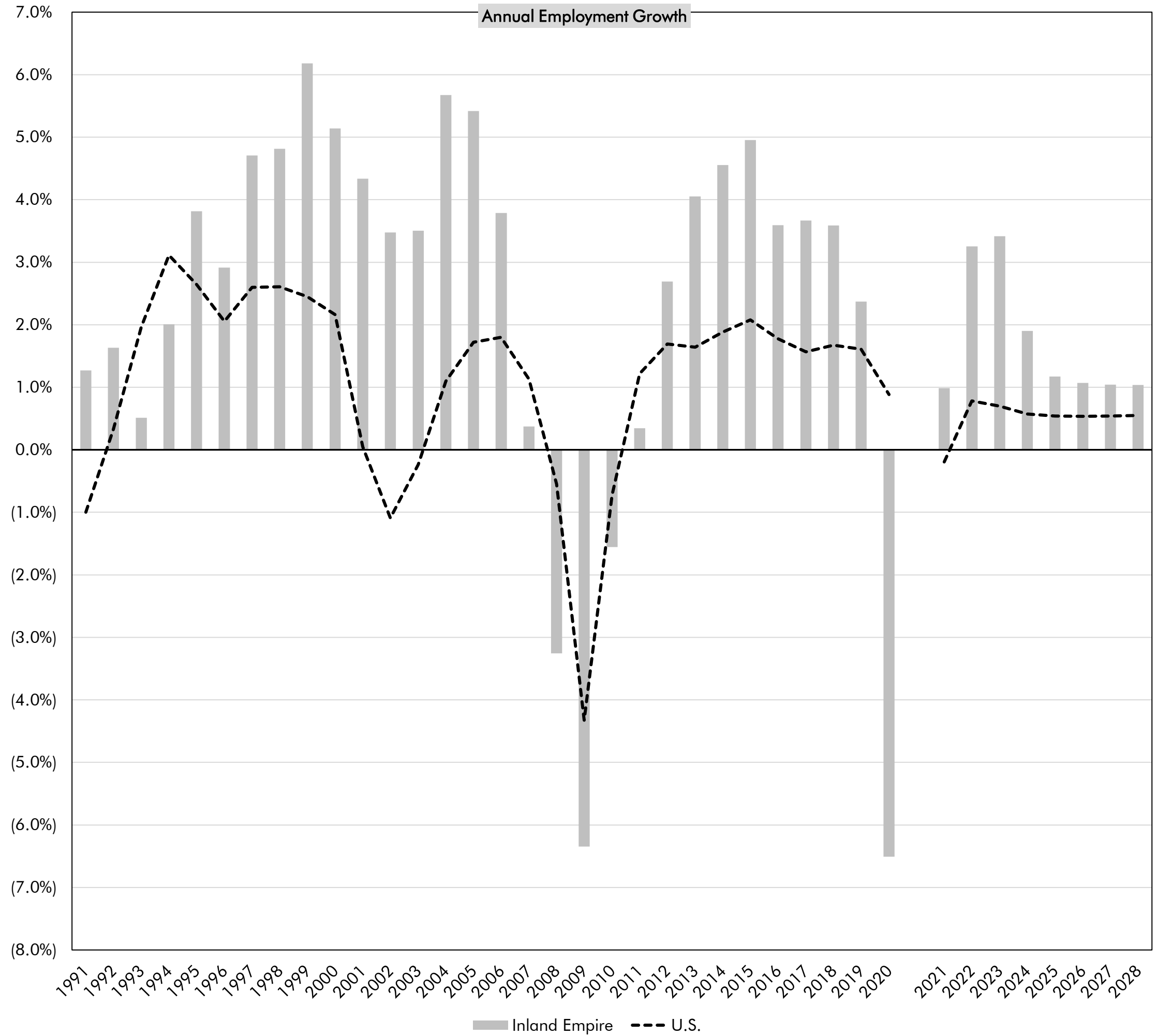


Data Appendix

APPENDIX A1i

MARKET OVERVIEW - EMPLOYMENT - PROJECTION
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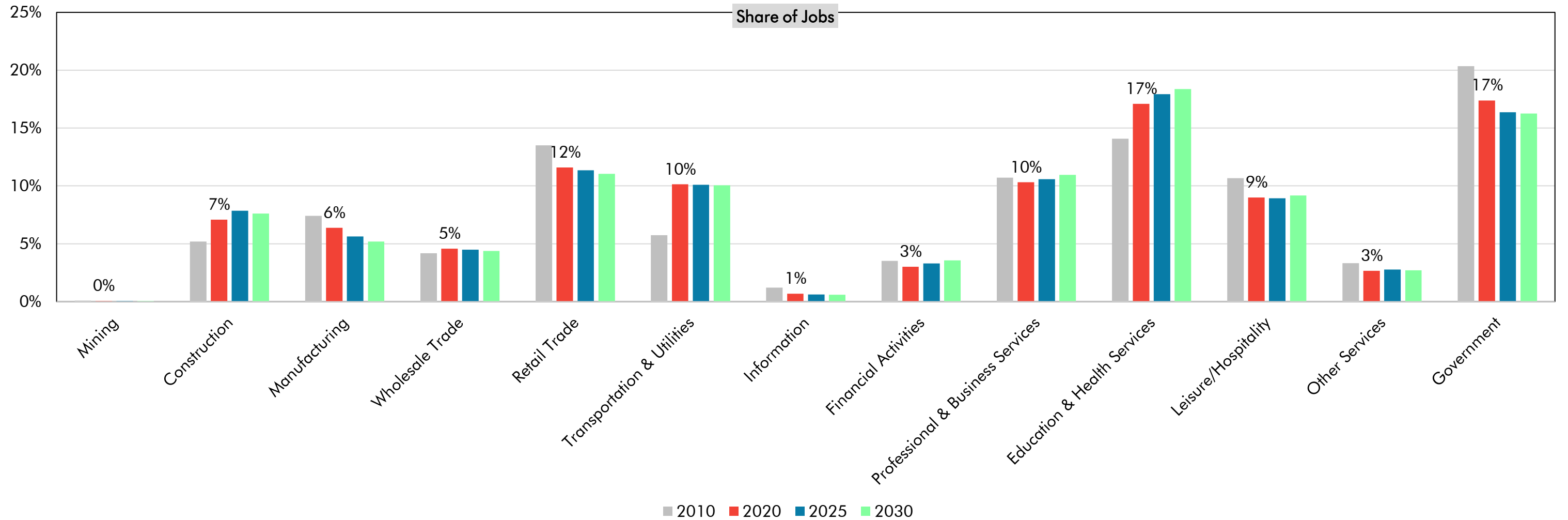


Source: Moody's (December 2020)

APPENDIX A1i

MARKET OVERVIEW - EMPLOYMENT - PROJECTION
RIVERSIDE-SAN BERNARDINO-ONTARIO METROPOLITAN STATISTICAL AREA (INLAND EMPIRE)
2010 THROUGH 2025

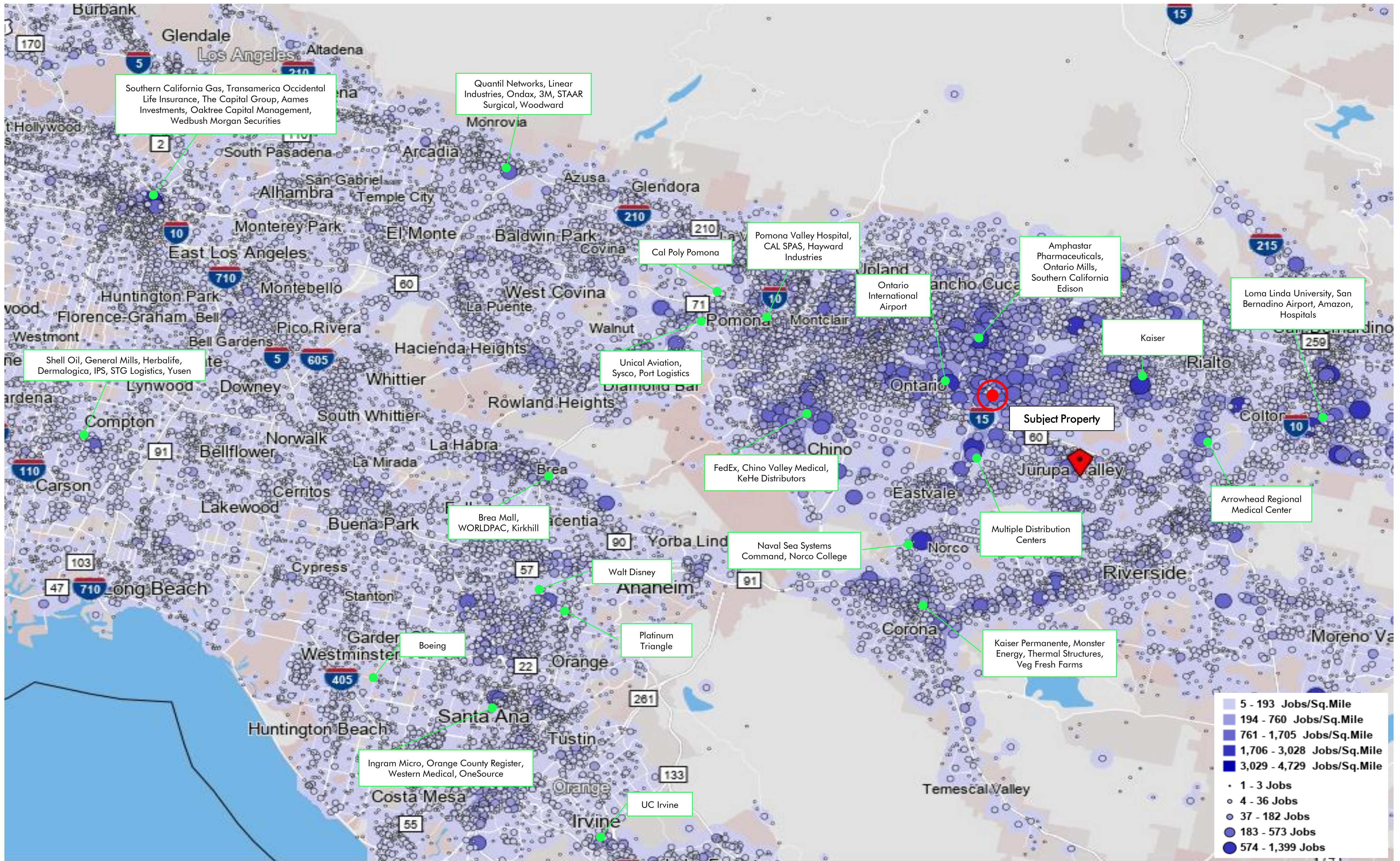
Industry 000s	Historical							Forecast							
	2010		2015	2020		Annual Average		2025		5-Year		10-Year		Gr/Year	
	Num.	Share	Num.	Num.	Share	10-Yr	5-Yr	Num.	Share	Num.	Perc.	Num.	Share	Num.	Perc.
Mining	1	0%	1	1	0%	0.7%	(3.6%)	1	0%	(0.0)	(0.0%)	1.0	0%	(0.0)	(0.5%)
Construction	60	5%	86	102	7%	5.5%	3.6%	126	8%	4.7	4.3%	128.4	8%	0.5	0.4%
Manufacturing	85	7%	96	92	6%	0.8%	(0.9%)	90	6%	(0.4)	(0.4%)	87.5	5%	(0.6)	(0.6%)
Wholesale Trade	48	4%	61	66	5%	3.2%	1.7%	72	4%	1.2	1.8%	74.1	4%	0.4	0.5%
Retail Trade	156	14%	174	167	12%	0.7%	(0.9%)	182	11%	3.0	1.7%	186.5	11%	0.9	0.5%
Transportation & Utilities	66	6%	98	146	10%	8.3%	8.3%	162	10%	3.1	2.1%	169.7	10%	1.6	1.0%
Information	14	1%	12	10	1%	(3.4%)	(3.2%)	10	1%	0.0	0.1%	10.2	1%	0.0	0.4%
Financial Activities	41	4%	44	44	3%	0.7%	(0.0%)	53	3%	1.8	3.9%	60.0	4%	1.5	2.6%
Professional & Business Services	123	11%	147	149	10%	1.9%	0.2%	169	11%	4.2	2.7%	184.9	11%	3.1	1.8%
Education & Health Services	162	14%	206	247	17%	4.3%	3.6%	287	18%	8.2	3.1%	310.0	18%	4.5	1.5%
Leisure/Hospitality	123	11%	152	130	9%	0.6%	(3.1%)	143	9%	2.7	2.0%	154.9	9%	2.3	1.6%
Other Services	38	3%	44	38	3%	0.0%	(2.7%)	45	3%	1.2	3.0%	45.5	3%	0.2	0.4%
Government	234	20%	233	251	17%	0.7%	1.4%	262	16%	2.3	0.9%	274.4	16%	2.4	0.9%
Total	1,151		1,354	1,442		2.3%	1.3%	1,603		32.2	2.1%	1,687		16.9	1.0%



Source: Moody's (December 2020)

APPENDIX A1ii

MARKET OVERVIEW - EMPLOYMENT - JOB CLUSTERS
PRIMARY MARKET AREA
2018

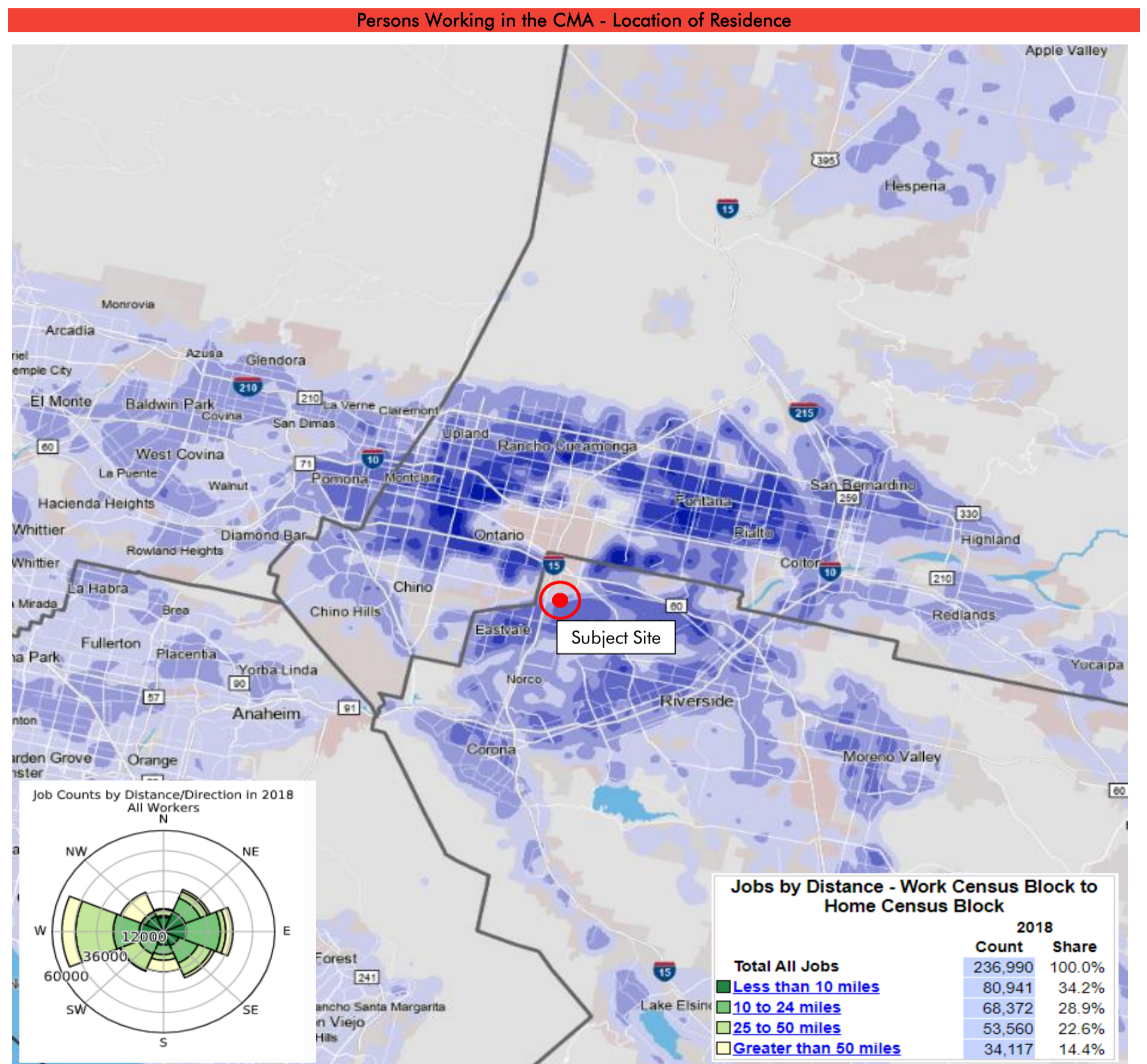


Source: US Census, Center for Economic Studies (OnTheMap)

APPENDIX A1iii

MARKET OVERVIEW - EMPLOYMENT - COMMUTING
PRIMARY MARKET AREA
2018

Geography:	Ontario		CMA	
	Num.	Share	Num.	Share
Labor (Living in Geography)	74,614		235,147	
<u>Location of Work</u>				
Ontario city, CA	11,190	15%	23,532	10%
Los Angeles city, CA	5,169	7%	14,252	6%
Rancho Cucamonga city, CA	4,259	6%	12,726	5%
Fontana city, CA	1,989	3%	12,047	5%
Riverside city, CA	1,731	2%	11,753	5%
San Bernardino city, CA	1,406	2%	8,875	4%
Chino city, CA	3,737	5%	7,588	3%
Jurupa Valley city, CA	1,109	1%	7,270	3%
Corona city, CA	1,585	2%	6,321	3%
Pomona city, CA	2,671	4%	5,220	2%
Anaheim city, CA	1,478	2%	4,702	2%
Upland city, CA	2,088	3%	4,494	2%
Irvine city, CA	1,000	1%	4,229	2%
Rialto city, CA	741	1%	3,910	2%
San Diego city, CA	901	1%	3,245	1%
Orange city, CA	874	1%	3,138	1%
Santa Ana city, CA	759	1%	3,026	1%
Remaining Cities	42,439	57%	130,783	56%
Total	74,614		235,147	
Jobs (Working in Geography)	128,637		236,990	
<u>Location of Residence</u>				
Fontana city, CA	7,607	6%	17,951	8%
Ontario city, CA	11,190	9%	14,943	6%
Riverside city, CA	5,022	4%	12,237	5%
Rancho Cucamonga city, CA	6,823	5%	10,803	5%
Los Angeles city, CA	5,398	4%	9,266	4%
San Bernardino city, CA	3,948	3%	9,213	4%
Jurupa Valley city, CA	2,883	2%	8,710	4%
Rialto city, CA	3,385	3%	7,272	3%
Moreno Valley city, CA	2,217	2%	5,721	2%
Pomona city, CA	3,651	3%	5,069	2%
Corona city, CA	2,315	2%	4,487	2%
Eastvale city, CA	1,852	1%	4,125	2%
Chino city, CA	2,767	2%	3,961	2%
Upland city, CA	2,785	2%	3,854	2%
Colton city, CA	1,305	1%	2,951	1%
San Diego city, CA	1,688	1%	2,866	1%
Anaheim city, CA	1,654	1%	2,832	1%
Remaining Cities	80,164	62%	140,874	59%
Total	128,637		236,990	
Net Inflow / (Outflow)	54,023		1,843	
Jobs to Labor	1.7		1.0	



Source: US Census, Center for Economic Studies (OnTheMap)

APPENDIX A2

DEMAND DRIVERS - DEMOGRAPHICS
PRIMARY MARKET AREA
2020 THROUGH 2025

Geography:	Radius from Site			Competitive Market Area					PMA	Inland Empire	
	3-Mile	5-Mile	10-Mile	Jurupa Valley	Ontario	Fontana	Eastvale	CMA			
Scale											
Population ('20)	42,133	240,696	1,216,650	108,550	182,380	215,334	69,402	575,667	2,235,579	4,649,818	
Households ('20)	12,376	65,567	338,612	28,068	50,535	53,323	17,582	149,508	638,047	1,418,077	
% of PMA	2%	10%	53%	4%	8%	8%	3%	23%	100%	---	
Gr/Yr (#, '20-'25)	169	688	2,533	258	365	354	375	1,352	3,962	11,511	
% of PMA	4%	17%	64%	7%	9%	9%	9%	34%	100%	---	
Over \$100K HH Growth	986	4,096	19,441	1,712	2,442	2,903	2,084	9,140	31,436	73,719	
Under \$100K HH Growth	(143)	(656)	(6,778)	(424)	(615)	(1,132)	(211)	(2,381)	(11,626)	(16,162)	
Gr/Yr (%,'20-'25)	1.3%	1.0%	0.7%	0.9%	0.7%	0.7%	2.0%	0.9%	0.6%	0.8%	
Employment ('20)	54,446	143,567	401,204	24,722	94,181	46,825	7,096	172,299	760,442	1,319,595	
% of PMA	7%	19%	53%	3%	12%	6%	1%	23%	100%	---	
Household Size ('20)											
Average HH Size	3.40	3.62	3.52	3.84	3.59	4.03	3.95	3.84	3.43	3.23	
1-Person	14%	15%	15%	15%	15%	10%	6%	12%	16%	19%	
2-Person	24%	21%	23%	21%	21%	17%	18%	19%	24%	27%	
3+ Person	62%	64%	62%	64%	64%	73%	75%	68%	60%	54%	
Age Breakdown ('20)											
Median Age	33.7	32.1	33.1	32.2	31.9	30.7	32.1	31.5	32.9	34.1	
Under 20	27%	30%	29%	31%	30%	32%	34%	31%	29%	28%	
20-24	7%	7%	7%	7%	8%	8%	5%	7%	8%	7%	
25-34	18%	18%	17%	17%	18%	18%	16%	18%	17%	16%	
35-44	15%	15%	14%	12%	14%	13%	17%	14%	13%	12%	
45-54	12%	12%	12%	11%	12%	12%	14%	12%	12%	12%	
55-64	11%	10%	11%	11%	10%	9%	8%	10%	11%	11%	
65-74	7%	6%	7%	7%	6%	5%	4%	6%	7%	8%	
75+	3%	3%	4%	4%	3%	3%	2%	3%	4%	5%	
Income Breakdown ('20)											
Median Income	\$83,207	\$76,435	\$78,008	\$67,878	\$64,721	\$76,225	\$120,721	\$75,303	\$72,801	\$66,193	
vs. PMA	14%	5%	7%	(7%)	(11%)	5%	66%	3%	100%	91%	
Average Income	\$98,788	\$92,839	\$98,484	\$85,292	\$80,523	\$92,178	\$139,210	\$92,477	\$94,250	\$89,572	
Under \$50K	23%	30%	30%	35%	36%	30%	14%	31%	34%	37%	
\$50-\$75K	19%	19%	18%	19%	21%	19%	11%	19%	18%	17%	
\$75-\$100K	18%	16%	15%	15%	16%	17%	10%	15%	14%	13%	
\$100-\$150K	23%	20%	20%	18%	17%	20%	27%	19%	18%	17%	
\$150-\$200K	10%	9%	10%	7%	7%	8%	22%	9%	9%	8%	
Over \$200K	6%	6%	8%	5%	4%	6%	16%	6%	8%	7%	
Net Worth Breakdown ('20)											
Median Net Worth	\$130,244	\$89,560	\$107,559	\$100,236	\$62,035	\$118,021	\$279,708	\$104,288	\$93,651	\$95,454	
vs. PMA	39%	(4%)	15%	7%	(34%)	26%	199%	11%	100%	---	
Average Net Worth	\$528,174	\$430,435	\$602,639	\$444,552	\$319,343	\$473,606	\$871,541	\$462,804	\$602,751	\$627,739	
Under \$50K	33%	40%	37%	38%	47%	35%	19%	38%	40%	40%	
\$50-\$250K	30%	30%	28%	30%	29%	31%	28%	30%	27%	28%	
\$250-\$500K	14%	12%	12%	14%	12%	15%	16%	14%	12%	12%	
\$500-\$1M	12%	9%	10%	9%	7%	10%	17%	10%	9%	9%	
\$1M-\$1.5M	5%	3%	4%	3%	3%	4%	7%	4%	4%	4%	
\$1.5M-\$2M	1%	1%	2%	1%	1%	1%	3%	1%	2%	2%	
Over \$2M	4%	4%	6%	4%	2%	4%	10%	4%	6%	6%	

APPENDIX A2
 DEMAND DRIVERS - DEMOGRAPHICS
 PRIMARY MARKET AREA
 2020 THROUGH 2025

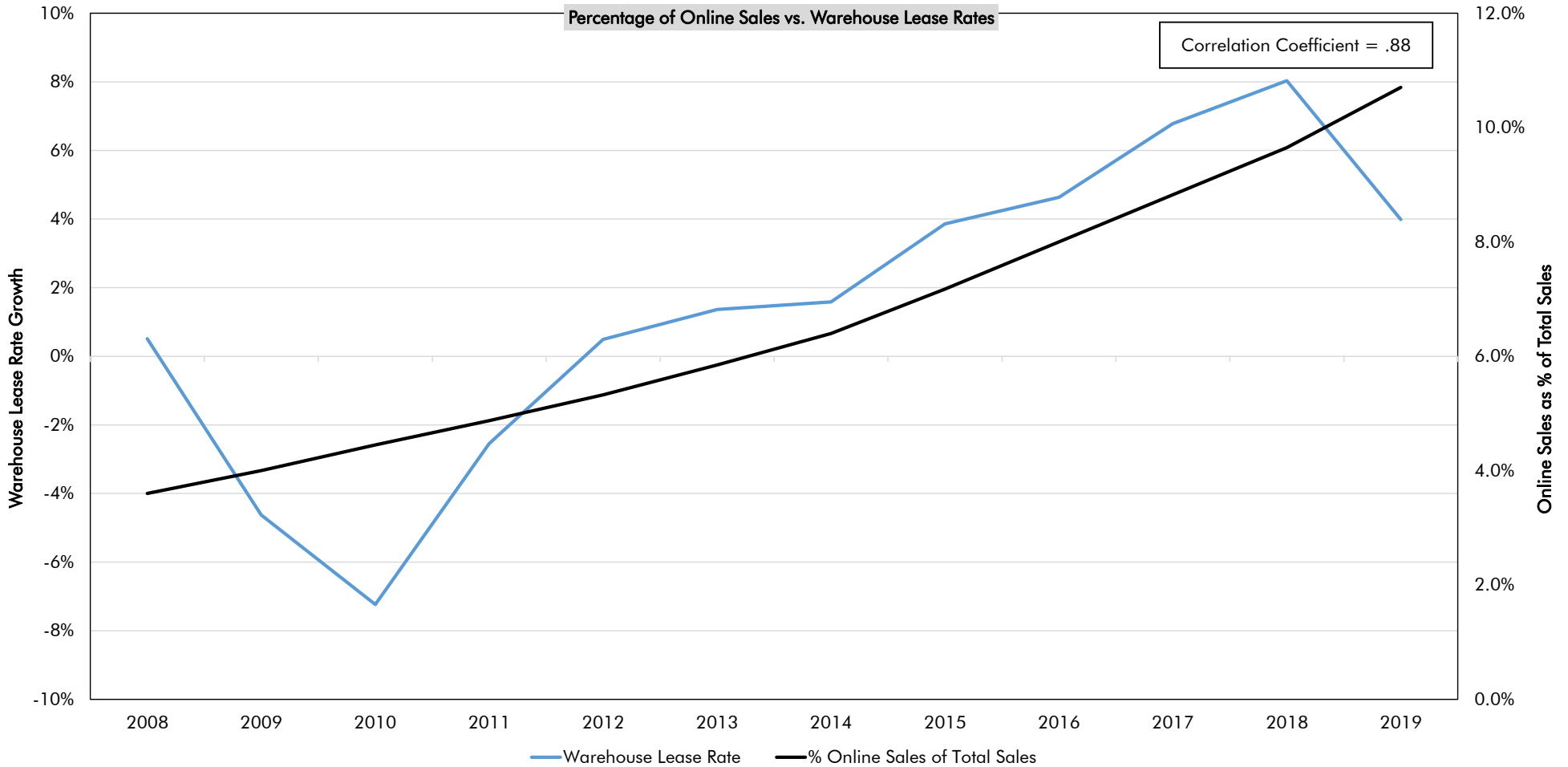
Geography:	Radius from Site			Competitive Market Area					PMA	Inland Empire
	3-Mile	5-Mile	10-Mile	Jurupa Valley	Ontario	Fontana	Eastvale	CMA		
Rentership ('20)										
% Rent	32%	38%	37%	32%	45%	32%	12%	34%	39%	35%
Renter HHs	3,911	25,153	126,291	9,103	22,825	17,241	2,116	51,285	249,438	501,768
% of PMA	2%	10%	51%	4%	9%	7%	1%	21%	100%	---
Annual New Renters ('20)	53	264	945	84	165	115	45	464	1,549	4,073
% Rent SFD	--	--	--	54%	32%	51%	77%	45%	37%	45%
% Rent 1-4 Unit Attache	--	--	--	11%	24%	12%	9%	17%	19%	18%
% Rent 5-50 Unit Attache	--	--	--	20%	31%	19%	8%	23%	30%	24%
% Rent 50+ Unit Attache	--	--	--	9%	10%	16%	4%	12%	12%	8%
Ownership ('20)										
% Own	68%	62%	63%	68%	55%	68%	88%	66%	61%	65%
Owner HHs	8,465	40,415	212,321	18,965	27,711	36,081	15,466	98,223	388,609	916,309
% of PMA	2%	10%	55%	5%	7%	9%	4%	25%	100%	---
Annual New Owners ('20)	115	424	1,588	174	200	240	330	888	2,413	7,438
% Own SFD	--	--	--	93%	92%	97%	97%	95%	94%	92%
% Own 1-4 Unit Attache	--	--	--	0%	2%	0%	0%	1%	1%	1%
% Own 5-50 Unit Attache	--	--	--	0%	1%	0%	0%	1%	1%	1%
% Own 50+ Unit Attache	--	--	--	7%	5%	2%	3%	4%	4%	6%

Source: ESRI; US Census (American Factfinder)

EXHIBIT A3

NATIONAL INDUSTRIAL SPACE - PERCENT ONLINE SALES VS WAREHOUSE LEASE RATES
UNITED STATES
2007 THROUGH 2019

Period:	Historical													Annual Average	
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	5-Yr	10-Yr
% Online Sales of Total Sales	3.4%	3.6%	4.0%	4.5%	4.9%	5.3%	5.9%	6.4%	7.2%	8.0%	8.8%	9.7%	10.7%		
Gr/Yr (%)	---	5.9%	11.1%	11.3%	9.6%	9.2%	9.9%	9.4%	12.1%	11.5%	10.3%	9.3%	10.9%	10.8%	10.3%
Warehouse Lease Rate	\$4.99	\$5.01	\$4.78	\$4.43	\$4.32	\$4.34	\$4.40	\$4.47	\$4.64	\$4.86	\$5.19	\$5.61	\$5.83		
Gr/Yr (%)	---	0.5%	-4.6%	-7.2%	-2.5%	0.5%	1.4%	1.6%	3.9%	4.6%	6.8%	8.0%	4.0%	5.4%	2.0%



Source: Moody's, BLS

APPENDIX B1
INDUSTRIAL MARKET TRENDS - DISTRIBUTION/WAREHOUSE
PRIMARY MARKET AREA
2001 THROUGH 4Q 2020

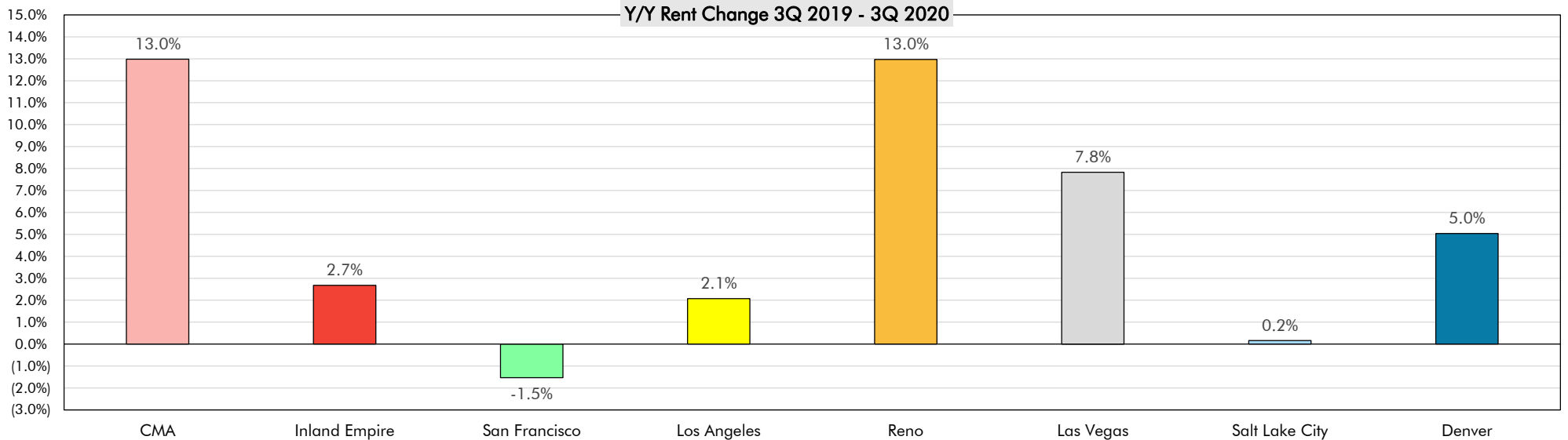
Market Factor	Annual																			YTD	Annual Averages	
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	5-Year	10-Year
Rentable Building Area (000s SF)																						
PMA	228,806	240,009	250,186	262,478	280,315	301,915	316,930	335,310	339,130	339,353	339,383	342,373	349,329	361,390	376,876	390,271	406,836	423,134	437,870	449,710	---	---
< 50,000 SF	68,053	69,692	71,404	74,732	78,726	81,427	84,651	85,910	86,879	86,824	86,558	86,116	85,966	86,005	86,158	86,677	87,662	88,507	88,819	89,446	---	---
50,000 - 200,000 SF	63,896	66,342	68,371	70,865	73,483	77,134	79,181	82,210	83,381	83,381	83,171	83,100	83,401	84,645	86,485	88,576	93,262	96,385	98,587	100,340	---	---
> 200,000 SF	96,857	103,975	110,411	116,881	128,106	143,354	153,098	167,190	168,870	169,148	169,655	173,157	179,962	190,740	204,233	215,018	225,911	238,242	250,464	259,925	---	---
CMA	113,832	119,012	123,741	126,585	132,931	141,433	145,662	150,617	151,980	152,703	152,272	153,785	155,836	159,279	163,826	171,132	178,449	183,272	185,440	449,710	---	---
< 50,000 SF	18,851	19,470	20,146	20,883	22,152	22,587	23,673	23,854	24,460	24,516	24,296	24,217	24,187	24,187	24,184	24,529	25,106	25,540	25,611	89,446	---	---
50,000 - 200,000 SF	29,344	30,480	31,296	31,577	32,733	34,411	35,766	36,491	36,956	36,956	36,746	36,788	36,901	37,216	37,802	38,518	39,949	41,248	41,884	100,340	---	---
> 200,000 SF	65,637	69,062	72,300	74,125	78,046	84,434	86,223	90,273	90,563	91,231	91,231	92,780	94,749	97,876	101,840	108,085	113,394	116,483	117,944	259,925	---	---
Net Deliveries (000s SF)																						
PMA	1,391	3,242	2,147	4,531	6,594	7,220	4,466	2,494	52	667	40	962	1,685	1,677	3,272	1,264	5,822	2,465	6,317	0	3,828	2,417
< 50,000 SF	262	429	294	804	778	666	920	348	52	0	40	5	0	0	25	119	182	84	0	92	82	45
50,000 - 200,000 SF	806	955	472	282	1,160	795	813	230	0	0	0	188	325	617	572	860	546	396	988	598	350	350
> 200,000 SF	323	1,858	1,381	3,446	4,656	5,758	2,734	1,916	0	667	0	957	1,497	1,353	2,630	573	4,780	1,835	5,920	843	3,148	2,021
CMA	401	1,268	410	92	2,665	1,677	1,181	233	25	667	17	353	0	208	980	915	1,913	0	1,081	1,923	978	614
< 50,000 SF	10	125	42	92	152	186	288	108	25	0	17	0	0	0	25	119	153	0	0	92	59	31
50,000 - 200,000 SF	391	286	138	0	809	288	685	126	0	0	0	0	0	254	223	220	0	89	988	157	79	79
> 200,000 SF	0	857	230	0	1,704	1,203	208	0	0	667	0	353	0	208	701	573	1,541	0	993	843	761	504
Net Absorption (000s SF)																						
PMA	438	3,997	4,581	2,769	4,564	4,930	2,789	29	1,286	2,146	(1,254)	2,663	3,630	4,311	4,512	3,273	3,974	2,351	2,975	2,147	3,417	2,858
< 50,000 SF	216	362	155	896	610	514	535	(376)	5	88	256	189	493	(3)	280	208	181	336	212	55	243	224
50,000 - 200,000 SF	779	1,458	1,452	(50)	407	1,109	447	23	(1)	754	319	201	134	913	898	(118)	1,232	604	(88)	(11)	506	485
> 200,000 SF	(557)	2,177	2,974	1,923	3,548	3,307	1,807	382	1,283	1,304	(1,829)	2,273	3,003	3,401	3,334	3,184	2,561	1,411	2,850	2,103	2,668	2,149
CMA	401	1,936	2,386	(67)	2,342	885	1,252	(190)	1,085	1,930	(1,082)	1,355	1,184	537	1,058	1,494	1,282	966	1,221	2,147	1,204	994
< 50,000 SF	126	212	112	199	144	127	348	(73)	5	175	(63)	66	171	(191)	59	101	312	42	162	55	135	83
50,000 - 200,000 SF	852	795	352	(330)	238	846	491	(112)	(127)	405	118	43	102	134	250	(98)	474	34	88	(11)	150	155
> 200,000 SF	(577)	929	1,921	64	1,960	(89)	413	(5)	1,207	1,350	(1,136)	1,246	912	594	749	1,490	497	890	970	2,103	919	756
Vacancy (%)																						
PMA	8.5%	7.7%	6.3%	6.0%	6.4%	7.3%	6.1%	10.1%	11.9%	9.4%	7.2%	6.6%	4.5%	4.3%	3.8%	3.7%	4.4%	3.8%	4.2%	4.0%	4.0%	5.2%
< 50,000 SF	5.1%	4.9%	5.0%	4.8%	4.7%	5.0%	5.2%	7.3%	8.9%	7.8%	5.9%	5.2%	3.1%	2.7%	1.9%	2.7%	2.7%	2.5%	2.5%	2.9%	2.5%	3.7%
50,000 - 200,000 SF	9.4%	9.2%	8.0%	7.7%	8.4%	8.4%	7.4%	9.8%	13.4%	10.4%	8.9%	7.1%	5.7%	3.6%	2.6%	3.8%	4.8%	4.1%	5.5%	5.1%	4.2%	5.7%
> 200,000 SF	11.0%	9.0%	5.9%	5.6%	6.9%	8.5%	5.6%	13.1%	13.4%	9.9%	6.7%	7.6%	4.8%	6.7%	6.8%	4.5%	5.7%	4.9%	4.6%	4.0%	5.3%	6.2%
CMA	9.1%	7.4%	6.1%	5.5%	6.4%	7.1%	5.5%	8.0%	10.3%	7.8%	7.3%	6.8%	4.8%	4.3%	3.0%	3.2%	3.5%	2.9%	2.7%	4.0%	3.1%	4.6%
< 50,000 SF	6.5%	5.7%	5.3%	5.2%	5.0%	5.6%	5.2%	5.9%	8.4%	6.6%	5.9%	4.9%	3.2%	3.0%	1.7%	3.1%	3.1%	2.4%	2.3%	2.9%	2.5%	3.6%
50,000 - 200,000 SF	11.3%	8.3%	7.5%	7.1%	9.0%	7.0%	7.7%	8.0%	13.8%	10.8%	10.2%	9.4%	6.6%	3.4%	2.5%	2.6%	2.4%	3.6%	4.1%	5.1%	3.0%	5.6%
> 200,000 SF	9.5%	8.3%	5.6%	4.1%	5.3%	8.7%	3.7%	10.1%	8.8%	5.9%	5.7%	6.2%	4.6%	6.5%	4.7%	4.0%	5.0%	2.8%	1.8%	4.0%	3.7%	4.7%
Average Rate (NNN)																						
PMA	\$4.51	\$4.57	\$4.58	\$4.76	\$5.05	\$5.65	\$5.99	\$5.79	\$4.82	\$4.61	\$4.70	\$5.21	\$4.91	\$5.30	\$5.99	\$6.33	\$6.61	\$6.95	\$8.82	\$9.45	\$6.94	\$5.94
< 50,000 SF	\$5.37	\$5.54	\$5.65	\$5.80	\$6.12	\$7.13	\$7.61	\$7.20	\$5.85	\$5.98	\$6.01	\$7.29	\$6.30	\$7.12	\$7.56	\$7.92	\$8.43	\$8.43	\$9.25	\$10.79	\$8.32	\$7.43
50,000 - 200,000 SF	\$4.36	\$4.37	\$4.23	\$4.49	\$4.99	\$5.39	\$5.58	\$5.31	\$4.59	\$4.23	\$4.24	\$4.37	\$4.39	\$4.54	\$5.59	\$6.34	\$6.51	\$6.77	\$9.03	\$9.31	\$6.85	\$5.60
> 200,000 SF	\$3.79	\$3.80	\$3.86	\$4.00	\$4.05	\$4.43	\$4.78	\$4.86	\$4.02	\$3.63	\$3.84	\$3.96	\$4.04	\$4.23	\$4.83	\$4.74	\$4.90	\$5.65	\$8.18	\$8.24	\$5.66	\$4.80
CMA	\$4.40	\$4.63	\$4.38	\$4.58	\$5.11	\$5.51	\$5.98	\$5.83	\$4.82	\$4.55	\$4.78	\$5.30	\$5.00	\$5.40	\$6.05	\$6.48	\$7.78	\$7.83	\$9.21	\$9.45	\$7.47	\$6.24
< 50,000 SF	\$5.23	\$5.86	\$5.31	\$5.56	\$6.07	\$6.54	\$7.41	\$7.01	\$5.55	\$5.59	\$5.98	\$7.40	\$6.34	\$6.93	\$7.54	\$8.23	\$8.44	\$9.08	\$12.33	\$10.79	\$9.12	\$7.79
50,000 - 200,000 SF	\$4.20	\$4.26	\$4.12	\$4.29	\$5.28	\$5.67	\$5.71	\$5.48	\$4.68	\$4.19	\$4.33	\$4.35	\$4.64	\$4.84	\$5.58	\$6.39	\$7.11	\$7.45	\$7.86	\$9.31	\$6.88	\$5.67
> 200,000 SF	\$3.78	\$3.77	\$3.72	\$3.88	\$3.99	\$4.32	\$4.81	\$4.99	\$4.23	\$3.86	\$4.03	\$4.14	\$4.01	\$4.44	\$5.03	\$4.83	---	\$6.96	\$7.44	\$8.24	\$6.07	\$4.97
Rate Growth (%)																						
PMA	---	1.4%	0.2%	4.0%	6.1%	11.8%	6.0%	(3.3%)	(16.8%)	(4.3%)	1.8%	10.9%	(5.7%)	7.9%	13.2%	5.7%	4.4%	5.1%	26.9%	35.9%	11.0%	6.6%
< 50,000 SF	---	3.2%	2.0%	2.7%	5.5%	16.5%	6.7%	(5.4%)	(18.8%)	2.2%	0.5%	21.3%	(13.6%)	13.0%	6.2%	4.8%	6.4%	0.0%	9.7%	28.0%	5.4%	5.1%
50,000 - 200,000 SF	---	0.2%	(3.2%)	6.1%	11.1%	8.0%	3.5%	(4.8%)	(13.6%)	(7.8%)	0.2%	3.1%	0.5%	3.4%	23.1%	13.4%	2.7%	4.0%	33.4%	37.5%	15.3%	7.6%
> 200,000 SF	---	0.3%	1.6%	3.6%	1.3%	9.4%	7.9%	1.7%	(17.3%)	(9.7%)	5.8%	3.1%	2.0%	4.7%	14.2%	(1.9%)	3.4%	15.3%	44.8%	45.8%	15.2%	8.2%
CMA	---	5.1%	(5.3%)	4.4%	11.7%	7.8%	8.5%	(2.5%)	(17.3%)	(5.7%)	5.1%	10.8%	(5.7%)	8.1%	12.0%	7.2%	19.9%	0.7%	17.6%	20.7%	11.5%	7.0%
< 50,000 SF	---	12.0%	(9.4%)	4.7%	9.2%	13.3%	7.7%	(5.4%)	(20.8%)	0.7%	7.0%	23.7%	(14.3%)	9.3%	8.8%	9.2%	2.6%	7.6%	35.8%	18.9%	12.8%	9.0%
50,000 - 200,000 SF	---	1.4%	(3.3%)	4.1%	23.1%	7.4%	0.7%	(4.0%)	(14.6%)	(10.5%)	3.3%	0.5%	6.7%	4.3%	15.3%	14.5%	11.3%	4.7%	5.5%	25.0%	10.3%	5.6%
> 200,000 SF	---	(0.3%)	(1.3%)	4.3%	2.8%	8.3%	11.3%	3.7%	(15.2%)	(8.7%)	4.4%	2.7%	(3.1%)	10.7%	13.3%	(4.0%)	---	---	6.9%	18.4%	5.4%	2.8%

Source: CoStar; TCG

APPENDIX B2

NEAR-TERM INDUSTRIAL RENT TRENDS
SELECT UNITED STATES MARKETS
THIRD QUARTER 2019 THROUGH THIRD QUARTER 2020

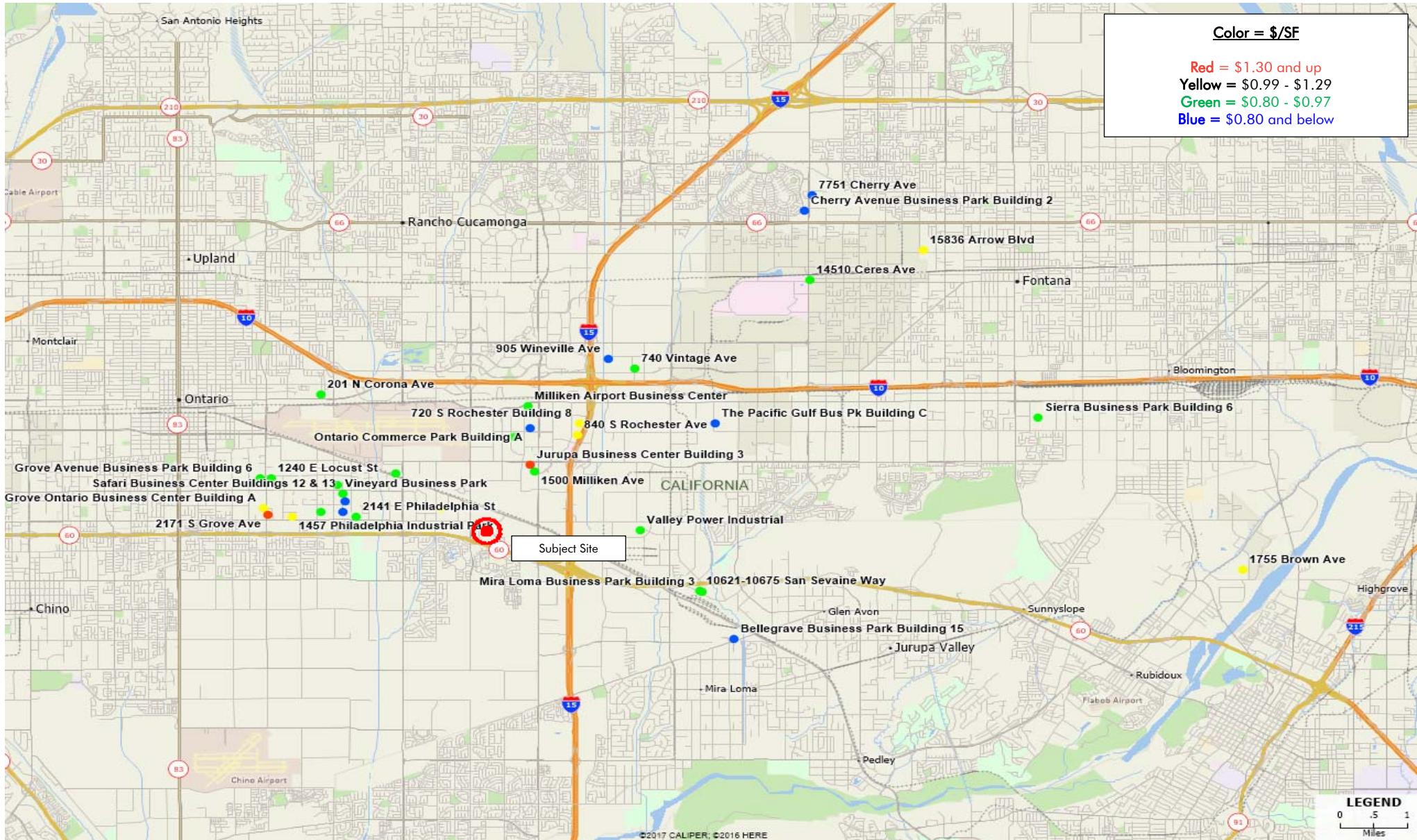
Downtown Submarket:	CMA		Inland Empire		Analogue Comparison Metros												
					San Francisco		Los Angeles		Reno		Las Vegas		Salt Lake City		Denver		
	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	
Inventory																	
Q3 2019	214,273		634,196		165,288		876,417		58,798		79,212		71,198		116,883		
Q3 2020	218,771		656,789		167,254		880,439		59,922		81,019		71,434		117,870		
Y/Y Change		2.1%		3.6%		1.2%		0.5%		1.9%		2.3%		0.3%		0.8%	
Occupancy																	
Q3 2019	97.5%		96.1%		95.0%		98.0%		90.0%		96.5%		95.3%		94.2%		
Q1 2020	97.1%		95.6%		93.5%		97.3%		89.4%		95.9%		94.6%		94.2%		
Q2 2020	96.3%		96.3%		93.5%		97.1%		90.3%		95.2%		95.0%		93.7%		
Q3 2020	97.0%		96.2%		93.7%		97.1%		89.7%		95.7%		95.3%		93.3%		
Q/Q Change (Q2/Q3)		0.7%		(0.1%)		0.2%		0.0%		(0.7%)		0.5%		0.3%		(0.4%)	
Y/Y Change (Q3/Q3)		(0.5%)		0.1%		(1.4%)		(0.9%)		(0.3%)		(0.8%)		0.0%		(1.0%)	
Effective Rent																	
Q3 2019	\$9.40		\$9.71		\$15.04		\$12.56		\$4.55		\$7.66		\$6.16		\$7.74		
Q1 2020	\$9.76		\$9.88		\$15.03		\$12.74		\$4.97		\$8.40		\$6.09		\$8.04		
Q2 2020	\$9.97		\$9.80		\$14.87		\$12.73		\$5.13		\$8.18		\$6.13		\$8.34		
Q3 2020	\$10.62		\$9.97		\$14.81		\$12.82		\$5.14		\$8.26		\$6.17		\$8.13		
Q/Q Change (Q2/Q3)		6.5%		1.7%		(0.4%)		0.7%		0.2%		1.0%		0.7%		(2.5%)	
Y/Y Change (Q3/Q3)		13.0%		2.7%		(1.5%)		2.1%		13.0%		7.8%		0.2%		5.0%	



Source: CoStar

APPENDIX B3i

INDUSTRIAL - CURRENT INVENTORY - LOCATION
COMPETITIVE MARKET AREA
DECEMBER 2020



APPENDIX B3ii

INDUSTRIAL - CURRENT INVENTORY - PERFORMANCE
COMPETITIVE MARKET AREA
DECEMBER 2020

Name	City	Property Type	Secondary Type	Year Built	Total RBA (SF)	Direct RBA (SF)	Effective Rent/ Mo \$/SF	Lease Type (1)	Direct Monthly Lease		Class	Elev.
									Adj. Rent (NNN) (2)	Lease Type		
CMA												
< 50,000 SF												
Jurupa Business Center Building 3	Ontario	Industrial	Warehouse	2003	25,091	10,694	\$1.80	MG	\$1.53	NNN*	B	1
2171 S Grove Ave	Ontario	Industrial	Light Manufacturing	1999	21,877	1,728	\$1.50	IG	\$1.35	NNN*	B	1
Grove Ontario Business Center Building A	Ontario	Industrial	Light Manufacturing	2003	15,900	2,900	\$1.37	MG	\$1.16	NNN*	B	1
15836 Arrow Blvd	Fontana	Industrial	Warehouse	2004	15,500	2,000	\$1.25	IG	\$1.13	NNN*	C	2
1457 Philadelphia Industrial Park	Ontario	Industrial	Warehouse	1979	25,840	1,520	\$1.20	IG	\$1.08	NNN*	B	1
840 S Rochester Ave	Ontario	Industrial	Warehouse	2003	26,019	6,358	\$1.05	NNN	\$1.05	NNN	B	1
720 S Rochester Building 8	Ontario	Industrial	Warehouse	2004	20,863	5,494	\$1.20	MG	\$1.02	NNN*	B	1
1240 E Locust St	Ontario	Industrial	Warehouse	1985	15,830	1,944	\$1.10	IG	\$0.99	NNN*	C	1
2141 E Philadelphia St	Ontario	Industrial	Service	1988	38,492	3,432	\$1.00	IG	\$0.90	NNN*	C	1
Vineyard Business Park	Ontario	Industrial	Warehouse	1986	19,503	1,020	\$1.00	IG	\$0.90	NNN*	C	1
10621-10675 San Sevaine Way	Jurupa Valley	Industrial	Warehouse	2008	19,032	3,898	\$1.00	IG	\$0.90	NNN*	B	1
14510 Ceres Ave	Fontana	Industrial	Service	2021	10,080	10,080	\$1.00	N	\$0.90	NNN*	B	1
Milliken Airport Business Center	Ontario	Industrial	Warehouse	2004	39,254	6,001	\$0.98	IG	\$0.88	NNN*	B	2
Grove Avenue Business Park Building 6	Ontario	Industrial	Warehouse	2007	20,854	7,543	\$0.97	IG	\$0.87	NNN*	B	1
Mira Loma Business Park Building 3	Jurupa Valley	Industrial	Warehouse	2007	21,076	5,673	\$1.00	MG	\$0.85	NNN*	B	1
201 N Corona Ave	Ontario	Industrial	Distribution	2008	22,252	4,625	\$0.96	MG	\$0.82	NNN*	B	1
2053 S Baker Ave Building 3	Ontario	Industrial	Warehouse	2012	5,618	5,618	\$0.95	MG	\$0.81	NNN*	C	1
Cherry Avenue Business Park Building 2	Fontana	Industrial	Light Manufacturing	2006	22,050	4,291	\$0.89	MG	\$0.76	NNN*	B	1
Bellevue Business Park Building 15	Jurupa Valley	Industrial	Warehouse	2009	47,306	9,860	\$0.82	IG	\$0.74	NNN*	B	1
Total/ Wtd. Average:			19 Properties	2001	22,760	99,697	\$1.09		\$0.97			1
50,000 - 100,000 SF												
1500 Milliken Ave	Ontario	Industrial	Warehouse	2000	66,836	7,224	\$0.99	IG	\$0.89	NNN*	B	1
Valley Power Industrial	Jurupa Valley	Industrial	Manufacturing	1990	50,688	50,688	\$0.99	MG	\$0.84	NNN*	B	1
Safari Business Center Buildings 12 & 13	Ontario	Industrial	Warehouse	1991	50,932	10,401	\$0.96	MG	\$0.81	NNN*	B	1
The Pacific Gulf Bus Pk Building C	Fontana	Industrial	Warehouse	1989	53,061	19,090	\$0.85	IG	\$0.77	NNN*	B	1
Safari Business Center Building 9	Ontario	Industrial	Warehouse	1991	81,176	13,559	\$0.83	IG	\$0.75	NNN*	B	1
Ontario Commerce Park Building A	Ontario	Industrial	Warehouse	1988	84,712	14,056	\$0.85	MG	\$0.72	NNN*	B	1
7751 Cherry Ave	Fontana	Industrial	Warehouse	1989	96,699	45,278	\$0.79	IG	\$0.71	NNN*	A	1
Total/ Wtd. Average:			7 Properties	1991	69,158	162,881	\$0.88		\$0.77			1
100,000 - 200,000 SF												
Cedar Business Center	Ontario	Industrial	Warehouse	2000	145,365	3,281	\$1.25	IG	\$1.13	NNN*	B	2
1755 Brown Ave	Jurupa Valley	Industrial	Manufacturing	1999	170,000	170,000	\$1.09	NNN	\$1.09	NNN	A	1
740 Vintage Ave	Ontario	Industrial	Warehouse	1998	180,608	50,000	\$1.15	FSG	\$0.92	NNN*	B	1
1550-1590 S Archibald Ave	Ontario	Industrial	Warehouse	1989	164,085	16,800	\$0.90	IG	\$0.81	NNN*	B	1
Safari Business Center Building 4	Ontario	Industrial	Warehouse	1988	133,662	10,798	\$0.90	MG	\$0.77	NNN*	B	1
Total/ Wtd. Average:			5 Properties	1995	158,744	268,402	\$1.06		\$0.95			1
> 200,000 SF												
1001 Doubleday Ave	Ontario	Industrial	Warehouse	1987	393,118	300,000	\$1.10	FSG	\$0.88	NNN*	C	1
Sierra Business Park Building 6	Fontana	Industrial	Distribution	2006	1,101,840	300,000	\$1.05	FSG	\$0.84	NNN*	A	1
905 Wineville Ave	Ontario	Industrial	Warehouse	2019	261,090	47,144	\$0.84	FSG	\$0.67	NNN*	A	1
Total/ Wtd. Average:			3 Properties	2004	585,349	787,216	\$1.03		\$0.82			1

(1) Lease Type: NNN = Triple Net, IG = Industrial Gross, MG = Modified Gross

(2) Modified gross and industrial gross leases adjusted down 15% and 10%, respectively, to convert to NNN estimates.

Source: CoStar, TCG

APPENDIX B4

INDUSTRIAL - DEMAND
RIVERSIDE-SAN BERNARDINO-ONTARIO METROPOLITAN STATISTICAL AREA (INLAND EMPIRE)
2021 THROUGH 2030

Demand from Net New Jobs

Industry	Annual New Jobs (000s) (1)										Percent Industrial Using (2)	Industrial Area Per Job (3)	Current Industrial Pool	Annual Obsol. Rate	Potential Industrial Demand - Square Feet (000s)									
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030					2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Construction	4.4	8.6	5.3	3.6	1.8	0.6	0.5	0.2	0.5	0.8	10.0%	750	NA	NA	334	642	399	267	137	47	35	12	38	63
Education & Health Services	4.6	9.9	13.1	8.2	5.0	5.0	4.7	4.3	4.3	4.3	5.0%	480	NA	NA	111	239	315	196	119	121	112	104	102	104
Financial Activities	1.4	2.3	2.8	1.6	1.1	1.3	1.4	1.5	1.5	1.6	5.0%	420	NA	NA	29	48	59	33	24	27	29	31	32	34
Government	-4.4	3.7	6.1	3.9	2.2	2.2	2.1	2.4	2.7	2.8	5.0%	420	NA	NA	0	79	128	83	46	46	44	50	58	58
Information	-0.4	0.1	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	5.0%	700	NA	NA	0	4	6	3	2	1	2	2	1	1
Leisure & Hospitality	-2.8	4.7	5.5	3.5	2.6	2.3	2.4	2.5	2.1	2.3	5.0%	500	NA	NA	0	117	138	87	66	57	61	62	54	57
Manufacturing	-2.1	0.7	0.7	-0.4	-0.7	-0.7	-0.6	-0.5	-0.6	-0.6	95.0%	1,500	NA	NA	0	970	959	0	0	0	0	0	0	0
Natural Resources & Mining	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	30.0%	500	NA	NA	0	10	4	0	0	0	0	0	0	0
Other Services (except Public Admin.)	2.4	1.4	1.6	0.6	0.1	0.2	0.2	0.2	0.2	0.1	30.0%	500	NA	NA	357	209	243	94	22	28	36	34	26	21
Professional & Business Services	3.8	5.1	5.6	3.4	3.0	2.9	3.0	3.4	3.1	3.0	5.0%	500	NA	NA	94	127	139	84	75	71	75	85	79	76
Retail Trade	3.6	3.7	4.2	2.1	1.4	1.4	1.1	0.9	0.7	0.3	15.0%	600	NA	NA	324	330	374	193	128	122	101	81	61	31
Transportation & Utilities	3.8	5.1	5.6	3.4	3.0	2.9	3.0	3.4	3.1	3.0	95.0%	1,500	NA	NA	5,364	7,257	7,940	4,791	4,258	4,064	4,273	4,832	4,481	4,305
Wholesale Trade	1.9	1.6	1.6	0.7	0.4	0.4	0.4	0.5	0.4	0.3	95.0%	1,500	NA	NA	2,691	2,260	2,300	994	569	570	615	654	516	420
Total Nonfarm	16.2	46.9	52.3	30.6	20.0	18.4	18.3	18.8	18.2	18.1	30.8%	759	NA	NA	9,303	12,293	13,004	6,825	5,445	5,156	5,382	5,947	5,447	5,169

Demand from Obsolescence/Redevelopment

Industry	Total Employment (000s) (1)										Percent Industrial Using	Industrial Area Per Job	Current Industrial Pool (000s)	Annual Obsol. Rate	Potential Industrial Demand - Square Feet (000s)									
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030					2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Construction	106.5	115.1	120.4	124.0	125.8	126.4	126.9	127.1	127.6	128.4	10.0%	750	7,991	1.0%	80	83	90	94	96	98	98	99	99	99
Education & Health Services	251.1	261.1	274.2	282.4	287.3	292.4	297.0	301.4	305.6	310.0	5.0%	480	6,027	1.0%	60	61	64	67	69	70	71	72	73	74
Financial Activities	44.9	47.2	50.0	51.6	52.8	54.0	55.4	56.9	58.4	60.0	5.0%	420	944	1.0%	9	10	10	11	11	11	12	12	12	13
Government	246.3	250.1	256.2	260.1	262.3	264.5	266.5	268.9	271.7	274.4	5.0%	420	5,172	1.0%	52	52	53	54	55	55	56	56	56	57
Information	9.6	9.7	9.9	10.0	10.0	10.0	10.1	10.1	10.2	10.2	5.0%	700	335	1.0%	3	3	3	3	3	3	4	4	4	4
Leisure & Hospitality	127.0	131.7	137.2	140.7	143.3	145.6	148.0	150.5	152.7	154.9	5.0%	500	3,174	1.0%	32	32	33	34	35	36	36	37	38	38
Manufacturing	90.0	90.7	91.4	91.0	90.3	89.6	89.1	88.6	88.0	87.5	95.0%	2,000	171,068	1.0%	1,711	1,711	1,720	1,730	1,730	1,730	1,730	1,730	1,730	1,730
Natural Resources & Mining	1.0	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.0	30.0%	500	147	1.0%	1	1	2	2	2	2	2	2	2	2
Other Services (except Public Admin.)	40.8	42.2	43.8	44.4	44.6	44.8	45.0	45.2	45.4	45.5	30.0%	500	6,117	1.0%	61	65	67	69	70	70	71	71	71	72
Professional & Business Services	152.5	157.6	163.1	166.5	169.5	172.3	175.3	178.7	181.9	184.9	5.0%	500	3,812	1.0%	38	39	40	42	43	43	44	45	46	46
Retail Trade	170.7	174.4	178.5	180.7	182.1	183.5	184.6	185.5	186.2	186.5	15.0%	550	14,085	1.0%	141	144	147	151	153	154	156	157	157	158
Transportation & Utilities	152.5	157.6	163.1	166.5	169.5	172.3	175.3	178.7	181.9	184.9	95.0%	2,000	289,692	1.0%	2,897	2,951	3,023	3,103	3,150	3,193	3,234	3,276	3,325	3,370
Wholesale Trade	67.8	69.4	71.0	71.7	72.1	72.5	73.0	73.4	73.8	74.1	95.0%	2,000	128,874	1.0%	1,289	1,316	1,338	1,361	1,371	1,377	1,383	1,389	1,395	1,400
Total Nonfarm	1,461	1,508	1,560	1,591	1,611	1,629	1,647	1,666	1,684	1,702	26.4%	871	637,438	1.0%	6,374	6,467	6,590	6,720	6,789	6,843	6,895	6,948	7,008	7,062

MSA Totals:	15,678	18,760	19,955	13,546	12,234	11,999	12,277	12,895	12,455	12,232
CMA Capture (4):	35%	35%	35%	35%	35%	35%	35%	35%	35%	35%
CMA Demand:	5,417	6,483	6,771	4,681	4,227	4,146	4,242	4,456	4,304	4,227

(1) Source: Moody's Economy
(2) Per TCG projection
(3) Per ULI, CoStar, Jones Lang LaSalle, TCG
(4) Per CoStar, current CMA share of total MSA industrial inventory

APPENDIX B5

INDUSTRIAL - PIPELINE
COMPETITIVE MARKET AREA
DECEMBER 2020

Status of Planned Units

	CMA	CMA	
		Num.	Share
U/C	9,836,746	9,836,746	35%
Approved	6,892,289	6,892,289	24%
Proposed	11,003,002	11,003,002	39%
Conceptual	526,216	526,216	2%
Total	28,258,253	28,258,253	
Share of CMA	100%	100%	
Percent of Existing Inventory	13%	13%	

Flow of Deliveries

Period:	Start Likelihood	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	CMA	
												Deliveries	% Delivered
U/C	100%	45%	55%	0%	0%	0%	0%	0%	0%	0%	0%	9,836,746	100%
Approved	70%	56%	14%	0%	0%	0%	0%	0%	0%	0%	0%	4,824,602	70%
Proposed	40%	5%	35%	0%	0%	0%	0%	0%	0%	0%	0%	4,401,201	40%
Conceptual	30%	0%	0%	0%	30%	0%	0%	0%	0%	0%	0%	157,865	30%
												19,220,414	68%

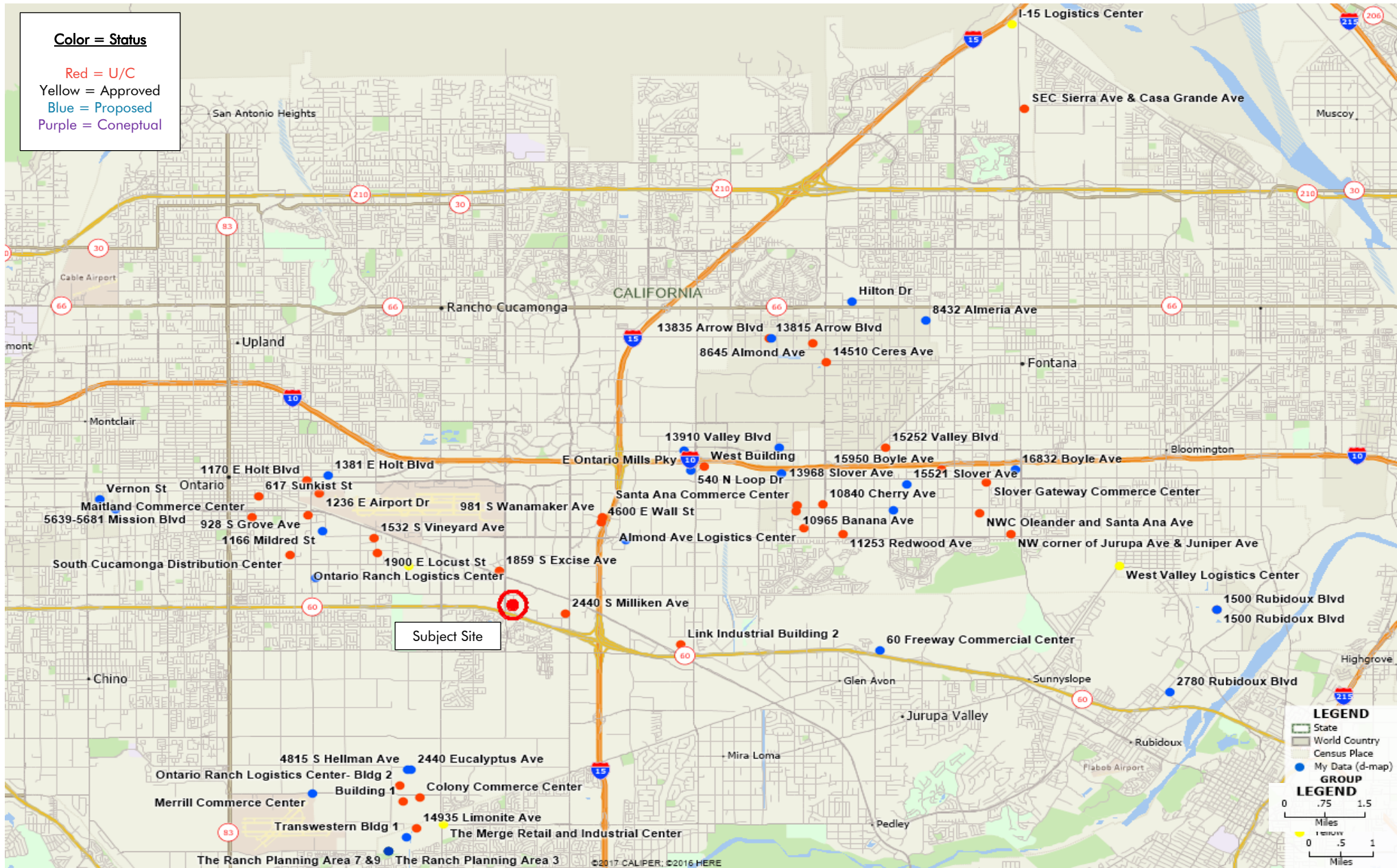
Delivery Projection

Submarket:	Total Planned	Projected Deliveries										CMA	
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Num.	% of Planned
CMA	28,258,253	4,780,716	5,293,669	2,748,414	1,310,752	550,000	550,000	550,000	270,000	200,000	200,000	16,453,551	58%
Total	28,258,253	4,780,716	5,293,669	2,748,414	1,310,752	550,000	550,000	550,000	270,000	200,000	200,000	16,453,551	58%
Share of CMA													
Percent of Existing Inventory												234%	
Deliveries Stabilized at 95%													
CMA	26,845,340	4,541,680	5,028,986	2,610,993	1,245,215	522,500	522,500	522,500	256,500	190,000	190,000	15,630,873	58%
Total at 95%	26,845,340	4,541,680	5,028,986	2,610,993	1,245,215	522,500	522,500	522,500	256,500	190,000	190,000	15,630,873	58%

Source: TCG; (1) Start Likelihood and Flow estimated by TCG based on internal estimation of delivery, with factors including entitlement status, in-place financing, etc.

APPENDIX B5

INDUSTRIAL - PIPELINE LOCATION
COMPETITIVE MARKET AREA
DECEMBER 2020

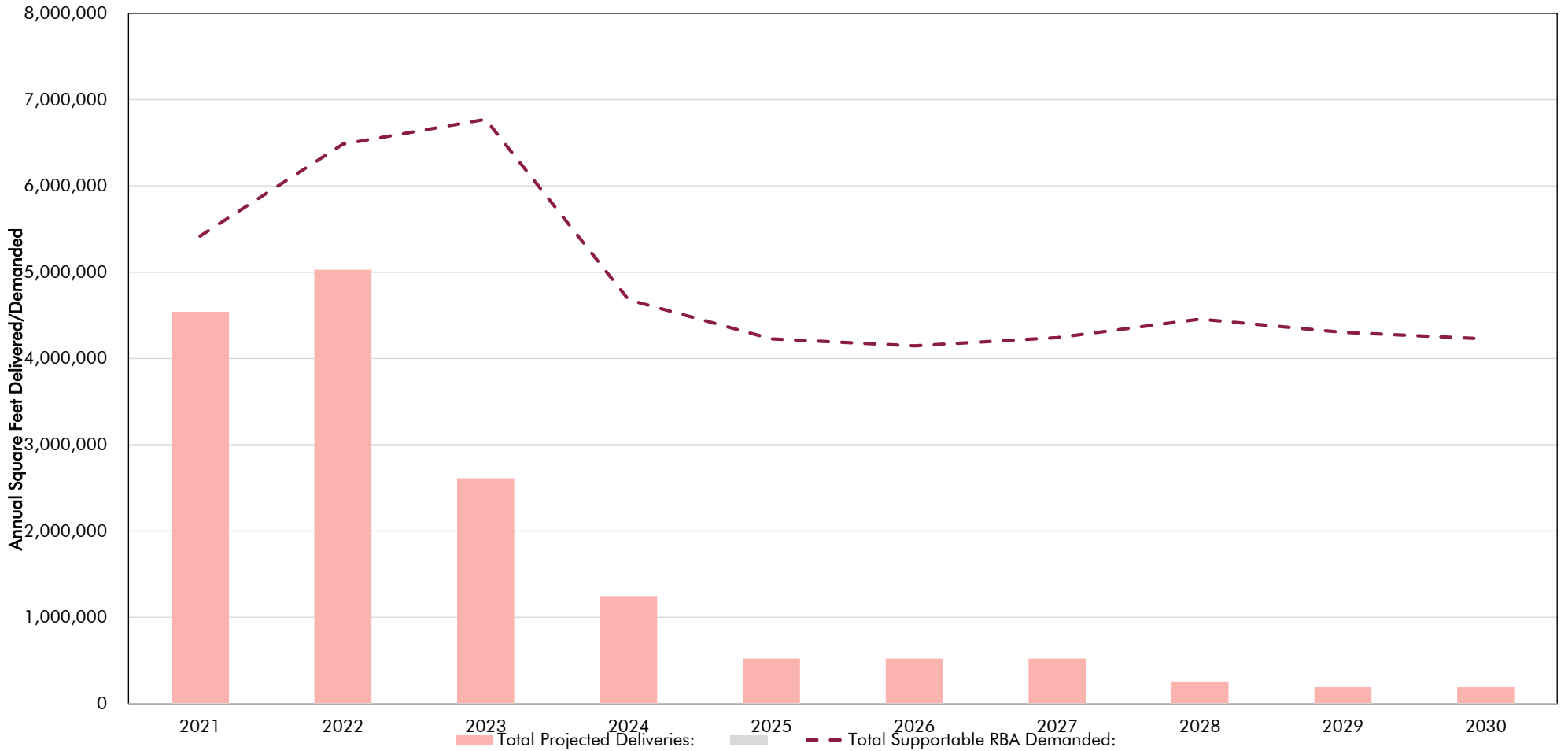


APPENDIX B6

INDUSTRIAL - SUPPLY VS. DEMAND
COMPETITIVE MARKET AREA
DECEMBER 2020

Supply and Demand Dynamics	Competitive Market Area										Total
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Total Projected Deliveries:	4,541,680	5,028,986	2,610,993	1,245,215	522,500	522,500	522,500	256,500	190,000	190,000	15,630,873
Total Supportable RBA Demanded:	5,417,428	6,482,636	6,770,903	4,680,647	4,227,311	4,146,217	4,242,241	4,455,898	4,303,844	4,226,701	48,953,825
Undersupply/(Oversupply):	875,748	1,453,650	4,159,910	3,435,432	3,704,811	3,623,717	3,719,741	4,199,398	4,113,844	4,036,701	33,322,952

Competitive Market Area



**APPENDIX C1
OFFICE MARKET TRENDS
PRIMARY MARKET AREA
2001 THROUGH 2020**

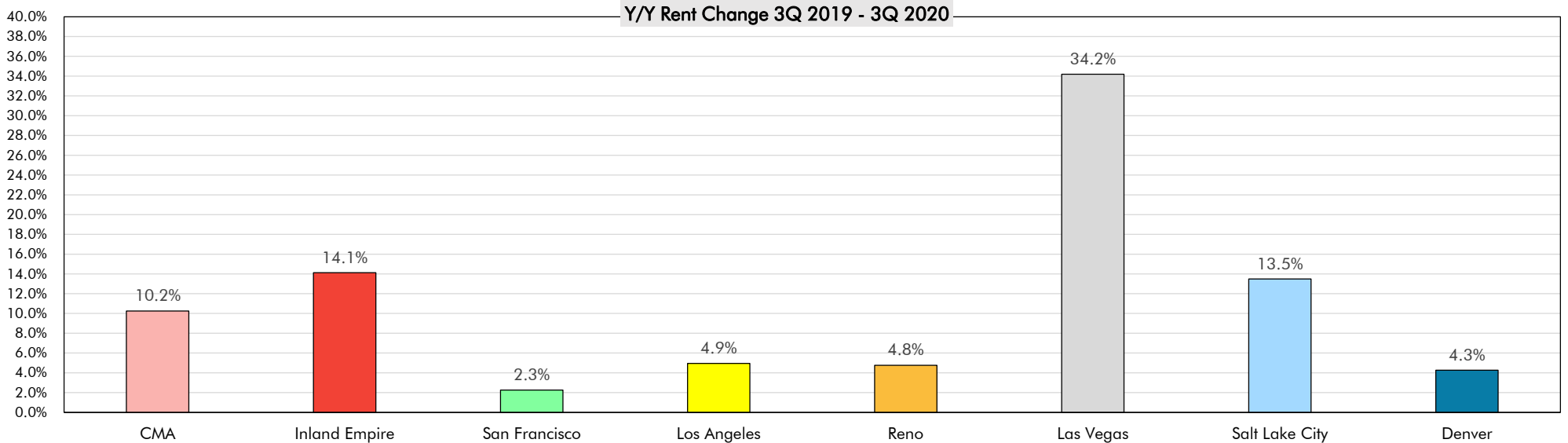
Market Factor	Annual																			YTD	Annual Averages	
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	5-Year	10-Year
Rentable Building Area (000s SF)																						
PMA	39,611	39,803	40,525	41,898	43,494	45,647	48,625	51,137	52,436	52,549	52,644	52,633	52,642	52,878	53,002	52,908	52,952	53,080	53,296	53,510	---	---
< 10,000 SF	7,804	7,847	7,882	8,039	8,370	8,773	9,114	9,494	9,561	9,556	9,551	9,536	9,528	9,516	9,509	9,490	9,479	9,478	9,492	9,503	---	---
10,000 - 25,000 SF	8,544	8,610	8,725	8,961	9,252	9,754	10,225	10,676	10,760	10,762	10,740	10,740	10,736	10,748	10,777	10,794	10,814	10,833	10,844	10,831	---	---
> 25,000 SF	23,262	23,347	23,918	24,898	25,872	27,120	29,286	30,966	32,115	32,231	32,354	32,358	32,378	32,614	32,716	32,624	32,659	32,769	32,960	33,177	---	---
CMA	5,637	5,736	5,789	6,190	6,509	7,024	7,445	8,116	8,303	8,305	8,291	8,291	8,344	8,398	8,438	8,431	8,454	8,473	8,593	8,593	---	---
< 10,000 SF	1,087	1,088	1,088	1,110	1,207	1,354	1,394	1,448	1,457	1,458	1,459	1,459	1,468	1,465	1,465	1,458	1,458	1,457	1,457	1,457	---	---
10,000 - 25,000 SF	780	797	850	925	988	1,030	1,069	1,172	1,188	1,188	1,174	1,174	1,217	1,217	1,257	1,257	1,246	1,265	1,276	1,276	---	---
> 25,000 SF	3,771	3,851	3,851	4,154	4,313	4,641	4,982	5,496	5,658	5,658	5,658	5,658	5,658	5,716	5,716	5,716	5,751	5,751	5,860	5,860	---	---
Net Deliveries (000s SF)																						
PMA	659	383	722	1,372	1,599	2,177	3,012	2,515	1,432	143	153	139	118	310	212	172	70	137	216	227	180	289
< 10,000 SF	53	42	36	156	334	413	353	383	99	12	13	2	22	0	0	5	4	6	14	11	3	16
10,000 - 25,000 SF	37	66	115	236	291	516	492	451	96	15	18	0	44	12	40	17	31	20	11	0	24	29
> 25,000 SF	568	275	571	980	974	1,248	2,166	1,681	1,237	116	123	137	52	299	172	150	35	111	191	217	153	243
CMA	49	99	53	400	319	515	429	671	188	5	2	0	53	58	40	0	35	20	120	0	31	40
< 10,000 SF	13	2	0	22	97	146	49	55	10	5	2	0	9	0	0	0	0	0	0	0	0	3
10,000 - 25,000 SF	0	17	53	75	63	41	40	103	16	0	0	0	44	0	40	0	0	20	11	0	12	12
> 25,000 SF	36	80	0	303	159	328	341	514	162	0	0	0	0	58	0	0	35	0	109	0	19	25
Net Absorption (000s SF)																						
PMA	674	272	1,015	707	2,137	2,188	1,147	(609)	599	266	415	289	808	439	794	791	598	779	269	(154)	680	578
< 10,000 SF	99	75	29	83	297	387	157	9	19	80	106	(88)	174	76	120	15	29	37	8	41	55	57
10,000 - 25,000 SF	15	101	86	153	369	496	139	(298)	37	79	138	114	187	(78)	112	157	243	216	(56)	(72)	130	121
> 25,000 SF	560	96	900	471	1,470	1,305	851	(320)	543	107	171	263	448	440	562	618	326	526	317	(123)	494	400
CMA	(2)	167	29	133	547	518	206	(133)	171	178	30	75	143	289	139	144	4	134	231	7	142	131
< 10,000 SF	15	6	4	3	80	145	42	(6)	44	(0)	18	1	15	13	16	2	(11)	7	(20)	19	5	10
10,000 - 25,000 SF	9	(1)	9	43	64	51	28	(51)	24	29	27	51	61	(9)	(10)	(18)	35	86	(11)	31	17	28
> 25,000 SF	(26)	163	16	87	403	322	137	(76)	104	149	(15)	23	66	285	134	161	(20)	41	262	(43)	120	93
Vacancy (%)																						
PMA	8.8%	7.9%	7.2%	7.9%	7.7%	7.0%	8.3%	13.6%	16.7%	16.2%	15.6%	15.3%	14.1%	13.1%	12.0%	10.5%	9.1%	8.2%	7.7%	7.6%	10.5%	13.0%
< 10,000 SF	5.1%	5.0%	4.6%	5.2%	5.8%	6.0%	6.7%	9.7%	11.9%	11.0%	9.9%	9.9%	9.1%	7.3%	6.4%	5.8%	5.5%	5.1%	4.6%	4.5%	6.0%	8.2%
10,000 - 25,000 SF	7.9%	7.3%	7.4%	8.2%	6.7%	7.3%	8.1%	14.3%	16.7%	16.2%	15.0%	13.8%	12.3%	12.0%	12.4%	11.0%	8.6%	7.5%	6.3%	7.1%	10.3%	12.6%
> 25,000 SF	10.3%	9.1%	8.0%	8.5%	8.6%	7.2%	8.8%	14.4%	18.1%	17.8%	17.6%	17.4%	16.1%	15.2%	13.4%	11.6%	10.3%	9.3%	9.0%	8.7%	12.0%	14.7%
CMA	---	7.5%	7.4%	10.3%	10.4%	7.7%	9.1%	15.2%	18.4%	16.8%	15.7%	15.4%	14.6%	12.0%	9.9%	8.7%	7.7%	6.8%	6.0%	5.2%	9.0%	12.6%
< 10,000 SF	5.9%	5.9%	5.0%	5.7%	7.6%	7.9%	8.0%	10.6%	9.3%	8.4%	7.9%	7.0%	6.4%	5.5%	4.6%	3.7%	4.5%	3.5%	4.6%	5.2%	4.4%	6.1%
10,000 - 25,000 SF	2.1%	2.6%	7.4%	11.4%	9.5%	11.5%	8.1%	19.8%	20.7%	18.7%	18.0%	14.3%	11.2%	7.9%	12.2%	14.8%	10.6%	9.3%	7.1%	6.8%	10.9%	13.7%
> 25,000 SF	11.1%	9.5%	8.0%	11.3%	11.3%	6.8%	9.7%	15.4%	20.2%	18.6%	17.3%	17.8%	17.5%	14.5%	10.8%	8.6%	7.8%	7.1%	6.1%	4.9%	9.7%	14.0%
Average Rate (NNN)																						
PMA	\$15.84	\$15.96	\$17.82	\$18.76	\$19.89	\$21.72	\$23.75	\$23.07	\$21.60	\$19.46	\$18.07	\$18.09	\$18.58	\$18.96	\$19.05	\$19.50	\$19.73	\$20.46	\$21.76	\$22.72	\$19.54	\$19.35
< 10,000 SF	\$12.28	\$12.57	\$13.45	\$15.40	\$17.86	\$19.80	\$21.30	\$20.77	\$19.02	\$16.92	\$15.65	\$14.71	\$14.71	\$14.69	\$14.99	\$15.33	\$16.18	\$17.18	\$18.13	\$18.95	\$15.67	\$15.94
10,000 - 25,000 SF	\$13.32	\$12.92	\$15.23	\$16.24	\$17.06	\$18.39	\$20.38	\$20.55	\$19.09	\$17.22	\$16.06	\$15.55	\$15.88	\$16.11	\$16.15	\$16.20	\$16.94	\$18.03	\$18.61	\$19.37	\$16.68	\$16.72
> 25,000 SF	\$16.91	\$17.12	\$18.11	\$19.36	\$20.20	\$22.12	\$24.15	\$24.90	\$23.71	\$21.59	\$19.82	\$19.41	\$19.75	\$20.21	\$20.43	\$20.82	\$20.84	\$21.26	\$22.54	\$23.69	\$20.71	\$20.78
CMA	---	\$17.24	\$20.65	\$20.56	\$21.01	\$23.18	\$24.66	\$24.60	\$23.17	\$22.08	\$19.45	\$19.26	\$19.80	\$20.28	\$20.03	\$21.13	\$22.42	\$23.23	\$24.49	\$25.42	\$21.42	\$21.09
< 10,000 SF	\$11.13	\$11.58	\$11.93	\$13.26	\$19.93	\$21.46	\$22.21	\$21.01	\$18.90	\$15.63	\$14.50	\$14.38	\$15.10	\$15.60	\$16.86	\$17.20	\$17.25	\$18.95	\$19.88	\$19.45	\$17.17	\$16.44
10,000 - 25,000 SF	\$11.04	\$13.16	\$15.52	\$16.20	\$15.71	\$18.31	\$20.82	\$20.69	\$19.13	\$17.86	\$15.63	\$15.89	\$16.70	\$16.63	\$18.47	\$18.32	\$19.16	\$19.83	\$20.80	\$21.75	\$18.48	\$17.76
> 25,000 SF	\$19.26	\$17.12	\$19.90	\$21.69	\$22.05	\$24.00	\$25.47	\$26.66	\$25.53	\$24.62	\$21.99	\$20.88	\$20.83	\$21.09	\$21.18	\$22.02	\$23.34	\$24.68	\$25.76	\$27.10	\$22.46	\$22.61
Rate Growth (%)																						
PMA	---	0.8%	11.7%	5.3%	6.0%	9.2%	9.3%	(2.9%)	(6.4%)	(9.9%)	(7.1%)	0.1%	2.7%	2.0%	0.5%	2.4%	1.2%	3.7%	6.4%	4.4%	1.9%	-1.2%
< 10,000 SF	---	2.4%	7.0%	14.5%	16.0%	10.9%	7.5%	(2.5%)	(8.4%)	(11.0%)	(7.5%)	(6.0%)	0.0%	(0.2%)	2.1%	2.3%	5.5%	6.2%	5.5%	4.5%	3.1%	-1.9%
10,000 - 25,000 SF	---	(3.0%)	17.9%	6.6%	5.0%	7.8%	10.8%	0.8%	(7.1%)	(9.8%)	(6.7%)	(3.2%)	2.1%	1.4%	0.3%	0.3%	4.6%	6.5%	3.2%	4.1%	2.6%	-1.3%
> 25,000 SF	---	1.2%	5.8%	6.9%	4.4%	9.5%	9.2%	3.1%	(4.8%)	(8.9%)	(8.2%)	(2.1%)	1.8%	2.3%	1.1%	1.9%	0.1%	2.0%	6.0%	5.1%	1.5%	-1.6%
CMA	---	---	19.8%	(0.4%)	2.2%	10.3%	6.4%	(0.2%)	(5.8%)	(4.7%)	(11.9%)	(1.0%)	2.8%	2.4%	(1.2%)	5.5%	6.1%	3.6%	5.4%	3.8%	3.2%	-0.6%
< 10,000 SF	---	4.0%	3.0%	11.1%	50.3%	7.7%	3.5%	(5.4%)	(10.0%)	(17.3%)	(7.2%)	(0.8%)	5.0%	3.3%	8.1%	2.0%	0.3%	9.9%	4.9%	(2.2%)	4.6%	-1.0%
10,000 - 25,000 SF	---	19.2%	18.0%	4.4%	(3.0%)	16.5%	13.7%	(0.6%)	(7.6%)	(6.6%)	(12.5%)	1.6%	5.1%	(0.4%)	11.0%	(0.8%)	4.6%	3.5%	4.9%	4.6%	3.5%	-0.4%
> 25,000 SF	---	(11.1%)	16.2%	9.0%	1.7%	8.8%	6.1%	4.7%	(4.2%)	(3.6%)	(10.7%)	(5.0%)	(0.3%)	1.3%	0.4%	4.0%	6.0%	5.8%	4.4%	5.2%	3.5%	-0.8%

Source: CoStar; TCG

APPENDIX C2

NEAR-TERM OFFICE RENT TRENDS
SELECT UNITED STATES MARKETS
THIRD QUARTER 2019 THROUGH THIRD QUARTER 2020

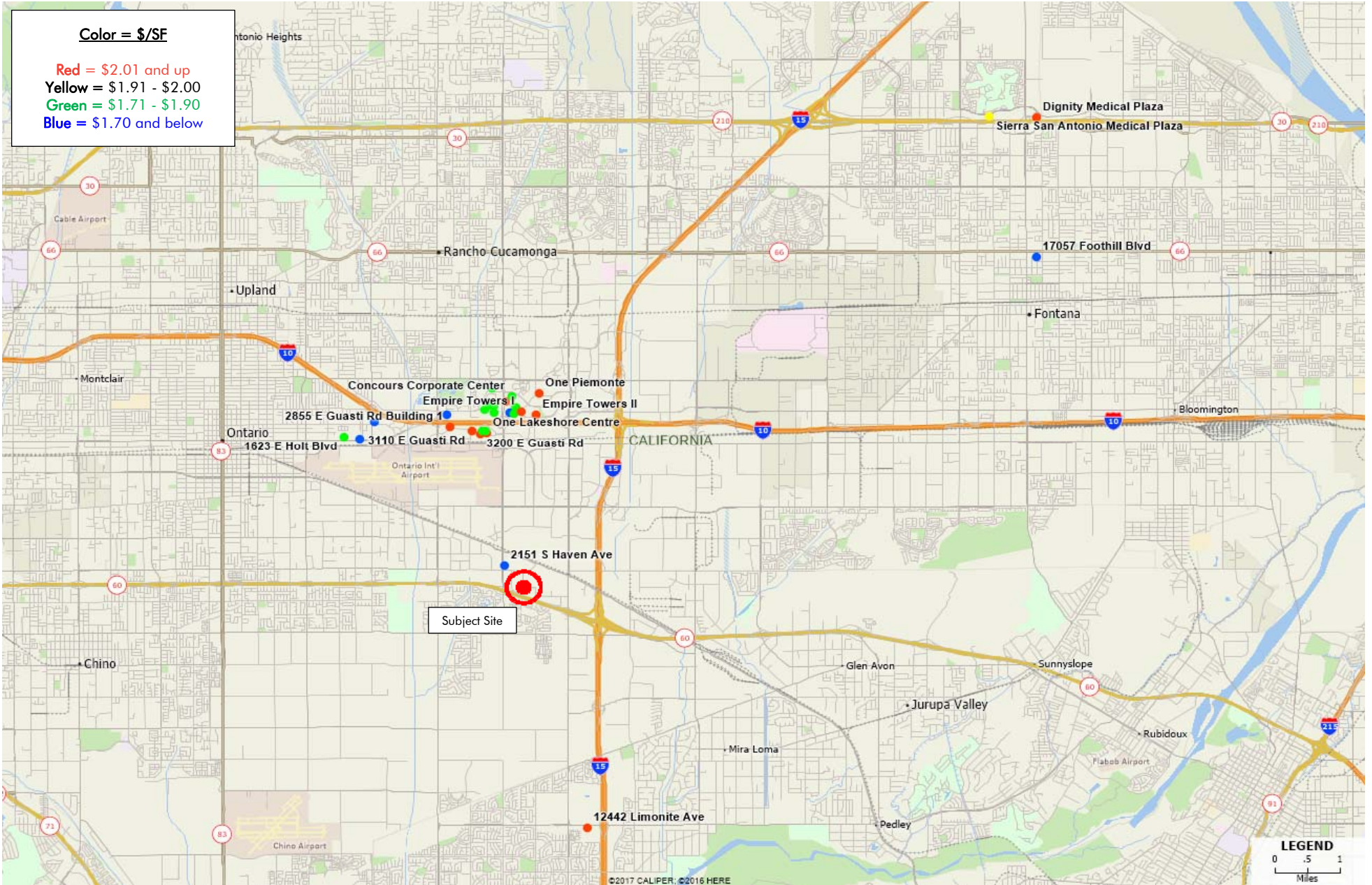
Downtown Submarket:	CMA		Inland Empire		Analogue Comparison Metros												
					San Francisco		Los Angeles		Reno		Las Vegas		Salt Lake City		Denver		
	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	
Inventory																	
Q3 2019	8,563		76,146		178,808		426,179		16,288		66,496		74,063		177,670		
Q3 2020	8,593		76,763		179,461		426,759		16,293		67,148		76,213		178,866		
Y/Y Change		0.4%		0.8%		0.4%		0.1%		0.0%		1.0%		2.9%		0.7%	
Occupancy																	
Q3 2019	94.1%		93.0%		93.4%		89.8%		91.7%		88.2%		93.6%		90.0%		
Q1 2020	94.6%		93.2%		93.6%		89.8%		91.9%		89.0%		94.1%		89.8%		
Q2 2020	94.8%		93.1%		92.1%		89.4%		90.9%		88.7%		92.4%		89.2%		
Q3 2020	94.9%		92.8%		90.8%		88.4%		90.0%		88.5%		91.4%		88.1%		
Q/Q Change (Q2/Q3)		0.1%		(0.3%)		(1.4%)		(1.1%)		(1.0%)		(0.2%)		(1.1%)		(1.2%)	
Y/Y Change (Q3/Q3)		0.9%		(0.2%)		(2.8%)		(1.6%)		(1.9%)		0.3%		(2.4%)		(2.1%)	
Effective Rent																	
Q3 2019	\$24.99		\$21.38		\$63.41		\$38.00		\$19.75		\$19.51		\$22.09		\$27.39		
Q1 2020	\$27.11		\$22.87		\$64.11		\$39.33		\$20.69		\$22.37		\$23.92		\$28.40		
Q2 2020	\$27.64		\$23.72		\$66.33		\$39.85		\$21.08		\$23.40		\$24.91		\$28.48		
Q3 2020	\$27.55		\$24.40		\$64.84		\$39.88		\$20.69		\$26.18		\$25.07		\$28.56		
Q/Q Change (Q2/Q3)		(0.3%)		2.9%		(2.2%)		0.1%		(1.9%)		11.9%		0.6%		0.3%	
Y/Y Change (Q3/Q3)		10.2%		14.1%		2.3%		4.9%		4.8%		34.2%		13.5%		4.3%	



Source: CoStar

APPENDIX C3i

BUSINESS PARK/ OFFICE - CURRENT INVENTORY - LOCATION
 COMPETITIVE MARKET AREA
 DECEMBER 2020



APPENDIX C3ii

BUSINESS PARK/OFFICE - CURRENT INVENTORY - PERFORMANCE
COMPETITIVE MARKET AREA
DECEMBER 2020

Name	Property Type	Building Address	City	Year Built	Vac.	Rentable Building Area (RBA)			Executed Direct Monthly Lease			Elev.
						Total	Leased	% of Bldg	Effective Rent	Adj. Rent (NNN)(1)	Lease Type	
CMA												
2855 E Guasti Rd Building 1	Office	2855 E Guasti Rd	Ontario	2008	10.8%	147,726	131,727	89%	\$2.75	\$2.20	FS	6
3200 E Guasti Rd	Office	3200 E Guasti Rd	Ontario	2007	4.9%	67,735	64,443	95%	\$2.65	\$2.12	FS	3
Empire Towers I	Office	3633 Inland Empire Blvd	Ontario	1990	11.0%	179,604	159,937	89%	\$2.65	\$2.12	FS	9
Empire Towers II	Office	4141 Inland Empire Blvd	Ontario	1999	3.7%	70,040	67,421	96%	\$2.65	\$2.12	FS	3
One Lakeshore Centre	Office	3281 E Guasti Rd	Ontario	1990	5.2%	149,158	141,387	95%	\$2.65	\$2.12	FS	8
One Piemonte	Office	901 Via Piemonte	Ontario	2008	2.8%	122,602	119,157	97%	\$2.53	\$2.03	FS	5
12442 Limonite Ave	Office	12442 Limonite Ave	Eastvale	1990	32.9%	38,064	25,556	67%	\$2.50	\$2.25	N	2
Empire Corporate Center	Office	800 N Haven Ave	Ontario	1985	15.8%	80,066	67,440	84%	\$2.45	\$1.96	FS	4
3110 E Guasti Rd	Office	3110 E Guasti Rd	Ontario	2005	16.3%	94,125	78,783	84%	\$2.44	\$1.95	FS	5
Concours Corporate Center	Office	3536 Concours	Ontario	2002	20.6%	79,933	63,491	79%	\$2.30	\$1.84	FS	3
Lakeview Center II	Office	3237 E Guasti Rd	Ontario	2006	2.0%	53,222	52,158	98%	\$2.25	\$1.80	FS	3
Palm Brook Corporate Center	Office	3602 Inland Empire Blvd	Ontario	1988	9.1%	78,735	71,594	91%	\$2.20	\$1.76	FS	3
Dignity Medical Plaza	Office	17051 Sierra Lakes Pky	Fontana	2008	23.6%	39,021	29,804	76%	\$2.20	\$1.98	N	2
Inland Atrium	Office	3200 Inland Empire Blvd	Ontario	1991	16.3%	55,986	46,849	84%	\$2.19	\$1.75	FS	2
Lakeview Center I	Office	3257 E Guasti Rd	Ontario	2004	24.9%	53,222	39,991	75%	\$2.15	\$1.72	FS	3
3270 Inland Empire Blvd	Office	3270 Inland Empire Blvd	Ontario	1992	30.5%	44,533	30,933	69%	\$2.15	\$1.72	FS	4
3400 Inland Empire Blvd	Office	3400 Inland Empire Blvd	Ontario	1989	7.8%	40,000	36,900	92%	\$2.15	\$1.72	FS	2
3350 Shelby St	Office	3350 Shelby St	Ontario	1987	34.9%	53,539	34,849	65%	\$2.10	\$1.68	FS	3
Sierra San Antonio Medical Plaza	Office	16465 Sierra Lakes Pky	Fontana	2006	23.9%	66,760	50,831	76%	\$2.10	\$1.89	N	3
3595 Inland Empire Blvd Building 1	Office	3595 Inland Empire Blvd	Ontario	2005	10.5%	11,410	10,210	89%	\$2.09	\$1.67	FS	2
3595 Inland Empire Blvd Building 2	Office	3595 Inland Empire Blvd	Ontario	2005	10.5%	11,410	10,210	89%	\$2.09	\$1.67	FS	2
Ontario Corporate Center	Office	430 N Vineyard Ave	Ontario	1989	1.0%	97,562	96,586	99%	\$2.05	\$1.64	FS	5
1623 E Holt Blvd	Office	1623 E Holt Blvd	Ontario	2021	100.0%	30,521	0	0%	\$2.05	\$1.85	MG	1
One Corporate Plaza	Office	3500 Porsche Way	Ontario	1998	17.1%	46,600	38,631	83%	\$2.05	\$1.64	FS	3
Ontario Airport Corporate Park	Office	1801 E Holt Blvd	Ontario	2017	22.9%	34,860	26,877	77%	\$1.95	\$1.56	FS	2
Transpark Phase IV	Office	2890 E Inland Empire Blvd	Ontario	1987	18.8%	19,907	16,170	81%	\$1.91	\$1.53	FS	1
3333 Concours Phase II Bldg 4	Office	3333 Concours	Ontario	2005	24.8%	11,628	8,750	75%	\$1.85	\$1.67	MG	2
17057 Foothill Blvd	Office	17057 Foothill Blvd	Fontana	2015	31.1%	20,020	13,796	69%	\$1.75	\$1.58	N	2
2151 S Haven Ave	Office	2151 S Haven Ave	Ontario	2007	27.4%	13,426	9,749	73%	\$1.75	\$1.58	MG	2
						15%	1,811,415	81,426	85%	\$2.37	\$1.92	

Source: Lee & Associates, CoStar, TCG

(1) Full service gross and modified gross leases adjusted down 20% and 10%, respectively, to convert to NNN estimates.

(2) Lease Type: FS = Full Service Groos, MG = Modified Gross

APPENDIX C4

BUSINESS PARK/ OFFICE - DEMAND
RIVERSIDE-SAN BERNARDINO-ONTARIO METROPOLITAN STATISTICAL AREA (INLAND EMPIRE)
2021 THROUGH 2030

Demand from Net New Jobs

Industry	Annual New Jobs (000s) (1)										Percent Office Using (2)	Office Area Per Job (3)	Current Office Pool	Annual Obsol. Rate	Potential Office Demand - Square Feet (000s)									
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030					2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Construction	4.4	8.6	5.3	3.6	1.8	0.6	0.5	0.2	0.5	0.8	5.0%	223	NA	NA	50	95	59	40	20	7	5	2	6	9
Education & Health Services	4.6	9.9	13.1	8.2	5.0	5.0	4.7	4.3	4.3	4.3	40.0%	200	NA	NA	370	796	1,051	652	397	404	372	348	341	346
Financial Activities	1.4	2.3	2.8	1.6	1.1	1.3	1.4	1.5	1.5	1.6	95.0%	200	NA	NA	260	437	531	302	215	244	260	279	292	305
Government	-4.4	3.7	6.1	3.9	2.2	2.2	2.1	2.4	2.7	2.8	50.0%	160	NA	NA	0	300	488	315	174	176	167	190	219	221
Information	-0.4	0.1	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	223	NA	NA	0	10	13	6	3	3	3	4	3	3
Leisure & Hospitality	-2.8	4.7	5.5	3.5	2.6	2.3	2.4	2.5	2.1	2.3	5.0%	183	NA	NA	0	43	51	32	24	21	22	23	20	21
Manufacturing	-2.1	0.7	0.7	-0.4	-0.7	-0.7	-0.6	-0.5	-0.6	-0.6	5.0%	160	NA	NA	0	5	5	0	0	0	0	0	0	0
Natural Resources & Mining	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0%	219	NA	NA	0	1	0	0	0	0	0	0	0	0
Other Services (except Public Admin.)	2.4	1.4	1.6	0.6	0.1	0.2	0.2	0.2	0.2	0.1	60.0%	219	NA	NA	313	183	213	83	20	25	31	30	23	19
Professional & Business Services	3.8	5.1	5.6	3.4	3.0	2.9	3.0	3.4	3.1	3.0	90.0%	183	NA	NA	620	839	918	554	492	470	494	558	518	498
Retail Trade	3.6	3.7	4.2	2.1	1.4	1.4	1.1	0.9	0.7	0.3	5.0%	205	NA	NA	37	38	43	22	15	14	12	9	7	4
Transportation & Utilities	3.8	5.1	5.6	3.4	3.0	2.9	3.0	3.4	3.1	3.0	5.0%	205	NA	NA	39	52	57	34	31	29	31	35	32	31
Wholesale Trade	1.9	1.6	1.6	0.7	0.4	0.4	0.4	0.5	0.4	0.3	5.0%	205	NA	NA	19	16	17	7	4	4	4	5	4	3
Total Nonfarm	16.2	46.9	52.3	30.6	20.0	18.4	18.3	18.8	18.2	18.1	31.2%	199	NA	NA	1,707	2,815	3,445	2,047	1,395	1,397	1,401	1,482	1,464	1,459

Demand from Obsolescence/Redevelopment

Industry	Total Employment (000s) (1)										Percent Office Using (2)	Office Area Per Job (3)	Current Office Pool	Annual Obsol. Rate	Potential Office Demand - Square Feet (000s)									
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030					2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Construction	106.5	115.1	120.4	124.0	125.8	126.4	126.9	127.1	127.6	128.4	5.0%	223	1,188	1.0%	12	12	13	14	14	15	15	15	15	15
Education & Health Services	251.1	261.1	274.2	282.4	287.3	292.4	297.0	301.4	305.6	310.0	40.0%	200	20,091	1.0%	201	205	213	223	230	234	238	241	245	248
Financial Activities	44.9	47.2	50.0	51.6	52.8	54.0	55.4	56.9	58.4	60.0	95.0%	200	8,539	1.0%	85	88	92	98	101	103	105	108	111	114
Government	246.3	250.1	256.2	260.1	262.3	264.5	266.5	268.9	271.7	274.4	50.0%	160	19,705	1.0%	197	197	200	205	208	210	212	213	215	217
Information	9.6	9.7	9.9	10.0	10.0	10.0	10.1	10.1	10.2	10.2	35.0%	223	748	1.0%	7	7	8	8	8	8	8	8	8	8
Leisure & Hospitality	127.0	131.7	137.2	140.7	143.3	145.6	148.0	150.5	152.7	154.9	5.0%	183	1,162	1.0%	12	12	12	13	13	13	13	14	14	14
Manufacturing	90.0	90.7	91.4	91.0	90.3	89.6	89.1	88.6	88.0	87.5	5.0%	160	720	1.0%	7	7	7	7	7	7	7	7	7	7
Natural Resources & Mining	1.0	1.0	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.0	5.0%	219	11	1.0%	0	0	0	0	0	0	0	0	0	0
Other Services (except Public Admin.)	40.8	42.2	43.8	44.4	44.6	44.8	45.0	45.2	45.4	45.5	60.0%	219	5,358	1.0%	54	57	59	61	61	62	62	62	63	63
Professional & Business Services	152.5	157.6	163.1	166.5	169.5	172.3	175.3	178.7	181.9	184.9	90.0%	183	25,112	1.0%	251	257	266	275	280	285	290	295	301	306
Retail Trade	170.7	174.4	178.5	180.7	182.1	183.5	184.6	185.5	186.2	186.5	5.0%	205	1,750	1.0%	17	18	18	19	19	19	19	19	19	19
Transportation & Utilities	152.5	157.6	163.1	166.5	169.5	172.3	175.3	178.7	181.9	184.9	5.0%	205	1,563	1.0%	16	16	17	17	17	18	18	18	19	19
Wholesale Trade	67.8	69.4	71.0	71.7	72.1	72.5	73.0	73.4	73.8	74.1	5.0%	205	695	1.0%	7	7	7	7	8	8	8	8	8	8
Total Nonfarm	1,461	1,508	1,560	1,591	1,611	1,629	1,647	1,666	1,684	1,702	32.0%	199	86,641	1.0%	866	883	912	946	967	981	994	1,008	1,023	1,038
MSA Totals:															2,573	3,698	4,357	2,993	2,362	2,377	2,396	2,490	2,487	2,497
CMA Capture (4):															10%	10%	10%	10%	10%	10%	10%	10%	10%	10%
CMA Demand:															253	364	429	295	232	234	236	245	245	246

(1) Source: Moody's Economy
(2) Per TCG projection
(3) Per ULI, CoStar, Jones Lang LaSalle, TCG
(4) Per CoStar, current CMA share of total MSA industrial inventory

APPENDIX C5

BUSINESS PARK/ OFFICE - PIPELINE
COMPETITIVE MARKET AREA
DECEMBER 2020

Status of Planned Units

Submarket:	CMA	CMA	
		Num.	Share
U/C	30,521	30,521	1%
Approved	1,650,866	1,650,866	58%
Proposed	1,050,649	1,050,649	37%
Stalled	125,233	125,233	4%
Total	2,857,268	2,857,268	
Share of CMA	100%	100%	

Flow of Deliveries

Period:	Start Likelihood	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	CMA		
												Deliveries	% Delivered	
U/C	100%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	30,521	100%
Approved	60%	0%	40%	20%	0%	0%	0%	0%	0%	0%	0%	0%	990,519	60%
Proposed	30%	10%	20%	0%	0%	0%	0%	0%	0%	0%	0%	0%	314,835	30%
Stalled	5%	0%	5%	0%	0%	0%	0%	0%	0%	0%	0%	0%	6,262	5%
													1,342,137	47%

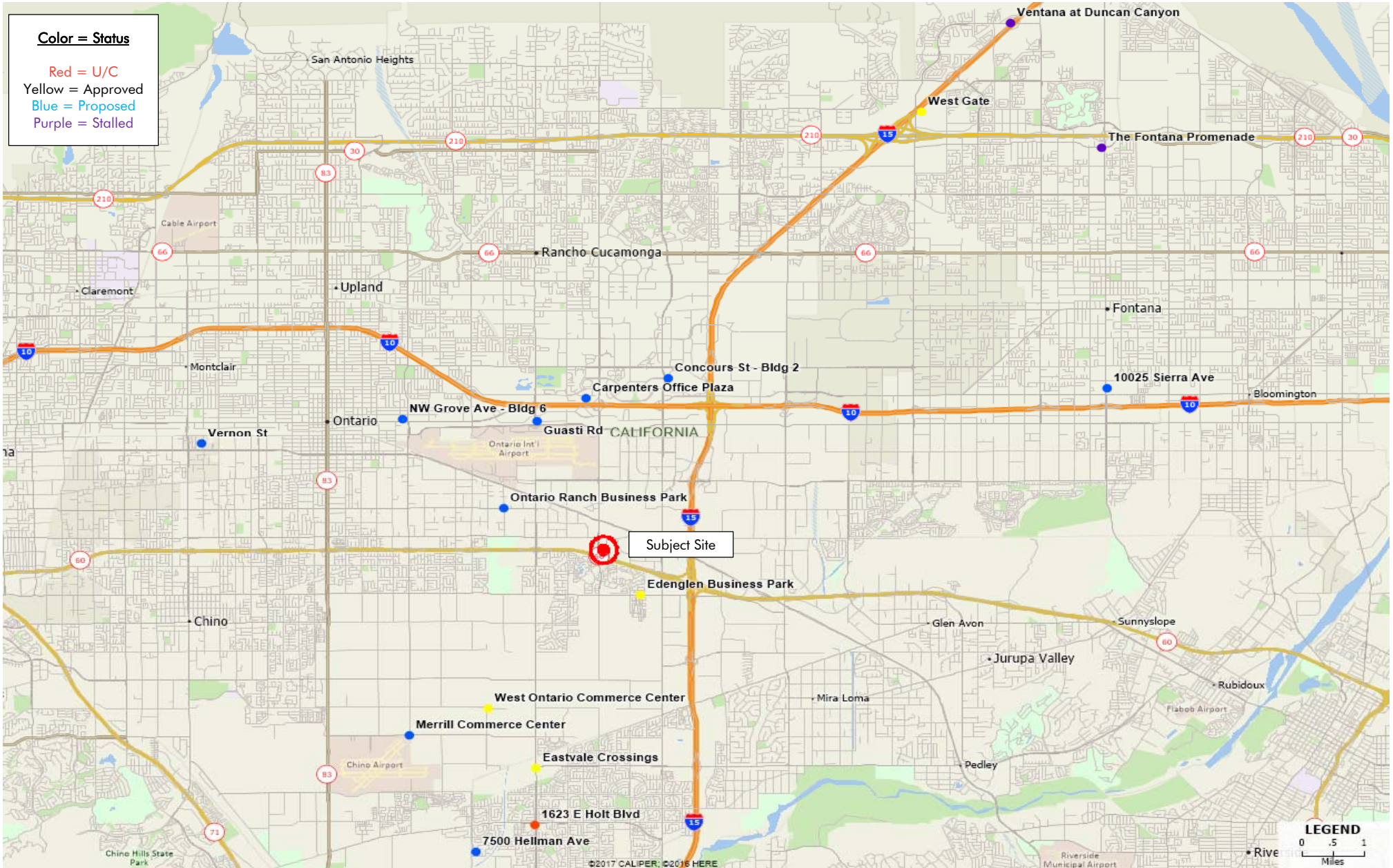
Delivery Projection

Submarket:	Total Planned	Projected Deliveries										CMA		
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Num.	% of Planned	
CMA	2,857,268	91,725	81,410	72,642	67,500	63,047	60,000	60,000	60,000	60,000	60,000	60,000	676,324	24%
Total	2,857,268	91,725	81,410	72,642	67,500	63,047	60,000	60,000	60,000	60,000	60,000	60,000	676,324	24%
Share of CMA													100%	
Percent of Existing Inventory													38%	
Deliveries Stabilized at 95%														
CMA	2,714,405	87,139	77,340	69,010	64,125	59,894	57,000	57,000	57,000	57,000	57,000	57,000	642,507	24%
Total at 95%	2,714,405	87,139	77,340	69,010	64,125	59,894	57,000	57,000	57,000	57,000	57,000	57,000	642,507	24%

Source: TCG; (1) Start Likelihood and Flow estimated by TCG based on internal estimation of delivery, with factors including entitlement status, in-place financing, etc.

APPENDIX C5

BUSINESS PARK/ OFFICE - PIPELINE- LOCATION
COMPETITIVE MARKET AREA
DECEMBER 2020

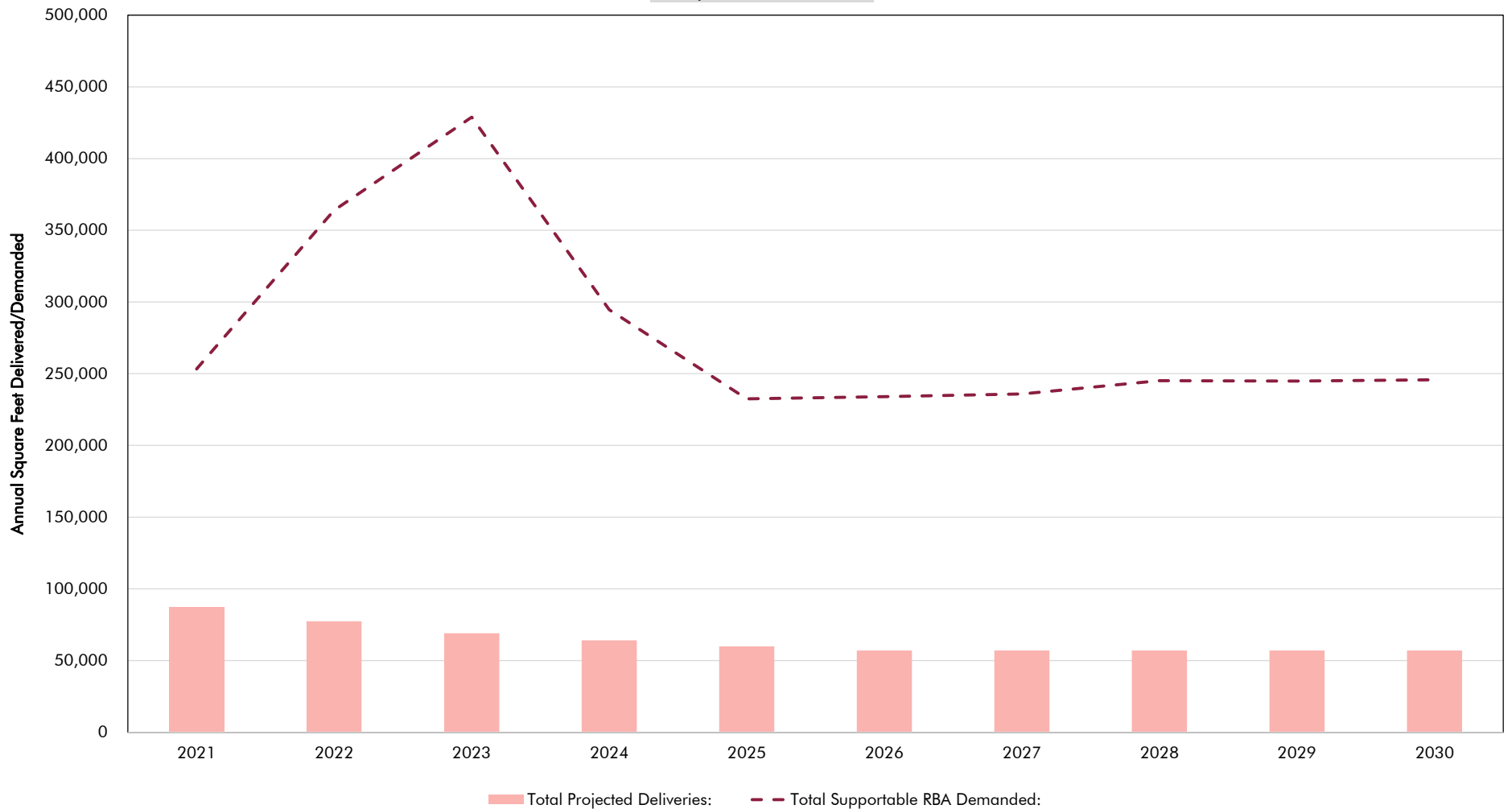


APPENDIX C6

BUSINESS PARK/ OFFICE - SUPPLY VS. DEMAND
COMPETITIVE MARKET AREA
DECEMBER 2020

Supply and Demand Dynamics	Competitive Market Area										Total
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Total Projected Deliveries:	87,139	77,340	69,010	64,125	59,894	57,000	57,000	57,000	57,000	57,000	642,507
Total Supportable RBA Demanded:	253,272	363,976	428,834	294,552	232,473	233,965	235,811	245,110	244,784	245,745	2,778,522
Undersupply/(Oversupply):	166,133	286,636	359,824	230,427	172,579	176,965	178,811	188,110	187,784	188,745	2,136,015

Competitive Market Area



APPENDIX D1

RETAIL - RETAIL MARKET TRENDS PRIMARY MARKET AREA DECEMBER 2020

Market Metric	CMA	PMA	Inland Empire	Radii		
				3 Mile	5 Mile	10 Mile
Demographics						
Population ('20)	575,667	2,235,579	4,649,818	42,133	240,696	1,216,650
Households ('20)	149,508	638,047	1,418,077	12,376	65,567	338,612
Households ('25)	156,267	657,857	1,475,634	13,219	69,007	351,275
Annual Growth (#, '20-'25)	1,352	3,962	11,511	169	688	2,533
Annual Growth (% , '20-'25)	0.9%	0.6%	0.8%	1.3%	1.0%	0.7%
Household Size ('20)	3.9	3.5	3.3	3.4	3.7	3.6
Median Household Income ('20)	\$75,303	\$72,801	\$66,193	\$83,207	\$76,435	\$78,008
Median Household Income ('25)	\$80,749	\$78,544	\$73,281	\$89,902	\$81,792	\$83,934
Annual Growth (% , '20-'25)	1.4%	1.5%	2.1%	1.6%	1.4%	1.5%
Consumer Spending Patterns ('20)						
Consumer Expenditures (\$MM)	\$5,641	\$24,755	\$52,609	\$440	\$2,435	\$13,561
Per Capita	\$9,799	\$11,073	\$11,314	\$10,436	\$10,118	\$11,146
Retail Sales (\$MM)	\$7,344	\$29,689	\$55,485	\$2,649	\$5,297	\$16,206
Per Occupied SF	\$361	\$309	\$306	\$979	\$510	\$335
Spending Inflow/ Leakage (\$MM)	\$1,703	\$4,934	\$2,877	\$2,209	\$2,862	\$2,645
Retail Market Performance ('20)						
Rentable Building Area (SF) '20	21,514,638	104,116,437	197,319,871	2,938,679	11,036,923	52,077,103
Annual Growth ('13-'20) (%)	0.7%	0.4%	0.7%	2.6%	1.1%	0.5%
Per-Capita (SF)	37.4	46.6	42.4	69.7	45.9	42.8
Average Annual Deliveries L5Y	142,310	608,080	1,259,992	37,770	95,037	292,880
Average Annual Net Absorption L5Y	116,275	504,398	1,332,582	40,954	83,988	256,665
Vacancy Rate	5.6%	7.9%	8.2%	7.9%	6.0%	7.0%
Vacant Stock (SF)	1,199,526	8,190,654	16,193,958	232,589	657,410	3,639,895
Asking Rent (NNN)	\$20.46	\$19.19	\$18.89	\$19.90	\$20.54	\$20.35
Annual Growth ('13-'20)	7.7%	3.8%	2.3%	0.9%	(0.2%)	5.1%

Source: ESRI; CoStar; TCG

APPENDIX D1

RETAIL - RETAIL MARKET TRENDS
PRIMARY MARKET AREA
2008 THROUGH 2020

Market Factor	Annual												YTD 2020	Average	
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019		5-Year	10-Year
<i>3 Mile</i>															
GLA (000's SF)	2,507	2,555	2,558	2,541	2,541	2,541	2,541	2,541	2,552	2,553	2,709	2,723	2,939	2,615	2,577
Ann. Deliveries (SF)	176,629	60,000	3,306	0	0	0	0	0	11,233	7,787	155,832	14,000	192,062	37,770	22,923
Ann. Net Absorp. (SF)	63,012	(48,342)	36,577	(17,645)	41,473	71,165	34,875	15,188	(8,079)	24,234	133,768	39,658	125,377	40,954	29,352
Vacancy Rate	7.6%	11.7%	11.4%	11.4%	10.9%	7.6%	5.9%	5.0%	5.6%	5.0%	4.1%	4.7%	7.9%	4.8%	7.5%
Vacancy (000's SF)	182	300	291	290	278	192	149	125	141	128	109	128	233	126	194
<i>5 Mile</i>															
GLA (000's SF)	10,267	10,328	10,333	10,332	10,333	10,431	10,433	10,452	10,462	10,568	10,732	10,821	11,037	10,607	10,475
Ann. Deliveries (SF)	601,288	74,603	5,043	16,607	10,480	102,176	3,900	19,260	11,233	112,454	237,120	95,120	192,062	95,037	62,545
Ann. Net Absorp. (SF)	316,631	(91,358)	144,414	17,385	71,453	228,398	(62,175)	79,223	(26,140)	194,299	94,527	78,032	125,712	83,988	66,187
Vacancy Rate	5.5%	7.9%	7.1%	6.5%	6.3%	5.1%	4.9%	4.8%	4.7%	3.9%	4.2%	4.7%	6.0%	4.4%	5.4%
Vacancy (000's SF)	551	819	736	670	652	532	508	496	493	414	449	503	657	471	570
<i>10 Mile</i>															
GLA (000's SF)	50,683	51,008	51,044	50,966	50,795	50,839	50,801	50,755	50,942	51,183	51,580	51,786	52,077	51,249	51,064
Ann. Deliveries (SF)	1,549,510	355,427	74,949	67,020	123,229	341,029	62,056	84,243	236,516	270,606	630,670	242,363	206,262	292,880	226,192
Ann. Net Absorp. (SF)	434,888	(1,039,137)	49,659	(28,176)	(210,494)	616,023	372,833	(213,208)	529,806	281,880	524,327	160,522	(146,788)	256,665	94,912
Vacancy Rate	5.1%	8.0%	8.2%	8.2%	7.8%	7.3%	6.4%	6.4%	5.9%	5.5%	5.4%	5.3%	7.0%	5.7%	6.7%
Vacancy (000's SF)	2,556	4,065	4,183	4,153	3,952	3,695	3,269	3,222	3,009	2,814	2,791	2,750	3,640	2,917	3,446
<i>CMA</i>															
GLA (000's SF)	20,641	20,744	20,763	20,792	20,751	20,704	20,708	20,716	20,768	20,906	21,220	21,299	21,515	20,981	20,852
Ann. Deliveries (SF)	761,607	131,420	38,640	97,157	46,116	136,451	7,000	69,135	58,193	148,691	320,206	115,323	192,062	142,310	106,212
Ann. Net Absorp. (SF)	223,384	(253,660)	150,535	63,584	(97,020)	252,566	125,684	2,474	(145,990)	393,099	277,514	54,277	192,654	116,275	74,824
Vacancy Rate	4.6%	7.2%	7.1%	6.7%	6.7%	5.8%	5.2%	4.8%	5.5%	4.4%	4.5%	4.5%	5.6%	4.7%	5.7%
Vacancy (000's SF)	943	1,486	1,460	1,390	1,384	1,202	1,067	997	1,143	919	954	962	1,200	995	1,178
<i>PMA</i>															
GLA (000's SF)	101,143	101,530	101,667	101,527	101,599	101,785	101,880	101,778	101,816	102,401	103,381	103,780	104,116	102,631	102,104
Ann. Deliveries (SF)	2,401,074	561,774	303,267	256,646	426,336	644,089	261,901	218,470	382,951	709,247	1,268,290	461,442	247,693	608,080	499,492
Ann. Net Absorp. (SF)	30,225	(1,783,434)	160,942	(354,525)	326,598	755,539	731,201	(252,805)	915,716	547,504	883,062	428,515	(265,926)	504,398	214,392
Vacancy Rate	5.5%	7.9%	8.2%	8.6%	8.0%	7.8%	7.1%	7.1%	6.5%	6.3%	6.2%	6.1%	7.9%	6.4%	7.2%
Vacancy (000's SF)	5,537	7,984	8,351	8,711	8,119	7,939	7,277	7,173	6,627	6,369	6,411	6,360	8,191	6,588	7,393
<i>Inland Empire</i>															
GLA (000's SF)	186,945	189,294	189,611	189,508	190,046	190,544	191,754	192,327	193,060	194,513	195,955	196,518	197,320	194,475	192,103
Ann. Deliveries (SF)	6,524,307	2,530,119	571,081	458,324	1,035,297	1,001,143	1,725,761	969,680	1,008,343	1,622,449	1,729,926	969,563	319,179	1,259,992	1,238,335
Ann. Net Absorp. (SF)	2,208,058	(2,137,523)	794,502	(465,186)	995,127	1,530,271	1,943,225	574,842	2,215,843	1,295,203	1,862,121	714,902	(127,418)	1,332,582	847,575
Vacancy Rate	6.5%	9.0%	9.4%	9.6%	9.1%	8.9%	8.4%	8.2%	7.8%	7.5%	7.4%	6.9%	8.2%	7.5%	8.4%
Vacancy (000's SF)	12,022	17,014	17,872	18,114	17,256	16,913	16,064	15,731	15,068	14,556	14,344	13,557	16,194	14,651	16,044

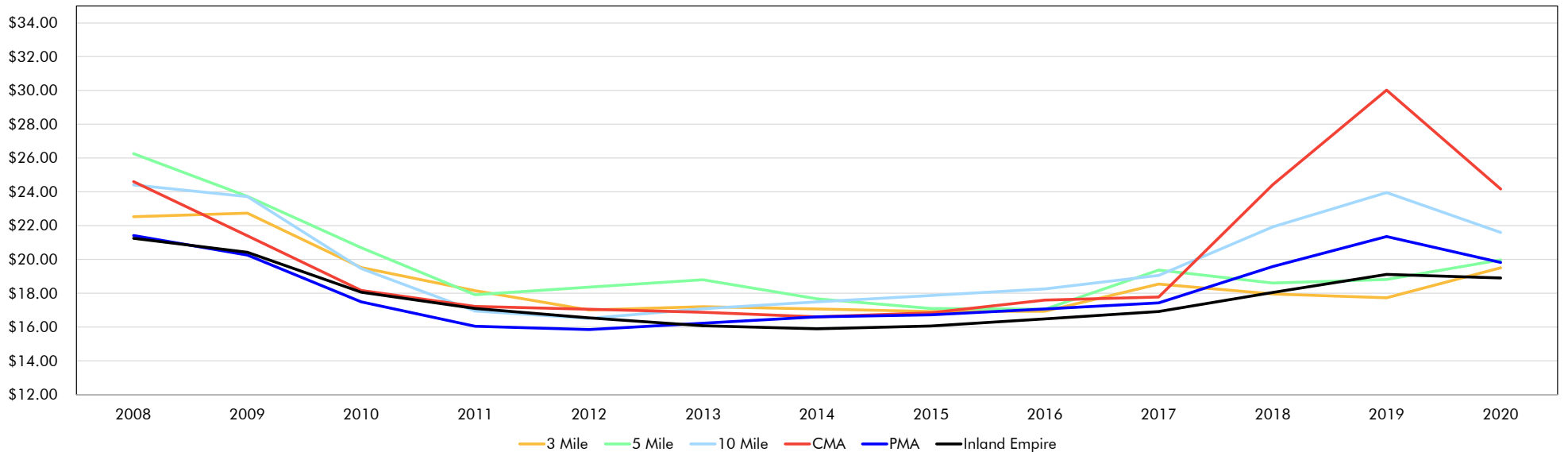
Source: CoStar

APPENDIX D1

RETAIL - RETAIL MARKET TRENDS
PRIMARY MARKET AREA
2008 THROUGH 2020

Market Factor	Annual													Average	
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	5-Year	10-Year
<i>Average Annual Asking Lease Rate (NNN)</i>															
3 Mile	\$22.52	\$22.75	\$19.52	\$18.15	\$17.01	\$17.21	\$17.07	\$16.93	\$16.93	\$18.54	\$17.96	\$17.73	\$19.51	\$17.48	\$18.60
Annual Growth	---	1.0%	(14.2%)	(7.0%)	(6.3%)	1.2%	(0.8%)	(0.8%)	0.0%	9.5%	(3.1%)	(1.3%)	10.0%	0.9%	(2.2%)
5 Mile	\$26.27	\$23.73	\$20.69	\$17.92	\$18.37	\$18.80	\$17.67	\$17.10	\$17.07	\$19.38	\$18.60	\$18.82	\$19.98	\$17.96	\$19.60
Annual Growth	---	(9.7%)	(12.8%)	(13.4%)	2.5%	2.3%	(6.0%)	(3.2%)	(0.2%)	13.5%	(4.0%)	1.2%	6.2%	(0.2%)	(3.4%)
10 Mile	\$24.42	\$23.72	\$19.45	\$16.94	\$16.52	\$17.09	\$17.49	\$17.86	\$18.26	\$19.06	\$21.93	\$23.96	\$21.60	\$18.92	\$19.34
Annual Growth	---	(2.8%)	(18.0%)	(12.9%)	(2.5%)	3.5%	2.3%	2.1%	2.3%	4.4%	15.1%	9.2%	(9.8%)	5.1%	(1.1%)
CMA	\$24.61	\$21.40	\$18.17	\$17.21	\$17.05	\$16.87	\$16.61	\$16.84	\$17.60	\$17.78	\$24.43	\$30.02	\$24.16	\$18.65	\$18.96
Annual Growth	---	(13.1%)	(15.1%)	(5.3%)	(0.9%)	(1.1%)	(1.5%)	1.4%	4.5%	1.1%	37.4%	22.9%	(19.5%)	7.7%	(0.1%)
PMA	\$21.43	\$20.25	\$17.48	\$16.05	\$15.86	\$16.23	\$16.60	\$16.73	\$17.07	\$17.43	\$19.58	\$21.36	\$19.82	\$17.48	\$17.70
Annual Growth	---	(5.5%)	(13.7%)	(8.2%)	(1.2%)	2.3%	2.2%	0.8%	2.0%	2.1%	12.4%	9.1%	(7.2%)	3.8%	(0.9%)
Inland Empire	\$21.26	\$20.42	\$18.07	\$17.11	\$16.54	\$16.08	\$15.90	\$16.06	\$16.49	\$16.92	\$18.05	\$19.12	\$18.91	\$16.68	\$17.53
Annual Growth	---	(4.0%)	(11.5%)	(5.3%)	(3.3%)	(2.8%)	(1.1%)	1.0%	2.6%	2.6%	6.7%	5.9%	(1.1%)	2.3%	(1.6%)

Average Annual Asking Lease Rate (NNN)

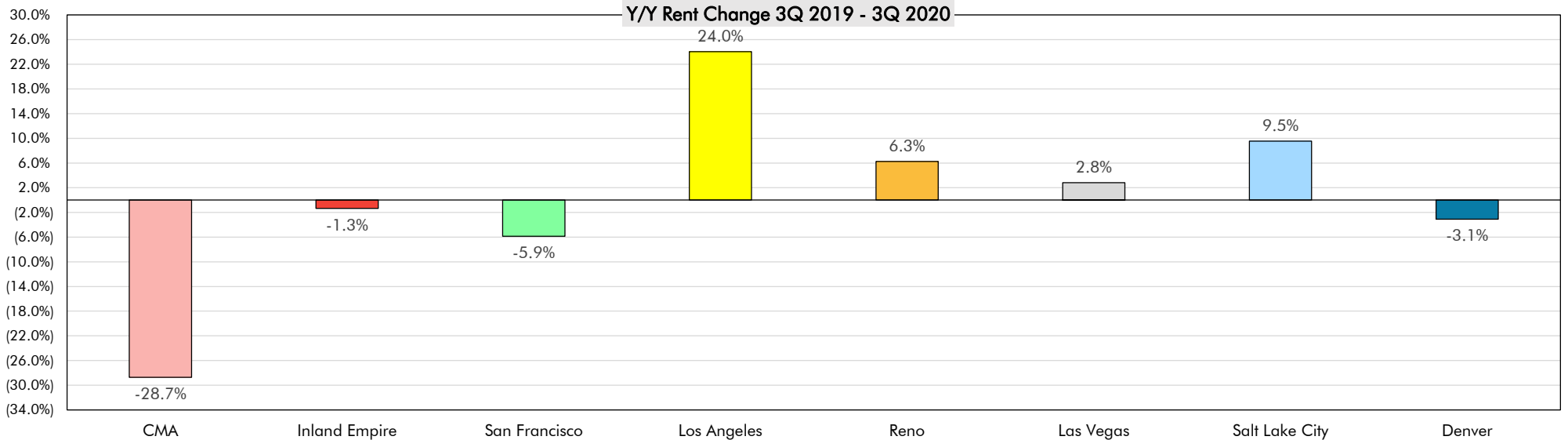


Source: CoStar

APPENDIX D2

NEAR-TERM RETAIL RENT TRENDS
SELECT UNITED STATES MARKETS
THIRD QUARTER 2019 THROUGH THIRD QUARTER 2020

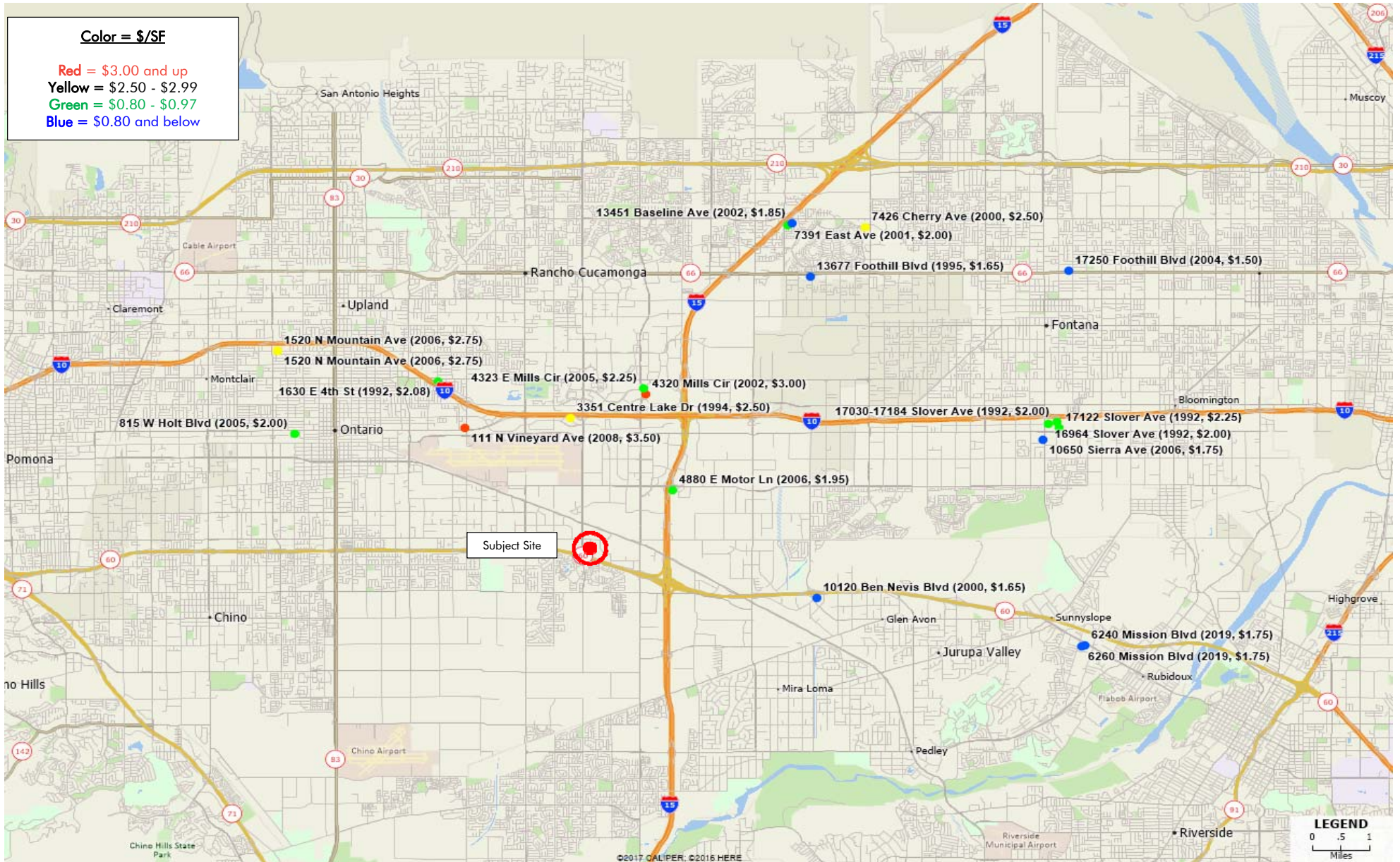
Downtown Submarket:	CMA		Inland Empire		Analogue Comparison Metros												
	CMA		Inland Empire		San Francisco		Los Angeles		Reno		Las Vegas		Salt Lake City		Denver		
	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	Num.	Perc.	
Inventory																	
Q3 2019	21,282		196,372		81,805		2,627		26,388		115,872		70,219		157,488		
Q3 2020	21,470		197,261		81,841		2,798		26,402		116,758		70,750		158,308		
Y/Y Change		0.9%		0.5%		0.0%		6.5%		0.1%		0.8%		0.8%			0.5%
Occupancy																	
Q3 2019	95.4%		93.3%		97.0%		96.4%		94.2%		93.3%		95.6%		95.9%		
Q1 2020	94.6%		92.5%		96.4%		96.3%		94.5%		93.2%		95.4%		95.6%		
Q2 2020	94.4%		92.0%		96.2%		95.0%		94.2%		93.3%		95.4%		95.4%		
Q3 2020	94.2%		91.9%		95.8%		94.8%		93.6%		93.3%		95.1%		95.0%		
Q/Q Change (Q2/Q3)		(0.2%)		(0.1%)		(0.4%)		(0.2%)		(0.6%)		0.0%		(0.3%)		(0.4%)	
Y/Y Change (Q3/Q3)		(1.3%)		(1.5%)		(1.2%)		(1.7%)		(0.6%)		0.0%		(0.5%)		(0.9%)	
Effective Rent																	
Q3 2019	\$27.57		\$18.53		\$40.75		\$18.30		\$15.34		\$18.43		\$15.62		\$18.37		
Q1 2020	\$29.82		\$18.91		\$39.74		\$20.99		\$15.54		\$18.41		\$16.72		\$17.80		
Q2 2020	\$20.08		\$18.19		\$39.37		\$22.48		\$16.02		\$18.67		\$16.85		\$17.71		
Q3 2020	\$19.65		\$18.28		\$38.36		\$22.70		\$16.30		\$18.95		\$17.11		\$17.80		
Q/Q Change (Q2/Q3)		(2.1%)		0.5%		(2.6%)		1.0%		1.7%		1.5%		1.5%		0.5%	
Y/Y Change (Q3/Q3)		(28.7%)		(1.3%)		(5.9%)		24.0%		6.3%		2.8%		9.5%		(3.1%)	



Source: CoStar

APPENDIX D3i

RETAIL - CURRENT INVENTORY - LOCATION
COMPETITIVE MARKET AREA
DECEMBER 2020



APPENDIX D3ii

RETAIL - CURRENT INVENTORY - PERFORMANCE
COMPETITIVE MARKET AREA
DECEMBER 2020

Building Address	Building Name	City	Property Type	Secondary Type	Year		Smallest Available	Rentable Building Area (RBA)			Direct Monthly Lease (PSF)			
					Built	Reno.		Total	RBA Leased	% of Bldg	Adj. Rent (NNN)	Lease Type	Elev.	
Shop Lease														
111 N Vineyard Ave		Ontario	Strip Center	Freestanding	2008	---	1,163	2,900	1,737	59.9%	\$3.50	NNN	1s	
4320 Mills Cir		Ontario	Neighborhood Center	Freestanding	2002	---	2,465	25,616	23,152	90.4%	\$3.00	NNN	1s	
1520 N Mountain Ave		Ontario	Neighborhood Center		---	2006	---	1,220	7,200	5,980	83.1%	\$2.75	NNN	1s
1520 N Mountain Ave		Ontario	Neighborhood Center		---	2006	---	1,220	7,200	5,980	83.1%	\$2.75	NNN	1s
3351 Centre Lake Dr		Ontario	General Retail	Restaurant	1994	---	8,100	8,100	0	0.0%	\$2.50	NNN	1s	
7426 Cherry Ave		Fontana	Neighborhood Center		---	2000	---	3,500	10,889	10,889	100.0%	\$2.50	NNN	1s
17122 Slover Ave	Palm Court - Shops K	Fontana	Power Center	Freestanding	1992	---	1,400	20,858	17,859	85.6%	\$2.25	NNN	1s	
4323 E Mills Cir	Ontario Jewelry Mart	Ontario	Outlet Center	Storefront	2005	---	1,500	20,470	17,469	85.3%	\$2.25	NNN	1s	
1630 E 4th St		Ontario	Neighborhood Center		---	1992	2000	580	16,728	13,115	78.4%	\$2.08	NNN	1s
16964 Slover Ave	Palm Court	Fontana	Power Center	Freestanding	1992	---	1,726	135,000	133,272	98.7%	\$2.00	NNN	1s	
815 W Holt Blvd		Ontario	Neighborhood Center		---	2005	---	1,400	8,281	8,281	100.0%	\$2.00	NNN	1s
17030-17184 Slover Ave	Palm Court	Fontana	Power Center		---	1992	1998	2,023	123,574	109,524	88.6%	\$2.00	NNN	1s
7391 East Ave		Fontana	Strip Center	Freestanding	2001	---	10,000	33,000	33,000	100.0%	\$2.00	NNN	1s	
4880 E Motor Ln	Auto Center Plaza	Ontario	Strip Center	Fast Food	2006	---	1,240	7,844	6,604	84.2%	\$1.95	NNN	1s	
13451 Baseline Ave		Fontana	Strip Center	Freestanding	2002	---	1,200	9,000	7,800	86.7%	\$1.85	NNN	1s	
6240 Mission Blvd		Jurupa Valley	Neighborhood Center		---	2019	---	15,000	15,000	0	0.0%	\$1.75	NNN	1s
6260 Mission Blvd		Jurupa Valley	Neighborhood Center		---	2019	---	34,713	34,713	0	0.0%	\$1.75	NNN	1s
10650 Sierra Ave		Fontana	Neighborhood Center	Freestanding	2006	---	1,200	4,404	3,204	72.8%	\$1.75	NNN	1s	
10120 Ben Nevis Blvd		Jurupa Valley	Strip Center	Freestanding	2000	---	1,000	4,000	3,000	75.0%	\$1.65	NNN	1s	
13677 Foothill Blvd	Potomac Plaza	Fontana	Strip Center		---	1995	---	704	20,000	13,510	67.6%	\$1.65	NNN	1s
17250 Foothill Blvd	Palmetto Plaza	Fontana	Strip Center		---	2004	---	800	8,268	6,418	77.6%	\$1.50	NNN	1s
Total/ Wtd. Average:								4,388	523,045	420,793	80.5%	\$2.09		

Source: CoStar; TCG; Interviews with local brokers

(1) Full service gross and modified gross leases adjusted down 20% and 10%, respectively, to convert to NNN estimates.

APPENDIX D4

RETAIL - DEMAND - TOTAL RETAIL SPACE
3-MILE RADIUS
2020 - 2030

Conditions	Current	Projected										2020 - 2030
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
I. Projected Retail Spending and Supportable Demand												
Population and Income Growth:												
Households - Baseline	12,376	12,540	12,707	12,875	13,046	13,219	13,394	13,572	13,752	13,935	14,119	1,743
% Growth		1.3%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%	
Population - Baseline	42,133	42,704	43,283	43,869	44,464	45,066	45,677	46,296	46,923	47,559	48,203	6,070
% Growth		1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	
Persons/HH	3.40	3.41	3.41	3.41	3.41	3.41	3.41	3.41	3.41	3.41	3.41	
Median Household Income	\$83,207	\$84,505	\$85,823	\$87,162	\$88,521	\$89,902	\$91,304	\$92,728	\$94,175	\$95,644	\$97,136	
Growth		1.6%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%	
Total Spending (Excluding Vehicle/Gas/Non-Store):												
Per Capita	\$7,348	\$7,463	\$7,579	\$7,698	\$7,818	\$7,940	\$8,063	\$8,189	\$8,317	\$8,447	\$8,578	
Per HH	\$25,017	\$25,414	\$25,818	\$26,228	\$26,645	\$27,068	\$27,498	\$27,934	\$28,378	\$28,829	\$29,287	
New HH Added Spending Capacity (MM)		\$4.3	\$4.4	\$4.5	\$4.6	\$4.8	\$4.9	\$5.1	\$5.2	\$5.4	\$5.5	
Sales/ Square Foot (1)		\$350	\$350	\$350	\$350	\$350	\$350	\$350	\$350	\$350	\$350	
<i>Additional Supportable GLA from New HH Spend</i>		12,174	12,531	12,899	13,278	13,667	14,069	14,482	14,907	15,345	15,795	139,146
Annual SF												13,915

APPENDIX D5

RETAIL - PIPELINE
3 MILE RADIUS
DECEMBER 2020

I. Overview

Status	Jurupa Valley	Ontario	Eastvale	Fontana	3 Mile Radius	CMA
<i>Future (Non-Subject Site)</i>						
Under Construction	0	16,050	70,000	4,100	16,050	90,150
Approved	117,486	200,318	0	0	192,050	317,804
Proposed	303,775	366,678	31,914	265,850	239,428	968,217
Conceptual	0	0	0	0	0	0
Inactive	0	0	0	0	0	0
Total Supply	421,261	583,046	101,914	269,950	447,528	1,376,171

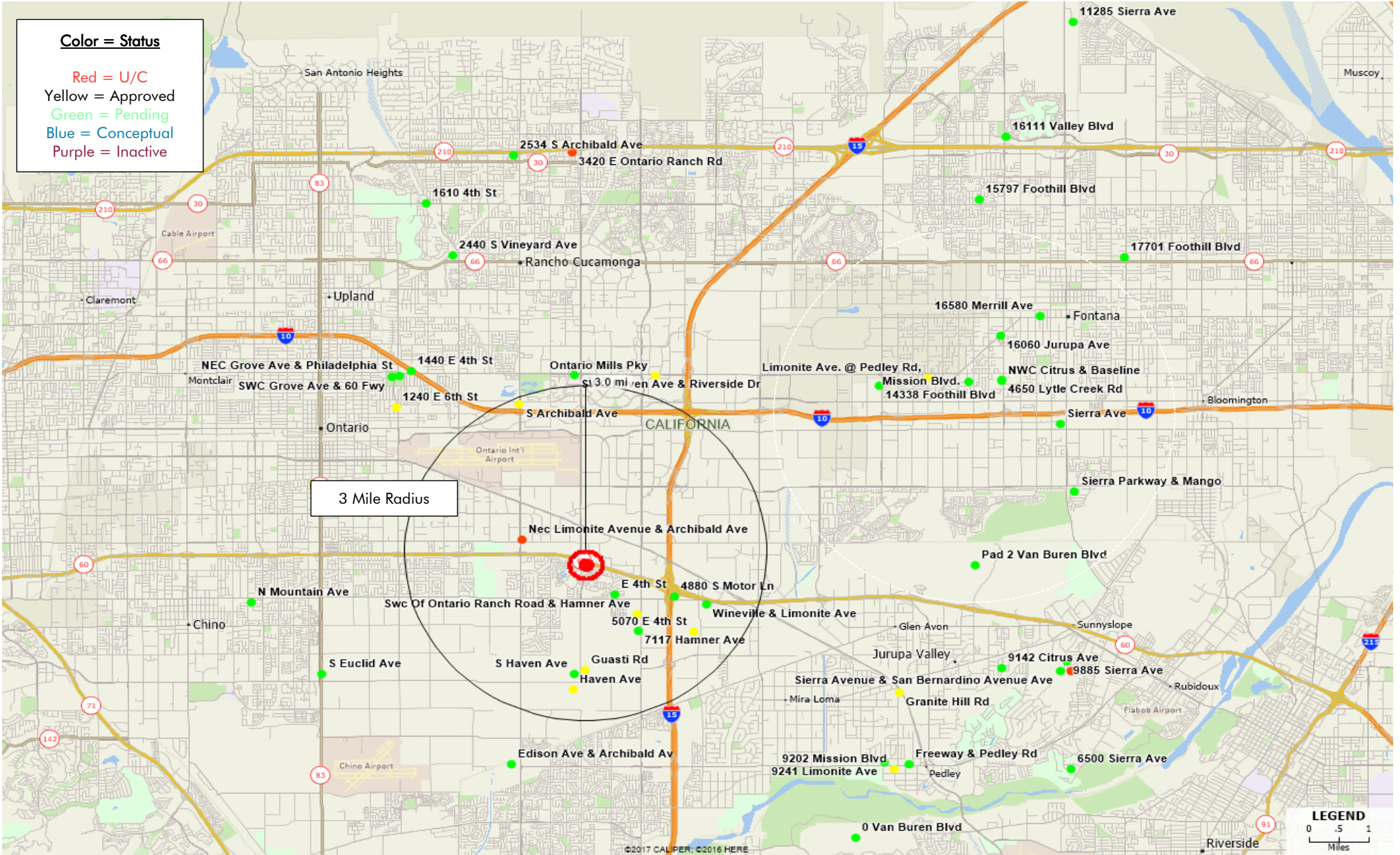
III. 3 Mile Radius Delivery Projection

Status	Delivery Likelihood	Near Term Planned and Proposed Delivery Projection										
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Under Construction	100%	25%	25%	25%	25%	0%	0%	0%	0%	0%	0%	0%
Approved	75%	0%	0%	0%	0%	40%	40%	20%	0%	0%	0%	0%
Pending	50%	0%	0%	0%	0%	0%	0%	30%	30%	30%	10%	0%
Conceptual	30%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Inactive	20%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Status	Projected RBA Delivered	Projected RBA Delivered by Year										
		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	
Under Construction	16,050	4,013	4,013	4,013	4,013	0	0	0	0	0	0	0
Approved	144,038	0	0	0	0	57,615	57,615	28,808	0	0	0	0
Pending	119,714	0	0	0	0	0	0	35,914	35,914	35,914	11,971	0
Conceptual	0	0	0	0	0	0	0	0	0	0	0	0
Inactive	0	0	0	0	0	0	0	0	0	0	0	0
CMA Total:	279,802	4,013	4,013	4,013	4,013	57,615	57,615	64,722	35,914	35,914	11,971	0
Stabilized at 95%	265,811	3,812	3,812	3,812	3,812	54,734	54,734	61,486	34,118	34,118	11,373	0

5-Year Projected Delive 279,802

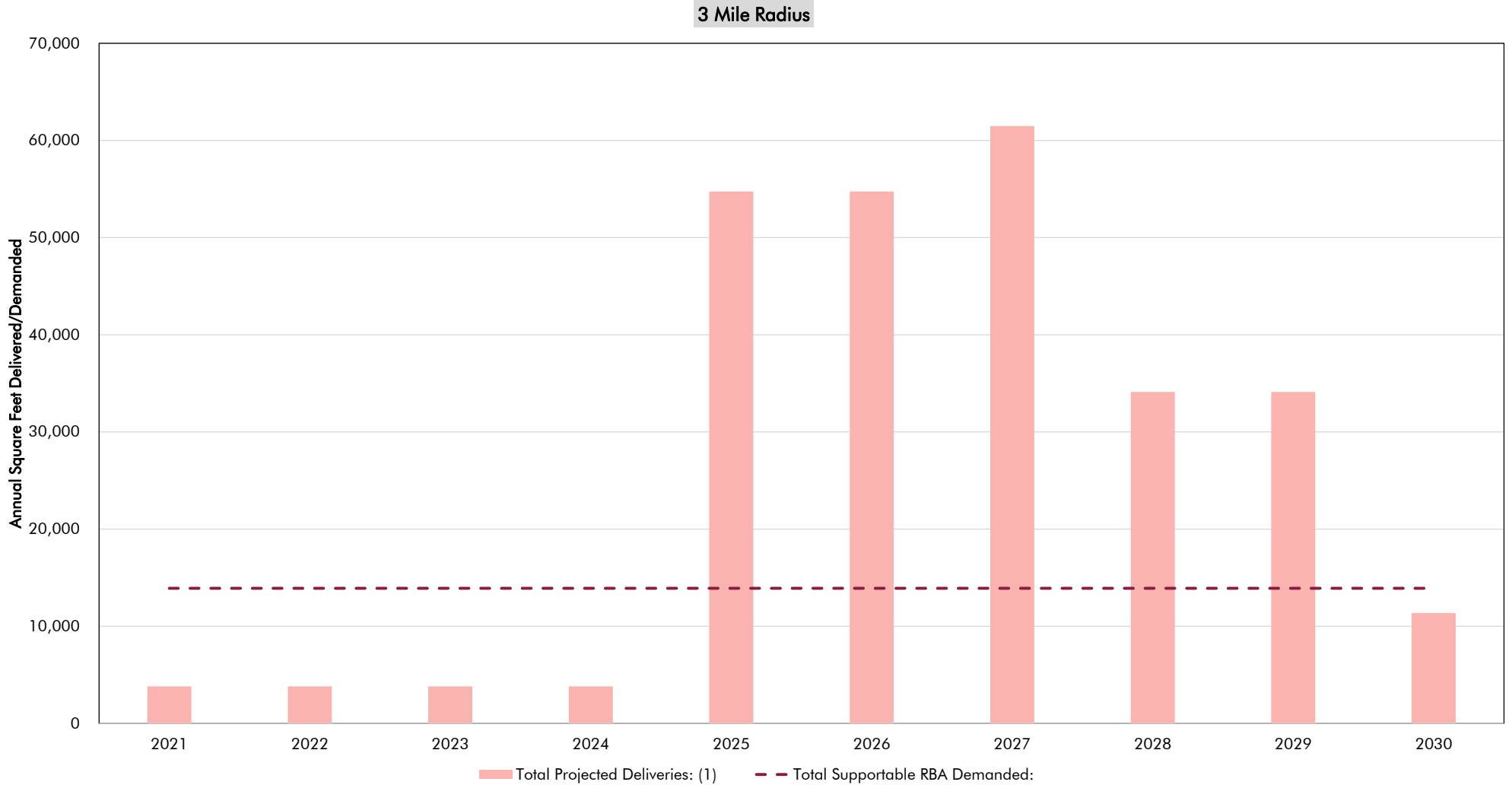
APPENDIX D5
RETAIL - PIPELINE
COMPETITIVE MARKET AREA
DECEMBER 2020



APPENDIX D6

RETAIL - SUPPLY VS. DEMAND
3 MILE RADIUS
DECEMBER 2020

Supply and Demand Dynamics	3 Mile Radius										Total
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Total Projected Deliveries: (1)	3,812	3,812	3,812	3,812	54,734	54,734	61,486	34,118	34,118	11,373	265,811
Total Supportable RBA Demanded:	13,915	13,915	13,915	13,915	13,915	13,915	13,915	13,915	13,915	13,915	139,146
Undersupply/(Oversupply):	10,103	10,103	10,103	10,103	(40,820)	(40,820)	(47,571)	(20,204)	(20,204)	2,542	(126,666)



(1) Stabilized at 95%



Newport Beach

369 San Miguel Dr, #265
Newport Beach, CA 92660
(949) 717-6450

San Francisco

251 Kearny St, 6th Floor
San Francisco, CA 94108
(415) 397-5490

New York

641 Lexington Ave, #1400
New York, NY 10022
(212) 535-2225

Atlanta

725 Ponce De Leon Ave, #315
Atlanta, GA 30306
(404) 879-5000

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2008101140), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PGPA19-006.

WHEREAS, EXECUTIVE DEVELOPMENT, LLC. (hereinafter referred to as "Applicant") has filed applications for the approval of: 1) A General Plan Amendment (File No. PGPA19-006) to modify Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on 14.29 acres of land from Office Commercial to Industrial, and modifying Policy Plan Exhibit LU-03, Future Buildout Table, to be consistent with the land use designation changes; 2) An Amendment to the Haven Gateway Centre Specific Plan (File No. PSPA19-008), changing the land use designation on the subject site from Commercial/Office to Industrial; and 3) A Development Plan (File No. PDEV19-057) to construct a 281,000 square foot industrial warehouse building on the subject site (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 14.29-acres of land generally located along the northeast corner of Haven Avenue and SR-60 Pomona Freeway, within the Office Commercial and Haven Gateway Centre Specific Plan, and the project site is presently vacant; and

WHEREAS, the property to the north of the Project site is within the commercial/office land use designation of the Haven Centre Gateway Specific Plan and is developed with a service station. The property to the east is within the industrial land use designation of the Haven Centre Gateway Specific Plan and is developed with industrial land uses. The property to the south is developed with SR-60 (Pomona Freeway). The property to the west is within the commercial/office land use designation of the California Commerce Center South Specific Plan, and is developed with a hotel and a fast-food restaurant; and

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

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

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

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

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

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

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

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

WHEREAS, as the first action on the Project, on March 23, 2021, the Planning Commission issued a Resolution recommending the City Council Adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental

impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 2: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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 3: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 and 2, above, the Planning Commission hereby concludes as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

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

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

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

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

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

(7) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(8) 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

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

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

(11) 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

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

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of March, 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**Addendum to The Ontario Plan
Environmental Impact Report**

(Addendum to follow this page)



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

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

Project Title/File Nos.: PGPA19-006, PSPA19-008, PDEV19-057

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

Contact Person: Luis Batres, Senior Planner, 909-395-2431

Project Sponsor: City of Ontario, 303 East B Street, Ontario, CA 91764

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is located on Assessor Parcel Number (APN): 1083-321-01, which is comprised of 162 acres of land generally located north of the SR-60 Pomona Freeway, South of Mission Boulevard, east of Haven Avenue and west of Doubleday Street.

Figure 1: REGIONAL LOCATION MAP

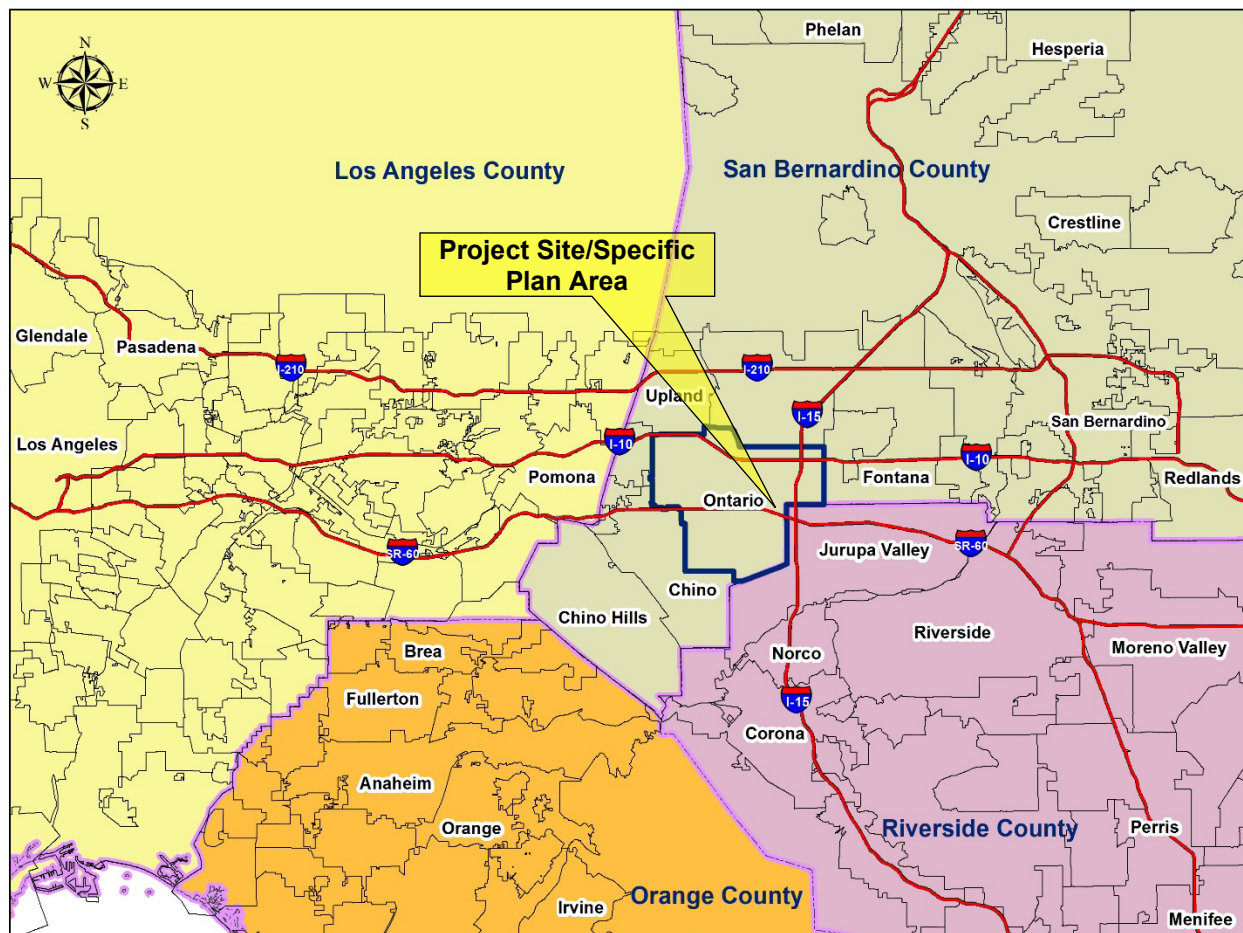


Figure 2: VICINITY MAP

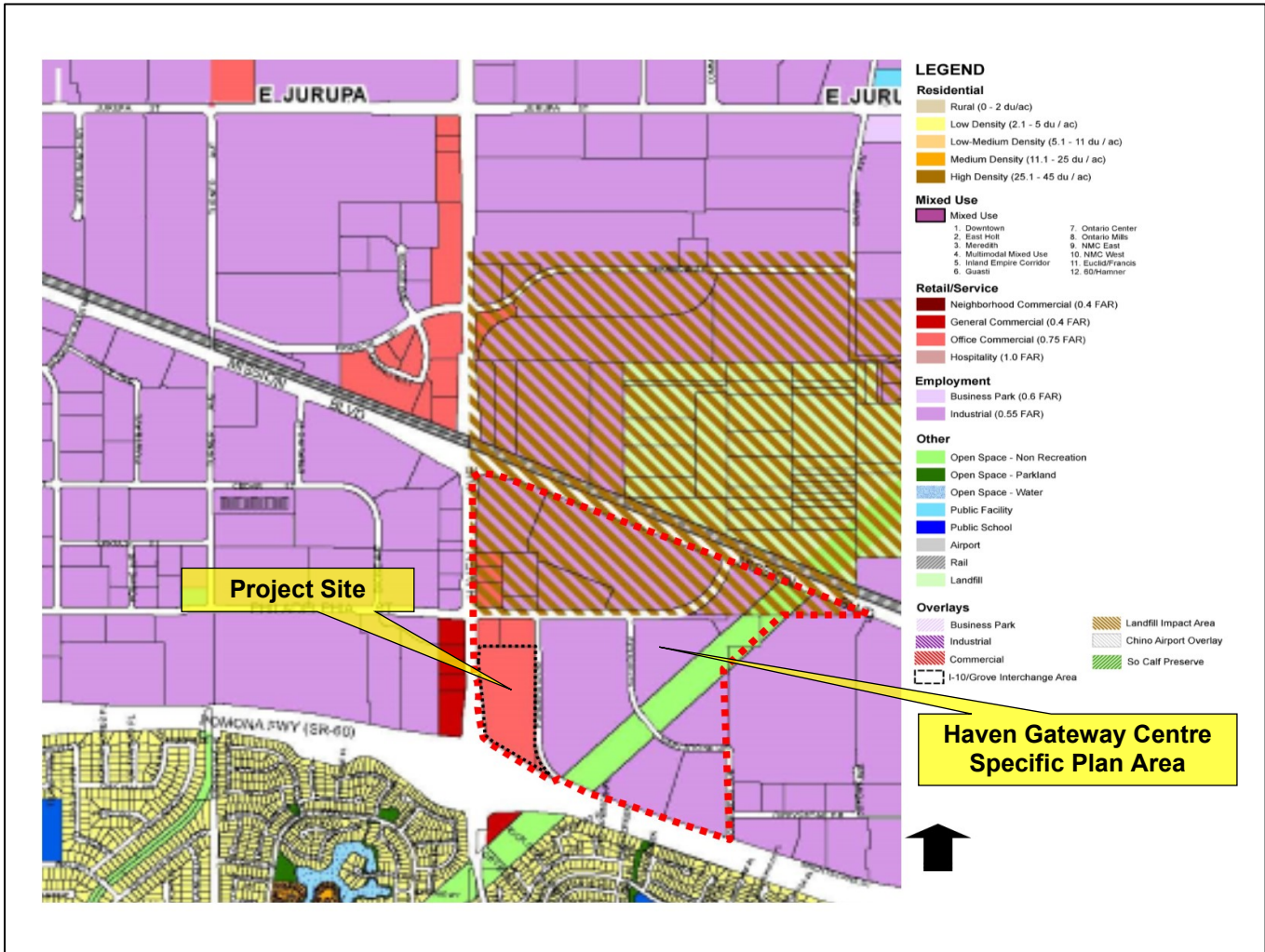
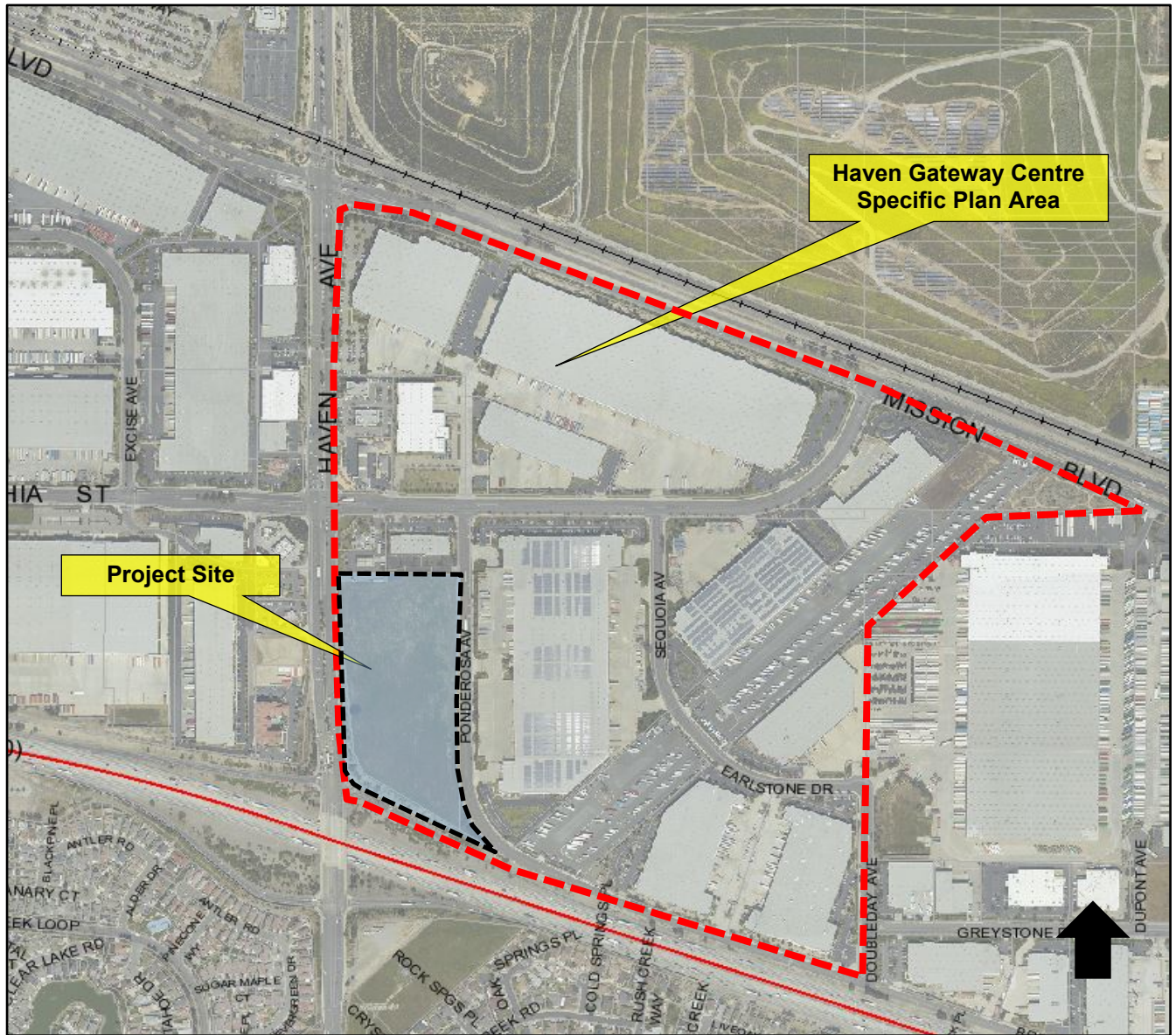


Figure 3: AERIAL PHOTOGRAPH



General Plan Designation: Existing –Office Commercial; Proposed – Industrial (0.55 FAR)

Zoning: Existing – Commercial/Office district of the of the Haven Gateway Centre Specific Plan. Proposed – Industrial.

Description of Project: The project proposes the following entitlements:

1. A General Plan Amendment (GPA) to (File No. PGPA19-006) modify the Land Use Plan (Exhibit LU-01) of the Policy Plan (General Plan) of The Ontario Plan to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and
2. A Specific Plan Amendment (File No. PSPA19-008) to the Haven Gateway Centre Specific Plan (SPA) to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial. The project is located on the east of Haven Avenue, between Philadelphia Street and the SR-60 Pomona Freeway; and
3. A Development Plan (File No. PDEV19-057) to construct a 281,000 square foot industrial building on 14.29 acres within the Industrial land use designation of the Haven Gateway Centre Specific Plan. The project is located on the northeast corner of Haven Avenue and SR-60 Pomona Freeway.

The Haven Gateway Centre Specific Plan was adopted in May 7, 1991. The Specific Plan is located on 162 acres of land generally located north of the SR-60 Pomona Freeway, South of Mission Boulevard, east of Haven Avenue and west of Doubleday Street. The Specific Plan Amendment will include the following revisions to the Specific Plan:

- Any graphic that currently identifies the 14.29 acres of Commercial/Office, will be changed to *Industrial*; and
- Changes to Table 1: Land Use Summary Table, to reflect land use change; and
- Changes to Exhibit 10 – Land Use Plan to reflect the addition of 14.29 acres of Industrial.

Project Setting: The project site consists of approximately 162 acres of land within southeast Ontario. The site is generally rectangular in shape and abuts the SR-60 Pomona Freeway to the south. The site gentle slopes to the southeast and is vacant. The site was historically used for agriculture uses, including vineyards and row crop production. The site is surrounded to the north by commercial development, SR-60 Pomona Freeway to the south, industrial warehouse uses to the east and commercial/hotel uses across Haven Avenue to the west.

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

An Environmental Impact Report (“EIR”) was prepared for TOP (State Clearinghouse No. 2008101140) and certified by the City Council on January 27, 2010 (hereinafter referred to as “Certified EIR”), which included Mitigation, Findings and a Statement of Overriding Considerations pursuant to the requirements of the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (“CEQA”). The Certified EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, and in the Policy Plan and impacts resultant of population and employment growth in the City. The subject site was analyzed in the Certified EIR as industrial (See Exhibit A) to be consistent with the industrial uses to the north, west, and south of the subject site, Interstate I-15 freeway to the east, and the subject site’s location under the landing path of the Ontario International Airport. The significant unavoidable adverse impacts that were identified in Certified EIR included agriculture resources, air quality, cultural resources,

greenhouse gas emissions, noise, and transportation/traffic.

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

- 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 non-residential 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 General Plan Amendment to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR), will result in less non-residential development than TOP EIR analyzed at buildout.

TOP Buildout Analysis	Units	Population	Non-Residential Square Footage	Jobs
Buildout per Original TOP EIR	99,887	345,971	257,445,845	312,277
Revised Buildout per previous approved TOP amendments and the proposed amendment	100,654	347,190	247,586,231	311,080

In addition, based on an allowable 0.75 floor area ratio (FAR), the proposed GPA would replace 367,864 square feet of potential commercial/office space with approximately 281,000 square feet of proposed warehouse/distribution uses. A trip generation comparison was conducted by the City's Traffic Engineering Division that compared an Office Park use versus an Industrial Warehouse use at a FAR of 0.55. As shown below, the proposed GPA is forecast to result in 3,585 fewer daily Average Daily Trips (ADT) trips compared to the maximum allowable development under existing Commercial/Office General Plan land use designation, including 482 fewer Passenger Commuter Equivalent (PCE) trips during the AM peak hour and 340 fewer PCE trips during the PM peak hour.

Trip Generation Comparison									
Land Use	Size	Units	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Proposed Land Use - 281,000 SF Building									
Industrial Warehouse ¹	281	TSF							
Trip Rate			1.74	0.13	0.04	0.17	0.05	0.14	0.19
Trip Generation			489	37	11	48	14	39	53
Existing Land Use - 367,864 SF Building									
Office Park ²	368	TSF							
Trip Rate			11.07	1.28	0.16	1.44	0.07	1.00	1.07
Trip Generation			4074	472	58	530	28	366	394
TOTAL TRIP GENERATION (Proposed - Existing)			-3585	-435	-47	-482	-14	-327	-340
¹ Industrial Warehousing - ITE Land Use 150 ² Office Park - ITE Land Use 750									

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 a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a

subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

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

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

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

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

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

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

c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

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

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

Conclusion: TOP EIR, certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed Specific Plan Amendment coordinates with the existing uses of the properties and uses within the surrounding areas. As described on page 4, the amount of development anticipated at buildout will be equal to or lower for Planning Area 1 than the Certified 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 Certified EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary, nor is there a need for any additional mitigation measures; therefore, pursuant to State CEQA Guidelines Section 15164, the Ontario City Council hereby adopts this Addendum to the Certified EIR.

Surrounding Land Uses:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
Site:	Vacant	Office Commercial (0.4 FAR)	Haven Center Gateway Specific Plan	Commercial/Office
North:	Gas Station/Business Park	Office Commercial (0.4 FAR)	Haven Center Gateway Specific Plan	Commercial/Office
South:	SR-60 Pomona Freeway	Freeway	N/A	N/A
East:	Industrial Warehouse Use	Industrial (0.55 FAR)	Haven Center Gateway Specific Plan	Industrial
West:	Hotel, Fast Food, Gas Station	General Commercial	California Commerce Center South SP	Commercial/Office

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Luis E. Batres, Senior Planner
Printed Name and Title

February 25, 2021
Date

Ontario, California
For

EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

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

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

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

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

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside

document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

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

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

9) The explanation of each issue should identify:

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>Impacts Previously Analyzed in TOP EIR</i>
1. AESTHETICS. 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"/>
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"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
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 pursuant to 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18.1 B of the Uniform Building Code, 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 wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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:				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
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 vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.</p> <p>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; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

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

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains. The project site is located at the northeast corner of Haven and RS-60. The proposed Amendment to General Plan to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR) and the Specific Plan Amendment to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial, will not result in adverse environmental impacts with regard to views of the San Gabriel Mountains. Therefore, no adverse impacts are anticipated in relation to the project.

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

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

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

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

b. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

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

Any development proposals that would subsequently occur from the proposed Project will be required to be in accordance with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property. Therefore, no adverse impacts are anticipated.

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

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

Discussion of Effects: The proposed land use change itself will not cause lighting to be installed in the Project. New lighting will be introduced to the site with the development of a proposed 181,000 square foot industrial building. Pursuant to the requirements of the City's Development Code, on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

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

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

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

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

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

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

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

Discussion of Effects: The project site is not zoned for agricultural use. The project proposes a General Plan Amendment to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR) and the Specific Plan Amendment to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial. 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 additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

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

Discussion of Effects: The project proposes a General Plan Amendment to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR) and the Specific Plan Amendment to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial. This would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

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

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

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

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

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

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in the Certified EIR. 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 or in the vicinity and the Project does not directly or indirectly result in conversion of farmland. No new cumulative impacts beyond those identified in the Certified EIR 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 TOP nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

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

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

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Commercial Office and is surrounded on the north, west, and east by industrial uses and commercial uses and on the east by the SR-60 Freeway. The project will not conflict with or obstruct implementation of any air quality plan. As noted in the Certified EIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

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

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

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

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because the Project is a Specific Plan Amendment that adds permitted industrial uses to property specified for industrial land uses by the Official Land Use Map (Exhibit LU-01) of the Policy Plan component of TOP. Mitigation (Mitigation Measure 5.3-1) has already been adopted by the City that would facilitate continued City cooperation with the SCAQMD and SCAG to achieve regional air quality improvement goals, promote energy conservation design and development techniques, encourage alternative modes of

transportation, and implement transportation demand strategies. The project will comply with the air quality standards of the Certified EIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

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

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Commercial Office and is surrounded on the north and west by commercial development, industrial development to the east, and by the SR-60 Freeway to the south. As discussed in Section 5.3 of the Certified EIR, the proposed Project is within a non-attainment region of the South Coast Air Basin (SCAB). The proposed General Plan Amendment and Specific Plan Amendment 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 the Certified EIR. Adequate mitigation (Mitigation Measure 5.3-5) has already been adopted by the City that would require new developments to be consistent with recommended buffer distances of the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). Under this mitigation, new development that is inconsistent with the recommended buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters, have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources. No new impacts beyond those identified in the Certified EIR would result from Project implementation.

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

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

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Commercial Office and is surrounded on the north, west, and east by industrial uses and commercial uses and on the east by the SR-60 Freeway. The uses proposed on the subject site, as well as those permitted within the Mixed-Use Industrial land use district, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

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

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Commercial Office and is surrounded on the north, west, and east by industrial uses and commercial uses and on the east by the SR-60 Freeway. According to the Certified EIR, the project site is 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 Game or the U.S. Fish and Wildlife Service. The species includes the Delhi Sands Flower Loving Fly. However, a Habitat Suitability Assessment for the Delhi Sands Flower-Loving Fly (DSF) was conducted for the project site by Michael Baker International in December of 2018. The Habitat Suitability Assessment results concluded that the project site does not contain a sufficient amount of clean Delhi sands soil that could support the DSF. The conclusion was further supported by the lack of recent occurrence records within the immediate vicinity over the past fifteen (15) years and the project sits isolation by surrounding developments and overall distance from extant DSF populations and habitat. Therefore, DSF is not expected to occur within

the project site and focused surveys were not recommended. On August 20, 2020, the applicant received confirmation from Amanda Swaller, Senior Wildlife Biologist, from Fish and Wildlife, supporting findings and concluding that it is unlikely that DSF would be affected by the construction of the project. Therefore, no adverse impacts are anticipated.

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

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Commercial Office and is surrounded on the north, west, and east by industrial uses and commercial uses and on the east by the SR-60 Freeway. The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

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

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

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

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

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

Discussion of Effects: The site is vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

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

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

Discussion of Effects: The City of Ontario does not have any specific policies or ordinances protecting biological resources. Further, Planning Area 1 does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

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

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

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

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

5. CULTURAL RESOURCES. Would the project:

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

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Commercial Office and is surrounded on the north, west, and east by industrial uses and commercial uses and on the east by the SR-60 Freeway. The subject site is vacant and does not contain any buildings or structures constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. A Cultural Resources Records Search was conducted on July 16, 2019 at the California Historic Resource Inventory System at the South Central Coastal Information Center (CHRIS-SCCIC). The records search indicated that there are no cultural resources (prehistoric, historic, or built environments) recorded within the Project boundaries. There was one (1) historic resource (CA-SBR-008857H) located within a one-half mile radius of the Project Site. The historic resource is a section of the Southern California Edison Company's Lugo-Mira No. 1 500kv Transmission Line. The transmission line was determined eligible for listing in the National Register of Historic Place (NRHP) under Criteria A and C, and therefore, is eligible for listing in the California Register of Historic Resources. This historic resource will not be impacted (directly or indirectly) by the proposed Project. Therefore, no adverse impacts are anticipated.

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

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

Discussion of Effects: The Certified EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. Figure 5.5-2 of the Certified EIR shows that the Project site has not been surveyed for archeological resources. Further, the CHRIS-SCCIC records search noted in subsection "a" above failed to identify prehistoric, historic, or historic built environments within or adjacent to the Project boundaries. The NAHC Sacred Lands File search also failed to indicate archaeological resources or artifacts associated with Tribal Cultural Resources (TCRs) within the Project site. The Project site has been highly disturbed by modern human activities to include vineyard and crop production uses and grading activities that would have displaced potential surface and subsurface archaeological resources. Therefore, the proposed Project will not impact cultural (prehistoric, historic, or historic built environments) resources and no mitigation measures are recommended. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

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

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

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

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

6. ENERGY Would the project:

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

Discussion of Effects: Energy was not analyzed in the Certified EIR but has been included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the Project would increase the demand for electricity and natural gas at the Project site and gasoline consumption in the region during construction and operation. A detailed discussion is provided below.

Electricity

Construction. Temporary electric power would be required for lighting and electronic equipment (e.g., computers) located in trailers used by the construction crew. However, the electricity used for such activities would be temporary and would have a negligible contribution to the project's overall energy consumption.

Operational. The proposed General Plan Amendment to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR) and the Specific Plan Amendment to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial. However, these commercial/office uses, and industrial uses will be similar to the already allowed uses and will have similar energy use during operation. However, the related Development Plan (File No. PDEV19-057), proposes the construction of a 281,000 square foot industrial building. However, during hypothetical operation of the Project, a warehouse, distribution, manufacturing use would require electricity for multiple purposes, such as: building heating and cooling, lighting, appliances, and electronics. Any future development on the site would be required to comply with the CALGreen Building Code requirements in effect at the time of development, which are more efficient than the 2016 standards. Moreover, the Project includes a sample Greenhouse Gas Reduction Measure Screening Table for Commercial and Industrial Development. The Screening Table includes measures energy efficient development, indoor space efficiency measures, building efficiency measures, renewable energy measures, and water conservation measures. Measures that would reduce electricity consumption include, but are not limited to: greatly enhanced window insulation, an enhanced cool-roof, an improved efficiency heating, ventilation, and air conditioning ("HVAC") system, blower doors HERS verified Envelope leakage or equivalent, enhanced duct insulation, Energy Star appliances, water efficient landscaping and irrigation systems, and water-efficient toilets and faucets. Although electricity consumption would increase at the site under implementation of the Project, the building envelope, HVAC, lighting, and other systems, would be designed to maximize energy performance. The project would also be subject to statewide mandatory energy requirements as outlined in the CALGreen Code. In addition, the project would implement additional measures, as detailed in the GHG reduction measures screening table, that would further reduce electricity consumption. Electricity that would be consumed by the Project would also be subject to the cap-and-trade regulation. For these reasons, the electricity that would be consumed by the Project is not considered to be inefficient or wasteful, and impacts would be less than significant.

Natural Gas

Construction. Natural gas consumption is not anticipated during construction of the Project. Fuels used for construction would generally consists of diesel and gasoline, which are discussed in the next subsection. Any amounts of natural gas that may be consumed during project construction would be nominal and would have a negligible contribution to the project's overall energy consumption

Operational. The proposed General Plan Amendment to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR) and the Specific Plan Amendment to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial. The proposed Specific Plan Amendment change would allow for those similar industrial uses currently permitted within the Industrial land use zone of the Specific Plan. However, the related Development Plan (File No. PDEV19-057), proposes the construction of a 281,000 square foot industrial building. However, during operation of the Project, a warehouse, distribution, manufacturing use would require natural gas consumption for various purposes, such as building heating and cooling. Any future structure developed on

the site would be built to the 2021 Title 24 CALGreen efficiency requirements or the code in effect at the time of development. In addition, measures will be applied based on the information contained in the County's GHG DRP checklist. These measures include, but are not limited to: enhanced wall, attic, and window insulation; high efficiency water heater, and optimized building orientation. Although natural gas consumption would increase at the site under implementation of the Project, the building envelope, HVAC, lighting, and other systems, would be designed to maximize energy performance. The project would be subject to statewide mandatory energy requirements as outlined in the CALGreen Code. In addition, the project would implement additional measures, as detailed in the GHG reduction measures screening table, that would further reduce natural gas consumption. Natural gas that would be consumed by the Project would also be subject to the cap-and-trade regulation. For these reasons, the natural gas that would be consumed by the project is not considered to be inefficient or wasteful, and impacts would be less than significant.

Diesel and Gasoline Fuel

Construction. Diesel and gasoline fuels, also referred to as petroleum in this subsection, would be consumed throughout construction of the Project. Fuel consumed by construction equipment would be the primary energy resource consumed over the course of construction, and vehicle miles traveled ("VMT") associated with the transportation of construction materials (e.g., deliveries to the site) and worker trips to and from the site would also result in petroleum consumption. Whereas on-site, heavy-duty construction equipment and delivery trucks would predominantly use diesel fuel, construction workers would generally rely on gasoline-powered vehicles. Any future development would be required to comply with CARB's Airborne Toxic Control Measures, which restricts heavy-duty diesel vehicle idling to five minutes. Since petroleum use during construction would be temporary and required to conduct development activities, it would not be wasteful or inefficient, and impacts would be less than significant.

Operational. Fuel consumption associated with development pursuant to the Project's operational phase would primarily be attributable to workers commuting to and from the Project and the operation of large, diesel-powered trucks (e.g., semi-trucks) needed to transport goods. Over the lifetime of the Project, the fuel efficiency of the vehicles being used by the employees is expected to increase. As such, the amount of petroleum consumed as a result of vehicular trips to and from the Project site during operation is anticipated to decrease over time. There are numerous regulations in place that require and encourage fuel efficiency. For example, CARB has adopted an approach to passenger vehicles by combining the control of smog-causing pollutants and GHG emissions into a single, coordinated package of standards. The approach also includes efforts to support an accelerate the number of plug-in hybrids and ZEVs in California. In addition, per the requirements identified in SB 375, CARB adopted a regional goal for the SCAG region of reducing per-capita GHG emissions from 2005 levels by 8 percent by 2020 and 19 percent by 2035 for light-duty passenger vehicles. Accordingly, operation of the Project is expected to decrease the amount of petroleum it consumes in the future due to advances in fuel economy. Although the Project would increase petroleum use in the region during construction and operation, the use would be a small fraction of the statewide use and, due to efficiency increases, would diminish over time. As such, petroleum consumption associated with the Project would not be considered inefficient or wasteful and would result in a less-than-significant impact.

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

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

Discussion of Effects: The Project would not conflict with or obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency. The California Title 24 Building Code contains energy efficiency standards for non-residential buildings. These standards address electricity and natural gas efficiency in lighting, water, heating, and air conditioning, as well as the effects of the building envelope (e.g., windows, doors, walls and rooves, etc.) on energy consumption. As described above, the Project would be required to comply with the 2019 Title 24 CALGreen standards and would implement additional measures as identified in the County's GHG DRP checklist. Since the Project would comply with applicable State standards and adhere to the County's energy reductions measures identified in the GHG Emissions Reduction Plan, the Project would not conflict with nor obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

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

7. GEOLOGY & SOILS. Would the project:

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

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

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

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

ii. Strong seismic ground shaking?

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

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

iii. Seismic-related ground failure, including liquefaction?

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

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

iv. Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Amending the Specific Plan Planning Area 1 to allow warehousing, distribution, and/or manufacturing uses will not create greater landslide potential impacts than were identified in the Certified EIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

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

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

Discussion of Effects: The proposed Specific Plan Amendment to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial will not create greater erosion impacts than were identified in the Certified TOP EIR. Impacts will be less than significant with mitigation.

The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed nature of the Project site and the limited size and scope of the Project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

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

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

Discussion of Effects: The proposed GPA and SPA to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial will not create greater landslide potential impacts than were identified in the Certified EIR. In addition, the associated projects would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Certified EIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

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

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

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

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

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

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

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

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

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Certified EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. Moreover, Results of the paleontological resources records search through the Natural History Museum of Los Angeles County (NHMLAC) indicate that there are no known vertebrate fossil localities or unique geological features that have been previously identified within the Project area or within a one-mile radius. The results of the literature review and the search at the NHMLAC indicate that the Project site has surficial sediments composed of younger Quaternary Alluvium, derived as alluvial fan deposits from the San Gabriel Mountains to the north or as dune sands. These deposits typically do not contain significant vertebrate fossils, at least in the uppermost layers, but they may be underlain by older sedimentary materials at estimated depths greater than 9 feet (McLeod 2019). Therefore, it is concluded that the proposed Project will not impact paleontological resources or unique geological features and as such no mitigation measures are recommended. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

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

8. GREENHOUSE GAS EMISSIONS. Would the project:

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a commercial/office use. Additionally, the impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Certified EIR. According to the EIR, this impact would be significant and unavoidable (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases. Amending the Specific Plan Planning Area 1 to allow additional industrial uses on the site will not create significantly greater impacts than were identified in the Certified EIR. The Project includes a sample GHG Reduction Measures Screening Threshold Table, which provides guidance in measuring the reduction of greenhouse gas ("GHG") emissions attributable to certain design and construction measures incorporated into development projects. The analysis, methodology, and significance determination (thresholds) are based upon the City's Climate Action Plan ("CAP"), which includes GHG emission inventories (2008 and 2020 forecasts), a year 2020 emission reduction target, the goals and policies to reach the target, together with the Addendum prepared for the CAP. The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. The point levels are based upon improvements compared to 2008 emission levels of efficiency. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the City's CAP. As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions. As shown in the Project GHG Reduction Measures Screening Table, the Project garners a total of 103 points, and is therefore consistent with the reduction quantities anticipated in the City's CAP. Therefore, quantification of Project-specific GHG emissions is not required.

Additionally, pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in the Certified EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in the Certified EIR; (3) the proposed project is consistent with The

Ontario Plan. The proposed impacts of the project were already analyzed in the Certified EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the Certified EIR and current energy efficiency standards. No changes or additions to the Certified EIR analyses are necessary.

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

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a commercial/office use. The proposed Project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, State, and federal regulations. In addition, the proposed Project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15 percent), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6 and energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations. The Project is consistent with the City's Climate Action Plan. Therefore, the proposed Project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

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

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

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

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

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

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

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

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

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

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

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

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

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

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

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

Discussion of Effects: The proposed project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The site is located within the airport influence area but outside the airport safety zones. The proposed GPA and SPA to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial is compatible with the ALUCP. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, any impacts would be reduced to a less than significant level.

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

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

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

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

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

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

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

10. HYDROLOGY & WATER QUALITY. Would the project:

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

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (“NPDES”) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario’s Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Furthermore, any future applicant to develop the site would be required to submit a Preliminary Water Quality Management Plan (“PWQMP”), which would establish the site’s compliance with storm water discharge and water quality management requirements. The PWQMP will include site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment and evapotranspiration. The PWQMP would include the use of an underground stormwater infiltration system for the site. Any overflow drainage from future development of the site will be conveyed to the public street by way of parkway culverts.

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

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

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

Mitigation: No additional mitigation required.

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

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

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

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

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

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

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

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

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

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

iv. Impede or redirect flood flows?

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

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

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

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is dominated by Agricultural fallow fields and does not contain any vegetation associated with riparian features. No wetlands

have been mapped on the project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to project inundation.

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

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

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

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

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

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

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

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a commercial office use. Amending the Specific Plan to allow industrial uses on 14.29 acres of land will not create greater impacts than were identified in the Certified EIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

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

12. MINERAL RESOURCES. Would the project:

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

Discussion of Effects: The Project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

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

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

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

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

13. NOISE. Would the project result in:

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR a commercial/office use and the Project will not expose people to or generate noise levels in excess of standards as established in the Certified EIR (Section 5.12). The subject site is surrounded on the north, and west by commercial uses, SR-60 Freeway to the south and by industrial uses to the east, and the subject site is not within the landing approach of the Ontario International Airport. No additional analysis will be required at the time of site development review.

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

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

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

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

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

Discussion of Effects: The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The project site is located outside of the Safety, Noise Impact and Airspace Protection Zones. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

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

14. POPULATION & HOUSING. Would the project:

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR a commercial/office use and proposed General Plan Amendment to change the land use designations for 14.29 acres of land, from Office Commercial (0.4 FAR), to Industrial (0.55 FAR) and the Specific Plan

Amendment to change the land use designation of 14.29 acres of land from Office/Commercial to Industrial would not induce significant population growth. Therefore, no impacts are anticipated.

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

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

Discussion of Effects: The project site does not contain existing housing. Changing the permitted zoning on the site will not create existing housing impacts.

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

15. PUBLIC SERVICES. Would the project:

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

i. Fire protection?

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

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

ii. Police protection?

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

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

iii. Schools?

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

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

iv. Parks?

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

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

v. Other public facilities?

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

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

16. RECREATION. Would the project:

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

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

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

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

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

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

17. TRANSPORTATION. Would the project:

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR a commercial/office use and is surrounded on the north and west by commercial uses, industrial uses to the east and SR-60 freeway to the south. The project is in an area that is mostly developed with all street improvements existing. As previously mentioned, a trip generation comparison was conducted by the City's Traffic Engineering Division that compared an Office Park use versus an Industrial Warehouse use at a FAR of 0.55. As shown below, the proposed GPA is forecast to result in 3,585 fewer daily Average Daily Trips (ADT) trips compared to the maximum allowable development under existing Commercial/Office General Plan land use designation, including 482 fewer Passenger Commuter Equivalent (PCE) trips during the AM peak hour and 340 fewer PCE trips during the PM peak hour. In addition, a Traffic Impact Analysis (Urban Crossroads, February 13, 2020) was performed for the project.

The Traffic Impact Analysis identified cumulative impacts and deficiencies that would not be directly caused by the project. The project would, however, contribute traffic to these deficient facilities along with other cumulative development projects, resulting in a cumulatively impact.

The project would, however, contribute traffic to these deficient facilities along with other cumulative development projects, resulting in a cumulatively considerable impact. Improvements found to be included in City of Ontario (lead agency) DIF program have been identified as such. For improvements that do not appear to be in the City's DIF program, a fair share financial contribution based on the Project's fair share impact shall be imposed (for City of Ontario facilities) and may be imposed by other jurisdictions in order to mitigate the Project's share of impacts in lieu of construction. These fees (both to the City of Ontario, and as determined, to surrounding agencies as fair-share contributions) are collected as part of a funding

mechanism aimed at ensuring that regional highways and arterial expansions keep pace with the projected vehicle trip increases.

A rough order of magnitude cost has been prepared to determine the appropriate contribution value based upon the Project's fair share of traffic as part of the project approval process. Based on the Project fair share percentages, the Project's fair share cost is estimated at \$3,398. Table 1-4, within the report, shows the Project's fair share cost for Horizon Year (2040) traffic conditions. The estimates are a rough order of magnitude only as they are intended only for discussion purposes and do not imply any legal responsibility or formula for contributions or mitigation. The recommended intersection improvements at Haven Avenue and SR-60 Eastbound Ramps (#5) are outside of the jurisdiction of the City of Ontario. Since the intersection falls outside the jurisdiction of the City, the City does not have the authority to construct or demand the construction of such improvements. For the foregoing reasons, the payment of fair-share fees for the improvements identified in Table 1-4 of the report is considered infeasible and therefore results in a significant and unavoidable impact.

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

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

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

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdiction were given until July 1, 2020 to develop and implement thresholds of significance criteria and methodologies for evaluating VMT under the new SB 743 requirements. The City of Ontario has adopted and established a VMT analysis threshold or analysis methodology based on our Policy Plan (General Plan) baseline. However, the project was submitted prior to the adoption of the threshold and therefore not subject to the adopted thresholds. Subsequently, The Ontario Plan EIR analyzed VMT, as part of the GHG analysis. The Ontario Plan (TOP) is consistent with the RTP/SCS for the Southern California region. The SBTAM model has incorporated TOP buildout which was then incorporated into the SCAG model in developing the RTP/SCS for the region. The thresholds used in these models can be found in the tool created for SBCTA that analyzes the various threshold options. TOP to establish VMT thresholds since this option has already been found to be consistent with the RTP/SCS and these land use assumptions have been incorporated into the SBTAM and SCAG's regional models. The screening tool created for use in San Bernardino County can be utilized for locations within Ontario where additional analysis is not required, and the City thresholds be used for projects where additional analysis is required. If mitigation measures are included for the project and the VMT brought down below the established threshold (City average), then the project can be determined to have less than a significant impact on transportation (in terms of CEQA). Subsequently, a Trip Generation Comparison was conducted by the City's Traffic Engineering Division. The study compared an Office Park use, versus an Industrial Warehouse/Distribution use at a FAR of 0.55. The proposed GPA is forecast to result in 3,585 fewer daily Average Daily Trips (ADT) compared to the maximum allowable development under existing Office/Commercial General Plan land use designation. In addition, the study found 482 fewer Passenger Commuter Equivalent (PCE) trips during the AM peak hour and 340 fewer PCE trips during the PM peak hour. Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

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

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

Discussion of Effects: The Project is in an area that is mostly developed. All street improvements are complete, and the Development Plan (File No. PDEV19-057) will be required to construct right-of-way

improvements along the project frontages and may require intersection signal modifications. The Project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

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

d. Result in inadequate emergency access?

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

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

e. Result in inadequate parking capacity?

Discussion of Effects: The proposed GPA and SPA will not affect the parking capacity in the Specific Plan. The Development Plan (File No. PDEV19-057) to construct a 281,000 square foot industrial building will be required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

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

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

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

Discussion of Effects: The subject site was previously analyzed by the Certified EIR a commercial/office use and is not listed in the California Register of Historic Resources or local register of historical resources. The proposed GPA and SPA will allow for 14.29 acres of industrial and will not create greater impacts than were identified in the Certified EIR. In addition, the results of the records research compiled from the CHRIS-SCCIC, the Sacred Lands File Search (commissioned through the NAHC) failed to indicate known Tribal Cultural Resources ("TCR") within the Project boundaries or within a one-mile radius of the Project area as specified in Public Resources Code (PRC): 210741, 5020.1(k), or 5024. Moreover, there was no indication of known TCRs within the Project site or within a one-mile radius of the Project Area. AB 52 (Gatto, 2014) is clear in stating that it is the responsibility of the Public Agency (e.g. Lead Agency) to consult with Native American tribes early in the CEQA process to allow tribal governments, lead agencies, and project proponents to discuss the appropriate level of environment review, identify and address potential adverse impacts to TCRs, and reduce the potential for delay and conflict in the environmental review process (see PRC Section 2108.3.2). Specifically, government-to-government consultation may provide "tribal knowledge" of the Project Area that can be used in identifying TCRs that cannot be obtained through other investigative means. The Project Site has been highly disturbed by modern human activities to include vineyard and crop production and supporting infrastructure that would have displaced surface and subsurface archaeological resources. Therefore, it is concluded that the proposed Project will not impact Tribal Cultural Resources or Native American artifacts relating to TCRs and as such, no mitigation measures are recommended.

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

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code

section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. It is anticipated that during the application process the Lead Agency will notify the tribes of the proposed Specific Plan Amendment and will commence AB 52 Consultations as specified in the regulations. In addition, the results of the records research compiled from the CHRIS-SCCIC, the Scared Lands File Search (commissioned through the NAHC) failed to indicate known Tribal Cultural Resources (“TCR”) within the Project boundaries or within a one-mile radius of the Project area as specified in Public Resources Code (“PRC”): 210741, 5020.1(k), or 5024. Moreover, there was no indication of known TCRs within the Project site or within a one-mile radius of the Project Area. No impacts are anticipated through Project implementation.

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

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

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

Discussion of Effects: The proposed Project is served by City of Ontario water system and has a 12-inch water line available for connection Ponderosa Avenue and adequate water supply for the Project. The proposed Project is served by the City of Ontario sewer system, which has a 10-inch sewer line available for connection off Ponderosa Avenue, and which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and future development of this Project site will not cause RP-1 to exceed capacity. The Project will therefore not require the construction of new water or wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

The proposed project is served by the City of Ontario by a 48-inch storm drain located in Ponderosa Avenue. The Project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

As discussed in the energy section above, the Project will have less than significant impacts with regard to electric power and natural gas. In addition, the Project will not have an impact on telecommunications facilities.

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

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

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

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

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

Discussion of Effects: The Project site is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and future development of this project site will not cause RP-1 to exceed capacity. No impacts are anticipated.

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

d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

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

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion of Effects: This Project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

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

20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: Wildfire impacts were not analyzed in the Certified EIR. A discussion of potential wildfire impacts is provided herein.

The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

21. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

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

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

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

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The Project does not have impacts that are cumulatively considerable.

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

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

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

EARLIER ANALYSES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier Analyses Used. Identify earlier analyses used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan
 - c) Haven Gateway Centre Specific Plan
 - d) Haven Gateway Centre Specific Plan EIR (SCN#90020570) June 1991
 - e) City of Ontario Official Zoning Map
 - f) City of Ontario Development Code
 - g) Ontario International Airport Land Use Compatibility Plan
 - h) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)
 - i) Urban Crossroads – Haven Gateway Traffic Impact Analysis – February 13, 2020

All documents listed above are on file with the City of Ontario Planning Department, 303 East “B” Street, Ontario, California 91764, (909) 395-2036.

- 2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

MITIGATION MEASURES

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

The Mitigation Measures contained in the Certified EIR adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the attached Mitigation Monitoring Program.

No additional mitigation beyond that previously imposed is required.

Exhibit A PGPA19-006 Proposed General Plan Amendment

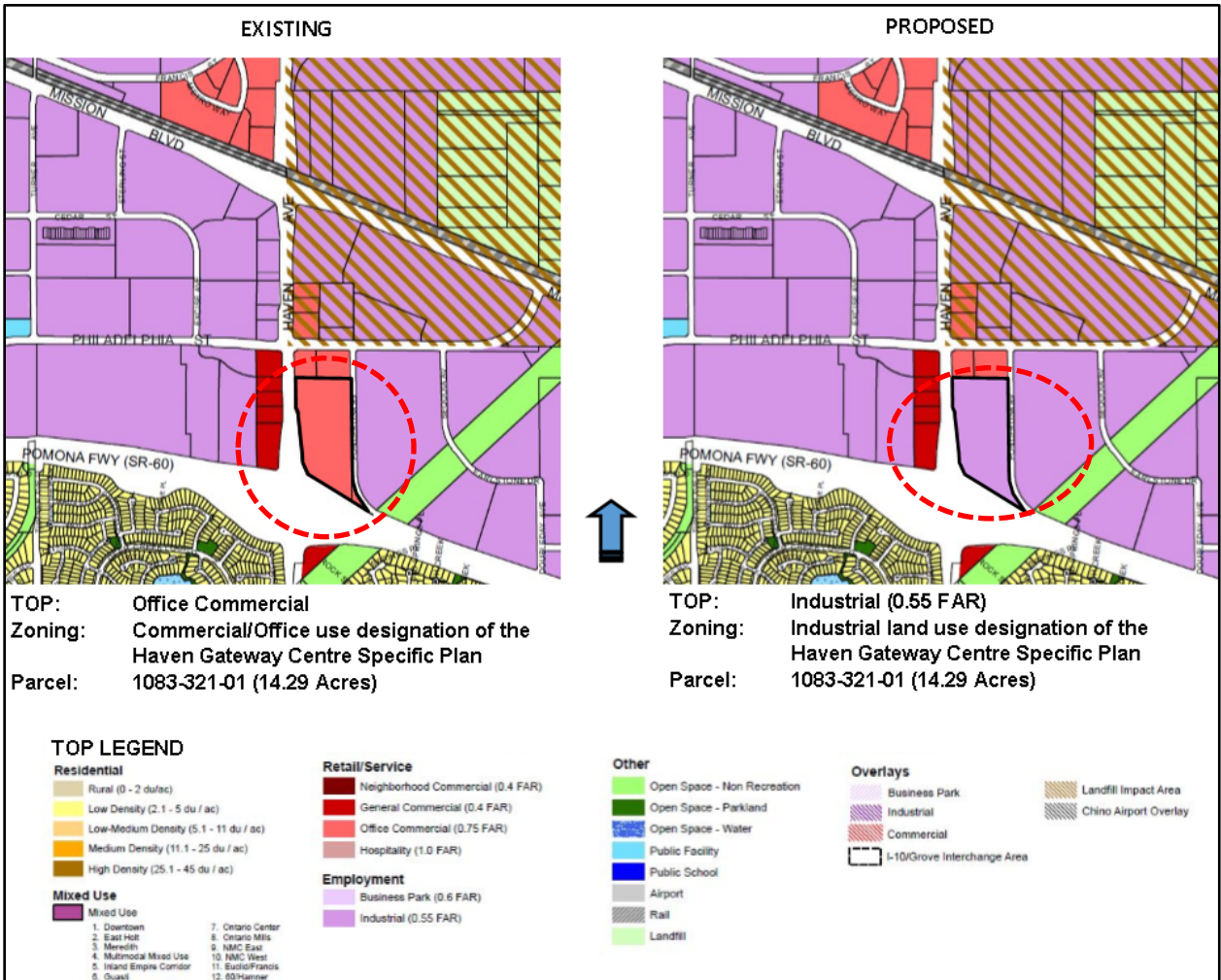


Exhibit B PGPA19-006 Modified Future Buildout Table



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,058	4,231		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium Density ⁶	982	8.5 du/ac	8,343	33,348		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,846		84,601	315,084		
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	• 47% of the area at 39.46 du/ac • 48% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	1,725	3,450	832,497	975
• 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 at 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 0.70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.50 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.50 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.70 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.30 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
Subtotal	1,668		16,054	32,107	34,582,545	71,896



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	285	0.30 FAR			3,725,556	9,015
General Commercial	446	0.30 FAR			5,827,805	5,414
Office/Commercial	447 433	0.75 FAR			14,612,311 14,145,457	32,405 31,369
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	1,320 1,306				30,343,952 29,876,497	53,916 52,880
Employment						
Business Park	1,259	0.40 FAR			21,940,980	38,495
Industrial	6,808 6,822	0.55 FAR			163,101,440 163,443,800	143,304 143,605
Subtotal	8,067 8,081				185,042,420 185,384,780	181,799 182,100
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	621	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,891	Not applicable				
Subtotal	9,915					
Total	31,786		100,976	348,467	249,044,003 248,919,589	305,512 304,778

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.

Mitigation Monitoring Program for The Ontario Plan Environmental Impact Report

1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in The Ontario Plan Environmental Impact Report (EIR), State Clearinghouse No. 2008101140. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Ontario Monitoring Requirements. Section 21081.6 states:

(a) When making the findings required by paragraph (1) of subdivision subsection (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

1.2 PROJECT SUMMARY

The proposed project is the preparation of The Ontario Plan, which consists of a Vision, Governance Manual, Policy Plan, City Council Priorities, Implementation Plans, and Tracking and

Feedback. The Ontario Plan integrates components of city governance documents into a single guidance system that shapes the community 20 years or more into the future.

(a) The Ontario **Vision** describes the future community of Ontario. Its basic purpose is to improve the quality of life for the people of Ontario. It is the rationale and motivation for everything the City does.

(b) The **Governance Manual** describes the foundation for conducting the public's business on behalf of the present and future people of Ontario. It explains how The Ontario Plan is a tool for decision-making and communication.

(c) **City Council Priorities** define the short-term direction in City actions and initiatives. They are the primary means for exercising leadership in carrying out The Plan and realizing the Vision.

(d) The **Policy Plan** connects intent with action through the broad range of Goals and Policies that would guide the long-term growth and development required for the City to achieve its Vision. It also satisfies the California Government Code requirement for a general plan. Figure 3-6, *Proposed Land Use Plan*, shows the proposed General Plan land use designations that guide and regulate land use patterns, distributions, densities and intensities in the City of Ontario, including residential employment, retail, recreation, and public uses.

(e) **Implementation** consists of actions taken to carry out Plan policies. This includes initiatives by the City and decisions on public and private development projects.

(f) **Tracking and Feedback** allows the City to learn from experience and redirect efforts.

Pursuant to CEQA Guidelines Section 15064(d), the EIR considers the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focuses on impacts from changes to land use associated with buildout of the Proposed Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The Ontario Plan Proposed Land Use Plan for the ultimate development of the City is not linked to a timeline. However, for the purpose of this environmental analysis, buildout of the Proposed Land Use Plan is forecast for the year 2035.

1.3 PROJECT LOCATION

The City of Ontario is in the southwestern corner of San Bernardino County and is surrounded by the Cities of Chino and Montclair, and unincorporated areas of San Bernardino County to the west; the Cities of Upland and Rancho Cucamonga to the north; the City of Fontana and unincorporated land in San Bernardino County to the east; and unincorporated Riverside County land to the south. The City is in the central part of the Upper Santa Ana River Valley. This portion of the valley is bounded by the San Gabriel Mountains to the north; the Chino Hills, Puente Hills, and San Jose Hills to the west; the Santa Ana River to the south; and Lytle Creek Wash on the east.

The City comprises approximately 50 square miles (31,958 acres), which includes the 8,200-acre New Model Colony (NMC) in the southern portion of the City (formerly the City's Sphere of Influence). The northern urbanized portion of the City is known as the Original Model Colony (OMC). The City is generally bounded by Benson Avenue and Euclid Avenue on the west; Interstate 10 (I-10), 8th Street, and 4th Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. Regional circulation to and through the City is provided by I-10 and State Route 60 (SR-60) east-west, and by I-15 and SR-83 (Euclid Avenue) north-south.

1.4 ENVIRONMENTAL IMPACTS

The environmental document for this project is a “program EIR” as defined by State CEQA Guidelines (Section 15161, California Code of Regulations, Title 14, Division 6, Chapter 3). As provided in Section 15168 of the State CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project that are related either 1) geographically; 2) as logical parts of a chain of contemplated events; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and have generally similar environmental effects that can be mitigated in similar ways.

Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program’s effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (Guidelines Section 15168[c]). When a Program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (Guidelines Section 15168[c][1]). If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the EIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

1.4.1 Impacts Considered Less Than Significant

Ten environmental categories are identified as having less than significant impacts that do not require mitigation. These categories are:

- Aesthetics
- Biological Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use & Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation

1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The following have been identified as potentially resulting in significant adverse impacts that can be mitigated, avoided, or substantially lessened:

- Cultural Resources: Mitigation Measures 5-2 through 5-4 would reduce archeological and prehistoric cultural resource impacts to less than significant.
- Noise: Mitigation Measure 12-3 would ensure that any new vibration-sensitive structures near the Union Pacific Railroad or Southern California Regional Rail Authority right-of-way would be constructed so that train-related vibration would not be perceptible and operational vibration impacts would be less than significant.
- Utilities and Service Systems: Mitigation Measures 17-1 through 17-4 would reduce impacts on water supply and demand from buildout of The Ontario Plan to less than significant.

1.4.3 Unavoidable Significant Adverse Impacts

There are six environmental categories considered to have impacts that would be significant and unavoidable and would not be lessened through mitigation.

Agricultural Resources

Buildout of The Ontario Plan would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, impacts to Farmland would remain significant and unavoidable.

There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of The Ontario Plan would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the rate of conversion from agricultural to nonagricultural land, but it would not impede the conversion. Since there are some Williamson Act contracts still active in the New Model Colony, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, impacts to Williamson Act contracts would remain significant and unavoidable.

Development of the City in accordance with The Ontario Plan would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture and impacts would remain significant and unavoidable.

Air Quality

The project would not be consistent with the Air Quality Management Plan (AQMP) because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SoCAB). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and therefore these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the project would be considered inconsistent with the AQMP. Consequently, this impact would remain significant and unavoidable.

Construction activities associated with buildout of The Ontario Plan would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for ozone (O₃), coarse inhalable particulate matter (PM₁₀), and fine inhalable particulate matter (PM_{2.5}); and potentially elevate concentrations of air pollutants at sensitive receptors. Mitigation Measure 3-1 would reduce The Ontario Plan's short-term construction-related volatile organic compounds (VOC), carbon monoxide (CO), oxides of nitrogen (NO_x), PM₁₀, and PM_{2.5} emissions but they would not be reduced to levels below the SCAQMD's regional thresholds and they would not reduce these impacts to less than significant. Consequently, construction air pollutant emissions generated by buildout of The Ontario Plan would remain significant and unavoidable.

Buildout of The Ontario Plan would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O₃, PM₁₀, and PM_{2.5}. Mitigation Measure 3-2 would reduce long-term operational emissions of VOC, CO, NO_x, PM₁₀, and PM_{2.5} related to the buildout of The Ontario Plan but they would not reduce these emissions to levels below the SCAQMD's regional significance thresholds and impacts would not be less than significant. Consequently, operational impacts from buildout of The Ontario Plan would remain significant and unavoidable.

Approval of residential and other sensitive land uses within 500 feet of Interstate-10, Interstate-15, or State Route-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Mitigation Measure 3-3 would reduce impacts related to the exposure of sensitive receptors (residential and other sensitive land uses) to diesel particulate matter because of their placement near freeways within the City. However, it would not reduce this impact to be less than significant.

Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors and impacts would remain significant and unavoidable.

Cultural Resources

Although protective regulations are in place and preservation policies are included in The Ontario Plan, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, demolition of historical resources categorized under the Ordinance as Tier III could potentially be impacted with implementation of the Proposed Land Use Plan. Consequently, Tier III historic resource impacts would remain significant and unavoidable.

Global Climate Change

Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. Greenhouse gas (GHG) emissions generated in the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Mitigation Measures 6-1 through 6-6 would act to reduce the contributions of The Ontario Plan to global climate change but they would not reduce the impacts to less than significant.

Noise

Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, impacts would remain significant and unavoidable.

Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any siting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion would result in a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. Mitigation Measure 12-1 would decrease the exposure of sensitive receptors to excessive noise levels within 65 dBA CNEL contours, whether near Los Angeles/Ontario International Airport (LAONT) or other noise-producing areas such as freeways and railroads, but it would not reduce these impacts to less than significant.

Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of groundborne vibration. Mitigation Measure 12-2 would reduce the impacts caused by construction-related vibrations on sensitive receptors but it would not reduce the impact to less than significant.

Impact 5.12-5. Significant. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Mitigation Measure 12-4 calls for the use of noise-reducing techniques during construction projects that would impact nearby sensitive receptors, such as the use of temporary sound walls and reduced unnecessary truck idling. However, these impacts would not be reduced to levels considered less than significant.

Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, impacts would remain significant and unavoidable.

Transportation and Traffic

The increased development and population growth associated with the buildout of the Proposed Land Use Plan would cause deficient levels of service at area intersections without implementation of the recommended lane geometry improvements. In addition, buildout of the Proposed Land Use Plan would also cumulatively contribute to the cumulatively significant freeway level of service impact that is already projected to occur in the future. Mitigation Measure 16-1 would require the buildout of The Ontario Plan to be consistent with the traffic study prepared by Kimley-Horn and Associates. This traffic study indicates the appropriate lane geometry for area intersections. This would allow for intersections to have LOS values of E or above, but it would not improve the cumulative freeway LOS standards to appropriate levels. The City has no jurisdiction over Caltrans projects, such as freeway improvements. Therefore, the impacts related to cumulative LOS deficiencies on freeways would not be reduced to levels considered less than significant.

2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring Program (MMP). In order to effectively track and document the status of mitigation measures, a mitigation matrix has been prepared and includes:

- Responsibility for implementation
- Timing
- Responsibility for monitoring
- Monitor

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

- Prior to project approval
- Prior to issuance of grading permit(s)
- During construction

Information pertaining to compliance with mitigation measures or any necessary modifications or refinements will be documented in the comments portion of the matrix.

2.2 MITIGATION MONITORING PROCEDURES

The City of Ontario Planning Department is the designated lead agency for the Mitigation Monitoring and Reporting Program. The City of Ontario includes the Mitigation Measures within the Special Conditions of Approval. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The Planning Department shall designate a Project Mitigation Monitor for the proposed project.

2.2.1 In-Field Monitoring

The Responsible Monitoring Party shall exercise caution and professional practices at all times when monitoring construction. Protective wear (hard hats, glasses, etc.) shall be worn at all times in construction areas. Injuries shall be reported immediately to the Project Mitigation Monitor.

2.2.2 Coordination with Contractors

The construction manager/superintendent is responsible for coordination of contractors and for contractor completion of required measures in accordance with the provisions of this program.

2.2.3 Recognized Experts

The use of recognized experts as a component of the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. While the recognized experts assess

compliance with required mitigation measures, consultation with the City of Ontario planning staff shall take place in the event of a dispute.

2.2.4 Enforcement

Agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, loss of entitlements, refusal to issue building permits or certificates of use and occupancy or, in some cases, notice of violation for tax purposes. Criminal misdemeanor sanctions could be available where the agency has adopted an ordinance requiring compliance with the monitoring program, similar to the provision in many zoning ordinances that affirm the enforcement power to bring suit against violators of the ordinances.

3. Mitigation Monitoring Requirements

3.1 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

3.2 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

3.3 DATABASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared using Microsoft Word software on IBM-compatible PCs and processed according to the City's Environmental Compliance Program.

3.4 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.5 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the Ontario Fire Department.

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
5.3 AIR QUALITY				
<p>3-1 The City of Ontario Building Department shall require that all new construction projects incorporate feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:</p> <ul style="list-style-type: none"> • Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as: <ul style="list-style-type: none"> ○ Requiring use of nontoxic soil stabilizers to reduce wind erosion. ○ Applying water every four hours to active soil-disturbing activities. ○ Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. • Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits. • Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards. • Limiting nonessential idling of construction equipment to no more than five consecutive minutes. • Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf . 	<p>City of Ontario Building Department in coordination with the landowner/project applicant's construction contractor</p>	<p>During construction</p>	<p>City of Ontario Building and Department and Developer/Contractor</p>	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
3-2 The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).	City of Ontario Planning/Engineering Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
3-3 The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's <i>Air Quality and Land Use Handbook: A Community Health Perspective</i> (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.	City of Ontario Planning Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
5.5 CULTURAL RESOURCES				
5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of plan or development approvals.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
5-2 In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:	City of Ontario Planning Department in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities. • Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director or designee is satisfied that adequate provisions are in place to protect these resources. • Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers. 				
<p>5-3 Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.</p>	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
<p>5-4 Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant</p>	City of Ontario Planning Department in coordination with the	Prior to issuance of grading permit(s)	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.	Landowner/Project Applicant			
5.6 Global Climate Change				
<p>6-1 The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:</p> <ul style="list-style-type: none"> • Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on-schedule to achieve the GHG reduction targets, additional measured shall be implemented, as identified in the CAP. 	City of Ontario	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department/ Municipal Utilities Agency (MUA)	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community. ○ The City shall define a “business as usual” scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario. ● Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City: <ul style="list-style-type: none"> ○ A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32. ○ A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions. ○ A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions. 				
<p>6-2 The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be</p>	City of Ontario Planning Department	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):</p> <ul style="list-style-type: none"> • Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria. • Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency. • Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris. • Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling. • Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate. • Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City. • Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City. • Install energy efficient lighting and lighting control systems in all municipal buildings. • Require all new traffic lights installed be energy efficient traffic signals. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system. • Require all new landscaping irrigation systems installed within the City to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. • Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization. • Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions. • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping. • Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking. • Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Facilitate employment opportunities that minimize the need for private vehicle trips, by: <ul style="list-style-type: none"> ○ Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. ○ Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. • Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events. • Support and promote the use of low-and zero-emission vehicles, by: <ul style="list-style-type: none"> ○ Encouraging the necessary infrastructure to facilitate the use of zero- emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. ○ Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). ○ Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. ○ Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles. • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA). • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques. • Support the use of green building practices by: <ul style="list-style-type: none"> ○ Providing information, marketing, training, and technical assistance about green building practices. ○ Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development. ○ Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including: <ul style="list-style-type: none"> ○ Standards for the installation of "cool roofs". ○ Standards for improved overall efficiency of lighting systems. ○ Requirements for the use of Energy Star appliances and fixtures in discretionary new development. • Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Establish policies and programs that facilitate the siting of new renewable energy generation. • Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. • Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: <ul style="list-style-type: none"> ○ Conducting energy audits. ○ Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass. ○ Implementing an energy tracking and management system for its municipal facilities. ○ Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. ○ Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. ○ Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). ○ Installing Energy Star® appliances and energy-efficient vending machines. ○ Improving water use efficiency, including a schedule to replace or retrofit system components 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>with high- efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).</p> <ul style="list-style-type: none"> ○ Installing irrigation control systems which maximize water use efficiency and minimize off- peak use. ○ Adopting an accelerated replacement schedule for energy inefficient systems and components. ● Ensure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including: <ul style="list-style-type: none"> ○ Providing energy efficiency training to design, engineering, building operations, and maintenance staff. ○ Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use. ○ Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards. ● Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users. ● Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel-efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models. ● Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.</p> <ul style="list-style-type: none"> • Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel. • Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices. • Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping and will install or replace vegetation with drought-tolerant, low- maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects. • Implement enhanced programs to divert solid waste from landfill operations, by: <ul style="list-style-type: none"> ○ Establishing a diversion target which meets or exceeds AB 939 requirements. ○ Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced. • Reduce per capita water consumption consistent with state law by 2020. • Establish a water conservation plan that may include such policies and actions as: <ul style="list-style-type: none"> ○ Maintaining and refining the City's tiered rate structure for water use. ○ Establishing restrictions on time of use for landscape watering, or other demand management strategies. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing performance standards for irrigation equipment and water fixtures, consistent with state law. • Establish programs and policies to increase the use of recycled water, including: <ul style="list-style-type: none"> ○ Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. • Ensure that building standards and permit approval processes promote and support water conservation, by: <ul style="list-style-type: none"> ○ Establishing building design guidelines and criteria to promote water-efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s). ○ Establishing menus and checklists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low- flow toilets and shower heads, moisture-sensing irrigation, and other such advances. • Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling drop-off events and neighborhood chipping/mulching days. • Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>6-3 The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:</p> <ul style="list-style-type: none"> • Increase densities in urban core areas to support public transit, by, among other means: <ul style="list-style-type: none"> ○ Removing barriers to the development of accessory dwelling units in existing residential neighborhoods. • Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation. • Add bicycle facilities to city streets and public spaces, where feasible. • Promote infill, mixed-use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones. • Plan for and create incentives for mixed-use development. • Identify sites suitable for mixed-use development and establish appropriate site- specific standards to accommodate mixed uses which could include: <ul style="list-style-type: none"> ○ Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so. ○ Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development. ○ Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops. 	City of Ontario Planning Department	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Allowing for tandem parking, shared parking and off-site parking leases. • Enable prototype mixed-use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling. • Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses. • Revise zoning ordinance(s) to allow local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use. • Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use. • Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non- residential uses within a quarter mile of transit centers or corridors. • Identify transit centers appropriate for mixed-use development, and promote transit-oriented, mixed-use development within these targeted areas, by: <ul style="list-style-type: none"> ○ Providing maximum parking standards and flexible building height limitations. ○ Providing density bonus programs. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing guidelines for private and public spaces for transit-oriented and mixed-use development. ○ Discouraging auto-oriented development. • Ensure new development is designed to make public transit a viable choice for residents, including: <ul style="list-style-type: none"> ○ Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes. ○ Locating medium to high density development near streets served by public transit whenever feasible. ○ Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths. • Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use. • Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed-use and transit-oriented development areas, by: <ul style="list-style-type: none"> ○ Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking. ○ Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape. ○ Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic. ○ Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage non- motorized travel. ● Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit- oriented development areas, by: <ul style="list-style-type: none"> ○ Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, and thoroughfares. ○ Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures. ○ Locating schools in neighborhoods, within safe and easy walking distances of residences served. ○ Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear. ○ Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway. ○ Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards. • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping, by: <ul style="list-style-type: none"> ○ Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas. ○ Establishing standards that provide for pervious pavement options. ○ Removing obstacles to natural, drought tolerant landscaping and low-water landscaping. • Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking, including, but not limited to: <ul style="list-style-type: none"> ○ Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. • Upgrade and maintain the following transit system infrastructure to enhance public use, including: <ul style="list-style-type: none"> ○ Ensuring transit stops and bus lanes are safe, convenient, clean and efficient. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Ensuring transit stops have clearly marked street-level designation and are accessible. ○ Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate. ○ Working with transit providers to place transit stations along transit corridors within mixed-use or transit- oriented development areas at intervals appropriate for the mode of transit. ● Facilitate employment opportunities that minimize the need for private vehicle trips, by: <ul style="list-style-type: none"> ○ Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. ○ Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. ● Establish standards for new development and redevelopment projects to support bicycle use, including: <ul style="list-style-type: none"> ○ Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including: <ul style="list-style-type: none"> ➤ Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible. ○ Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including: <ul style="list-style-type: none"> ➤ Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Establish a network of multi-use trails to facilitate direct off- street bicycle and pedestrian travel and will provide bike racks along these trails at secure, lighted locations. • Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events. • Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels. • Support and promote the use of low-and zero-emission vehicles (NEV), by: <ul style="list-style-type: none"> ○ Encouraging the necessary infrastructure to facilitate the use of zero- emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. ○ Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). ○ Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. ○ Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles. • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>green building practices where not prohibited by ALUCP/FAA.</p> <ul style="list-style-type: none"> • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques. • Support the use of green building practices by: <ul style="list-style-type: none"> ○ Establishing guidelines for green building practices in residential and commercial development. ○ Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices. • Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including: <ul style="list-style-type: none"> ○ Standards for the installation of "cool roofs". ○ Standards for improved overall efficiency of lighting systems. ○ Requirements for the use of Energy Star appliances and fixtures in discretionary new development. ○ Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy. • Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas). • Identify and remove or otherwise address barriers to renewable energy production, including: <ul style="list-style-type: none"> ○ Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers. ○ Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies. ○ Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air. • Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values. • Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate. • Require that, where feasible, all new buildings be constructed to allow for easy, cost-effective installation of solar energy systems in the future, using such “solar-ready” features as: <ul style="list-style-type: none"> ○ Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south-sloped roof surface, where such buildings architecture and construction are designed for sloped roofs. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof. ○ Roof framing that will support the addition of solar panels. ○ Installation of electrical conduit to accept solar electric system wiring. ○ Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank. • Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. • Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: <ul style="list-style-type: none"> ○ Conducting energy audits. ○ Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass. ○ Implementing an energy tracking and management system for its municipal facilities. ○ Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. ○ Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). ○ Installing Energy Star® appliances and energy-efficient vending machines. ○ Improving water use efficiency, including a schedule to replace or retrofit system components with high- efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.). ○ Installing irrigation control systems maximizing water use efficiency and minimizing off- peak use. ○ Adopting an accelerated replacement schedule for energy inefficient systems and components. ● Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as: <ul style="list-style-type: none"> ○ The Energy Star® New Homes Program established by U.S. EPA. ○ The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating. ● Reduce per capita water consumption consistent with state law by 2020. ● Establish a water conservation plan that may include such policies and actions as: <ul style="list-style-type: none"> ○ Maintaining and refining the City's tiered rate structure for water use. ○ Establishing restrictions on time of use for landscape watering, or other demand management strategies. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law. • The City will establish programs and policies to increase the use of recycled water, including: <ul style="list-style-type: none"> ○ Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. • Ensure that building standards and permit approval processes promote and support water conservation, by: <ul style="list-style-type: none"> ○ Establishing building design guidelines and criteria to promote water-efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s). ○ Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low- flow toilets and shower heads, moisture-sensing irrigation, and other such advances. • Install water-efficient landscapes and irrigation, including: <ul style="list-style-type: none"> ○ Requiring planting drought-tolerant and native species and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite. ○ Requiring the installation of water-efficient irrigation systems and devices, including advanced technology such as moisture-sensing irrigation controls. • Promote the planting of shade trees and establish shade tree guidelines and specifications, including: 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.). ○ Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc. ○ Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun. ● Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including: <ul style="list-style-type: none"> ○ Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low-VOC- producing trees, and emphasizing the use of drought- tolerant native trees and vegetation. 				
6-4 Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).	City of Ontario Planning Department	Prior to adoption of the Climate Action Plan	City of Ontario Planning Department	
6-5 Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
5.12 NOISE				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>12-1 Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).</p>	<p>City of Ontario Planning/Building Department in coordination with the Landowner/Project Applicant</p>	<p>Prior to individual project approvals</p>	<p>City of Ontario Planning/Building Department</p>	
<p>12-2 Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).</p>	<p>City of Ontario Planning/Building/MUA Department in coordination with the Landowner/Project Applicant's construction contractor</p>	<p>During construction</p>	<p>City of Ontario Building/MUA Department</p>	
<p>12-3 Prior to the issuance of building permits for any project that involves a vibration-sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB</p>	<p>City of Ontario Planning/Building Department with collaboration with the Landowner/Project Applicant</p>	<p>Prior to individual project approvals</p>	<p>City of Ontario Building Department</p>	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.				
12-4 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing non-essential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.	City of Ontario Building/Planning/MUA Department in coordination with the Landowner/Project Applicant's construction contractor	During construction	City of Ontario Building/Planning/MUA Department	
5.16 TRANSPORTATION AND CIRCULATION				
16-1 The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates in 2009. Table 5.16-6 in Section 5.16, <i>Transportation and Traffic</i> , shows the recommended lane geometry for the Proposed Land Use Plan.	City of Ontario Engineering/Planning Department	Ongoing	City of Ontario Engineering/Planning Department	
5.17 UTILITIES AND SERVICE SYSTEMS				
17-1 The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to: <ul style="list-style-type: none"> • Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council). • Continue to develop and implement drought contingency plans to assist citizens and businesses 	City of Ontario Planning/MUA Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>reduce water use during water shortages and emergencies.</p> <ul style="list-style-type: none"> Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB 1881. 				
<p>17-2 The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual-system office and industrial uses in selected urban areas of the City, where available and feasible.</p>	<p>City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department</p>	<p>Ongoing</p>	<p>City of Ontario Planning/MUA/Engineering Department</p>	
<p>17-3 The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long-term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.</p>	<p>City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department</p>	<p>Ongoing</p>	<p>City of Ontario Planning/MUA/Engineering Department</p>	

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PGPA19-006, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTY LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND SR-60 POMONA FREEWAY, FROM OFFICE COMMERCIAL TO INDUSTRIAL, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1083-321-01. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 2 FOR THE 2021 CALDENDAR YEAR).

WHEREAS, EXECUTIVE DEVELOPMENT, LLC. ("Applicant") has filed an Application for the approval of File No. PGPA19-006, a General Plan Amendment, to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 14.29 acres of land from Office/Commercial to Industrial, and modifying Exhibit LU-03 (Future Buildout Table) to be consistent with the land use designation changes, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in conjunction with the General Plan Amendment Application, the Applicant also filed: 1) An Amendment to the Haven Gateway Centre Specific Plan (File No. PSPA19-008), changing the land use designation on the 14.29-acre subject site from Office Commercial to Industrial; and 2) A Development Plan (File No. PDEV19-057) to construct a 281,000 square foot industrial warehouse building on the subject site. The project site is generally located at the northeast corner of Haven Avenue and (SR-60) (Pomona Freeway); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01, Official Land Use Plan, and LU-03, Future Buildout, further and is proposing modifications; and

WHEREAS, the proposed change to Exhibit LU-01, Land Use Plan, include changes to the land use designation of a 14.29 acre site, as depicted on Exhibit A, attached; and

WHEREAS, Policy Plan Exhibit LU-03, Future Buildout, specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01, Official Land Use Plan, will require modifications to Policy Plan Exhibit LU-03, Future Buildout, bring it into consistency with Exhibit LU-01, Official Land Use Plan, as depicted on Exhibit B, attached; and

WHEREAS, to analyze the economic market impacts of the request to change the current land use from Office Commercial to Industrial, a Market Study was prepared for the project, which found that the current market indicates that the project site is best suited for industrial development. The key findings of the study are:

- The Competitive Market Area (CMA) has experienced low vacancy rates and strong rent growth in the industrial market;
- The industrial market has outperformed the office market over the last 5-years;
- The retail market has underperformed and will continue to underperform in an oversupply market;
- Proximity to the 60, the I-10 and the I-15 allows great regional access;
- The immediate surrounding area is currently developed with industrial development. The majority of office and retail land uses are located along the I-10 freeway. Office and retail at the project site will increase vacancy risk and decrease rents due to being in an inferior location; and

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

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

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

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

WHEREAS, as the first action on the Project, on March 23, 2021, the Planning Commission recommended approval of a Resolution recommending City Council adopt an Addendum to the Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001.

The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

WHEREAS, on March 23, 2021 the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending 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 Environmental Impact Report — State Clearinghouse No. 2008101140 (“Certified EIR”), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

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

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

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

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

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

SECTION 2: *Additional Environmental Review Not Required.* Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental environmental impact report is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of

Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 and 3, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

(a) **CE1-1 - Jobs-Housing Balance.** We pursue improvement to the Inland Empire’s balance between jobs and housing by promoting job growth that reduces the regional economy’s reliance on out-commuting.

Compliance: The proposed land use designation changes to 14.29 acres of land, from Office Commercial to Industrial, will facilitate the construction of a 281,000 square foot industrial warehouse building on the subject site. The proposed development will assist towards promoting local/regional job growth and furthering the goal of jobs and housing balance within the western Inland Empire region.

(b) **CE1-2 - Jobs and Workforce Skills.** We use our economic development resources to: 1) attract jobs suited for the skills and education of current and future City residents; 2) work with regional partners to provide opportunities for the labor force to improve its skills and education; and 3) attract businesses that increase Ontario’s stake and participation in growing sectors of the regional and global economy.

Compliance: The proposed land use designation changes to 14.29 acres of land, from Office Commercial to Industrial, will facilitate the future construction of a 281,000 square foot industrial building. The proposed industrial building will assist towards creating jobs

suited for the skills and education of current and future City residents and provide jobs in growing sectors of the region and global economy.

(c) **CE1-11 - Socioeconomic Trends.** We continuously monitor, plan for, and respond to changing socioeconomic trends.

Compliance: The proposed land use designation changes to 14.29 acres of land, from Office Commercial (0.4 FAR) to Industrial (0.55 FAR), will facilitate the construction of a 281,000 square foot industrial warehouse building. The proposed General Plan Amendment is in response to changing socioeconomic trends which has shifted to online shopping/distribution and logistics, resulting in greater demands for warehouse industrial uses.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element that allows four general plan amendments per calendar year and this general plan amendment is the second amendment to the Land Use Element of the 2021 calendar year, consistent with Government Code Section 65358;

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

(5) During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 5: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, As reflected on Exhibits A and B, attached.

SECTION 6: *Indemnification.* The Applicant/Property Owner 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit A: Policy Plan Land Use Plan (Exhibit LU-01) Revision

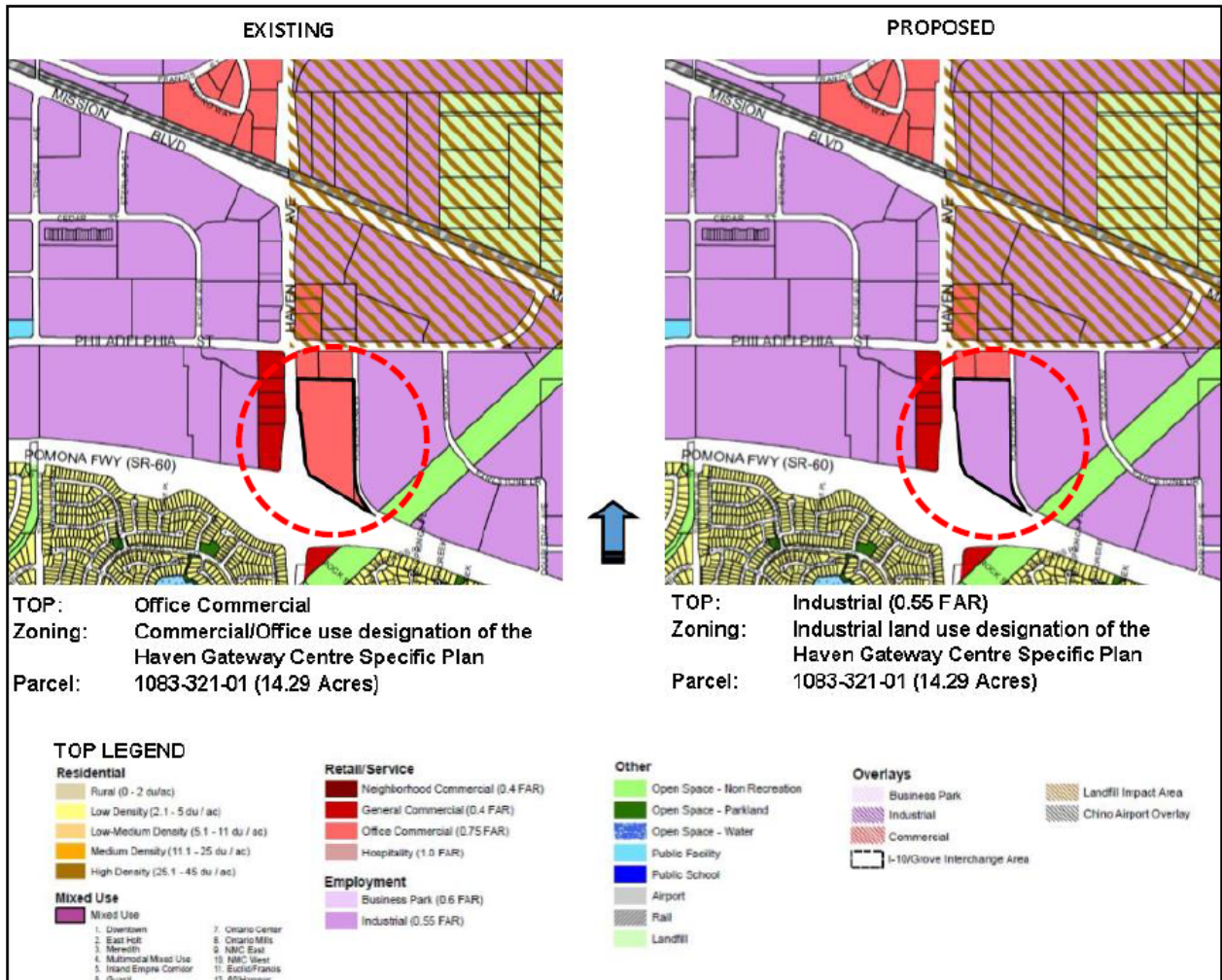



Exhibit B: Future Buildout (Exhibit LU-03) Revision



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	285	0.30 FAR			3,725,556	9,015
General Commercial	446	0.30 FAR			5,827,805	5,414
Office/Commercial	447 433	0.75 FAR			14,612,311 14,145,457	32,405 31,369
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	1,320 1,306				30,343,352 29,876,497	53,916 52,880
Employment						
Business Park	1,259	0.40 FAR			21,940,980	38,495
Industrial	6,808 6,822	0.55 FAR			163,101,440 163,443,800	143,304 143,605
Subtotal	8,067 8,081				185,042,420 185,384,780	181,799 182,100
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	621	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,891	Not applicable				
Subtotal	9,915					
Total	31,786		100,976	348,467	249,044,083 248,919,589	305,512 304,778

Notes

- 1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- 2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- 3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- 4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- 5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
- 6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PSPA19-008, AN AMENDMENT TO THE HAVEN GATEWAY CENTRE SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION ON 14.29 ACRES OF LAND FROM COMMERCIAL/OFFICE TO INDUSTRIAL, AFFECTING PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND SR-60 (POMONA FREEWAY), AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1083-321-01.

WHEREAS, EXECUTIVE DEVELOPMENT, LLC. (hereinafter referred to as "Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA19-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 14.29 acres of land generally located at the northeast corner of Haven Avenue and SR-60 (Pomona Freeway), and the project site is presently vacant; and

WHEREAS, the property to the north of the Project site is within the commercial/office land use district of the Haven Center Gateway Specific Plan and is developed with a service station. The property to the east is within the industrial land use district of the Haven Center Gateway Specific Plan and is developed with industrial land uses. The property to the south is developed with SR-60 (Pomona Freeway). The property to the west is within the commercial/office land use district of the California Commerce Center South Specific Plan, and is developed with a hotel and a fast-food restaurant; and

WHEREAS, the Haven Gateway Centre Specific Plan and the Haven Gateway Centre Specific Plan Environmental Impact Report (State Clearinghouse No. 90020570) were adopted in March 1991; and

WHEREAS, on January 27, 2010, the Ontario City Council adopted The Ontario Plan ("TOP"). The 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. The related Environmental Impact Report ("EIR") was also certified by the City Council on January 27, 2010. 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; and

WHEREAS, the Haven Gateway Centre Specific Plan established the land use designations, development standards, and design guidelines on 162 acres of land, which includes the potential development of 3,528,360 square feet of industrial, business park and commercial/office uses; and

WHEREAS, in conjunction with the proposed Specific Plan Amendment, the Applicant filed: 1) a General Plan Amendment (File No. PGPA19-006), to modify the Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on 14.29 acres of land from Office Commercial to Industrial, and modifying Exhibit LU-03, Future Buildout, to be consistent with the land use designation changes; and 2) A Development Plan (File No. PDEV19-057) to construct a 281,000 square foot industrial building on the subject site; and

WHEREAS, to analyze traffic impacts with the request, a Trip Generation Comparison was conducted by the City's Traffic Engineering Division. The study compared an Office Park use, versus an Industrial Warehouse/Distribution use at a FAR of 0.55. The proposed study forecast to result in 3,585 fewer daily Average Daily Trips (ADT) compared to the maximum allowable development under existing Office/Commercial General Plan land use designation. In addition, the study found 482 fewer Passenger Commuter Equivalent (PCE) trips during the AM peak hour and 340 fewer PCE trips during the PM peak hour. As a result of the trip generation comparison, no new negative impacts are anticipated; and

WHEREAS, the Environmental Impact Report (State Clearinghouse No. 2008101140 (File No. PGPA06-001); was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

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

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the

Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

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

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

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

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

WHEREAS, as the first action on the Project, on March 23, 2021, the Planning Commission recommended approval of a Resolution recommending the City Council adopt an Addendum to the Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001. The proposed Project introduces no new significant environmental impacts and all

previously adopted mitigation measures, are incorporated into the Project by reference;
and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date;
and

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

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

SECTION 1: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based 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 2: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 and 2, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Haven Gateway Centre Specific Plan Amendment will provide land use consistency with the related proposed General Plan Amendment (File No. PGPA19-006) that will change the land use on the 14.29 acre subject site from Office Commercial to Industrial. The proposed Amendment will accommodate a future industrial development (281,000 square feet), which is consistent with the goals, policies, plans and City Council priorities of The Ontario Plan. In addition, the proposed Amendment will assist towards promoting local/regional job growth and furthering the goal of jobs and housing balance within the Inland Empire.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed Amendment to the Haven Gateway Centre Specific Plan will establish consistency with the related proposed General Plan Amendment (File No. PGPA19-006). The Specific Plan will continue to provide and allow for a mix of commercial, business park, and industrial land uses, which is consistent with the type and intensity of development specified in The Ontario Plan and evaluated by The Ontario Plan Environmental Impact Report. To analyze traffic impacts with the request, a Trip Generation Comparison was conducted by the City's Traffic Engineering Division. The study compared an Office Park use, versus an Industrial Warehouse/Distribution use at a FAR of 0.55. The study forecasts 3,585 fewer daily Average Daily Trips with the proposed land use change. As such, the proposed Specific Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

(3) ***In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The Project site is not located near sensitive land uses. In addition, the associated Development Plan (File No. PDEV19-057) incorporates design features within the site plan, including, but not limited to, building orientation, building height and landscape buffers, to mitigate any impacts to a less than significant level, providing a project that is complimentary to and harmonious with the surrounding area.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape,***

access, and availability of utilities, for the request and anticipated development.

The Haven Gateway Centre Specific Plan Amendment will not have any negative impacts, as the Specific Plan already contains development and design standards and guidelines for industrial development within the Industrial land use designation. Any new industrial development within the Specific Plan is required to comply with all current development standards and design guidelines. In addition, the proposed Amendment is in response to changing socioeconomic trends which has shifted to online shopping/distribution and logistics, resulting in greater demands for warehouse industrial uses.

SECTION 4: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as shown in Exhibits A and B, attached, and subject to each and every condition set forth in the Department reports attached hereto as “Attachment A,” and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit A: Haven Gateway Centre Specific Plan Land Use Amendment

Existing



Proposed

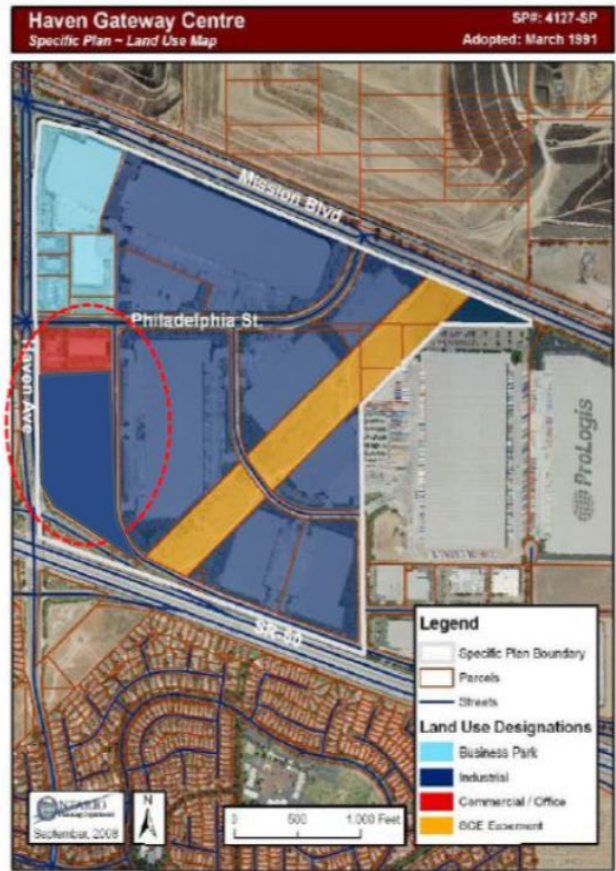


Exhibit B: Haven Gateway Centre Specific Plan Land Use Summary

Land Use	Land Area in Acres	Maximum Building Area in Square Feet
Industrial	423 <u>137.29</u>	2,678,940 <u>2,959,940</u>
Business Park	19	413,820
Commercial/Office	20 <u>5.71</u>	435,600 <u>190,358</u>
Total	162	3,528,360 <u>3,564,118</u>

ATTACHMENT A:

**File No. PSPA19-008
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)

EXHIBIT B: Land Use Summary Table

Land Use	Acres	Square Feet
Industrial	123-Acres	2,678,940 Sq. Ft.
Business Park	19-Acres	413,820 Sq. Ft.
Commercial/Office	20-Acres	435,600 Sq. Ft.
Total	162-Acres	3,528,360 Sq. Ft.

Table 1: Existing Land Use Summary Table

Land Use	Acres	Square Feet
Industrial	137.29-Acres (+14.29 Acres)	2,959,940 Sq. Ft. (+281,000 Sq. Ft.)
Business Park	19-Acres	413,820 Sq. Ft.
Commercial/Office	5.71-Acres (-14.29)	190,358 Sq. Ft. (-245,242 Sq. Ft.)
Total	162-Acres	3,564,118 Sq. Ft.

Table 2: Amendment-Land Use Summary Table



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: March 23, 2021
File No: PGPA19-006 & PSPA19-008
Related Files: PDEV19-057

Project Description: A General Plan Amendment (File No. PGPA19-006) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 14.29 acres of land from Office Commercial to Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes, in conjunction with Specific Plan Amendment (File No. PSPA19-008) revising the Haven Gateway Centre Specific Plan, changing the land use designation on the project site from Commercial/Office to Industrial, generally located at the northeast corner of Haven Avenue and SR-60 Freeway. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN:108-332-01) **submitted by Executive Development, LLC.**

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

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

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

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

2.1 Specific Plan Amendment. The following shall be submitted to the Planning Department within 30 days following City Council approval of the Specific Plan Amendment:

- (a) Ten copies of the final revised Specific Plan document;
- (b) One complete, unbound copy of the final revised Specific Plan document;
- (c) One CD containing a complete Microsoft Word copy of the final revised Specific Plan document, including all required revisions;
- (d) Five USBs, each containing a complete PDF copy of the final revised Specific Plan document, including all required revisions; and

(e) One USB containing a complete electronic website version of the final revised Specific Plan document, including all required revisions.

2.2 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(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.

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

2.4 Additional Fees.

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

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Chairman and Members of the Planning Commission

FROM: Rudy Zeledon, Planning Director 

DATE: March 23, 2021

SUBJECT: ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NOS. PGPA19-005 AND PSPA19-006: A
request for approval of the following:

- [1] A General Plan Amendment (File No. PGPA19-005) to modify Policy Plan (general plan) Exhibit LU-01, Policy Plan Land Use Plan, changing the land use designation on 105.4 acres of Low Density Residential (2.1 – 5 du/ac), 66.01 acres of Mixed Use (9 – NMC East) and 10.36 acres of Open Space – Non Recreation designated property, to 23.41 acres of Low Density Residential (2.1 – 5 du/ac), 24.16 acres of Low-Medium Density Residential (5.1 – 11 du/ac), 57.83 acres of Medium Density Residential (11.1 – 25 du/ac), 20.46 acres of Mixed Use (9 – NMC East), 48.61 acres of Industrial, and 7.3 acres of Open Space – Non Recreation designated property; and modify Policy Plan (general plan) Exhibit LU-03, Future Buildout, to be consistent with the herein described land use changes; and
- [2] An amendment (File No. PSPA19-006) to the Rich Haven Specific Plan, which includes the following map and text revisions:
 - [A] Change the land use designation on 110.1 gross acres of land from Planning Area 1A – 1F (Residential - SFD), to 25.5 gross acres of Planning Area 1A (Residential - SFD), 24.5 gross acres of Planning Area 1B (Residential – SFD/SFA) and 60.6 gross acres of Planning Area 1C (Residential - SFD/SFA);
 - [B] Change the land use designation on 81.1 gross acres of land within Planning Area 7 (Stand-Alone Residential Overlay, Mixed-Use Overlay, Regional Commercial, and SCE Easement/Gas Easement) to, Planning Area 7A (49.4 gross acres of Light Industrial and 6.6 gross acres of Open Space – Non Recreation) and Planning Area 7B (25.1 gross acres of Regional Commercial);
 - [C] Change the land use designation on 4.13 acres of land within Planning Area 6A from Regional Commercial to Stand-Alone Residential Overlay;
 - [D] Change the land use designation on 4.13 acres of land within Planning Area 9A from Stand-Alone Residential Overlay to Regional Commercial; and
 - [E] Various changes to the Specific Plan development standards, exhibits, and text, to reflect the proposed land uses.

MEMORANDUM

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

The Rich Haven Specific Plan is generally bounded by Riverside Drive, Colony High School and the SCE substation to the north, Hamner Avenue to the east, Old Edison Road to the south, and Hamner Avenue to the west. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. (APNs: 0218-161-04, 0218-161-05, 0218-161-10, 0218-161-11, 0218-211-17, 0218-211-24, 0218-211-27, 0218-211-01 and 0218-393-10) **submitted by Rich Haven Marketplace LLC and Brookcal Ontario, LLC. City Council action is required.**

Staff is recommending that the above-described item be continued to the April 27, 2021, Planning Commission meeting.

FILE NO: PDA16-003

SUBJECT: A First Amendment to the Development Agreement (File No. PDA16-003) between the City of Ontario and GDCI-RCCD 2, LP, to defer the commencement of certain street improvements and establish the terms and conditions for the development of Tentative Tract Map 20265 (File No. PMTT19-006), a 21.10 acre property located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan (APNs: 0218-652-27) **Submitted by GDCI-RCCD 2, LP. City Council action is required.**

PROPERTY OWNER: GDCI-RCCD 2, LP, a Delaware limited partnership

RECOMMENDED ACTION: That the Planning Commission consider and recommend City Council adoption of an ordinance approving the First Amendment to the Development Agreement (File No. PDA16-003) between the City of Ontario and GDCI-RCCD 2, LP, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of 21.10 acres of land located on the east side of Mill Creek Avenue, approximately 670 feet below Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan, and is depicted in Figure 1: Project Location.

PROJECT ANALYSIS:

(1) Background — On December 4, 2007, the City Council approved the Rich-Haven Specific Plan, File No. PSP05-004 ("Specific Plan") and certified the related Environmental Impact Report (State Clearinghouse No. 2006051081), which addressed the potential development of residential units and commercial/office

On April 4, 2017, the City Council adopted Ordinance No. 3071, approving a Development Agreement (File No. PDA16-003) to establish the terms and conditions for the development of

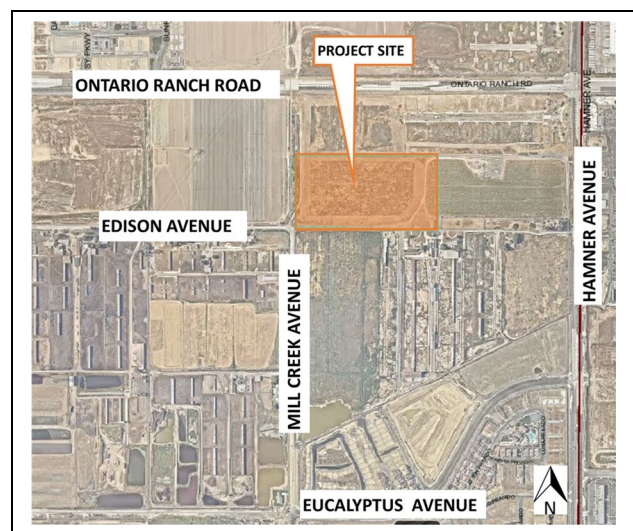



Figure 1: Project Location

Case Planner:	Derrick Womble, Administrative Officer
Planning Director Approval:	
Submittal Date:	04/08/2020

Hearing Body	Date	Decision	Action
DAB	N/A	N/A	N/A
PC	03/23/2021		Recommend
CC	04/20/2021		Final

Tentative Parcel Map Nos. 19725 (File No. PMTT16-010) and 19741 (File No. PMTT16-011). Tentative Parcel Map 19725 is located at the southeast corner of Ontario Ranch Road and Mill Creek Avenue and subdivided 40.10 acres of land into 4 numbered lots and one lettered lot. Tentative Parcel Map 19741 is located at the southwest corner of Ontario Ranch Road and Hamner Avenue and subdivided 19.64 acres of land into 4 lots. To date, no development has occurred for either parcel map and the properties remain vacant.

(2) Staff Analysis — On March 19, 2019, the Owner submitted new Tentative Tract Map 20265 (File No. PMTT19-006), which proposes to subdivide Lots 3 and 4 of the previously approved Tentative Parcel Map 19725. Tentative Tract Map 20265 subdivides approximately 21.10 acres of land into 147 parcels (111 numbered lots and 36 lettered lots) for residential, public/private streets, landscaped neighborhood edges, and common open space purposes. The project site is located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan.

Additionally, as part of the development of Tentative Tract Map 20265, the Owner has requested to defer the landscape improvements along Mill Creek Avenue and Street "A", respectively, and the landscape, side walk, and multi-purpose trail improvements on Ontario Ranch Road (collectively, the "Deferred Street Improvements"). Staff has reviewed the request and concurs with the Owner that the deferral of the street improvements will allow for orderly development of Tentative Tract Map 20265 and Tentative Parcel Map 19725, respectively, ensuring a well-planned community. All other infrastructure and utility improvements required per the original Development Agreement, on Mill Creek Avenue and Ontario Ranch Road will be constructed and completed by Owner as part of the development for Tentative Tract Map 20265.

The new tract map and deferment of certain street improvements necessitates an amendment (the "First Amendment") to the Development Agreement. The key points of the First Amendment are as follows:

- Owner shall make a cash security deposit with the City for the Deferred Street Improvements, which shall be the greater of (i) \$655,458 or (ii) based on the latest Engineer's Cost Estimate approved by the City Engineer, prior to the Owner's request for the 100th certificate of occupancy for Tentative Tract Map 20265 or, 3 years following the approval of the First Amendment, whichever occurs first.
- The Deferred Street Improvements shall be constructed, completed, and operational prior to Owner requesting the first occupancy for a non-residential unit or production unit for any such parcel map or tract map outside the limits of Tentative Tract Map 20265, but within the limits of Tentative Parcel Map 19725.

- Per The Ontario Plan and Specific Plan, Owner shall maintain the minimum density requirement of 14 dwelling units per acre over the residential component, unless the density range is amended.

The terms of the original Development Agreement remain in full force and effect. The main points of the agreement continue to address funding for all new City expenses created by the project, which includes: Development Impact Fees ("DIF") for construction of public improvements (i.e. streets and bridges, sewer, water, storm drain and fiber); Public Service Funding to ensure adequate provisions of public services (police, fire and other public services); the creation of a Community Facilities District ("CFD") for the maintenance of public facilities.

Staff finds that the First Amendment to the Development Agreement is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application to the Planning Commission. If the Planning Commission finds the Development Agreement is acceptable, a recommendation of approval to the City Council would be appropriate.

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

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

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

(4) Policy Plan (General Plan)

Land Use Element:

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

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

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

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

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

Housing Element:

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

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

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

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

➤ 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: 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 DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and with approval of the related Specific Plan Amendment (File No. PSPA19-006) the proposed project will be consistent with the number of dwelling units and density (minimum 14 dwelling units per acre) within Planning Area 8A, as specified in the Available Land Inventory.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011,

the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. The environmental documentation for this project is available for review at the Planning Department public counter.

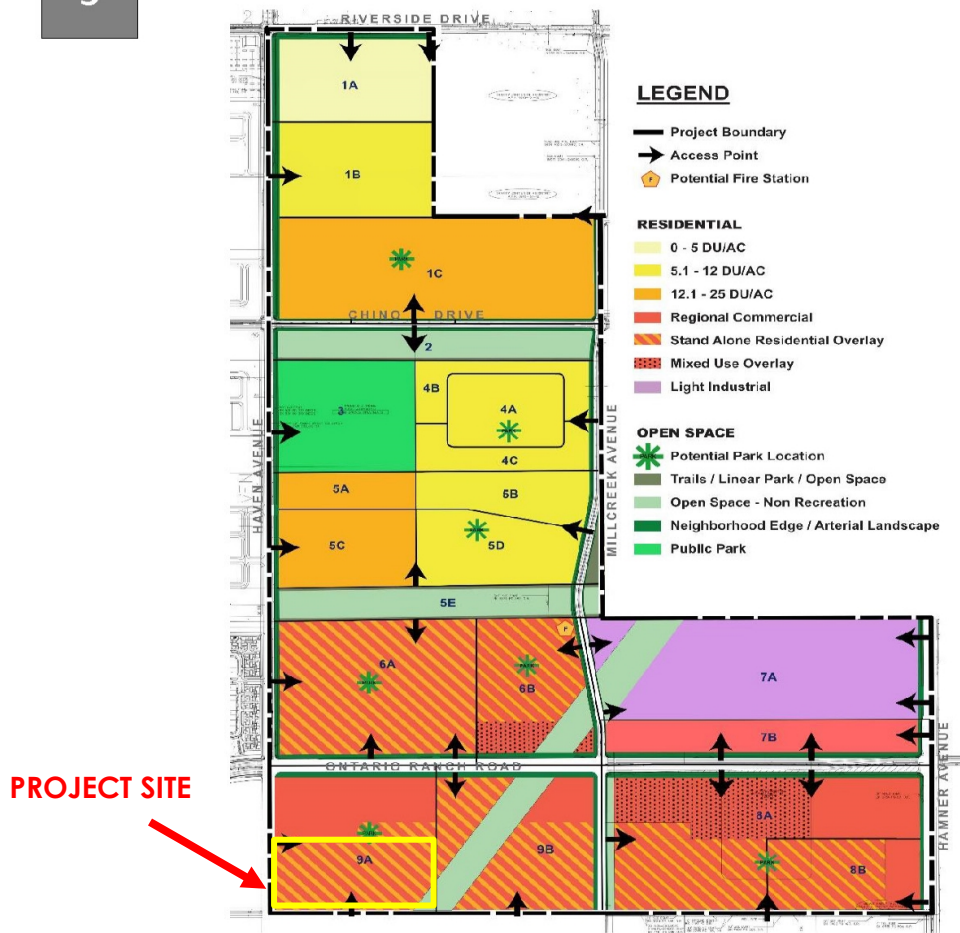
The environmental impacts of this project were previously reviewed in conjunction with the Rich-Haven Specific Plan (File No. PSP05-004), for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was adopted by the City Council on December 4, 2007. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

**Exhibit A—Rich-Haven Specific Plan Proposed Land Use Map
 (File No. PSPA19-006)**

3

LAND USE

RICH HAVEN



PROJECT SITE

- * Circulation pattern for local streets within Specific Plan Area to be established at Tentative Tract Map submittal.
- ** Residential development along the frontage of Haven Avenue within Planning Areas 5A, 5C and 6A and residential development along the frontage of Ontario Ranch Road within Planning Areas 6A and 7 shall average a density of 18 to 25 dwelling units per acre to support Bus Rapid Transit (BRT) along Haven Avenue.
- *** After full dedication of Master Plan streets and neighborhood edges, residential development within Planning Areas 6A + 9A and residential development within Planning Areas 6B + 9B shall meet a minimum net density of 14 dwelling units per acre. The minimum density in Planning Areas 6A + 9A and Planning Areas 6B + 9B can be averaged between the two areas and shall be established at Tentative Tract submittal for each Planning Area.
- **** Planning Area 7B shall have a minimum depth of 300 feet along Ontario Ranch Road measured from the back of the ROW and Neighborhood Edge.

RICH HAVEN SPECIFIC PLAN
 LAND USE PLAN

FIGURE 3-1

Exhibit B—Tentative Tract Map 20265

TENTATIVE TRACT MAP NO. 20265 IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA

GENERAL NOTES:

1. A WATER QUALITY MANAGEMENT PLAN (WQMP) SHALL BE PREPARED FOR THE PROJECT SITE. THE WQMP SHALL PROVIDE ADEQUATE TREATMENT CAPACITY FOR THE PROJECT'S POLLUTANTS OF CONCERN, WHICH SATISFIES THE NEW DEVELOPMENT AND HOME REQUIREMENTS IN THE SAN BERNARDINO COUNTY WQA PERMIT FOR THIS "C" MAP.
2. THE DEVELOPER SHALL CONSTRUCT ALL OFF-SITE IMPROVEMENTS THAT ARE REQUIRED TO SERVE THIS TRACT AS A STANDALONE DEVELOPMENT AND SHALL OBTAIN THE NECESSARY RIGHT OF WAY REQUIRED TO CONSTRUCT THESE IMPROVEMENTS.
3. THE APPLICANT/DEVELOPER SHALL DESIGN AND CONSTRUCT IN-TRACT FIBER OPTIC CONDUITS.
4. ALL NUMBERED LOT ADDRESS AREAS ARE MEASURED FROM THE ULTIMATE RIGHT-OF-WAY LINE.
5. ALL EXISTING LOT DIMENSIONS SHOWN HEREON ARE APPROXIMATE.
6. UNLESS OTHERWISE STATED, ALL STREETS AND UTILITIES ARE PUBLIC AND BUILT TO CURRENT CITY OF ONTARIO STANDARDS.
7. LETTERED LOTS ARE FOR PARKS, HOA LANDSCAPE LOTS, AND PUBLIC STREET DEDICATION FOR LANDSCAPE PURPOSES ON WATER MAINS, SEWER, AND SURFACE OR UNDERGROUND STRUCTURES.
8. STREET UTILITIES SHALL BE SUBJECT TO CHANGE.
9. FLOOD HAZARD STATEMENT: NO FLOOD HAZARD WILL EXIST AT THE TIME OF FUTURE BUILDING PERMITS ISSUANCE DUE TO PROPOSED SITE GRADING AND CONSTRUCTION OF ON-SITE STORM DRAIN FACILITIES FOR PROTECTION FROM 100-YEAR STORM CONDITION WHICH WILL BE MAINTAINED BY PRIVATE HOME OWNERS ASSOCIATION FORCES.
10. ALL EXISTING METERS, CESSPOOLS, IRRIGATION LINES, DRAINAGE CULVERTS AND SURFACE OR UNDERGROUND STRUCTURES WILL BE REMOVED, RELOCATED, ABANDONED OR CRUSHED IN PLACE IN THE FUTURE UNLESS OTHERWISE NOTED "TO BE DEVELOPED" (TENTATIVE MARKS).
11. OWNER MAY ELECT TO RECORD MULTIPLE FINAL TRACT MAPS FOR LAND CONVEYANCE.
12. OWNER SEWER & WATER SHALL BE PUBLIC SYSTEM UNLESS OTHERWISE STATED.
13. PROPOSED WALLS PER SEPARATE PERMIT. WALLS OVER 6' HIGH SHALL BE DESIGNED TO RETAIN UP TO A MAXIMUM OF 3' OF EARTH. IN NO CASE SHALL A WALL EXCEED 1/2" IN HEIGHT.
14. FROM TO FINAL MAP RECORDATION, THE PROJECT APPLICANT SHALL SUBMIT A CERTIFICATE OF STORM WATER TREATMENT CAPACITY AVAILABILITY IN THE MILL WETLAND FACILITY (MWF), ISSUED BY THE CITY OF ONTARIO. THIS DOCUMENT WILL CERTIFY THAT THE DEVELOPER IS ENTITLED TO ASSOCIATE TREATMENT CAPACITY FOR THE TRACT MAP AREA. IN THE OFF-SITE MILL CREEK WETLAND FACILITY.
15. EXISTING OVERHEAD UTILITIES SHALL BE UNDERGROUND FOR CITY OF ONTARIO UNDERGROUNDING PROGRAM.
16. ANY MONUMENT LOCATED IN THE PUBLIC RIGHT-OF-WAY SHALL BE PLACED IN ACCORDANCE WITH THE CITY OF ONTARIO TRAFFIC AND TRANSPORTATION DESIGN GUIDELINES FOR MONUMENT PLACEMENT.
17. DEVELOPER/APPLICANT IS REQUIRED TO DESIGN AND CONSTRUCT ON-SITE AND OFF-SITE FIBER OPTIC MASTER PLAN.
18. THE DEVELOPER SHALL DESIGN AND CONSTRUCT ALL MULTI-PURPOSE TRAILS AS APPROVED IN THE SPECIFIC PLAN AND THE ONTARIO PLAN (TOP).
19. THE APPLICANT/DEVELOPER SHALL CONDUCT AND MAINTAIN IMPROVEMENTS AND PUBLIC UTILITIES BEYOND THE SUBJECT BOUNDARIES TO SERVE THE TRACT AS STANALONE PROJECT AND SHALL OBTAIN NECESSARY RECORDATION TO SERVE THE TRACT AS STANALONE PROJECT AND SHALL OBTAIN NECESSARY RECORDATION TO SERVE THE TRACT AS STANALONE PROJECT.
20. EGRESS ROUTE SHALL BE SIGNED "NO STOPPING AT ANYTIME".
21. THE APPLICANT/DEVELOPER SHALL BE RESPONSIBLE TO OBTAIN PERMITS FROM THE CITY OF ONTARIO.
22. ALL RECORDATIONS SHALL BE TO THE CITY OF ONTARIO FILE IN SINGLE.
23. THE APPLICANT/DEVELOPER SHALL UNDERGROUND OVERHEAD UTILITIES PER THE CITY OF ONTARIO UNDERGROUNDING ORDINANCE.
24. MASTER PLANNED DOMESTIC WATER, RECYCLED WATER AND SEWER MAIN LINES SERVING AND SURROUNDING THE DEVELOPMENT, AS IDENTIFIED IN THE MASTER PLAN/SPECIFIC PLAN, SHALL BE CONSTRUCTED PRIOR TO ISSUANCE OF FIRST OCCUPANCY.
25. ADDITIONAL WELL AGREEMENT SHALL BE EXECUTED BETWEEN DEVELOPER AND CITY PRIOR TO USING ANY EXISTING AND WELLS FOR CONSTRUCTION PURPOSES.

FIRE NOTES:

1. FIRE HYDRANT LOCATIONS AND APPROPRIATE MAIN SIZES WILL BE DETERMINED AND PLOTTED BY ENGINEERING AND FIRE DEPARTMENT PRE-ESTABLISHED STANDARDS CRITERIA.
2. THE WATER SUPPLY, INCLUDING MAINS AND HYDRANTS, SHALL BE ACCEPTABLY TESTED AND APPROVED PRIOR TO FRAMING STAGE OF CONSTRUCTION.
3. ACCESS ROADWAYS PROVIDING FOR AN ALL WEATHER DRIVING SURFACE NOT LESS THAN 30' UNOBSTRUCTED WIDTH, CAPABLE OF SUPPORTING THE IMPOSED LOADS OF THE FIRE APPARATUS WITHIN 100' OF ALL STRUCTURES, IS REQUIRED PRIOR TO FRAMING STAGES OF CONSTRUCTION. THIS ACCESS IS REQUIRED TO BE MAINTAINED IN AN UNOBSTRUCTED MANNER THROUGHOUT CONSTRUCTION.
4. THE DEVELOPER/CONTRACTOR IS 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. ALL DRILLINGS SHALL BE EQUIPPED WITH A RESIDENTIAL FIRE SPRINKLER SYSTEM.

LEGAL DESCRIPTION:

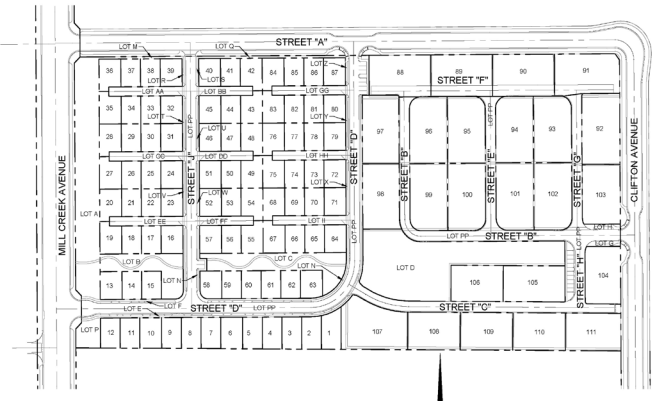
BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASIN AND MESA.

NOTES:

1. NOTE FOR COMPACTON TO NOT BE GREATER THAN 85% AT LANDSCAPE AREAS. ALL FINISHED GRADES 1/2" BELOW FINISHED SURFACES. LANDSCAPED SLOPES TO BE MAX 3:1. SHOW LIGHT STANDARDS 15' AWAY FROM REQUIRED TREE LOCATIONS.
2. CONNECT DOWNSPOUTS TO LOT DRAINAGE SYSTEM OR IN PLANTER AREAS ADD 12" DEEP RPP INFILTRATION CURBS AT DOWNSPOUTS OR SPASH GUARDS.
3. SHOW INFILTRATING CATCH BASINS WITH 3/4" DIA. HOLES IN BOTTOM SET ON 12" SQUARE OF FILTER FABRIC WRAPPED GRAVEL, LOCATED 5' OR GREATER FROM BUILDINGS AND 24" FROM CURBLINE. ADD TREE.
4. SHOW OR NOTE TRANSFORMERS SHALL BE LOCATED IN PLANTER AREA, NOT TURF, AND SET BACK 3' FROM PARKING FOR SMALL TRANSFORMERS LESS THAN 4" HIGH AND 5' SETBACK FOR LARGE TRANSFORMER GREATER THAN 4" HIGH. LOCATE ON LEVEL GRADE. COORDINATE WITH LANDSCAPE PLANS.
5. SHOW OR NOTE BACKFLOW DEVICES SHALL BE LOCATED IN PLANTER AREA, NOT TURF, AND SET BACK MIN 3' FROM PARKING LOCATE ON LEVEL GRADE. COORDINATE WITH LANDSCAPE PLANS.
6. WALL FOOTINGS SHALL NOT RESTRICT LANDSCAPE; MAX 12" IN FRONT OF FOOTING WITH 12" OF COVER.
7. WALL OPENINGS FOR DRAINAGE OVERFLOW SHALL BE MAX 4" WIDE INSTEAD OF A HALF BLOCK OPENING.
8. PROVIDE A SOLID SURFACE PATH FROM DRIVEWAY TO SIDE YARD GATE FOR ENTRY AND TRASH BIN ACCESS.
9. ALL AC UNITS SHALL BE LOCATED IN RESIDENTIAL SIDE YARDS, OPPOSITE THE MAIN BACK YARD ACCESS PATH WITH ONE AND A SECOND GATE AND SOLID SURFACE PATH ON THE OPPOSITE SIDE SHALL BE ADDED FOR ACCESS.
10. FIBER OPTIC DESIGN AND CONSTRUCT IN-TRACT FIBER OPTIC SYSTEM PER THIS TRACT.
11. PROVIDE A UTILITY CLEAR SPACE 8' WIDE IN PARKINGS 30' APART FOR STREET TREES. MOVE WATER METERS/DRAIN LINES TO THE MINIMUM SPACING TO ALLOW SPACE FOR STREET TREE LIGHT STANDARDS 15' AWAY FROM REQUIRED TREE LOCATIONS.

UTILITIES:

- WATER: ONTARIO MUNICIPAL UTILITIES COMPANY
 RECYCLED WATER: ONTARIO MUNICIPAL UTILITIES COMPANY
 SEWER: ONTARIO MUNICIPAL UTILITIES COMPANY
 TELEPHONE: VERIZON
 NATURAL GAS: SOUTHERN CALIFORNIA GAS COMPANY
 ELECTRICAL: SOUTHERN CALIFORNIA EDISON CO.
 FIRE PROTECTION: CITY OF ONTARIO FIRE DEPARTMENT



SHEET INDEX MAP



TENTATIVE TRACT MAP SUMMARY

NUMBERED LOTS:	111
DWELLING UNITS:	224
TOTAL AREA GRASS:	271.4 AC.
TOTAL AREA NET:	58.10 AC.
TOTAL AREA FOR LETTERED LOTS:	5.45 AC.
TOTAL AREA TO BE SEVERED:	2.97 AC.
TOTAL OPEN SPACE/PARK AREA:	2.81 AC.
MINIMUM LOT DIMENSION:	578', 2,000 SF
EXISTING ZONING:	"RICH-HIGH" SPECIFIC PLAN
EXISTING LAND USE:	GRASS AND AGRICULTURAL
PROPOSED LAND USE:	MIXED USE
PROPOSED DENSITY:	LOW MEDIUM DENSITY

DEVELOPMENT STANDARDS: ROW TOWN HOMES

LOT CRITERIA	MINIMUM AREA:	1,800 SQ. FT. (PER UNIT)
MAX LOT COVERAGE:		60%
MAX UNITS PER BUILDING:		18
FRONT SETBACKS	LANDSCAPE AREA:	5'
	LANDSCAPE AREA FROM COMMON DRIVE ASIDE:	5'
	PORVY/BALCONY FROM COMMON DRIVE ASIDE:	5'
	BUILDING SEPARATION:	25'
	-FRONT TO FRONT:	25'
	-FRONT TO SIDE:	25'
	COVERED PORCH TO COVERED PORCH:	15'
REAR SETBACKS	LANDSCAPE AREA (LANDING AREA, PORCH/BALCONY, SIDE OF GARAGE):	5'
	-ADJACENT TO STREET (CORNER LOT):	10'
	PORVY/BALCONY ADJACENT TO STREET (CORNER LOT):	5'
	BUILDING SEPARATION (SIDE TO SIDE):	8'
	-FRONT TO FRONT DOOR:	25'
REAR SETBACKS	LANDSCAPE AREA, SECOND STORY DECK, BALCONY:	5'
	GARAGE SETBACKS:	15'
	-GARAGE DOOR AT STREET (WITH DRIVEWAY):	18' (GARAGE DOOR TO BACK OF SIDEWALK)
	-SIDE OF GARAGE AT STREET (NO DRIVEWAY):	10' (SIDE OF GARAGE TO BACK OF SIDEWALK)
	GARAGE AT ALLEY OR COMMON DRIVE:	3'
	BUILDING SEPARATION (DOOR TO DOOR):	30'

OWNERSHIP & PURPOSE

LOT #	OWNERSHIP	PURPOSE	AREA
LOT B, C, D	HOA	PRIVATE PARK	1.50 AC.
LOT A, E, L, M, N, P, Z	HOA	LANDSCAPE	1.11 AC.
LOTS AL-L, PP	HOA	PRIVATE LANE	2.84 AC.
STREETS "A" & CLIFTON AVENUE	CITY OF ONTARIO	PUBLIC STREET	2.78 AC.

DEVELOPMENT STANDARDS: CLUSTER SFD

LOT CRITERIA	MINIMUM AREA:	2,000 SF
MAX LOT COVERAGE:		60%
MAX UNITS PER CLUSTER:		8
LOT DIMENSIONS	STANDARD LOT:	5'
	-MINIMUM WIDTH:	42'
	-MINIMUM DEPTH:	60'
	STREET ADJACENT:	40'
	-MINIMUM DEPTH FROM STREET PL:	47'
	LANDSCAPE AREA FROM STREET:	10'
	LANDSCAPE AREA FROM COMMON DRIVE ASIDE:	5'
	PORVY/BALCONY FROM STREET:	5'
	PORVY/BALCONY FROM COMMON DRIVE ASIDE:	5'
	BUILDING SEPARATION:	40' TO LIVING
	-FRONT TO FRONT:	36'
	COVERED PORCH TO COVERED PORCH:	36'
SIDE SETBACKS	LANDSCAPE AREA:	5'
	-INTERIOR PL (LANDING AREA/PORCH/BALCONY/SIDE OF GARAGE):	5'
	-ADJACENT TO STREET (CORNER LOT):	10'
	BUILDING SEPARATION (SIDE TO SIDE):	15'
	ACCESSORY STRUCTURE:	5'
REAR SETBACKS	-INTERIOR PL:	5'
	-BUILDING SEPARATION (REAR TO REAR):	10'
	-BUILDING SEPARATION (REAR TO SIDE):	10'
	-ACCESSORY STRUCTURE:	5'
GARAGE SETBACKS	-FRONT LOADED FROM PUBLIC OR PRIVATE STREET:	18' (GARAGE DOOR TO BACK OF SIDEWALK)
	-SIDE LOADED FROM PUBLIC OR PRIVATE STREET:	10' (SIDE OF GARAGE TO BACK OF SIDEWALK)
	-GARAGE FROM ALLEY OR COMMON DRIVE:	3' (SIDE DRIVEWAYS MAY BE REDUCED TO 1')
	-BUILDING SEPARATION (DOOR TO DOOR, DOOR TO LIVING AREA):	40'

APPLICANT:
 026-REC 2, L.P.
 8141 E. KASER BLVD, SUITE 140
 ANHEIM HILLS, CA 92808
 (714) 437-4405

SOILS ENGINEER:
 LOG GEO ENVIRONMENTAL
 27510 COMMERCIAL CENTER DRIVE, SUITE 128
 TUSTOLUCA, CA 92590
 ATTN: BOB GROSSBEK
 (951) 719-1340

BENCH MARK:
 SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE INTERSECTION OF TURNER & RIVERSIDE AVENUES, 6 COR. SEC. 2/11; T2S, RW, 2" BRASS DISK STAMPED "T2S, RW, 1. S2, 51" T3 3084" SET FLUSH IN A.C.

BASIS OF BEARINGS:
 THE BASIS OF BEARING FOR THIS SITE IS THE CALIFORNIA STATE PLAIN COORDINATE SYSTEM, ZONE 12, CONSTRAINED LOCALLY BETWEEN CONTIGUOUS GPS STATIONS "DAPP" AND "DAPP" PER COORDINATES PUBLISHED BY THE NATIONAL GEODETIC SURVEY.

ASSESSORS PARCEL NUMBERS:
 ASSESSORS PARCEL NO.: 0218-211-12

SHEET INDEX

SHEET #	TITLE SHEET DESCRIPTION
1	TITLE SHEET
2	TENTATIVE TRACT MAP
3	TENTATIVE TRACT MAP
4	UTILITY SYSTEM MAP
5	UTILITY SYSTEM MAP
6	SITE UTILIZATION
7	PHOTO EXHIBIT

PROJECT LOCATION

VICINITY MAP
NOT TO SCALE

PREPARED BY:

 FUSCOE ENGINEERS
 20000 Inland Empire Blvd. Suite 404
 Ontario, California 91764
 Tel: 951.581.5474 • Fax: 951.581.5494
 www.fusco.com

DATE: FEBRUARY 2021

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVE A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT (FILE NO. PDA16-003) BETWEEN THE CITY OF ONTARIO AND GDCI-RCCD 2, LP, TO DEFER THE COMMENCEMENT OF CERTAIN STREET IMPROVEMENTS AND ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE TRACT MAP 20265, A 21.10 ACRE PROPERTY LOCATED ON THE EAST SIDE OF MILL CREEK AVENUE, APPROXIMATELY 670 FEET SOUTH OF ONTARIO RANCH ROAD, WITHIN THE STANDALONE RESIDENTIAL LAND USE DISTRICT OF THE RICH-HAVEN SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-652-27.

WHEREAS, GDCI-RCCD 2, LP ("Applicant") has filed an Application for the approval of a First Amendment to the Development Agreement, File No. PDA16-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 21.10 acres of land generally located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan, and is presently vacant; and

WHEREAS, on December 4, 2007, the City Council approved the Rich-Haven Specific Plan, File No. PSP05-004 (the "Specific Plan"), and certified the related Environmental Impact Report (State Clearinghouse No. 2006051081), which addressed the potential development of residential units and commercial/office uses; and

WHEREAS, on April 4, 2017, the City Council adopted Ordinance No. 3071, approving a Development Agreement (File No. PDA16-003) to establish the terms and conditions for the development of Tentative Parcel Map Nos. 19725 (File No. PMTT16-010) and 19741 (File No. PMTT16-001). To date, no development has occurred for either parcel map, and the properties remain vacant; and

WHEREAS, on March 19, 2019, the Owner submitted new Tentative Tract Map 20265 (File No. PMTT19-006), which proposes to subdivide Lots 3 and 4 of the previously approved Tentative Parcel Map 19725. Tentative Tract Map 20265 subdivides approximately 21.10 acres of land into 147 parcels (111 numbered lots and 36 lettered lots) for residential, public/private streets, landscaped neighborhood edges, and common open space purposes; and

WHEREAS, as part of the development of Tentative Tract Map 20265, the Owner has requested to defer the landscape improvements along Mill Creek Avenue and Street "A", respectively, and the landscape, side walk, and multi-purpose trail improvements on Ontario Ranch Road (collectively, the "Deferred Street Improvements"); and

WHEREAS, per The Ontario Plan ("TOP") and Rich-Haven Specific Plan, Tentative Tract Map 20265 is deficient in meeting the minimum density requirement of 14 dwelling units per acre, and Applicant shall maintain the minimum density requirement of 14 dwelling units per acre over the remainder of Planning Area 8A, within the Standalone Residential land use district of the Rich-Haven Specific Plan, unless the minimum density is amended; and

WHEREAS, the new tract map and deferment of certain street improvements necessitates an amendment (the "First Amendment") to the Development Agreement; 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 the Rich-Haven Specific Plan (File No. PSP05-004), for which an Environmental Impact Report — State Clearinghouse No. 2006051081 — (hereinafter referred to as "Certified EIR") was adopted by the City Council on December 4, 2007, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with the Rich-Haven Specific Plan (File No. PSP05-004), for which a Certified EIR was adopted by the City Council on December 4, 2007; and

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

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

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

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation

measures previously adopted with the Certified EIR, are incorporated herein by this reference.

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

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the

properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and with approval of the related Specific Plan Amendment (File No. PSPA19-006) the proposed project will be consistent with the number of dwelling units and density (minimum 14 dwelling units per acre) within Planning Area 8A, as specified in the Available Land Inventory.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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:

(a) The First Amendment to the Development Agreement applies to approximately 21.10 acres of land, located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch road, within the Standalone Residential land use district of the Rich-Haven Specific Plan; and

(b) The First Amendment to the Development Agreement continues to establish parameters for the development within the Standalone Residential land use district of the Rich-Haven Specific Plan. The First Amendment also grants the Applicant, the right to develop, the ability to quantify fees, and establish the terms and conditions that apply to those projects. These terms and conditions are consistent with The Ontario

Plan Policy Plan (General Plan), design guidelines and development standards for the Merrill Commerce Center Specific Plan; and

(c) The Applicant has submitted a new Tentative Tract Map 20265 (File No. PMTT19-006), which proposes to subdivide Lots 3 and 4 of the previously approved Tentative Parcel Map 19725. Tentative Tract Map 20265 subdivides approximately 21.10 acres of land into 147 parcels (111 numbered lots and 36 lettered lots) for residential, public/private streets, landscaped neighborhood edges, and common open space purposes; and

(d) As part of the development of Tentative Tract Map 20265, the Applicant has requested to defer the landscape improvements along Mill Creek Avenue and Street "A", respectively, and the landscape, sidewalk, and multi-purpose trail improvements on Ontario Ranch Road (collectively, the "Deferred Street Improvements"); and

(e) Per The Ontario Plan (TOP) and Rich-Haven Specific Plan, Tentative Tract Map 20265 is deficient in meeting the minimum density of 14 dwelling units per acre, and the Applicant shall maintain the minimum density requirement of 14 dwelling units per acre over the remainder of Planning Area 8A, within the Standalone Residential land use district of the Rich-Haven Specific Plan, unless the minimum density is amended; and

(f) The new tract map and deferment of certain street improvements necessitates the First Amendment to the Development Agreement. The key points of the First Amendment are as follows:

(i) The Applicant shall make a cash security deposit with the City for the Deferred Street Improvements, which shall be the greater of \$655,458 or based on the latest Engineer's Cost Estimate approved by the City Engineer, prior to the Applicant's request for the 100th certificate of occupancy for Tentative Tract Map 20265 or, 3 years following the approval of the First Amendment, whichever occurs first.

(ii) The Deferred Street Improvements shall be constructed, completed, and operational prior to Owner requesting the first occupancy for a non-residential unit or production unit for any such parcel map or tract map outside the limits of Tentative Tract Map 20265, but within the limits of Tentative Parcel Map 19725.

(iii) Per The Ontario Plan and Specific Plan, Owner shall maintain the minimum density requirement of 14 dwelling units per acre over the residential component, unless the density range is amended; and

(g) The First Amendment to the Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

(h) The First Amendment to the Development Agreement does not conflict with the Land use Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development within the district, in a manner consistent with the Policy Plan and with related development; and

(i) This First Amendment to the Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

(j) This First Amendment to the Development Agreement will not be materially injurious or detrimental to the adjacent properties and will not have a significant impact on the environmental or the surrounding properties. The environmental impacts of this project were previously reviewed in conjunction with the Rich-Haven Specific Plan, for which an EIR (State Clearinghouse No. 2006051081) was adopted by the City Council on December 4, 2007. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference; and

(k) The terms of the original Development Agreement shall remain in full force and effect. The City and Applicant hereby re-affirm and ratify all other provisions of the original Development Agreement as amended.

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, subject to each and every condition set forth in the First Amendment to the Development Agreement (File No. PDA16-003) 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDA16-003

FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT

By and Between

**CITY OF ONTARIO
a California municipal corporation**

and

**GDCI-RCCD 2, LP
a Delaware limited partnership**

(First Amendment to the Development Agreement to follow this page)

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

CITY OF ONTARIO
CITY CLERK / RECORDS MANAGEMENT
303 EAST "B" STREET
ONTARIO, CA 91764-4196

Space above this line for Recorder's Use

Exempt from Fees Per Gov. Code § 6103

File No. PDA16-003

FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT

By and Between

**CITY OF ONTARIO
a California municipal corporation**

and

**GDCI-RCCD 2, LP
a Delaware limited partnership**

_____, 2021

San Bernardino County, California

**FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY
AND BETWEEN THE CITY OF ONTARIO AND GDCI-RCCD 2, LP
FILE NO. PDA16-003**

This First Amendment to the Development Agreement (hereinafter the "First Amendment") is entered into effective as of the _____ day of _____ 2021 by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and GDCI-RCCD 2, LP, a Delaware limited partnership company, (hereinafter "OWNER").

RECITALS

WHEREAS, the CITY and OWNER have previously entered into a Development Agreement (File No. PDA16-003) dated April 4, 2017 and recorded in San Bernardino County, California on May 10, 2017 as Instrument No. 2017-0191865 pursuant to Section 65864, et seq., of the Government Code, (hereinafter the "**Development Agreement**"); and

WHEREAS, OWNER has submitted a new Tentative Tract Map 20265 (File No. PMTT19-006) to subdivide 21.10 acres of land into 147 parcels (111 numbered lots and 36 lettered lots) located on the east side of Mill Creek Avenue, approximately 670 feet below Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan; and

WHEREAS, Tentative Tract Map 20265, subdivides Lots 3 and 4, respectively, of the previously approved Tentative Parcel Map 19725 (File No. PMTT16-010) of the Development Agreement; and

WHEREAS, pursuant to Section 3.7.3 of the Development Agreement, OWNER is required to construct Street Improvements, which include the Last Lane, Neighborhood Edge, Landscape, Sidewalk, and Multi-Purpose Trail Improvements, on Ontario Ranch Road and Mill Creek Avenue, respectively, and two (2) signalized intersections on Ontario Ranch Road, in conjunction with Tentative Parcel Map 19725; and

WHEREAS, in conjunction with Tentative Tract Map 20265, OWNER has requested to defer the Landscape Improvements along Mill Creek Avenue and Street "A", respectively, and the Landscape, Side Walk, and Multi-Purpose Trail Improvements on Ontario Ranch Road (collectively, the "**Deferred Street Improvements**"), as depicted in the revised Exhibit F-1, attached hereto and incorporated by reference herein; and

WHEREAS, the revised Exhibit F-1 attached hereto and incorporated by reference herein shall supersede and replace the original Exhibit F-1 in the Development Agreement; and

WHEREAS, OWNER and CITY agree and acknowledge that the postponement of the Deferred Street Improvements will allow for orderly development of Tentative Tract Map 20265 and Tentative Parcel Map 19725; and

WHEREAS, per The Ontario Plan (TOP) and Rich-Haven Specific Plan, Tentative Tract Map 20265 is deficient in meeting the minimum of fourteen (14) dwelling units per acre, and OWNER shall maintain the minimum density requirement of fourteen (14) dwelling units per acre over the remainder of Planning Area 8A, within the Standalone Residential land use district of the Rich-Haven Specific Plan, unless the minimum density is amended.

AGREEMENTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual agreements hereinafter contained and for other good and valuable consideration, the receipt and sufficiently of which is hereby acknowledged, the parties agree as follows

1. Section 1.2, reference to Exhibit "F-1" of the Development Agreement is amended to read as follows:

"1.2 Exhibits. Exhibit "F-1" – Infrastructure Improvements Exhibit for Parcel Map No. 19725 and Tentative Tract Map No. 20265."

2. Section 3.4.1 of the Development Agreement is amended to read as follows:

"3.4.1 Attached hereto as Exhibit "F-1" is a description of the Infrastructure Improvements required for the development of the portion of the Property included in Parcel Map No. 19725 and Tentative Tract Map No. 20265. Also, attached hereto as Exhibit "F-2" is a description of the Infrastructure Improvements required for the development of the portion of the Property included in Parcel Map No. 19741 (collectively, the "Infrastructure Improvement Exhibits")."

3. Section 3.4.2 shall be added to the Development Agreement to read as follows:

"3.4.2 The TOP and Rich Haven Specific Plan require that for the residential component of Planning Area 8A, density requirements of 14.0 to 50 dwelling units per acre be maintained. The proposed Tentative Tract Map No. 20265 is on a portion of Planning Area 8A and is currently proposing 204 units and is required to construct 253 units based on a minimum of 14 dwelling units per acre for that portion of Planning Area 8A. Since the proposed Tentative Tract Map No. 20265 is deficient in meeting the minimum of 14 dwelling units per acre, any future development of the Property, whether residential, commercial, mixed-use, industrial, or any combination thereof, for the remainder of Planning Area 8A, shall be required to maintain the minimum density requirement of 14 dwelling units per acre over the residential component, unless the

density range is amended.”

4. Section 3.7 of the Development Agreement is amended to read as follows:

“3.7 Public Infrastructure and Utilities. OWNER is required by this Agreement to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction. As a condition of development approval of the portion of the Property covered by Parcel Map No. 19725, OWNER shall connect the portion of the Project covered by Parcel Map No. 19725 to all utilities necessary to provide adequate water, recycled water, sewer, storm drain, fiber optic communications, gas, electric, and other utility service to the portion of the Project covered by Parcel Map No. 19725. Also, as a condition of development approval OWNER shall connect the portion of the Project covered by Parcel Map No. 19741 to all utilities, necessary to provide adequate water, recycled water, sewer, storm drain, fiber optic communications, gas, electric, and other utility service to the portion of the Project covered by Parcel Map No. 19741. Furthermore, as a condition of development approval of the portion of the Property covered by Tentative Tract Map No. 20265, OWNER shall connect the portion of the Project covered by Tentative Tract Map No. 20265 to all utilities necessary as shown on Exhibit F-1, to provide adequate water, recycled water, sewer, storm drain, fiber optic communications, gas, electric, and other utility service to the portion of the Project covered by Tentative Tract Map No 20265. OWNER and CITY agree that the development of any one of the Parcels in Parcel Map 19725 may be developed prior to, concurrent with, or after the development of any one of the Parcels in Parcel Map 19741, subject to completion of the infrastructure improvements required for the respective Parcel or Tract Map, as described in the attached Exhibit F- 1 for Parcels within the boundaries of Parcel Map No. 19725 and Tentative Tract Map No. 20265 or, the attached Exhibit F-2 for Parcels within the boundaries of Parcel Map No. 19741.”

5. The following Sections 3.7.11 and 3.7.12 shall be added to the Development Agreement to read as follows:

“3.7.11 OWNER agrees that development of the portion of the Project within the boundaries of Tentative Tract Map No. 20265 shall require the construction, at OWNER’s sole cost and expense, the street, water, recycled water, sewer, storm drain, fiber optic, and multi-purpose trail improvements as depicted in the attached Exhibit F-1. OWNER may defer the Landscape Improvements along Mill Creek Avenue and Street “A”, respectively, and the Landscape, Sidewalk, and Multi-Purpose Trail Improvements on Ontario Ranch Road (collectively, the “**Deferred Street Improvements**”), as depicted in the revised Exhibit F-1. OWNER shall make a cash security deposit with CITY for the Deferred Street Improvements:

- (i) Prior to the OWNER's request for the 100th certificate of occupancy for Tentative Tract Map No. 20265; or
- (ii) Three (3) years after the approval of this First Amendment, whichever occurs first.

The cash deposit amount shall be the greater of (i) \$655,458.22 or (ii) the latest Engineer's Cost Estimate approved by the City Engineer and may be used by CITY to construct the Deferred Street Improvements, at the discretion of the City Engineer. If OWNER or its assignee receives Subsequent Development Approvals and enters into a Subdivision Improvement Agreement for any parcels outside of Tentative Tract Map No. 20265, and CITY has not initiated construction of the Deferred Street Improvements, the CITY shall refund the total amount of the cash deposit to the entity who posted the cash security deposit within 90 days of approval of the Subdivision Improvement Agreement. OWNER shall be required to construct and complete the Deferred Street Improvements prior to OWNER's request for the first certificate of occupancy for any parcel outside of Tentative Tract Map No. 20265, but within the limits of Tentative Parcel Map No. 19725.

“3.7.12 OWNER agrees that development of the portion of the Project within the boundaries of Tentative Tract Map No. 20265 shall require the construction and completion of water improvements from at least two (2) points of connection, at OWNER's sole cost and expense, as depicted in the attached Exhibit F-1. OWNER shall select either of the following options in order to satisfy the requirement for two (2) points of connection:

- (i) OWNER shall construct the water improvements through a public utility easement across Lot 2 of Tentative Parcel Map No. 19725, as depicted in the attached Exhibit F-1. OWNER may relocate the water improvements, and vacate the public utility easement, only if an alternative second point of connection is provided that is acceptable to the CITY; or
- (ii) OWNER shall extend the water improvements on Mill Creek Avenue, south to the existing point of connection available at the time of construction.

In either case, the ultimate pipe size and location of the offsite and onsite water improvements shall be subject to technical studies and consistent with the Conditions of Approval.”

6. Section 4.3.1 of the Development Agreement is amended to read as follows:

“4.3.1 Timely Construction of Public Infrastructure. The phasing of the area-wide infrastructure construction within the Ontario Ranch area will be as approved by the CITY. OWNER shall be responsible for the timely construction and completion of all public infrastructure required for the portion of the Project within the boundaries of Parcel Map No. 19725 and Tentative Tract Map No. 20265, as shown on the attached Exhibit "F-1"

and OWNER shall be responsible for the timely construction and completion of all public infrastructure required for the portion of the Project within the boundaries of Parcel Map 19741 as shown on the attached Exhibit "F-2". OWNER shall also be responsible for the construction and completion of any and all tentative parcel or tract map conditions. Unless otherwise specified in the Subdivision Agreement/Parcel/Tract Map conditions, all other required Improvements for each Tract or Parcel Map, and all subsequent Parcel or Tract Maps for the Property shall be completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of the first building permit for a Non-Residential Unit or for Production Units for any such Parcel Map or future Tract Map. All Infrastructure and Improvements shall be completed as required by the Subdivision Agreement/Parcel/Tract Map conditions for Parcel Map Nos. 19725 and 19741 and as required by Tentative Tract Map No. 20265 and any future Tract Maps for the Property. Notwithstanding the above, OWNER and CITY agree that the development of any one of the Parcels in Parcel Map 19725 may be developed prior to, concurrent with, or after the development of any one of the Parcels in Parcel Map 19741, subject to completion of the conditions of approval for the respective Parcel Map. The construction and completion of the Deferred Street Improvements shall be completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of the first occupancy for a Non-Residential Unit or for Production Units for any such Parcel Map or future Tract Map outside of the limits of Tentative Tract Map No. 20265, but within the limits of Tentative Parcel Map No. 19725."

7. Miscellaneous.

7.1 Integration. All remaining Sections of the Development Agreement and the Exhibits thereto shall not be affected by this First Amendment. This First Amendment reflects the complete understanding of the parties with respect to the subject matter hereof. To the extent this First Amendment conflicts with the Development Agreement, this First Amendment supersedes such previous document. In all other respects, the parties hereto re-affirm and ratify all other provisions of the Development Agreement as amended.

7.2 Additional Documents/Actions. The City Manager is authorized to approve and execute any documents and to take any actions necessary to effectuate the purposes of this First Amendment to the Development Agreement.

7.3 Defined Terms/Other Provisions. Unless otherwise defined herein, capitalized terms contained in this First Amendment shall have the meanings ascribed to them in the Development Agreement. Except as expressly amended herein, all provisions of the Development Agreement, as supplemented, restated and amended, shall remain.

7.4 Indemnification. OWNER hereby agrees to indemnify, defend and hold harmless the CITY, its officials, officers, employees, agents, contractors and volunteers from and against any and all claims, suits or proceedings arising from or related to CITY's entering into, or carrying out, this First Amendment. This indemnification includes the

payment of all penalties, fines, judgments, awards, decrees, attorney's fees and related costs or expenses incurred by the CITY.

{signature page to follow}

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date below, the ("Effective Date").

**SIGNATURE PAGE
TO FIRST AMENDMENT TO DEVELOPMENT AGREEMENT
PDA16-003**

"OWNER"

**GDCI-RCCD 2, LP
A Delaware limited partnership
company**

**By: GDC Holdings, LLC, a California
limited liability company
Its: General Partner**

By: _____
Name: _____
Title: Authorized Representative
Date: _____

"CITY"

CITY OF ONTARIO

By: _____
Scott Ochoa, City Manager

Date: _____

ATTEST:

City Clerk, Ontario

**APPROVED AS TO FORM:
BEST BEST KREIGER LLP**

City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"

Legal Description of Property

THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLAT THEREOF, APPROVED BY THE SURVEYOR GENERAL, DATED DECEMBER 30, 1881.

TOGETHER WITH THAT PORTION OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 13 LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 13, SAID CORNER ALSO BEING A POINT ON THE CENTERLINE INTERSECTION OF ONTARIO RANCH ROAD AND THE FUTURE MILL CREEK AVENUE.

THENCE SOUTH $00^{\circ}17'30''$ EAST ALONG THE WEST LINE OF SAID NORTH ONE-HALF AND SAID MILL CREEK AVENUE CENTERLINE A DISTANCE OF 633.60 FEET TO THE TRUE POINT OF BEGINNING OF THE LINE BEING DESCRIBED HEREIN;

THENCE LEAVING SAID WEST LINE NORTH $89^{\circ}39'24''$ EAST 1221.87 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 38.00 FEET;

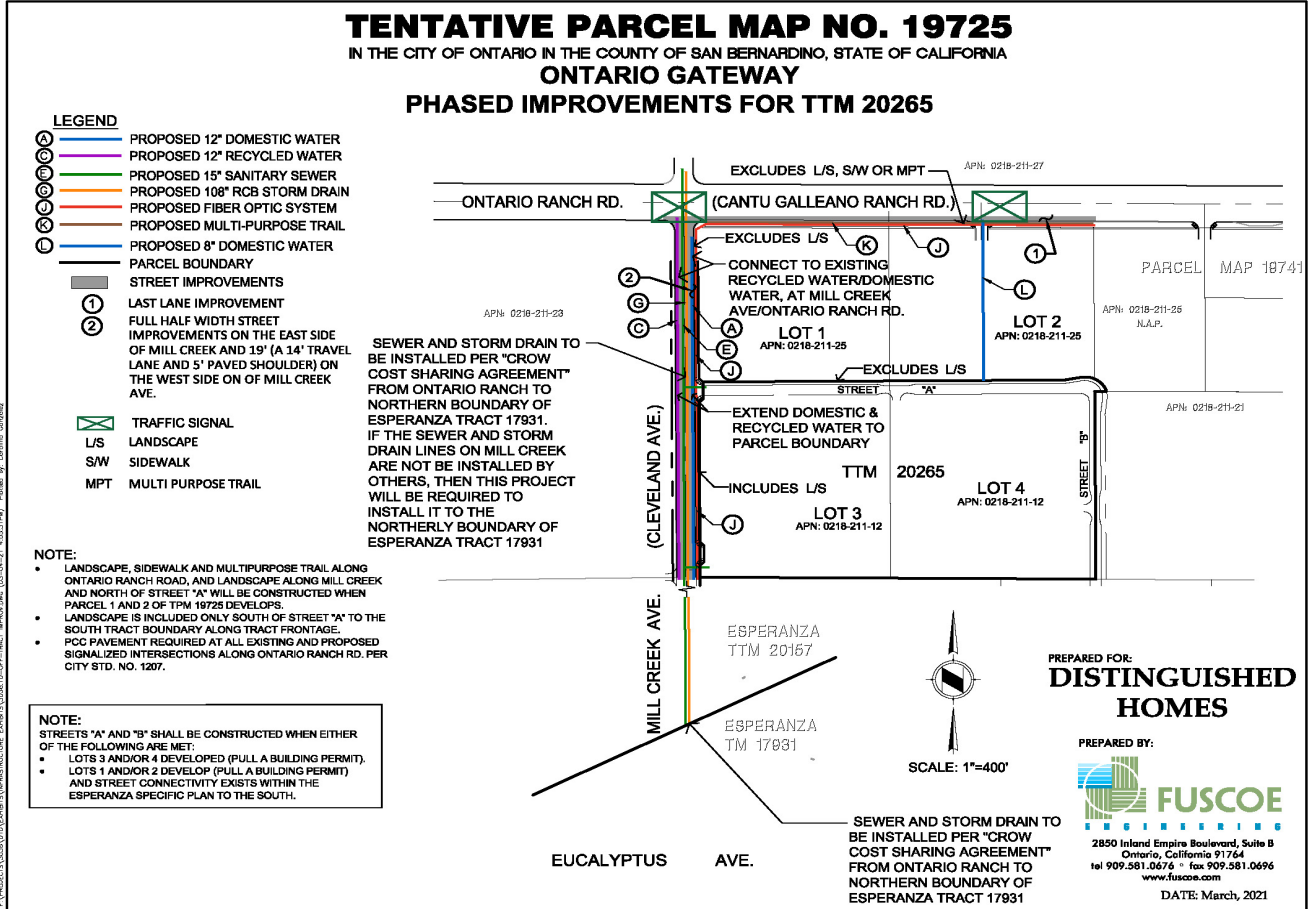
THENCE EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE, FROM AN INITIAL RADIAL BEARING OF NORTH $00^{\circ}20'36''$ WEST THROUGH A CENTRAL ANGLE OF $09^{\circ}43'36''$, AN ARC LENGTH OF 6.45 FEET;

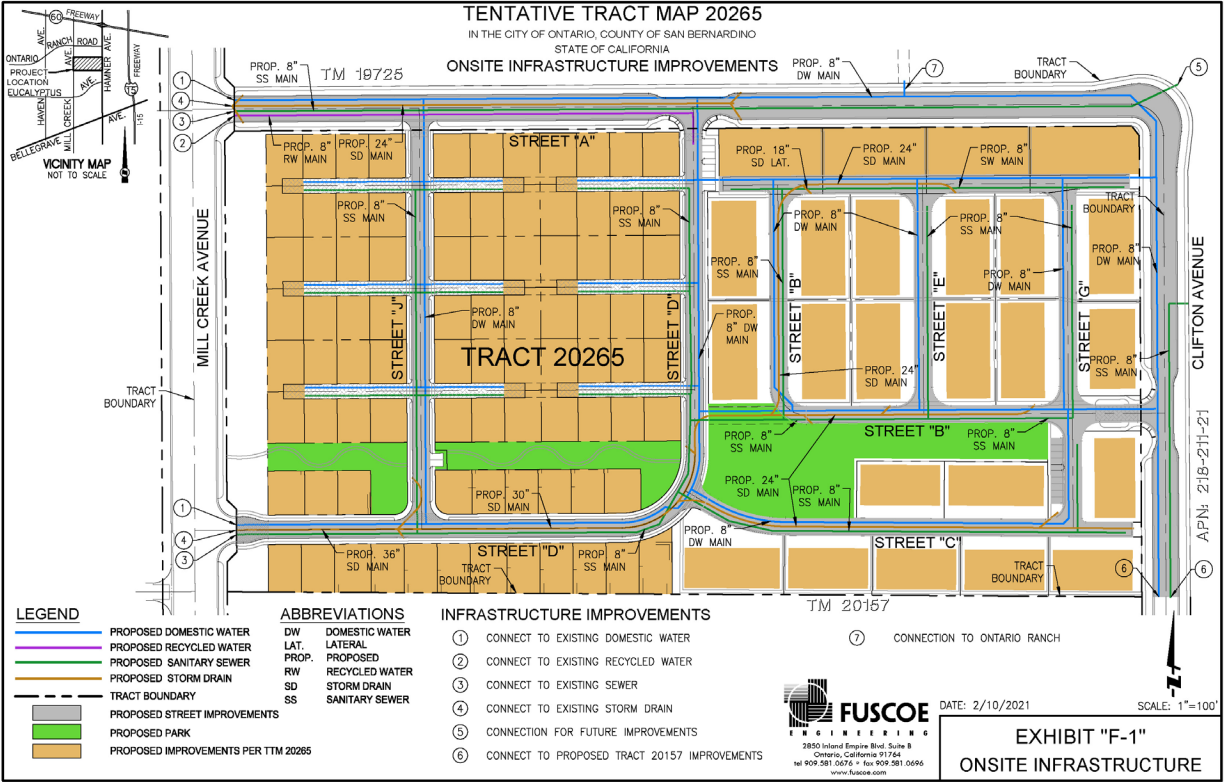
THENCE NORTH $79^{\circ}55'47''$ EAST 53.13 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 70.00 FEET;

THENCE EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, FROM AN INITIAL RADIAL BEARING OF SOUTH $10^{\circ}01'17''$ EAST THROUGH A CENTRAL ANGLE OF $83^{\circ}45'45''$ AN ARC LENGTH OF 102.33 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID NORTH ONE-HALF, SAID POINT OF INTERSECTION BEING THE TERMINUS OF THE DESCRIBED LINE.

EXHIBIT "F-1" TO DEVELOPMENT AGREEMENT

Required Infrastructure Improvements





303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NO: PMTT19-006 (TTM 20265)

SUBJECT: A Tentative Tract Map to subdivide 21.10 gross acres of land into 111 numbered lots and 36 lettered lots for land generally located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan (APN: 0218-652-27); **submitted by GDC-RCC 2, L.P.**

PROPERTY OWNER: GDC-RCC 2, L.P.

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PMTT19-006 (TTM 20265), 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 21.10 acres of vacant land generally located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan, and is depicted in Figure 1: Project Location, below. The property to the north of the Project site is within the Mixed-Use Overlay of the Rich-Haven Specific Plan and is vacant. The property to the east is within the Standalone Residential Overlay land use district of the Rich-Haven Specific Plan and is vacant. The property to the south is within Planning Area 1 (RD-7, SFR 50-foot wide lots) of the Esperanza Specific Plan and is developed with agriculture and dairy uses. The property to the west is within the Standalone Residential Overlay land use district of the Rich-Haven Specific Plan and is vacant. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

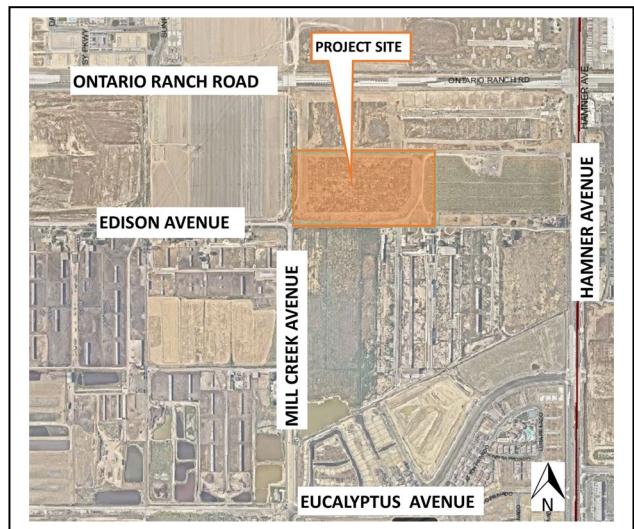



Figure 1: Project Location

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	03/19/2019

Hearing Body	Date	Decision	Action
DAB	3/15/2021	Approval	Recommend
PC	3/23/2021		Final
CC			

PROJECT ANALYSIS:

(1) Background — On December 4, 2007, the City Council approved the Rich-Haven Specific Plan (File No. PSP05-004) and certified the related Environmental Impact Report (State Clearinghouse No. 2006051081) 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 floor area.

Subsequently, on March 15, 2016, the City Council approved an amendment to the Rich-Haven Specific Plan (File No. PSPA16-001) that increased the potential residential unit count to 4,866 and increased the potential commercial/office floor area to 1,039,200 square feet. Additionally, the Specific Plan Amendment reconfigured the boundaries and circulation layout for the existing Planning Areas 1 through 21B, re-designated certain Specific Plan land use designations to be consistent with The Ontario Plan's Policy Plan (General Plan) Land Use Plan, and revised and updated housing product types and development standards and guidelines to allow for greater flexibility in the Specific Plan area.

On February 28, 2017, two A-Maps were approved by the Planning Commission to establish Planning Area 8A of the Rich-Haven Specific Plan (see Exhibit E—A-Maps (PM 19725 and PM 19741)). The A-Maps will facilitate the construction of the backbone streets and primary access points into the site from Ontario Ranch Road and Mill Creek Avenue and were approved in conjunction with the related Development Agreement (File No. PDA16-003). The Development Agreement will also address the density requirement described in the paragraph above. File No. PMTT16-010 (PM 19725) contains the subject Project site and the area to the north, which extends to Ontario Ranch Road. File No. PMTT16-011 (PM 19741) contains the parcels to the northeast of the Project site and directly east of PM 19725, which extend north to Ontario Ranch Road and east to Hamner Avenue.

The Applicant has submitted the proposed Tentative Tract Map to subdivide the southerly portion of PM 19725 to facilitate the future development of residential units and associated recreation facilities and will revise the Development Agreement for consistency with these changes to the site. On March 15, 2021, the Development Advisory Board voted unanimously to recommend approval of the Development Plan application to the Planning Commission.

The future development of the site will require review and approval of a related Development Plan (File No. PDEV20-030) by the Planning Commission, at a future date.

(2) Tentative Tract Map — The Applicant has proposed to subdivide the 21.10-acre Project site into 111 numbered lots to accommodate the future development of 224 dwelling units (87 single-family and 137 multiple-family dwelling units) and associated recreation and landscape areas (see Exhibit B—Tentative Tract Map). The rectangular

parcel is divided into two main land uses, with single-family cluster courts occupying the western portion of the site, and multiple-family row-town units occupying the eastern portion of the site. A linear park is situated near the southern portion of the Project site and will provide access to recreational facilities for all future residents. Additionally, a Southern California Edison ("SCE") easement is located along the westerly portion of the site, which will provide for an enhanced landscaped neighborhood edge and walking area. Substantial landscape areas will also be provided along the northerly street.

The Tentative Tract Map proposes a density of 10.6 dwelling units per acre. TOP Policy Plan requires that each project within the NMC East Mixed Use land use designation to maintain a minimum of 14 dwelling units per acre. Currently the Planning Department is processing an Amendment to the Rich-Haven Specific Plan (File No. PSPA19-006). The Specific Plan Amendment will address a variety of map and text revisions and is scheduled to go before the Planning Commission on April 27, 2021. A component of the Specific Plan Amendment will accommodate the proposed Project by revising the development regulations and Land Use Map to require the entirety of Planning Area 8A to meet the minimum density of 14 dwelling units per acre that is required by the Specific Plan and Policy Plan (General Plan). Therefore, with approval of the related Specific Plan Amendment, the deficiency in the minimum density of 10.6 dwelling units per acre will be accommodated within the remaining acreage of Planning Area 8A, so that the whole Planning Area will meet the required minimum density of 14 dwelling units per acre. By allowing the deficiency to be applied elsewhere in the Planning Area, there will be opportunities for a greater variety of residential products within the neighborhood. The Applicant has provided a conceptual site plan to illustrate one possibility for future development on the site to the north, which will make the entire Planning Area consistent with the Specific Plan and Policy Plan (see Exhibit F—Conceptual Future Site Plan for Planning Area 8A, attached). In addition, the Tentative Tract Map will be contingent on Planning Commission and City Council approval of the Amendment to the Rich-Haven Specific Plan (File No. PSPA19-006).

(3) Site Access/Circulation — The Project site will be accessible from future public streets, including Mill Creek Avenue on the west and Clifton Avenue on the east, as well as a future public street ("A Street") along the northern portion of the Project site. Internal to the project site, private streets will be constructed near the southerly portion of the Project site and down the middle of the site. Private alleys and drives will connect to the public and private streets to serve their respective residential units.

(4) Parking — Future development of the site will be required to meet all Development Code and Rich-Haven Specific Plan parking regulations. Conceptual plotting of the site provides for a two-car garage for each unit, and a two-car driveway for a majority of the units. On-street parking spaces will also be provided around the site, including the public and private streets.

(5) Architecture — Future development of the site will be required to meet all Development Code and Rich-Haven Specific Plan standards regarding architecture, including style, decorative elements, enhancements, etc.

(6) Landscaping — Future development of the site will be required to meet all Development Code and Rich-Haven Specific Plan standards regarding landscaping. The Policy Plan (Policy PR1-6) requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 1.58-acre park to meet the minimum Policy Plan private park requirement (see Table 1: Summary of Parkland Requirement, below). Approximately 1.5 acres of the Project site will be dedicated to recreational facilities, including a linear walking path and larger park with recreational facilities for picnic/play equipment amenities (see Exhibit C—Site Plan/Conceptual Landscape Plan and Exhibit D—Conceptual Park Plan, attached). The remaining 0.08-acre deficit will be addressed through the Development Agreement process as an in-lieu fee, which will be used for the creation of other parkland facilities within the City of Ontario.

Table 1: Summary of Parkland Requirement

Product Type	Dwelling Occupancy Factor	Number of Units	Total Required	Total Provided	+/- Parkland
Cluster (Single-Family Product)	3.806	87	0.66 ac	1.5 ac	-0.08 ac
Rowtown (Multiple-Family Product)	3.373	137	0.92 ac		

The site will include landscaped parkways along the public and private streets, and each single-family home will have a small front landscape area maintained by the Homeowners Association. The multiple-family units will be oriented along landscaped paseos and will include private front porch areas for each unit. Additionally, the project will be required to construct a 38-foot-wide neighborhood edge, to be located within a 100-foot SCE easement (50 feet of which include the neighborhood edge, parkway, and sidewalk, and the remaining 50 feet includes a portion of Mill Creek Avenue). The final landscape plan, including the park amenities and planting plan, will be reviewed and approved as part of the Development Plan process.

(7) Signage — All future signage at the project site will be required to be reviewed and approved through a Sign Plan Application and shall meet all standards as set forth in the Ontario Development Code and the Rich-Haven Specific Plan.

(8) Utilities (drainage, sewer) — As the first parcel to develop within the related A-Map areas, the Project site will be required to install all major backbone improvements in addition to the internal improvements, as set forth in the related Development Agreement (File No. PDA16-003). The project will be required to undergo a more extensive Preliminary Water Quality Management Plan ("PWQMP") review as part of the

Development Plan process. The PWQMP establishes project compliance with storm water discharge/water quality requirements and 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.

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

(1) City Council Goals.

- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(2) 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.

➤ LU1-6 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.

Housing Element:

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

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

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

Community Economics Element:

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

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

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

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

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

- CE2-4 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.

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

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Landscaped parkways, with sidewalks separated from the curb.

- CD2-8 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.

- CD2-13 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. 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 with approval of the related Specific Plan Amendment (File No. PSPA19-006) the proposed project will be consistent with the number of dwelling units and density (minimum 14 dwelling units per acre) within Planning Area 8A, as specified in the Available Land Inventory.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Vacant	Mixed Use (MU-NMC East) and Open Space Non-Recreational (OS-NR)	Rich-Haven Specific Plan	Standalone Residential Overlay
North	Vacant	Mixed Use (MU-NMC East) and Open Space Non-Recreational (OS-NR)	Rich-Haven Specific Plan	Mixed-Use Overlay
South	Agriculture/Dairy	Medium-Density Residential (MDR)	Esperanza Specific Plan	Planning Area 1 (RD-7, SFR 50'-wide lots)
East	Vacant	Mixed Use (MU-NMC East)	Rich-Haven Specific Plan	Standalone Residential Overlay
West	Vacant	Mixed Use (MU-NMC East) and Open Space Non-Recreational (OS-NR)	Rich-Haven Specific Plan	Standalone Residential Overlay

General Site & Building Statistics

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Project area (in acres):	N/A	21.10	Y
Maximum project density (dwelling units/ac):	14 du/ac	10.6 du/ac	N
Maximum coverage (in %):	60% Rowtown / 65% Cluster SFD	TBD	TBD
Minimum lot size (in SF):	1,800 SF per unit Rowtown / 2,000 SF Cluster SFD	1,855 – 2,223 SF per unit Rowtown / 2,700 – 3,610 SF Cluster SFD	Y
Minimum lot depth (in FT):	N/A Rowtown / 60' Cluster SFD	N/A Rowtown / 60' Cluster SFD	Y
Minimum lot width (in FT):	N/A Rowtown / 42' interior, 47' street-adjacent Cluster SFD	N/A Rowtown / 45' interior, 50' street-adjacent Cluster SFD	Y
Front yard setback (in FT):	Living Area: 10' street, 5' common drive, 25' front to front; 5' porch Rowtown / 10' street, 5' common drive, 40' front to front Cluster SFD	TBD	TBD
Side yard setback (in FT):	4' interior, 10' street-adjacent Rowtown / 5' interior, 10' street-adjacent Cluster SFD	TBD	TBD

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Rear yard setback (in FT):</i>	5' living area; 3' garage at alley or 18' at street Rowtown / 5' Cluster SFD	TBD	TBD
<i>Maximum dwelling units/building:</i>	16 units/building Rowtown / 1 unit/building Cluster SFD	5-6 units/building Rowtown / 1 unit/building Cluster SFD	Y

Dwelling Unit Count:

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Total no. of units</i>	Minimum 295 units	224 units	N
<i>Total no. of buildings</i>	N/A	87 single-family, 23 multi-family buildings	N/A
<i>No. units per building</i>	Max 16 Rowtown / 1 Cluster SFD	6 Rowtown / 1 Cluster SFD	Y

Exhibit A—PROJECT LOCATION MAP

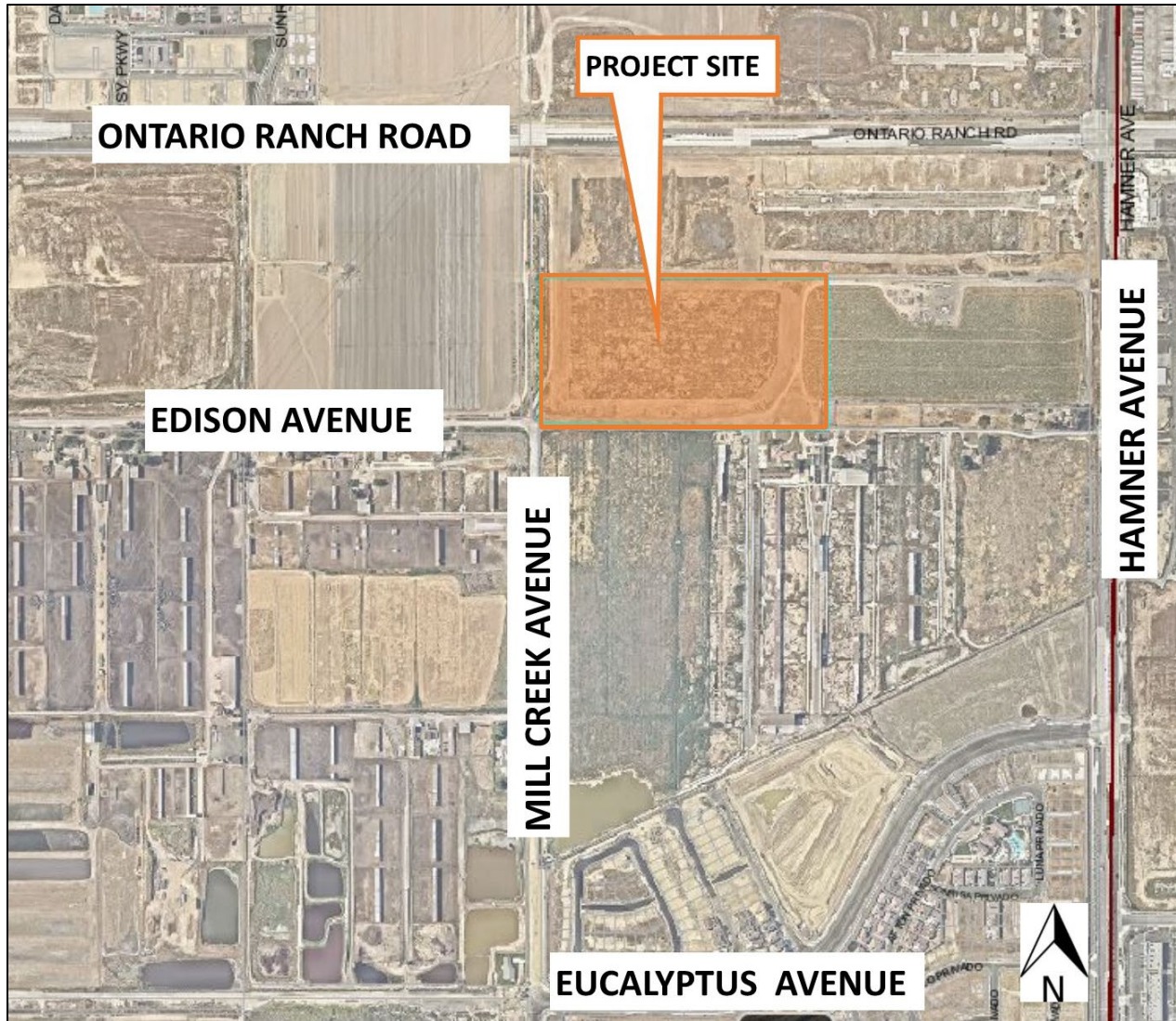


Exhibit B—TENTATIVE TRACT MAP

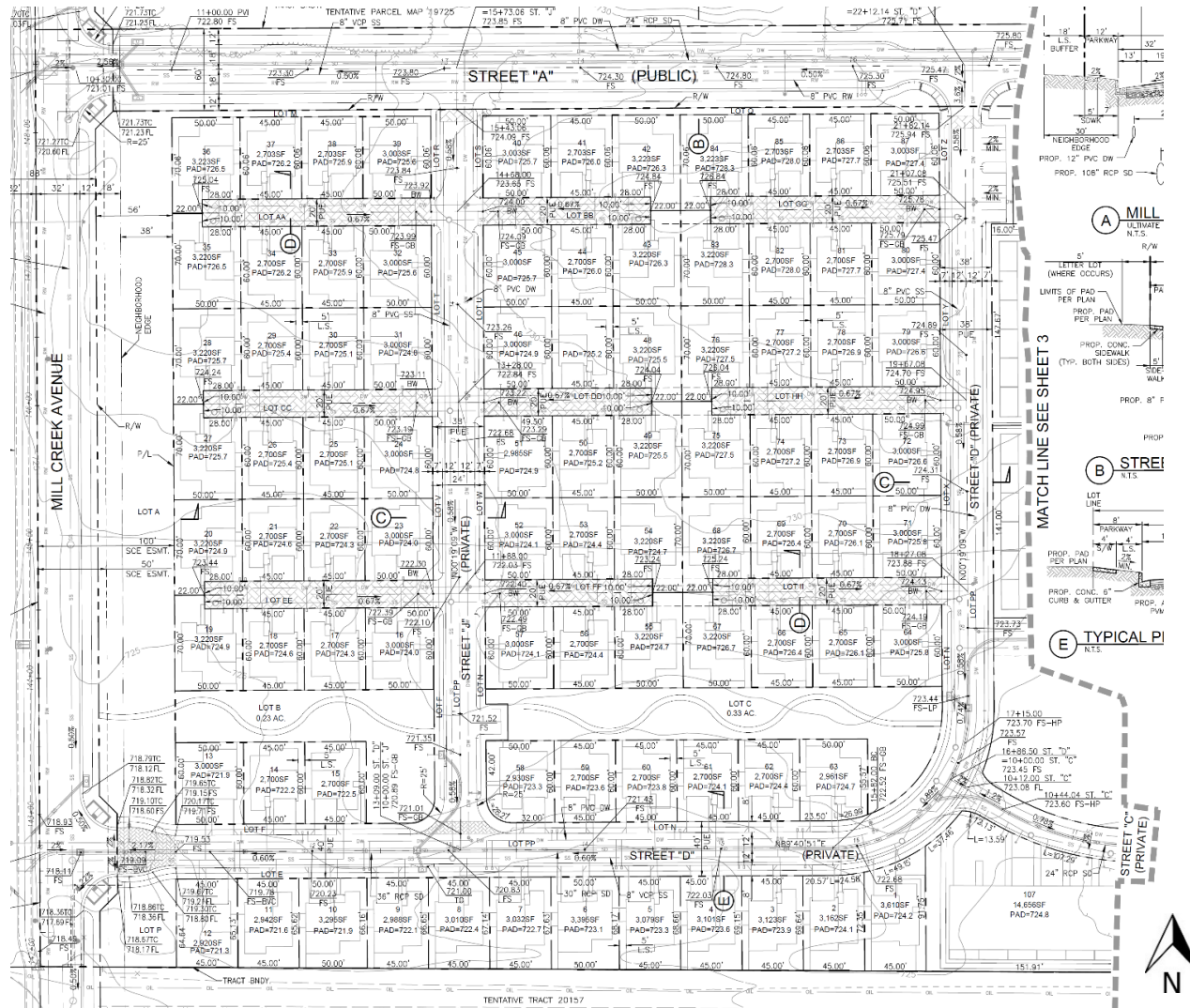


Exhibit B—TENTATIVE TRACT MAP (CONTINUED)

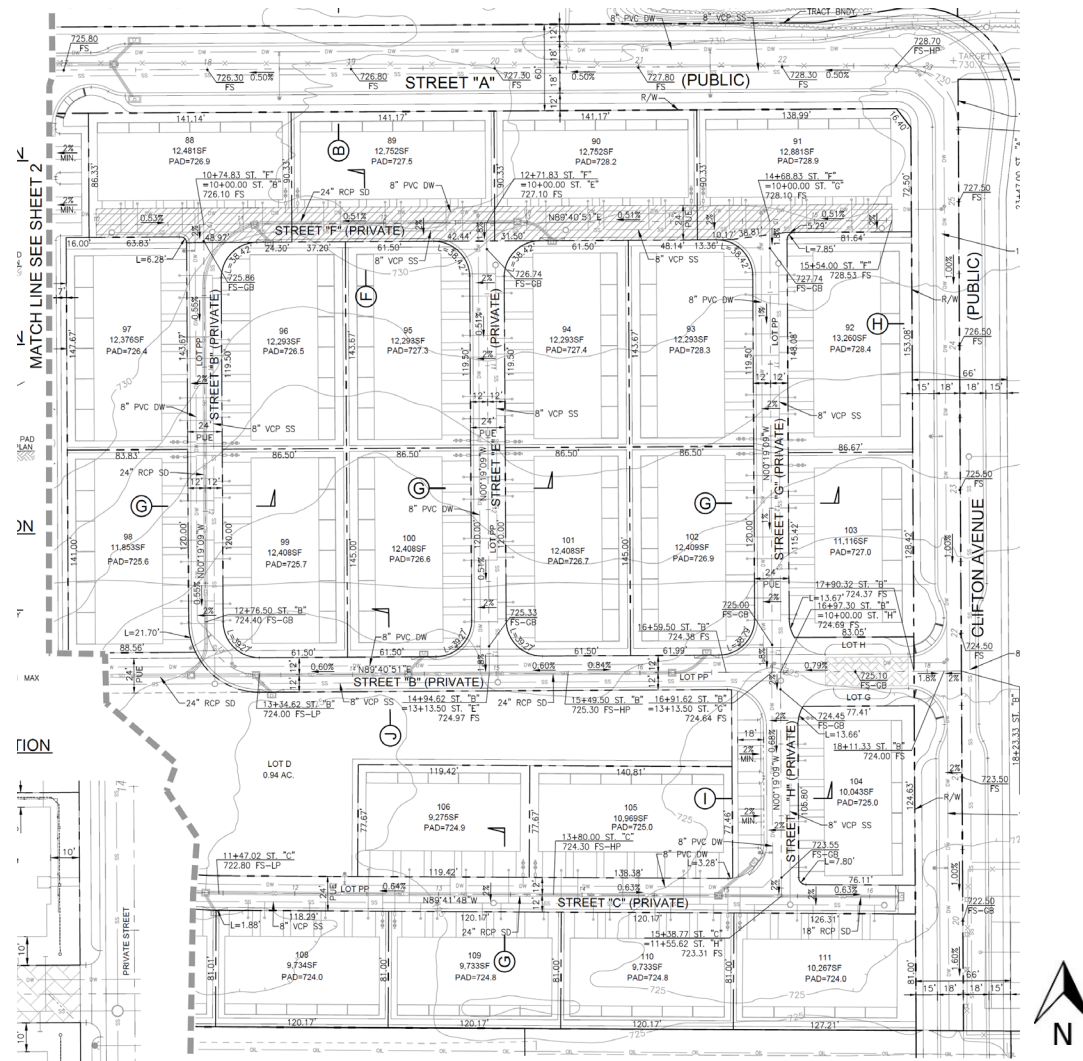


Exhibit C—SITE PLAN / CONCEPTUAL LANDSCAPE PLAN

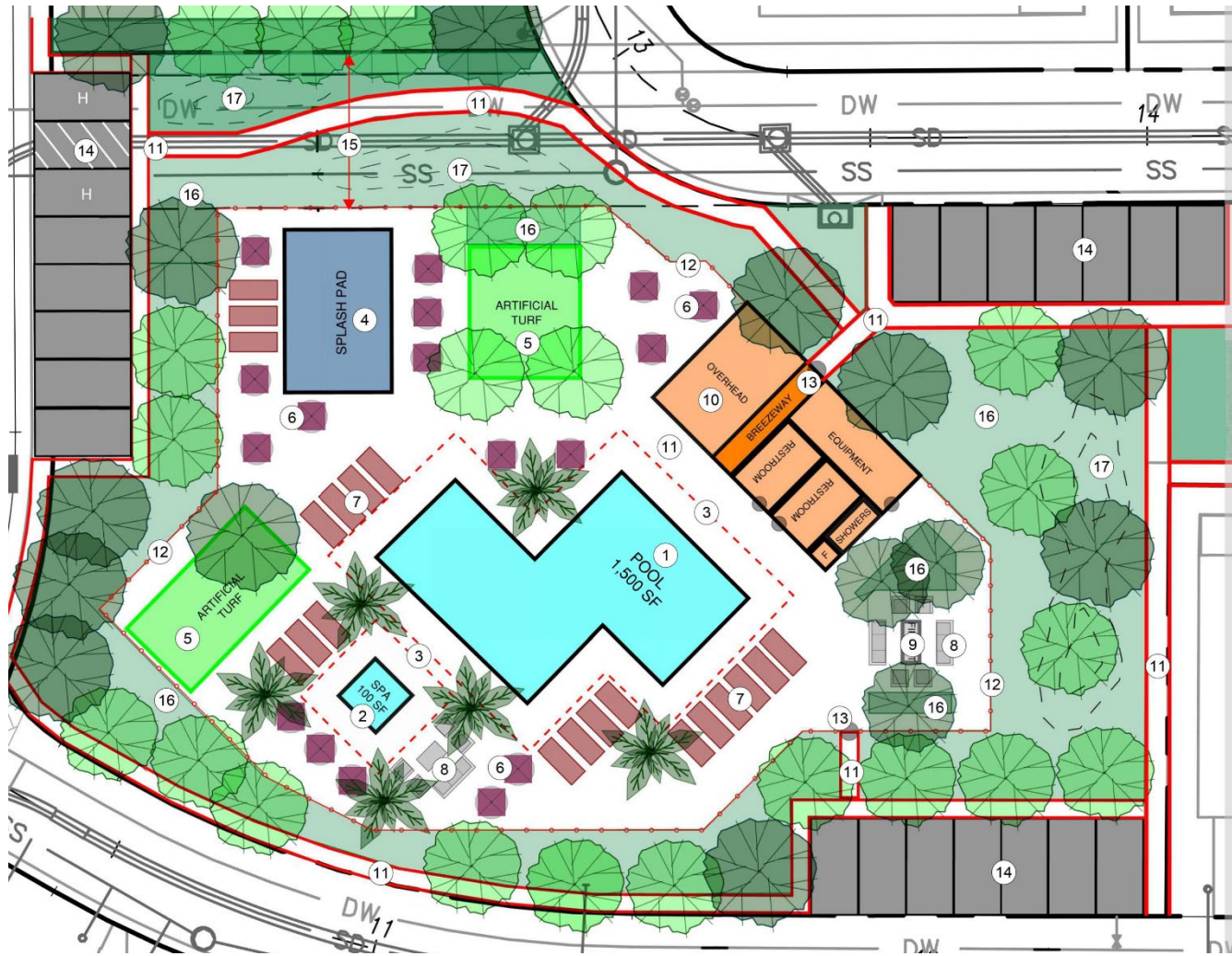


Exhibit D—CONCEPTUAL PARK PLAN



Linear Park

Exhibit D—CONCEPTUAL PARK PLAN (CONTINUED)



Main Amenity Detail

Exhibit E— PLANNING AREA 8A & A MAPS (PM 19725 and 19741)

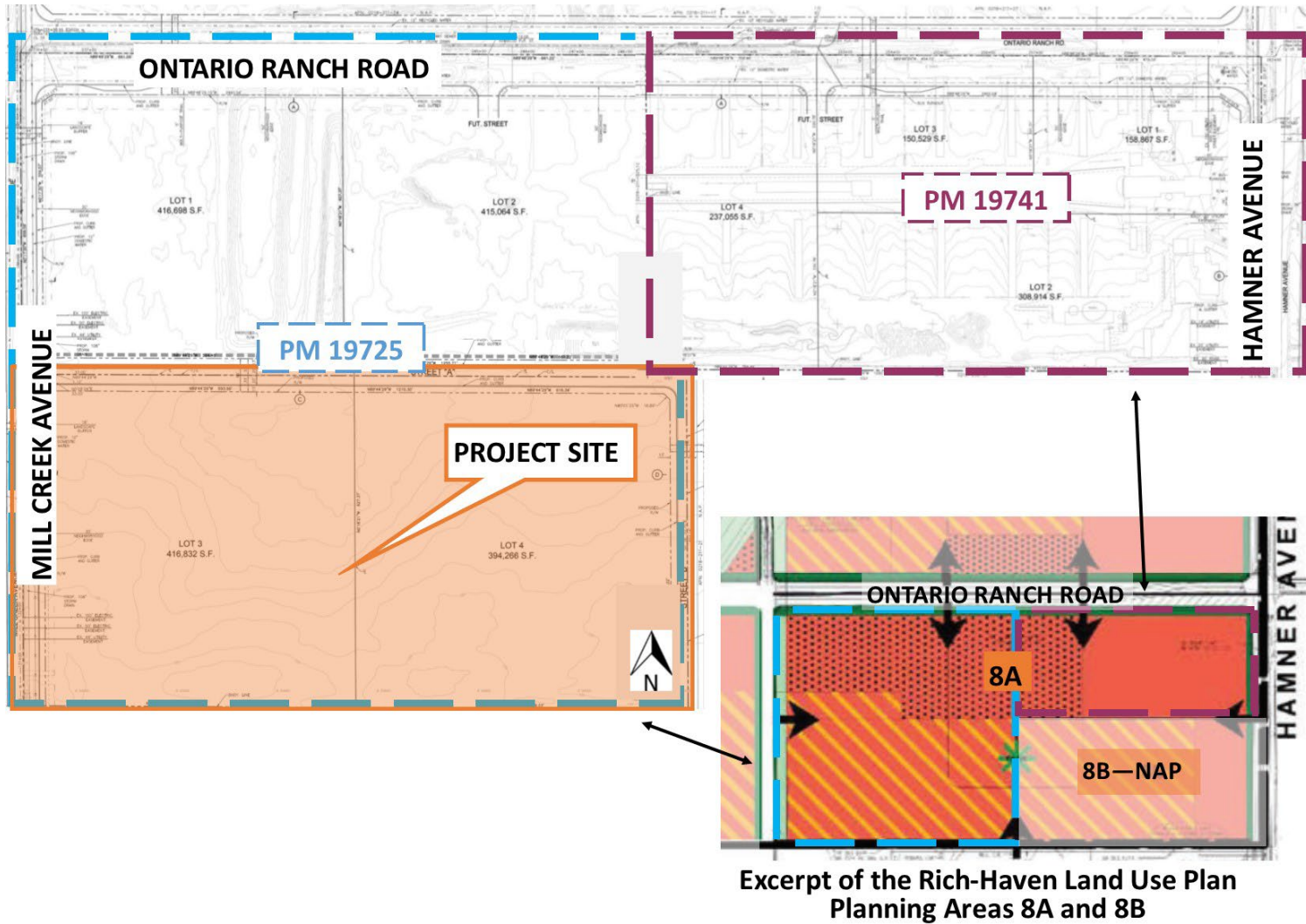
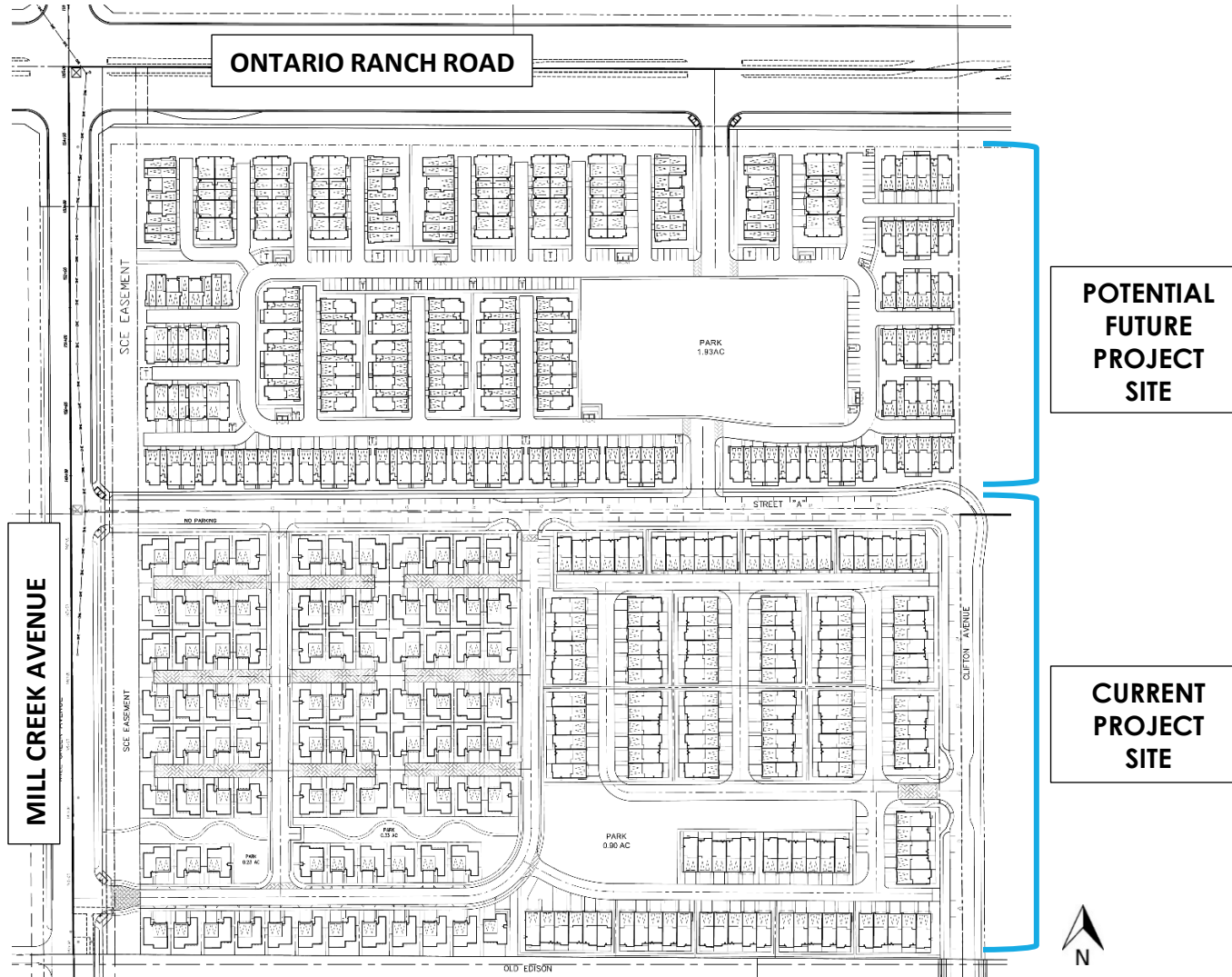


Exhibit F—CONCEPTUAL FUTURE SITE PLAN FOR PLANNING AREA 8A



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT19-006 (TTM 20265), A TENTATIVE TRACT MAP TO SUBDIVIDE 21.10 GROSS ACRES OF LAND INTO 111 NUMBERED LOTS AND 36 LETTERED LOTS FOR LAND GENERALLY LOCATED ON THE EAST SIDE OF MILL CREEK AVENUE, APPROXIMATELY 670 FEET SOUTH OF ONTARIO RANCH ROAD, WITHIN THE STANDALONE RESIDENTIAL LAND USE DISTRICT OF THE RICH-HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-652-27.

WHEREAS, GDC-RCC 2, L.P. ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT19-006 (TTM 20265), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 21.10 acres of land generally located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Mixed-Use Overlay of the Rich-Haven Specific Plan and is vacant. The property to the east is within the Standalone Residential Overlay land use district of the Rich-Haven Specific Plan and is vacant. The property to the south is within Planning Area 1 (RD-7, SFR 50'-wide lots) of the Esperanza Specific Plan and is developed with agriculture and dairy uses. The property to the west is within the Standalone Residential Overlay land use district of the Rich-Haven Specific Plan and is vacant; and

WHEREAS, the Applicant has proposed to subdivide the Project site into 111 numbered lots and 36 lettered lots to facilitate potential future development of 224 residential dwelling units (87 single-family and 137 multiple-family units) and associated recreation facilities; and

WHEREAS, the rectangular parcel would be divided into two main land uses, with single-family cluster courts occupying the western portion of the site, and multiple-family row-town units occupying the eastern portion of the site, with a linear park situated near the southern portion of the site; and

WHEREAS, a Southern California Edison ("SCE") easement is located along the westerly portion of the site, which will provide for an enhanced landscaped neighborhood edge and walking area; and

WHEREAS, the Project site will be accessible from future public streets, including Mill Creek Avenue on the west and Clifton Avenue on the east, as well as a future public street ("A Street") along the northern portion of the project site. Internal to the project site, streets will be constructed near the southerly portion of the project site and down the middle of the site, with private alleys and drives intersecting with both the public and private streets to serve their respective residential units; and

WHEREAS, the Policy Plan (Policy PR1-6) requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 1.58-acre park to meet the minimum Policy Plan private park requirement. Approximately 1.5 acres of the Project site will be dedicated to recreational facilities, including a linear walking path and larger park with recreational facilities for picnic/play equipment amenities. The remaining 0.08-acre deficit will be addressed through the Development Agreement (File No. PDA16-003) process as an in-lieu fee, which will be used for the creation of other parkland facilities within the City of Ontario; and

WHEREAS, as the first parcel to develop within the related A-map areas (File Nos. PMTT16-010 / PM19725 and PMTT16-011 / PM19741), the Project site will be required to install all major backbone improvements in addition to the internal improvements, as set forth in the related Development Agreement (File No. PDA16-003); 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. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007, and this Application introduces no new significant environmental impacts; and

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element

law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on March 15, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-004, recommending the Planning Commission approve the Application; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007; and

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

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the City Council; and

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and with approval of the related Specific Plan Amendment (File No. PSPA19-006) the proposed project will be consistent with the number of dwelling units and density (minimum 14 dwelling units per acre) within Planning Area 8A, as specified in the Available Land Inventory.

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

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

(1) ***The proposed Tentative Tract/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 Tract Map is located within the Mixed Use (NMC East) and Open Space Non-Recreational land use districts of the Policy Plan Land Use Map, and the Standalone Residential land use district of the Rich-Haven Specific Plan. The proposed Tentative Tract Map is located within the Mixed Use (NMC East) and Open Space Non-Recreational land use districts of the Policy Plan Land Use Map, and the Standalone Residential land use district of the Rich-Haven Specific Plan. The Tentative Tract Map proposes a density of 10.6 dwelling units per acre. TOP Policy Plan requires that each project within the NMC East Mixed-Use land use designation to maintain a minimum of 14 dwelling units per acre. Currently the Planning Department is processing an Amendment to the Rich-Haven Specific Plan (File No. PSPA19-006). The Specific Plan Amendment will address a variety of map and text revisions and is scheduled to go before the Planning Commission on April 27, 2021. A component of the Specific Plan Amendment will accommodate the proposed Project by revising the development regulations and Land Use Map to require the entirety of Planning Area 8A to meet the minimum density of 14 dwelling units per acre that is required by the Specific Plan and Policy Plan (General Plan). Therefore, with approval of the related Specific Plan Amendment, the deficiency in the minimum density of 10.6 dwelling units per acre will be accommodated within the remaining acreage of Planning Area 8A, so that the whole Planning Area will meet the required minimum density of 14 dwelling units per acre. By allowing the deficiency to be applied elsewhere in the Planning Area, there will be opportunities for a greater variety of residential products within the neighborhood and provide consistency with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that makes it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(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 Tract Map is located within the Mixed Use (NMC East) and Open Space Non-Recreational land use districts of the Policy Plan Land Use Map, and the Standalone Residential land use district of the Rich-Haven Specific Plan. The Tentative Tract Map proposes a density of 10.6 dwelling units per acre. TOP Policy Plan requires that each project within the NMC East Mixed-Use land use designation to maintain a minimum of 14 dwelling units per acre. Currently the Planning Department is processing an Amendment to the Rich-Haven Specific Plan (File No. PSPA19-006). The Specific Plan Amendment will address a variety of map and text revisions and is scheduled to go before the Planning Commission on April 27, 2021. A component of the Specific Plan Amendment will accommodate the proposed Project by revising the development regulations and Land Use Map to require the entirety of Planning Area 8A to meet the minimum density of 14 dwelling units per acre that is required by the Specific Plan and Policy Plan (General Plan). Therefore, with approval of the related Specific Plan Amendment, the deficiency in the minimum density of 10.6 dwelling units per acre will be accommodated within the remaining acreage of Planning Area 8A, so that the whole Planning Area will meet the required minimum density of 14 dwelling units per acre. By allowing the deficiency to be applied elsewhere in the Planning Area, there will be opportunities for a greater variety of residential products within the neighborhood and provide consistency with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.***

With approval of the amendments to the Development Agreement (File No. PDA16-003) and Specific Plan (File No. PSPA19-006), project site meets the minimum lot area and dimensions of the Standalone Residential land use district of the Rich-Haven Specific Plan, and is physically suitable for the type of residential development proposed in terms

of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density of development proposed.*** The project site is proposed for residential development at a density of approximately 11 DUs/acre. With approval of the amendments to the Development Agreement (File No. PDA16-003) and Specific Plan (File No. PSPA19-006), project site will meet the minimum lot area and dimensions of the Standalone Residential land use district of the Rich-Haven Specific Plan, and is physically suitable for this proposed density 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.*** With implementation of the mitigation measures of the Rich Haven Specific Plan Environmental Impact Report, the proposed subdivision and improvements thereon are not likely to cause substantial environmental damage or injury to wildlife. The project site has been listed as potential habitat for the Burrowing Owl, which is protected by the Migratory Bird Treaty Act and identified as a Species of Special Concern by the California Department of Fish and Wildlife (“CDFW”). The project will be required to provide focused studies prior to any ground-disturbing activity. Should any specimens be discovered on site, proper relocation activities will be followed to the satisfaction of the CDFW. The project site is not located in an area that has been identified as containing any other 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 residential 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 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 23rd day of March, 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT19-006 (TTM 20265)
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: March 23, 2021
File No: PMTT19-006 (TTM 20265)
Related Files: PDEV20-030, PDA16-003

Project Description: A Tentative Tract Map to subdivide 21.10 gross acres of land into 111 numbered lots and 36 lettered lots for land generally located at the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan (APN: 0218-652-27); **submitted by GDC-RCC 2, L.P.**

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

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

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions of Approval for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions of Approval 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 of Approval for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

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

2.2 Subdivision Map.

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

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

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any

claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

2.4 Landscaping.

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

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

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

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

(e) Final planting palettes, park amenities, etc. shall be, coordinated, reviewed and approved with the related Development Plan, File No. PDEV20-030.

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

2.6 Parking, Circulation and Access.

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

(b) 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. Additionally, all cluster drive courts shall be provided with an enhanced pavement treatment.

(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).

2.7 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).

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

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

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

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

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

(d) The CC&Rs shall also include language specific to address Lots 88 through 91, as these Lots' property lines extend across the entire drive aisle for this area.

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

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

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

2.9 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.

2.10 Development Agreement. All terms of the related Development Agreement (File No. PDA16-003), undergoing an amendment as a result of this project shall be followed, including, but not limited to, utilities, maintenance, and Development Impact Fees. Additionally, all required parkland fees shall be paid prior to the building permit issuance of the 100th unit. The Development Agreement shall also address the obligation for future development of the remainder of Planning Area 8A to absorb the deficiency in density of this project area, thus providing a minimum of 14 dwelling units per acre across the entirety of Planning Area 8A.

2.11 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

2.12 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) Tract Map File No. PMTT19-006 approval is contingent on City Council approval of the proposed amendments to the Rich Haven Specific Plan (File Nos. PGPA19-005 and PSPA19-006) and of the related amendments to the Development Agreement (File No. PDA16-003).

(b) Building permits for precise grading and construction documents are contingent on Planning Commission review of the related Development Plan application (File No. PDEV20-030).



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input checked="" type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. TM-20265 RELATED FILE NO(S). PMTT19-006, PDEV20-030	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn (909) 395-2416

DAB MEETING DATE: March 15, 2021

PROJECT NAME / DESCRIPTION: TM-20265, A Tentative Tract Map to subdivide 20.48 acres of land into 154 parcels (128 numbered lots and 26 lettered lots) within the Standalone Residential land use district of the Rich Haven Specific Plan

LOCATION: East side of future Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road

APPLICANT: GDC-RCC 2, L.P.

REVIEWED BY: Raymond Lee 3/3/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: Khoi Do 3-4-21
 Khoi Do, P.E. Date
 City Engineer



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

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 - 1. Street "A" to the ultimate full street right-of-way width of 60 feet along the project frontage
 - 2. Clifton Avenue to the ultimate half street right-of-way width of 33 feet along the project frontage
 - 3. The applicant/developer shall acquire the ultimate half street right-of-way of 33 feet for Clifton Avenue from Street "A" to the southerly project limits from the adjacent easterly property (APN: 0218-211-21)
 - 4. Property line corner 'cut-back' required at all street intersections within the project boundaries
 - 5. An additional 18' from the ultimate right-of-way of Mill Creek Avenue along the project frontage for a 30' neighborhood edge

- 1.02 Dedicate to the City of Ontario, the following easement(s):
 - A. An easement for public utility purposes with a width of 24-40' varies along all private streets.
 - B. 20 feet wide easement for public utility purposes along all private alleys.
 - C. 15 feet wide easement for public utility purposes from Street "A" to Ontario Ranch Road through Lot 2 of Parcel Map No. 19725 (See COA 2.29C)

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

- 1.04 Vacate the following street(s) and/or easement(s):
 - 1. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 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 Financial Services Department at (909) 395-2124 regarding this requirement.

 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:

 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

- 1.14 Other conditions:

 - 1. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
 - 2. The Tract Map shall comply with the approved Rich Haven Specific Plan, the Development Agreement, the Conditions of Approval for Tentative Parcel Map No. 19725 and the Conditions of Approval for this Tentative Tract Map.
 - 3. Applicant/developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.



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

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

- 2.01 Record Tract Map No. 20265 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____



- 2.10 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. 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	Mill Creek Avenue	Street "A"	Clifton Avenue	All Interior Streets/ Alleys (Private)
Curb and Gutter	<input checked="" type="checkbox"/> New; 32 ft. east from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 18 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 18 ft. from C/L both sides <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 checked="" type="checkbox"/> New; 30 ft. east from C/L, including pavm't transitions (A, B)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 16 ft. from C/L both sides	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 16 ft. from C/L both sides	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (East side) (A) <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New (Both sides) <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New (West side) <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



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

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

- A. Limits are from Ontario Ranch Rd. to the southerly project frontage
- B. A 14' circulation lane and a 5' paved shoulder are required on the west side.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).**
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 2,030 feet away.**
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - A. Construct 8" SS main along Clifton Avenue from southerly tract boundary point of connection to past midway of the project site (Lot 103 northerly property line).
 - B. Construct 15" SS main along Mill Creek Avenue from northerly tract boundary point of connection to southerly point of connection, just north of Eucalyptus Avenue.
 - C. Construct 8" SS Main along Street "A" from Mill Creek to Clifton Avenue.
 - D. Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations: The Tract Map sewer mains design shall follow the TTM20157 and TTM20265 SSAMP (AKA Sewer System Hydraulic Analysis), dated 10/27/2020, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval.

D. WATER

- 2.27 **A 12 inch water main is available for connection by this project in Ontario Ranch Rd. (Ref: Water plan bar code: W15611)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - A. Construct 8" DW main along Clifton Avenue from southerly point of connection to Street "A". Final pipe size to be determined via hydraulic analysis.
 - B. Construct 8" DW main along Street "A" west to point of connection in Mill Creek Avenue. Final pipe size to be determined via hydraulic analysis.
 - C. **Two Points of Water Connection:** This tract is required to have two points of connections for water. Option number one is the development shall construct 12" DW main along Mill Creek Avenue from the connection point at Ontario Ranch Road to southerly point of connection, just north of Eucalyptus Avenue. The alternative is to go through a PUE to the north to connect to the Ontario Ranch Road/Cantu Galleano.
 - D. Utilities Services/Mains Layout: USM layout may need to be redesign to meet with Division Drinking Water (DDW) separation especially domestic water crossings.



E. RECYCLED WATER

- 2.30 A 12 inch recycled water main is available for connection by this project in Ontario Ranch Rd. (Ref: Recycled Water plan bar code: P11417)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.**
- 2.34 Other conditions:
 - A. Construct 8" RW main along Street "A" from Mill Creek Avenue to midway of the project site, approximately Lot 86.
 - B. Construct 12" RW along Mill Creek Avenue from Ontario Ranch Road to southerly tract limits.

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - A. Design and construct street improvements along property frontage in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.
 - B. Mill Creek Avenue shall be posted "No Parking Anytime."
 - C. Prior to any traffic generation on Mill Creek Avenue, the Applicant/Developer will be responsible to design and construct a traffic signal system at Ontario Ranch Road and Mill Creek Avenue.
 - D. Pedestrian paseos will be required to provide direct pedestrian access from future developments to transit stops, e.g. bus pads and turnouts.
 - E. Curb return radius shall be designed and constructed per City of Ontario Standard Drawing No. 1106.
 - F. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.



- G. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal, signing and striping and/or street lighting design to discuss items such as signal phasing, striping layout and tie-ins to existing or future street light circuits.**

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. 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:**
 - A. Design and construct a 108" storm drain line on Mill Creek Ave from Ontario Ranch Rd to southerly point of connection north of Eucalyptus Ave.**
 - B. Design and construct a 24" storm drain line on Street "A" from Mill Creek Ave to Street "D" (private).**
 - C. Design and construct storm drain lines on private streets. Sizes and alignments as shown on the Tentative Tract Map 20265/Utilities System Map dated October 2020.**

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**



- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.

- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally along the project frontages on Mill Creek Ave, Street "A", Clifton Ave, and all private streets/alleys.

- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:

<https://www.ontarioca.gov/OMUC/IntegratedWaste>

- 2.53 Other conditions:

- A. **Organics Separation and Collection:** This development shall comply with the Requirements of State Assembly Bill AM1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes. Each dwelling unit must have three auto cans, including the six-pack product. Currently, it only shows two cans per each of the six-pack unit, revise the SWHP to show three each.
- B. **Final Solid Waste Handling Plan (SWHP):** Prior to approval of any building permits, revised as stated directly above and submit Final SWHP and be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
- C. **Integrated Waste Management Report (IWMR):** Prior to approval of the Precise Grading Plan, submit to OMUC for review and approval, an Integrated Waste Management Report (IWMR) that complies with the IWMR Requirements
- D. **Park Trash Service:** Provide three 4-cy bins trash enclosure for the proposed park.



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 AutoCAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT19-006, PDEV20-030, and/or Tract Map No. 20265

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

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

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

DATE: April 7, 2019

SUBJECT: PMTT19-006 - A Tentative Tract Map to subdivide 20.48 acres of land into 154 parcels (128 numbered lots and 26 lettered lots) located on the east side of future Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich Haven Specific Plan (APN: 0218-211-12).

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

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

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

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

4.0 FIRE PROTECTION SYSTEMS

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

5.0 BUILDING CONSTRUCTION FEATURES

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



CITY OF ONTARIO

MEMORANDUM

TO: 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: Alexis Vaughn, Assistant Planner

DATE: March 20, 2019

SUBJECT: FILE #: PMTT19-006 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 Parcel Map to subdivide 20.48 acres of land into 154 parcels (128 numbered lots and 26 lettered lots) located at approximately 670' south of the southeast corner of Mill Creek Avenue and Ontario Ranch Road, within the Standalone Residential land use district of the Rich Haven Specific Plan (APN: 0218-211-12).

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

- No comments
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

3/26/19
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 26, 2019
SUBJECT: PMTT19-006

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

Conditions of Approval

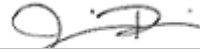
1. Standard Conditions of Approval apply.
2. Water and sewer are to be public, not private.

KS:lm

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

DAB CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

11/20/20

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PMTT19-006

Related Files:

Case Planner:

Alexis Vaughn

Project Name and Location:

Rich Haven/ Distinguished Homes
 670' south of the SEC of Millcreek and Ontario Ranch Rd

Applicant/Representative:

Fusco Engineering
 2850 Inland Empire Blvd
 Ontario, CA 91764



A Tentative Tract Map (dated 3/1/21) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CORRECTIONS REQUIRED

Previous DAB corrections from 06/25/19:

1. Locate utilities to minimum clearances to allow parkway trees. Current design only allows for street trees spaced 50' apart; City requires street trees spaced 30' on center. Parkway trees are to be 30' apart and where residential driveways occur, a maximum 45' apart. Show and note a 10' parkway tree space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines and driveways; and min. 10' clear from streetlights. Locate sewer in driveways. Show all utilities on plans; fiber, electrical...
The future development plan shall address the following:
2. Provide a tree inventory for any existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting.
3. Add tree protection notes on construction and demo plans if the trees are to remain such as the trees to the southern edge of the project area.
4. Note on plans: Tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures.
5. Identify any water quality requirements and systems. Storm water infiltration areas such as basins and swales shall be no greater than 40% of the landscape area width to allow for ornamental landscape. Provide a level grade minimum 4' from paving for landscape. A 25' wide landscape area allows for a 10' wide basin or swale. Show outline of basin or swale top of slope.
6. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
7. Park space shall include amenities; consider spaces for family gathering and games such as permanent table tennis, bocce ball, shade structures, fire pits, BBQ. Incorporate with play

areas. Provide unique, challenging play equipment for playground. Consider Nature inspired equipment from Landscape Structures, Play World, etc. Consider a small splash pad in the play area, if possible.

8. Additional trees are required throughout the open space.
9. Residential single family detached projects shall include a 30" wide solid surface walkway (concrete, pavers, etc.) on at least one side to access the back yard and to move equipment or trash receptacles.
10. Note and show on plans: all AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side shall be added for access.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT19-006

Address: SEC Mill Creek Avenue & Ontario Ranch Road

APN: 0218-211-12

Existing Land Use: Vacant

Proposed Land Use: Tentative Tract Map to subdivide 20.48 acres into 128 numbered lots and 26 lettered lots for residential land uses

Site Acreage: 20.48 acres Proposed Structure Height: N/A

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 4/22/19

CD No.: 2019-024

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 +	
<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.: 2019-024
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.

From: [Alexis Vaughn](#)
To: [Alexis Vaughn](#)
Subject: FW: REMINDER: FINAL COAS NEEDED - PMTT19-006 Rich Haven "Gateway" Project
Date: Wednesday, March 10, 2021 1:02:01 PM

Advance Planning Conditions of Approval

From: Thomas Grahn <TGrahn@ontarioca.gov>
Sent: Wednesday, March 10, 2021 9:15 AM
To: Alexis Vaughn <AVaughn@ontarioca.gov>
Subject: RE: REMINDER: FINAL COAS NEEDED - PMTT19-006 Rich Haven "Gateway" Project

The Plan does adequately address Advance Planning concerns at this time; however, conditions of approval should include the following:

“The proposed overall density of the related Specific Plan, Development Agreement, and Tentative Tract Map shall be consistent with the established land use density of the Specific Plan and land use designations of the TOP.”

FILE NO: PMTT20-008

SUBJECT: A Tentative Parcel Map (TPM 20287) to subdivide 1.17 acres of land into 2 parcels generally located at the northeast corner of Campus Avenue and Belmont Street, at 1121 South Campus Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. 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. 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: 1049-451-14 **submitted by Alex Espinoza.**

PROPERTY OWNER: Inner Vision Ministry, Inc.

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PMTT20-008, 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 1.17 acres of land located at 1121 South Campus Avenue, including 1,596 square feet of existing right-of-way to be abandoned. The project is within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district and is depicted in Figure 1: Project Location, below. The property to the north of the Project site is within the LDR-5 zoning district and is used as a community garden. The property to the south and east are within the LDR-5 zoning district and developed with single-family homes. The properties to the west are zoned LDR-5 and include church and single-family residential uses. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in

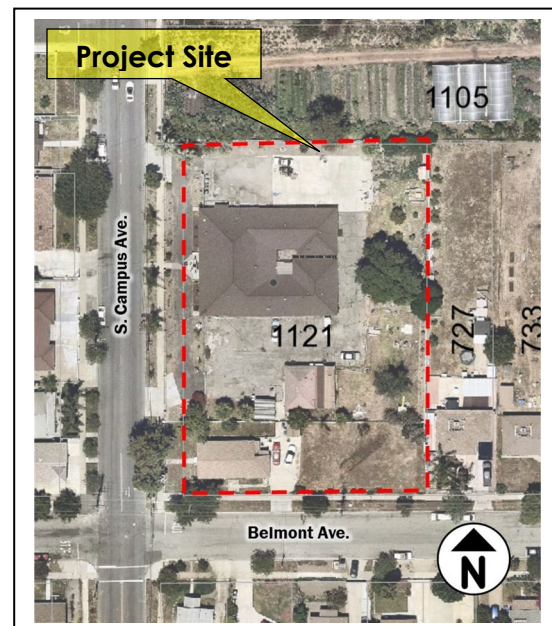



Figure 1: Project Location

Case Planner:	Edmelynn V. Hutter, AICP
Planning Director Approval:	
Submittal Date:	September 24, 2020

Hearing Body	Date	Decision	Action
DAB	3/15/2021	Approval	Recommend
PC	3/23/2021		Final
CC			

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

PROJECT ANALYSIS:

(1) Background — Proposed is a Tentative Parcel Map (TPM 20287) to subdivide the 1.17-acre project site into two lots. The Project site is improved with a building currently used as a Lodging House Facility (File No. PLDG14-001), a single-family residence, a detached two-car garage, and a storage shed. No new development is proposed as part of this Project.

(2) Tentative Parcel Map — The Development Code requires a minimum lot area of 7,200 square feet for properties in the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The proposed Tentative Parcel Map (see Exhibit B, attached) will subdivide the project site into two parcels. Parcel 1 is a corner lot that is 12,468 square feet in area and encompasses the southerly one quarter of the Project site, with a width of 65 feet along South Campus Avenue and depth of 191.81 feet along Belmont Avenue. Parcel 2 is an interior lot that is 201 feet wide and encompasses the balance of the project site (38,553 square feet). Both parcels comply with the minimum lot width requirement of 60 feet for interior lots and 65 feet for corner lots, and minimum lot area requirement of 7,200 square feet. The proposed subdivision includes the abandonment of 6-feet of right-of-way along Campus Avenue, as required by the Engineering Department, and results in the proposed 1.17-acre parcel map.

(3) Site Access — Parcel 1 is currently accessed from Campus Avenue and Belmont Avenue via the existing pedestrian path on Campus Avenue and the existing driveway approach on Belmont Avenue. Parcel 2 is currently accessed from Campus Avenue from two existing driveway approaches and a pedestrian path. No modifications to site access are proposed.

(4) Architecture — Parcel 1 is developed with an existing one-story single-family dwelling that is approximately 1,400 square feet in floor area and likely constructed in the late 1940s. The dwelling has a minimal Traditional or Ranch architectural style, no modification to the structure is proposed, and the property is not designated as a historical resource. Parcel 2 is developed with an existing one-story building that is approximately 7,300 square feet in floor area and constructed in the 1960s. The structure is currently used as a housing and support facility for individuals recovering from substance abuse.

(5) Ontario International Airport Compatibility Zones — The Project site is located within Ontario International Airport Influence Area and is required to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan ("ONT ALUCP"). The project site is located within Safety Zone 3, 65-70 dB CNEL Noise Impact Zone, Airspace Protection Zone and Overflight Notification Zone, that impose development restrictions on the property. Safety Zone 3 prohibits residential land uses

and the intensification of legal non-conforming land uses. However, the ONT ALUCP Special Compatibility Policies SP3 allows non-conforming lots to be developed if the average development density does not exceed the median density represented by all existing residential lots within 1,000 feet of the project site which is 6.6 dwelling units per acre. The project site is presently developed with two residential structures on a lot that is 1.13 acres in size, with an existing density of 1.8 dwelling units per acre. Also, the median residential lot size within 1,000 feet of the project site is 6,500 square feet. The proposed subdivision will create two legal properties that are 12,468 and 38,553 square feet in size over the existing residential structures. The proposed subdivision is not considered an intensification since the residential structures are existing and the proposed lot sizes are not greater in intensity than the median lot size within 1,000 feet of the project size. Furthermore, the Project has been conditioned to record an avigation easement with Ontario International Airport for a right to flight over the project site and will continue to be subject to complying with the policies and criteria of the ONT ALUCP for any future development.

(6) Landscaping — The project will be required to comply with landscape requirements, as applicable.

(7) Utilities (drainage, sewer) — As conditioned, the Project will be required to retrofit existing streetlights with LED luminaires, and is subject to relocating overhead utilities underground or payment of in-lieu fees.

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(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.

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

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

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

Housing Element:

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

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

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

- CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
- CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.
- CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.
- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
 - Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.

- CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.
- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks, or public open spaces.
- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces, and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines, which consists of the division of property in urbanized areas zoned for residential, commercial, or 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 2 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:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Single Family Residential	LDR / IND Overlay	LDR-5 (Low-Density Residential – 2.1-5 du/ac)	N/A
North	Community Garden	LDR / IND Overlay	LDR-5 (Low-Density Residential – 2.1-5 du/ac)	N/A
South	Single Family Residential	LDR / IND Overlay	LDR-5 (Low-Density Residential – 2.1-5 du/ac)	N/A
East	Single Family Residential	LDR / IND Overlay	LDR-5 (Low-Density Residential – 2.1-5 du/ac)	N/A
West	Church, Single Family Residential	LDR / IND Overlay	LDR-5 (Low-Density Residential – 2.1-5 du/ac)	N/A

General Site & Building Statistics

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Project area (in acres):	N/A	1.17 ac	N/A
Maximum project density (dwelling units/ac):	5 du/ac	1.7 du/ac	Y
Maximum coverage (in %):	50%	10% (Parcel 1) 18% (Parcel 2)	Y
Minimum lot size (in SF):	7,200	13,183 SF (Parcel 1) 40,764 SF (Parcel 2)	Y
Minimum lot depth (in FT):	75 FT	191.8 FT	Y
Minimum lot width (in FT):	65 FT (Corner) 60 FT (Interior)	65 FT (Parcel 1) 201 FT (Parcel 2)	Y
Minimum front yard setback (in FT):	20 FT	13.1 FT (Parcel 1) 18 FT (Parcel 2)	N
Minimum side yard setback (in FT):	10 FT (Local Street) 5 FT (Interior)	10.7 FT* (Parcel 1) 18 FT* (Parcel 2)	Y
Minimum rear yard setback (in FT):	10 FT	123 FT* (Parcel 1) 74 FT* (Parcel 2)	Y
Parking – resident:	2 spaces in a garage per dwelling	0 spaces* (Parcel 1) 2 spaces* (Parcel 2)	N

* Existing condition

Exhibit A—PROJECT LOCATION MAP

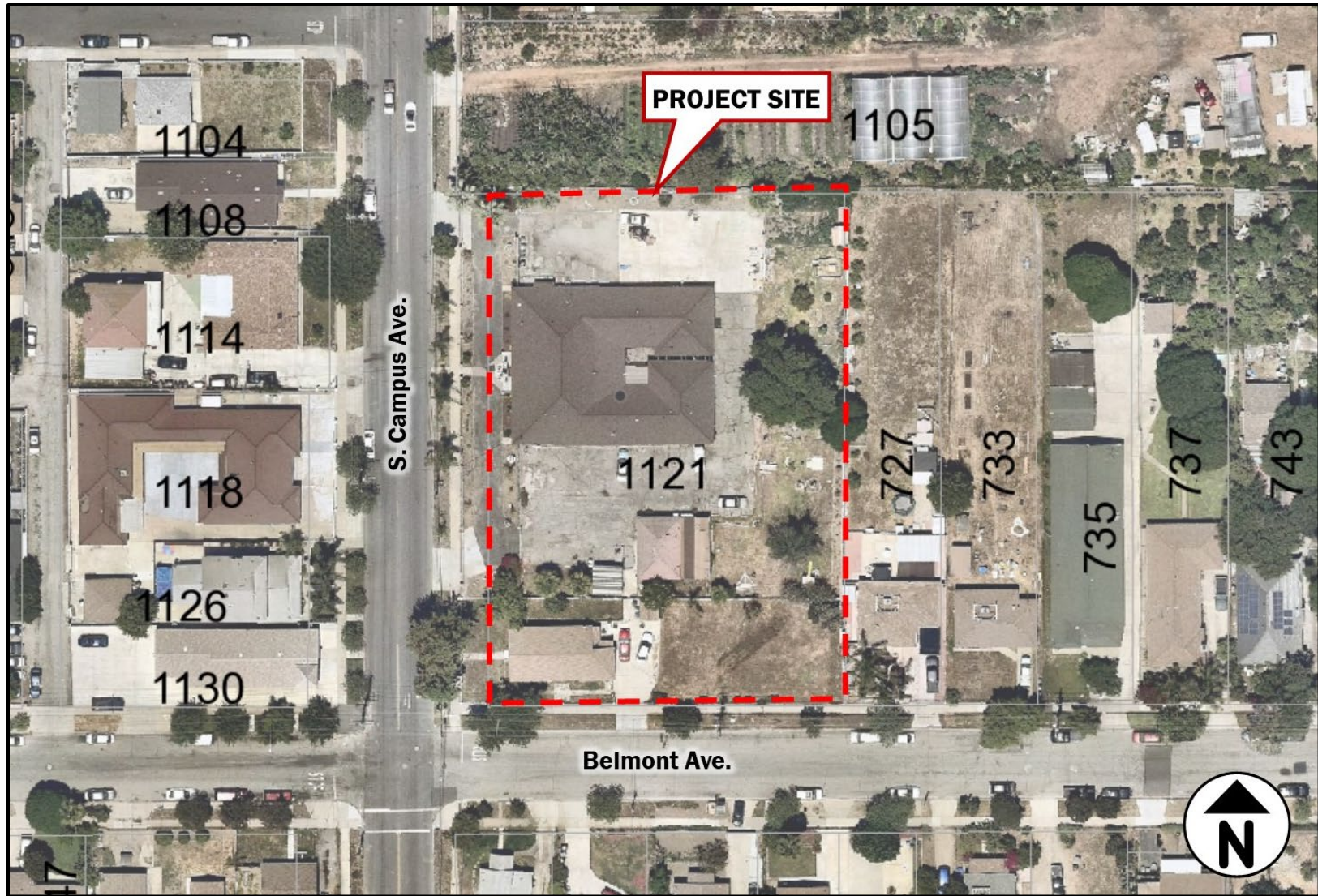
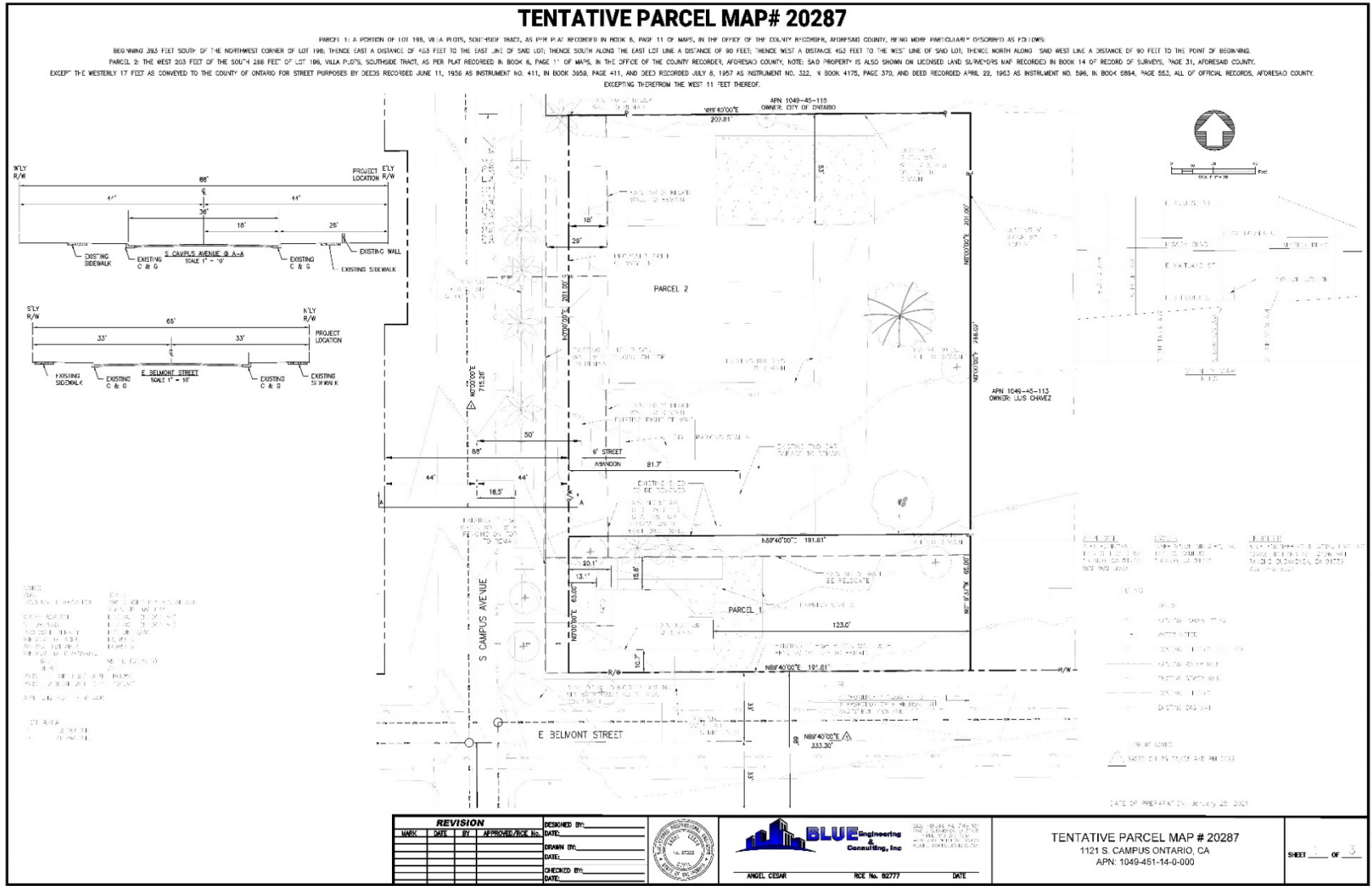


Exhibit B—TENTATIVE PARCEL MAP



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT20-008, A TENTATIVE PARCEL MAP (TPM 20287) TO SUBDIVIDE 1.17 ACRES OF LAND INTO 2 PARCELS GENERALLY LOCATED AT THE NORTHEAST CORNER OF CAMPUS AVENUE AND BELMONT STREET, AT 1121 SOUTH CAMPUS AVENUE, WITHIN THE LDR-5 (LOW DENSITY RESIDENTIAL – 2.1 TO 5.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-451-14.

WHEREAS, Alex Espinoza ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT20-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.17 acres of land generally located on the northeast corner of Campus and Belmont Avenues, at 1121 South Campus Avenue within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district and is presently improved with a Lodging Room Facility, a single-family residence, detached two-car garage, and a storage shed; and

WHEREAS, the property to the north of the Project site is within the LDR-5 zoning district and is developed with a community garden. The property to the east is within the LDR-5 zoning district and is developed with a single-family residence. The properties to the south are within the LDR-5 zoning district and are developed with single-family residences. The properties to the west are within the LDR-5 zoning district and are developed with a church and single-family residences; and

WHEREAS, the Development Code requires a minimum lot area of 7,200 square feet for properties in the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district and the proposed Tentative Parcel Map will subdivide the Project site into two parcels. Parcel 1 is a corner lot that is 12,468 square feet in area and has a width of 65 feet along South Campus Avenue and depth of 191.81 feet along Belmont Avenue. Parcel 2 is an interior lot that is 201 feet wide and encompasses the balance of the project site (38,553 square feet). Both parcels comply with the minimum lot width requirement of 60 feet for interior lots and 65 feet for corner lots, and minimum lot area requirement of 7,200 square feet; and

WHEREAS, the proposed subdivision includes the abandonment of 6-feet of right-of-way along Campus Avenue; and

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("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 March 15, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-007, recommending that the Planning Commission approve the Application; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The Project is categorically exempt from environmental review pursuant to Section 15315 (Class 3, Minor Land Divisions) of the CEQA Guidelines, which consists of division of property in urbanized areas zoned for residential, commercial, or 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 2 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 Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties,

and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, is consistent with the policies and criteria set forth within the ALUCP, subject to conditions.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed 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 Tract/Parcel Map is located within the Low Density Residential (LDR) land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(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 Tract/Parcel Map is located within the Low-Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 zoning 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 contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy

to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the LDR-5 zoning district and is physically suitable for the type of residential subdivision 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 has an existing residential development density of 1.7 dus/acre and no additional units are proposed. The project site meets the minimum lot area and dimensions of the LDR-5 zoning district and is physically suitable for this proposed density.

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

(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 provisions of the City of Ontario Development Code; (c) applicable master plans and design guidelines of the City; and (d) 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT20-008
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: March 23, 2021

File No: PMTT20-008

Related Files: N/A

Project Description: A Parcel Map to subdivide 1.17 acres of land into 2 parcels located at 1121 South Campus Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. 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. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN(s): 1049-451-14); **submitted by Alex Espinoza.**

Prepared By: Edmelynn V. Hutter, AICP, Senior Planner
Phone: 909.395.2429 (direct)
Email: ehutter@ontarioca.gov

The Planning Department, Land Development Division, 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 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 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.

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 Walls and Fences.

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

(b) The applicant shall obtain an approved permit to construct a 6-foot high decorative block wall to be located along the project perimeter and the shared property line for Parcels 1 and 2. Prior to recording the approved Final Parcel Map, the applicant shall obtain approval of final building inspection for said block walls.

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.

2.6 Environmental Review. 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.

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

2.8 Additional Fees.

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

2.9 Additional Requirements.

(a) The shared property line between Parcels 1 and 2 will be located immediately south of the existing detached two-car garage. The existing two-car garage shall be modified in accordance with Building Code and Development Code requirements regarding structure proximity to the property line. The applicant shall obtain the necessary building permits to bring the detached two-car garage in compliance with setback requirements and restrictions. Prior to recording the approved Final Parcel Map, the applicant shall obtain approval of final building inspection for the said building permits.

(b) Prior to approval and recordation of the Final Parcel Map, the applicant shall obtain the necessary permits to demolish and remove the existing storage shed structure, as noted on the Tentative Parcel Map, located to the southwest of the existing two-car garage.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input 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. <u>PMTT20-008/PM-20287</u>		
RELATED FILE NO(S). _____		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Eric Woosley, P.E. (909) 395-2134

CITY PROJECT PLANNER & PHONE NO: Edmelyne Hunter, AICP (909) 395-2429

DAB MEETING DATE: March 15, 2021

PROJECT NAME / DESCRIPTION: PM-20287, a Tentative Parcel Map to subdivide 1.17 acres of land into two (2) parcels.

LOCATION: 1121 South Campus Avenue

APPLICANT: Alex Espinoza

REVIEWED BY: 2/9/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: 2-10-21
 Khoi Do, P.E. Date
 City Engineer



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

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of Belmont Street and Campus Avenue. Based on the design of the modified ADA ramp, the cut-back may not be required, and will be determined during plan check of the modified ramp.
- 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): 6-feet of Right-of-Way along the Campus Avenue property frontage to make the half street, centerline to ROW width 44-ft.
- 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 Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: Prepare a fully executed encroachment agreement (on City approved format and forms) for the fence/wall located in the public right-of-way/easement on Campus Avenue.

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

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

- 2.01 Record Parcel Map/Tract Map No. 20287 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

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

- 2.08 Submit a soils/geology report.

- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____

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

_____ feet on _____

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

- 2.11 Dedicate to the City of Ontario the following easement(s): _____

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



- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 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 _____, 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	Campus Avenue	Belmont Street	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"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace/modify	<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 checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, 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 \$18,900, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.**
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8-inch sewer main is available for connection by this project in Belmont Street. (Ref: Sewer plan bar code: S12680)**
- 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 **An 18-inch water main is available for connection by this project in Belmont Street. (Ref: Water plan bar code: W11847)**
- 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 No recycled water main is available for connection by this project in. (Ref: Recycled Water plan bar code: N/A)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
- 1. On-site and off-site circulation
- 2. Traffic level of service (LOS) at 'build-out' and future years
- 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions: Retrofit the existing public lights along the property frontage of Campus Avenue, in accordance with the City of Ontario Traffic and Transportation Design Guidelines.

G. DRAINAGE / HYDROLOGY

- 2.38 No storm drain main is available to accept flows from this project. (Ref: Storm Drain plan bar code: N/A)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.



- 2.43 Other conditions: _____

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.



L. Integrated Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions: _____



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: **Parcel Map No. 20287**

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

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Edmelynn Hutter, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/ Fire Marshal

DATE: October 5, 2020

SUBJECT: PMTT20-008 - A Parcel Map to subdivide 1.17 acres of land into 3 parcels located at 1121 South Campus Avenue, within the LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac) zoning district (APN: 1049-451-14).

- The plan **does** adequately address Fire Department requirements at this time.
 - Standard Conditions of Approval apply, as stated 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
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Rudy Zeledon, Assistant Planning Director / *Edmelyune*

DATE: September 30, 2020

SUBJECT: FILE #: PMTT20-008

Finance Acct#:



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

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

PROJECT DESCRIPTION: A Parcel Map to subdivide 1.17 acres of land into three (3) parcels located at 1121 South Campus Avenue, within the LDR-5 (Low Density Residential) zoning district (APN(s): 1049-451-14).

- 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.

KR

Department _____ Signature _____ Title _____ Date _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Rudy Zeledon/Edmelynne
FROM: BUILDING DEPARTMENT, Kevin Rugg
DATE: August 05, 2020
SUBJECT: PMTT20-008

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KR:MA



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Rudy Zeledon, Assistant Planning Director / *Edmelyane*

DATE: September 30, 2020

SUBJECT: FILE #: PMTT20-008

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Parcel Map to subdivide 1.17 acres of land into three (3) parcels located at 1121 South Campus Avenue, within the LDR-5 (Low Density Residential) zoning district (APN(s): 1049-451-14).

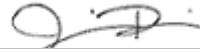
- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be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

Department Landscape Planning Division Signature *[Signature]* Title landscape Planner Date 10/19/20

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

DAB CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Senior Landscape Planner

10/19/2020

Date

Reviewer's Name:

Jamie Richardson, Senior Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PMTT20-008

Related Files:

Case Planner:

Edmelynne Hutter

Project Name and Location:

Subdivide 1.17 acres into 3 parcels
 1121 South Campus Avenue

Applicant/Representative:

Angel Cesar, P.E.
 17223 Highland Ave. #106-594
 Rancho Cucamonga, CA 91739



A Tentative Tract Map (09/30/2020) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CORRECTIONS REQUIRED

1. Show and identify any on-site storm water infiltration areas or storm water infiltration devices proposed in parkways or other landscape areas.

On Grading or Utility Construction Plans:

2. Storm water infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved prior to permit approval or installation.
3. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 ½" below finished surfaces; landscaped slopes to be max 3:1.
4. Show or note transformers shall be located in planter areas, and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans.
5. Show or note backflow devices shall be located in planter areas, and set back min 3' from paving. Locate on level grade. Coordinate with landscape plans.
6. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum spacing to allow space for street trees.
7. Show light standards 15' away from required tree locations.
8. Wall footings shall not restrict landscape; max 12" in front of footing with of 12" of cover.
9. Storm water infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division prior to installation.
10. 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. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans.
11. Add notes for any tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT20-008
 Address: 1121 South Campus
 APN: 1049-451-14
 Existing Land Use: 2 Residential Structures (1 single family home and 1 lodging facility)
 Proposed Land Use: Subdivide 1 parcel into 2 parcels
 Site Acreage: 1.14 acres Proposed Structure Height: Existing Buildings
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Edmelynn Hutter
 Date: 02/23/2021
 CD No.: 2020-015 Rev.1
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input checked="" type="checkbox"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 90 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 provided the following condition is met:

The project shall be required to file an avigation easement with Ontario International Airport.

Airport Planner Signature: _____

FILE NO: PDA18-004

SUBJECT: A Development Agreement (File No. PDA18-004) between the City of Ontario and Merrill Commerce Center East LLC, to establish the terms and conditions for the development of Tentative Parcel Map 20273 (File No. PMTT20-010), a 366.65 acre property generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan (APNs: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06). **Submitted by Merrill Commerce Center East, LLC. City Council action is required.**

PROPERTY OWNER: Prologis L.P.; Joseph and Doleen Borba Administrative Trust; Minaberry Family, LLC.

RECOMMENDED ACTION: That the Planning Commission consider and recommend City Council adoption of an ordinance approving the Development Agreement (File No. PDA18-004) between the City of Ontario and Merrill Commerce Center East LLC., pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of 366.65 acres of land, generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Merrill Commerce Center

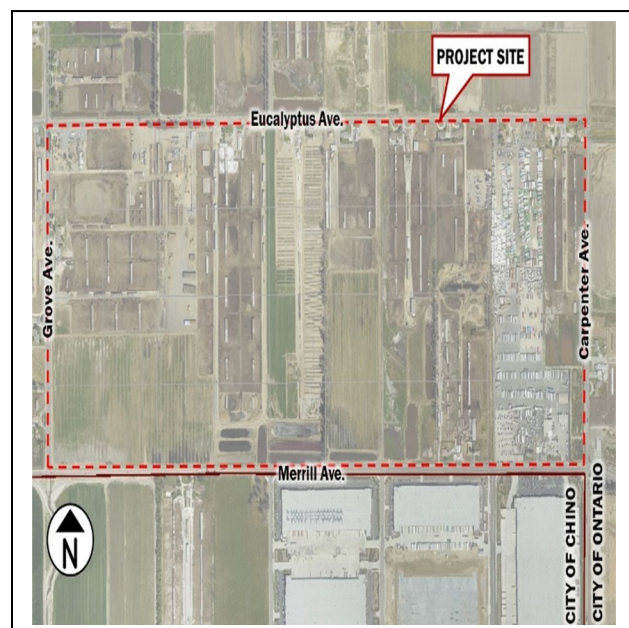



Figure 1: Project Location

Case Planner:	Derrick Womble, Administrative Officer
Planning Director Approval:	
Submittal Date:	06/20/2018

Hearing Body	Date	Decision	Action
DAB	N/A	N/A	N/A
PC	03/23/2021		Recommend
CC	04/20/2021		Final

Specific Plan and is depicted in Figure 1: Project Location.

PROJECT ANALYSIS:

(1) Background — On February 2, 2021, the City Council approved the Environmental Impact Report (EIR) SCH#2019049079, and Merrill Commerce Center Specific Plan, File No. PSP18-001 (the “Specific Plan”) which addressed the potential development of approximately 8,455,000 square feet of Business Park and Industrial uses.

The Ontario Ranch financial commitments required for construction of properties within a specific plan are substantial. Therefore, in order to adequately forecast these costs and gain assurance that the project may proceed under the existing policies, rules and regulations, Merrill Commerce Center East, LLC. (“Owner”) has requested that the City enter into negotiations to create a Development Agreement (“Agreement”).

In accordance with California Government Code Section 65865, which in part states that that “[a]ny city... may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property...” and California Government Code Section 65865.52, which in part states that “a Development Agreement shall specify the duration of the Agreement, the permitted uses of the property... and may include conditions, terms, restrictions...,” the City of Ontario adopted Resolution No. 2002-100 setting forth the procedures and requirements for consideration of Development Agreements. Pursuant to these procedures and requirements, staff entered into negotiations with the Owner to create a Development Agreement for consideration by the Planning Commission and City Council.

The Agreement (File No. PDA18-004) is the second development agreement to be proposed outside of the NMC Builders’ Construction Agreement development area and was established in coordination between the City Attorney and the Owner’s legal counsel. The provisions of the Agreement are consistent with the commitments to assure adequate public infrastructure improvements are constructed or funded by the Owner.

(2) Staff Analysis – The Agreement proposes to include 366.65 acres of land within the Business Park and Industrial land use districts of the Specific Plan, as shown on the attached Exhibit “A”. The Agreement grants the Owner a vested right to develop Tentative Parcel Map 20273 (File No. PMTT20-010), provided the Owner complies with the terms and conditions of the Specific Plan and EIR. The Tentative Parcel Map 20273 (see Exhibit “B”) proposes to subdivide 366.65 acres of land into 22 lots and is bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Specific Plan.

The term of the Agreement is for ten (10) years, with a five (5) year option to renew. The main points of the agreement address funding for all new City expenses created by the project, which includes: Development Impact Fees (DIF) for construction of public

improvements (i.e. streets and bridges, sewer, water, storm drain and fiber); funding a portion of Phase 2 Water Improvements; Public Service Funding to ensure adequate provisions of public services (police, fire and other public services); and the creation of a Community Facilities District (CFD) for the maintenance of public facilities. Additionally, the Agreement will allow the Owner to phase the development of the Project, subject to approval by the City.

Staff finds that the Agreement is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application to the Planning Commission. If the Planning Commission finds the Agreement is acceptable, a recommendation of approval to the City Council would be appropriate.

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(2) Vision.

Distinctive Development:

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

(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:

- 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:

➤ 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;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Landscaped parkways, with sidewalks separated from the curb.

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

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways,

corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

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

➤ CD2-10 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: Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based 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.

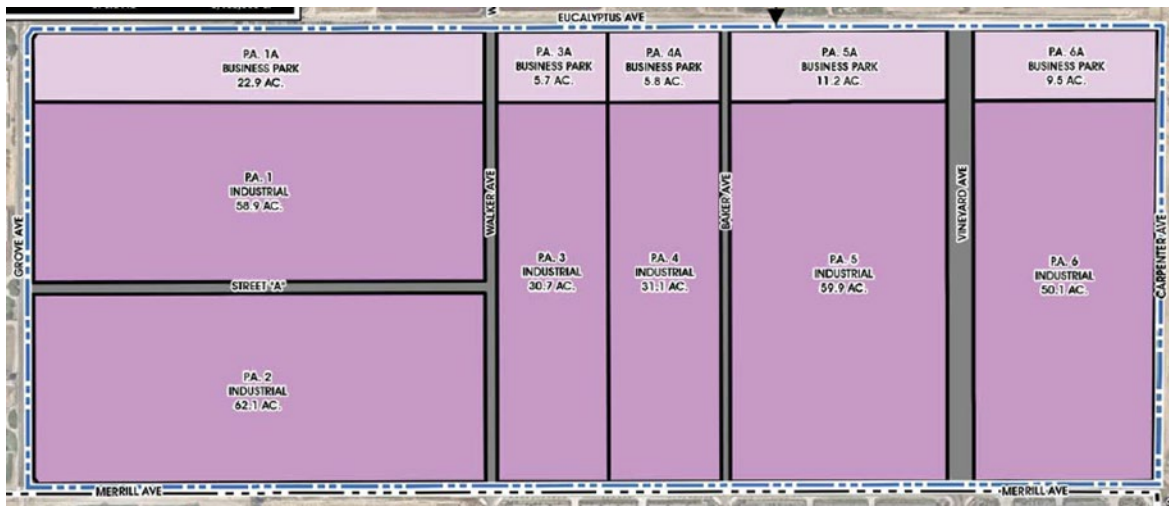
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development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

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. On the

basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. The environmental documentation for this project is available for review at the Planning Department public counter.

The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan, for which a(n) EIR (SCH#2019049079) was adopted by the City Council on February 2, 2021. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

Exhibit "A"
Merrill Commerce Center Specific Plan Land Use Map



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT (FILE NO. PDA18-004), BETWEEN THE CITY OF ONTARIO AND MERRILL COMMERCE CENTER EAST LLC, TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20273 (FILE NO. PMTT 20-010), A 366.65 ACRE PROPERTY GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST, WITHIN THE BUSINESS PARK AND INDUSTRIAL LAND USE DISTRICTS OF THE MERRILL COMMERCE CENTER SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06).

WHEREAS, Merrill Commerce Center East LLC., ("Applicant") has filed an Application for the approval of a Development Agreement, File No. PDA18-004, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 366.65 acres of land generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan; and

WHEREAS, on February 2, 2021, the City Council adopted Ordinance No. 3178, approving the Environmental Impact Report (SCH#2019049079) and Merrill Commerce Center Specific Plan ("Specific Plan"), which addressed the potential development of up to 8,455,000 square feet of Industrial and Business Park land uses; and

WHEREAS, a Tentative Parcel Map 20273 (File No. PMTT20-010) to subdivide approximately 366.65 acres of land into 22 lots was submitted in conjunction with the Application; 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 the Merrill Commerce Center Specific Plan (File No. PSP18-001), for which an Environmental Impact Report — State Clearinghouse No. 2019049079 — (hereinafter referred to as "Certified EIR") was adopted by the City Council on February 2, 2021, and this Application introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make a recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, 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; 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 March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File No. PSP18-001), for which a Certified EIR was adopted by the City Council on February 2, 2021.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending 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 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. 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

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(a) The Development Agreement applies to approximately 366.65 acres of land, generally bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan; and

(b) The Development Agreement establishes parameters for the development of the proposed Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan. The Development Agreement also grants the Applicant, the right to develop, the ability to quantify fees, and establish the terms and conditions that apply to those projects. These terms and conditions are consistent with The Ontario Plan Policy Plan (General Plan), design guidelines and development standards for the Merrill Commerce Center Specific Plan; and

(c) The Development Agreement grants the Applicant a vested right to develop Tentative Parcel Map 20273 (File No. PMTT20-010) so long as the Applicant, complies with the terms and conditions of the Merrill Commerce Center Specific Plan and EIR. Tentative Parcel Map 20273 is generally bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, and proposes to subdivide 366.65 acres of land into 22 lots; and

(d) The Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

(e) The Development Agreement does not conflict with the Land Use Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development

within the district, in a manner consistent with the Policy Plan and with related development; and

(f) This Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

(g) This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will not have a significant impact on the environmental or the surrounding properties. The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan, for which an EIR (SCH#2019049079) was adopted by the City Council on February 2, 2021. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

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, subject to each and every condition set forth in the Development Agreement (File No. PDA18-004) 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDA18-004

DEVELOPMENT AGREEMENT

By and Between

**City of Ontario,
a California municipal corporation,**

and

**Merrill Commerce Center East LLC.,
a Delaware limited liability company**

(Development Agreement to follow this page)

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

CITY OF ONTARIO
CITY CLERK / RECORDS MANAGEMENT
303 EAST "B" STREET
ONTARIO, CA 91764-4196

Space above this line for Recorder's Use Only

Exempt from Fees Per Gov. Code § 6103

File No. PDA18-004

DEVELOPMENT AGREEMENT

By and Between

**CITY OF ONTARIO,
a California municipal corporation,**

and

**MERRILL COMMERCE CENTER EAST LLC,
a Delaware limited liability company**

_____ , 2021

San Bernardino County, California

DEVELOPMENT AGREEMENT NO. PDA18-004

This Development Agreement (hereinafter "Agreement") is dated for reference purposes only as of the ____ day of _____, 2021 by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and Merrill Commerce Center East, LLC, a Delaware limited liability company (hereinafter "OWNER"):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code and Section 4.01.015 of the Ontario Development Code; and

WHEREAS, OWNER has requested CITY to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, all of the procedures of the California Environmental Quality Act, Pub. Res. Code § 21000, et seq. ("CEQA") have been met with respect to the Project and the Agreement in that certain Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) (the "FEIR").

WHEREAS, on February 2, 2021, the City Council found and determined that the FEIR was prepared in accordance with the requirements of CEQA and adequately describes the impacts of the Project described in the FEIR, which included consideration of this Agreement; and

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and the Merrill Commerce Center Specific Plan; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Project Site, as more particularly described and depicted in **Exhibits A** and **B**, respectively (the "Property") in accordance with this

Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Section 65864 et seq. of the Government Code are intended; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with this Agreement; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "CITY" means the City of Ontario, California, a California municipal corporation.

1.1.3 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of public infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. "Development" does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.4 "Development Approvals" means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

(a) general plans and general plan amendments; and specific plans and specific plan amendments;

(b) tentative and final subdivision and parcel maps;

(c) development plan review.

1.1.5 "Development Exaction" means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.6 "Development Impact Fee" means a monetary exaction, other than a tax or special assessment, whether characterized as a fee or a tax and whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and, for purposes of this Agreement only, includes fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4. For purposes of this Agreement only, "Development Impact Fee" shall not include processing fees and charges imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued, including, without limitation, fees for zoning variances; zoning changes; use permits; building inspections; building permits; filing and processing applications and petitions filed with the local agency formation commission or conducting preliminary proceedings or proceedings under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code; the processing of maps under the provisions of the Subdivision Map Act, Division 2 (commencing with Section 66410) of Title 7 of the Government Code; or planning services under the authority of Chapter 3 (commencing with Section 65100) of Division 1 of Title 7 of the Government Code, fees and charges as described in Sections 51287, 56383, 57004, 65104, 65456, 65863.7, 65909.5, 66013, 66014, and 66451.2 of the Government Code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code, as such codes may be amended or superseded, including by amendment or replacement.

1.1.7 "Development Plan" means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.8 "Effective Date" means the date that the ordinance approving this Agreement goes into effect.

1.1.9 "Existing Development Approvals" means all Development Approvals approved or issued on or prior to the Effective Date. Existing Development Approvals includes the Approvals incorporated herein as Exhibit "C" and all other Approvals which are a matter of public record on the Effective Date.

1.1.10 "Existing Land Use Regulations" means all Land Use Regulations in effect on the date of the first reading of the ordinance adopting and approving this Agreement.

Existing Land Use Regulations includes the Regulations incorporated herein as Exhibit "D" and all other Land Use Regulations that are in effect and a matter of public record on such date.

1.1.11 "General Plan" means The Ontario Plan adopted on January 26, 2010, as amended up to the date of the first reading of the ordinance adopting and approving this Agreement.

1.1.12 "Improvement" or "Improvements" means those public improvements required to support the development of the Project as described in the Parcel Map conditions for Parcel Map No. 20273 ("Parcel Map") as further described in Exhibit "E" and depicted in Exhibit "F" (together, the "Infrastructure Improvements Exhibit").

1.1.13 "Land Use Regulations" means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, timing and phasing of development, the maximum height and size of buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. "Land Use Regulations" does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) the conduct of businesses, professions, and occupations;
- (b) taxes and assessments;
- (c) the control and abatement of nuisances;
- (d) the granting of encroachment permits and the conveyance of similar rights and interests that provide for the use of or the entry upon public property;
- (e) the exercise of the power of eminent domain.

1.1.14 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.15 "OWNER" means the persons and entities listed as owner on page 1 of this Agreement and their permitted successors in interest to all or any part of the Property.

1.1.16 "Owner Affiliate" shall mean, (i) any entity that directly or indirectly controls, is controlled by, or is under common control with OWNER, or (ii) an entity at least a majority of whose economic interest is owned by OWNER. For purposes of this definition, the term "control" means the power to direct the management of such entity through voting rights, ownership or contractual obligations.

1.1.17 "Phase" means the development area described in the Infrastructure Improvements Exhibit to this Agreement.

1.1.18 "Phase 2 Water Participation Fee" means the fee paid to the CITY for the Project, to fund the Property's respective share of the project costs of the design and construction of the Phase 2 Water Improvements by the CITY. The Phase 2 Water Participation Fee shall be the calculated amount of the Regional Water DIF for the Project based upon the number of square feet, acreage, and land use category for non-residential square footage of the Project.

1.1.19 "Project" means the development of the Property contemplated by the Development Plan, as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.20 "Property" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.21 "Reservations of Authority" means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.4 of this Agreement.

1.1.22 "Specific Plan" means that certain specific plan adopted by the City Council, and entitled, "Merrill Commerce Center Specific Plan."

1.1.23 "Subsequent Development Approvals" means all discretionary Development Approvals required subsequent to the Effective Date in connection with development of the Property. Subsequent Development Approvals shall be deemed to be subject to the provisions of this Agreement, without any further action needed on the part of either the CITY or OWNER.

1.1.24 "Subsequent Land Use Regulations" means any discretionary Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit "A" — Legal Description of the Property.

Exhibit "B" — Map showing Property and its location.

Exhibit "C" — Existing Development Approvals.

Exhibit "D" — Existing Land Use Regulations.

Exhibit "E" — Description of Required Infrastructure Improvements

Exhibit "F" — Depiction of Infrastructure Improvements Exhibits

Exhibit "G" – Form of Certificate of DIF Credit to be issued by CITY

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of fee simple title or the lessee or an optionee of the Property or a portion(s) thereof. . To the extent applicable, OWNER has obtained written consent from the current fee owner of the Property agreeing to the terms of this Agreement and the recordation thereof.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for an initial term of ten (10) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement. Upon approval by the City Manager, without the need for City Council approval, the term of this Agreement may be extended for an additional five (5) years following expiration of the initial ten (10) year term, provided the following have occurred:

- (a) OWNER provides at least 180 days written notice to CITY prior to expiration of the initial term; and
- (b) OWNER is not then in uncured default of this Agreement.

2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.), to any person, partnership, limited liability company, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement with respect to the portion of the Property sold and be made in strict compliance with the following:

(a) Except as expressly provided for herein, no sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, OWNER shall notify CITY's City Manager, in writing, of such sale, transfer or assignment and shall provide CITY with: (1) an executed agreement, in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement with respect to the portion of the Property so sold, transferred or assigned.

(c) Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this

Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed. The City Manager shall have the authority to review, consider and either approve, conditionally approve, or deny any proposed sale, transfer or assignment that is not made in compliance with this section 2.4.

(d) Notwithstanding the foregoing, OWNER shall have the right to assign this Agreement to an Owner Affiliate subject to the notice requirements to CITY as described in Paragraph (b) of this Section 2.4.1, above.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring owner is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring owner of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the portion of the Property sold, transferred or assigned.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed an agreement as required under Paragraph (b) of Subsection 2.4.1 above.

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER (if any) to secure performance of its obligations hereunder which are to be performed upon portion of the Property sold, transferred or assigned.

2.4.3 Effect of Assignment and Release of Obligations. In the event of a sale, transfer or assignment pursuant to the provisions of Section 2.4.1 and notwithstanding the release provisions of Section 2.4.2 above:

(a) The assignee shall be liable for the performance of all obligations of OWNER with respect to transferred property, but shall have no obligations with respect to the portions of the Property, if any, not transferred (the "Retained Property").

(b) The owner of the Retained Property shall be liable for the performance of all obligations of OWNER with respect to Retained Property, but shall have no further obligations with respect to the transferred property.

(c) The assignee's exercise, use and enjoyment of the Property or portion thereof shall be subject to the terms of this Agreement to the same extent as if the assignee were the OWNER.

2.4.4 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section 2.4.

2.4.5 Termination of Agreement With Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one (1) year) of any parcel which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user of the parcel. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one (1) year) to a member of the public or other ultimate user; and,

(b) A certificate of occupancy has been issued for a building on the parcel, and the fees set forth under Section 4 of this Agreement have been paid.

2.4.6 Partial Assignment and Assumption. CITY and OWNER agree OWNER may partially assign its obligations and rights under this Agreement, and all amendments hereto, to a purchaser, transferee or assignee of a lot, which has been subdivided subject to provisions of a partial assignment and assumption agreement in a form approved by CITY. Any such complete and executed partial assignment and assumption of this Agreement shall be submitted to CITY for approval pursuant to Section 2.4.1 of this Agreement. Within thirty (30) days following such complete submittal, CITY shall review, and if the above conditions are satisfied, may approve the partial assignment and release and notify the purchaser, transferee or assignee in writing thereof. No such release approved pursuant to this Subsection 2.4.6 shall cause, or otherwise affect, a release of OWNER from the duties and obligations under this Agreement that are retained by OWNER and excluded from the transfer or assignment.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only in the manner provided for in Government Code Section 65868.1. Any amendment of this Agreement, which amendment has been requested by OWNER, shall be considered by the CITY only upon the payment of the applicable processing charge. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement. Either party or successor in interest, may propose an amendment to or cancellation, in whole or in part, of this Agreement. Any amendment or cancellation shall be by mutual consent of the parties or their successors in interest except as provided otherwise in this Agreement or in Government Code Section 65865.1. For purposes of this section, the term "successor in interest" shall mean any person having a legal or equitable interest in the whole of the Property, or any portion thereof as to which such person wishes to amend or cancel this Agreement. The procedure for proposing and adopting an amendment to, or cancellation of, in whole or in part, this Agreement shall be the same as the procedure for adopting and entering into this Agreement in the first instance. Notwithstanding the foregoing sentence, if the CITY initiates the proposed amendment to, or cancellation of, in whole or in part, this Agreement, CITY shall first give notice to the OWNER of its intention to initiate such proceedings at least sixty (60) days

in advance of the giving the public notice of intention to consider the amendment or cancellation.

2.6 Minor Modification. Upon the written application of OWNER, minor modifications and changes to the Development Plan including modifications to building design or footprint (not affecting minimum setbacks), parking layout and design, and landscape area design may be approved by the Director of the Planning Department without the need to amend this Development Agreement. Other changes in the Development Plan shall be processed pursuant to the City Zoning Ordinance. It is also contemplated by CITY and OWNER that OWNER may, from time to time, seek amendments to one or more of the Development Approvals. Any such amendments are contemplated by CITY and OWNER as being within the scope of this Agreement as long as they are consistent with the Land Use Regulations and shall, upon approval by CITY, continue to constitute the Development Approvals as referenced herein. The parties agree that any such modifications or amendments shall not constitute an amendment to this Agreement nor require an amendment to this Agreement.

2.7 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement. Upon such termination, any public facilities and service mitigation fees paid pursuant to Section 4.2 of this Agreement by OWNER to CITY on which construction has not yet begun shall be refunded to OWNER by CITY within ten (10) business days.

2.8 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person, including, without limitation, by courier, to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to CITY:

Scott Ochoa, City Manager
City of Ontario
303 East "B" Street
Ontario, CA 91764

If to OWNER:

Tyson Chave
Merrill Commerce Center East LLC
3546 Concourses Street, Suite 100
Ontario, CA 91764
tchave@prologis.com

With a copy to:
Thomas Donahue
3546 Concourses Street, Suite 100
Ontario, CA 91764
tdonahue@prologis.com

with a copy to:

Ruben Duran, City Attorney
Best Best & Krieger, LLP
2855 E Guasti Road
Ontario, CA 91761

With a copy to :

John A. Ramirez
Rutan & Tucker, LLP
18575 Jamboree Road, 9th Floor
Irvine, CA 92612

Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority in Section 3.4, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority in Section 3.4, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, CITY shall exercise discretion in accordance with the same manner as it exercises its discretion under its police powers, including the Reservations of Authority set forth herein; provided however, that such discretion shall not prevent development of the Property for the uses and to the density or intensity of development set forth in this Agreement.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.3.1 Infrastructure Improvement Exhibit. Attached hereto as Exhibits "E" and "F" are a description and depiction, respectively, of the Improvements needed for the development of the Property. In the event of any discrepancy between Exhibit E and Exhibit F, Exhibit F shall control.

3.4 Reservations of Authority.

3.4.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the CITY shall not be prevented from applying new rules, regulations and policies upon the OWNER, nor shall a development agreement prevent the CITY from denying or conditionally approving any subsequent development project application on the basis of such new rules, regulations and policies where the new rules, regulations and policies consist of the following:

(a) Processing fees by CITY to cover costs of processing applications for development approvals or for monitoring compliance with any development approvals;

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records and any other matter of procedure;

(c) Regulations, policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including all uniform codes adopted by the CITY and any local amendments to those codes adopted

by the CITY; provided however that, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the standards and specifications that are expressly identified in the Specific Plan and the building codes in effect as of the Effective Date;

(d) Regulations that may conflict with this Agreement and the Development Plan but that are reasonably necessary to protect the occupants of the Project and/or of the immediate community from a condition perilous to their health or safety;

(e) Regulations that do not conflict with those rules, regulations and policies set forth in this Agreement or the Development Plan and which do not impose additional obligations, costs, and expenses on OWNER or the Project;

(f) Regulations that may conflict with this Agreement but to which the OWNER consents.

3.4.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations that do not conflict with the Development Plan and/or the Existing Development Approvals, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan and/or the Existing Development Approvals.

3.4.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce. In the event OWNER alleges that such State or Federal laws or regulations preclude or prevent compliance with one or more provisions of this Agreement, and the CITY does not agree, the OWNER may, at its sole cost and expense, seek declaratory relief (or other similar non-monetary remedies); provided however, that nothing contained in this Section 3.4.3 shall impose on CITY any monetary liability for contesting such declaratory relief (or other similar non-monetary relief).

3.4.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority which cannot be restricted by contract.

3.5 Public Works; Utilities. If OWNER is required by this Agreement or a condition of Project approval to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same standards as would be applicable to CITY or such other public agency should it have undertaken such construction. As a condition of development approval, OWNER shall connect the Project to all utilities necessary to provide adequate water, recycled water, sewer, gas, electric, and other utility services necessary for the Project, as further described and depicted in the Infrastructure Improvements Exhibit. As a further condition of development approval, OWNER shall to the extent possible contract with the CITY for CITY-owned or operated utilities for this purpose, for such price and on such terms as may be available to similarly situated customers in the CITY. As a further condition of development approval, to the extent OWNER does not own the Property in fee simple, OWNER will provide to CITY the written consent from the current fee owner of the Property agreeing to the terms of this Agreement and the recordation thereof, pursuant to Section 2.2.

3.5.1 OWNER agrees that development of the Project shall require the construction of storm drain Improvements from the Property as described in Exhibit E and depicted in Exhibit F. OWNER shall be responsible for the construction of the necessary extension of storm drain facilities, as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that CITY may issue grading, building and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY, and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of the storm drain Improvements described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to completion of the storm drain improvements.

3.5.2 OWNER agrees that development of the Project shall require the construction of street Improvements as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that CITY may issue grading, building and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY, and OWNER agrees that OWNER shall not request, and CITY shall not issue a final occupancy permit for any buildings on the Property prior to Substantial Completion of the street Improvements as described in Exhibit E and depicted in Exhibit F. For purposes of the foregoing, street Improvements shall be deemed "Substantially Complete" even if the final lift of pavement has not been completed (i.e., OWNER may install the final lift after completion of all other construction). CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to completion and subject to final acceptance by CITY of the street Improvements. OWNER agrees that the street improvements shall be completed and subject to final acceptance by CITY prior to the release of any security for the construction of the street improvements. OWNER and CITY agree that a portion of the street Improvements described in Exhibit E and depicted in Exhibit F may be constructed by others, or pursuant to a cooperative agreement with others. If such street Improvements are constructed by others, or in cooperation with others, and are

completed and accepted by CITY prior to OWNER's request to CITY of the required grading, building or other required permits for OWNER to initiate construction of structures for the Property, then OWNER shall not be required to construct those street Improvements constructed and completed by others and accepted by CITY.

3.5.3 OWNER agrees that development of the Property shall require the construction of water utility Improvements as described in Exhibit E and depicted in Exhibit F consisting generally of the construction of the potable water Improvements to serve the Property as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that CITY may issue grading, building and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY upon completion of sufficient water improvements to serve the Property from at least two points of connection. OWNER and CITY agree that OWNER may, in-lieu of utilizing recycled water during grading and construction, utilize water from existing agricultural wells on the Property subject to the terms of a separate Well Use Agreement between the CITY and OWNER. OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings on the Property until the completion of the potable water improvements described in Exhibit E and depicted in Exhibit F. City agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to completion of the water improvements if there is available permanent water service from a minimum of two (2) points of connection and sufficient water is available for fire protection purposes for any buildings while under construction. OWNER and CITY agree that a portion of the water Improvements described in Exhibit E and depicted in Exhibit F may be constructed by others, or pursuant to a cooperative agreement with others. If such water Improvements are constructed by others, or in cooperation with others, and are completed and accepted by CITY prior to OWNER's request to CITY of the required grading, building or other required permits for OWNER to initiate construction of structures for the Property, then OWNER shall not be required to construct those water Improvements constructed and completed by others and accepted by CITY.

3.5.4 OWNER agrees that development of the Property shall require the construction of sewer Improvements as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that CITY may issue grading, building and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY, and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of the sewer improvements described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to the completion of the sewer improvements described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that a portion of the sewer Improvements described in Exhibit E and depicted in Exhibit F may be constructed by others, or pursuant to a cooperative agreement with others. If such sewer Improvements are constructed by others, or in cooperation with others, and are completed and accepted by CITY prior to OWNER's request to CITY of the required grading, building or other required permits for OWNER to initiate construction of structures for the Property, then

OWNER shall not be required to construct those sewer Improvements constructed and completed by others and accepted by CITY.

3.5.5 OWNER agrees that development of the Property shall require the construction of recycled water utility improvements to serve the Property, consisting generally of the construction of recycled water utility Improvements as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that the CITY may issue grading, building and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY upon completion of sufficient water and recycled water improvements to serve the Property from at least one point of connection and OWNER agrees that OWNER shall not request and CITY shall not issue any occupancy permit for any buildings on the Property until the completion of the water improvements described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request a temporary occupancy permit for a building and, if OWNER requests that a temporary certificate of occupancy be issued for a building prior to the completion of the extension of permanent master planned recycled water utility Improvements to serve the Property that CITY may consider such request and may issue temporary certificates of occupancy on a building-by-building basis prior to completion of recycled water improvements if there is available permanent recycled water service connection and sufficient recycled water is available. OWNER and CITY agree that all, or a portion of, the permanent master planned recycled water utility Improvements described in Exhibit E and depicted in Exhibit F may be constructed by others. If such recycled water utility Improvements are constructed by others and completed and accepted by CITY prior to OWNER'S request to CITY of the required grading, building, or other required permits for OWNER to initiate construction of structures for the Property, then OWNER shall not be required to construct those permanent master planned recycled water utility Improvements.

3.5.6 OWNER agrees that development of the Property shall require the construction of fiber optic communications infrastructure, at OWNER's sole cost and expense, as described in the attached Exhibit E and depicted in Exhibit F consisting generally of the construction of fiber optic communications infrastructure to serve the Property. OWNER and CITY agree that CITY may issue grading, building and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of the fiber optic communications infrastructure, as described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to the completion of the fiber optic communications infrastructure, as described in Exhibit E and depicted in Exhibit F.

3.6 Acquisition of Offsite Provision of Real Property Interests. In any instance where OWNER is required by any Development Approval or Land Use Regulation and the Construction Agreement to construct any public improvement on land not owned by OWNER ("Offsite Improvements"), the CITY and OWNER shall cooperate in acquiring the necessary legal interest ("Offsite Property") as described below in Section 3.7. This Section 3.6 is not intended by the parties to impose upon the OWNER an enforceable

duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the CITY upon the development of the Project under the Subdivision Map Act or other legal authority.

3.7 Real Property Interests.

3.7.1 CITY Acquisition of Offsite Property. In the event OWNER is required to construct any public improvements on land not owned by OWNER, Sections 3.7.1 and 3.7.2 shall control the acquisition of the Offsite Property. If the OWNER is unable to acquire such Offsite Property, and following the written request from the OWNER to CITY, CITY agrees to use reasonable and diligent good faith efforts to acquire the Offsite Property from the owner or owners of record by negotiation to the extent permitted by law and consistent with this Agreement. If CITY is unable to acquire the Offsite Property by negotiation within thirty (30) days after OWNER'S written request, CITY may, initiate proceedings utilizing its power of eminent domain to acquire the Offsite Property at a public hearing noticed and conducted in accordance with California Code of Civil Procedure Section 1245.235 for the purpose of considering the adoption of a resolution of necessity concerning the Offsite Property, subject to the conditions set forth in this Section 3.7.1 The CITY and OWNER acknowledge that the timelines set forth in this Section 3.7.1 represent the maximum time periods which CITY and OWNER reasonably believe will be necessary to complete the acquisition of any Offsite Property. CITY agrees to use reasonable good faith efforts to complete the actions described within lesser time periods, to the extent that it is reasonably able to do so, consistent with the legal constraints imposed upon CITY.

3.7.2 Owner's Option to Terminate Proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to making an offer to the owner of the Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease all acquisition proceedings with respect to that Offsite Property, whereupon CITY shall cease such proceedings. CITY may provide written notice to OWNER no later than fifteen (15) days prior to the date of the hearing on CITY's intent to consider the adoption of a resolution of necessity as to any Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease condemnation proceedings, whereupon CITY shall cease such proceedings. If OWNER does not notify CITY to cease condemnation proceedings within said fifteen (15) day period, then the CITY may proceed to consider and act upon the Offsite Property resolution of necessity. If CITY adopts such resolution of necessity, then CITY may institute condemnation proceedings and file a complaint in condemnation and seek an order of immediate possession with respect to the Offsite Property.

3.8 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this Agreement does not limit the authority of such other public agencies. CITY agrees to cooperate fully, at no cost to CITY, with OWNER in obtaining any required permits or compliance with the

regulations of other public agencies provided such cooperation is not in conflict with any laws, regulations or policies of the CITY.

3.9 Tentative Parcel Maps. With respect to applications by OWNER for tentative parcel maps for portions of the Property, CITY agrees that OWNER may file and process tentative maps in accordance with Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the California Government Code and the applicable provisions of CITY's subdivision ordinance, as the same may be amended from time to time. In accordance with the provisions of Section 66452.6 of the Government Code, each tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be deemed to have been granted an extension of time to and until the expiration, cancellation, or termination of this Agreement.

3.10 Specific Plan Charge. Pursuant to Government Code section 65456, the City Council may consider adopting a specific plan charge upon persons seeking CITY approvals that are required to be consistent with the Specific Plan. Any such charges shall, in the aggregate, defray, but not exceed, the estimated cost of preparation, adoption, and administration of the Specific Plan, including costs incurred pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.). As nearly as can be estimated, the charges shall be a prorated amount in accordance with the applicant's relative benefit derived from the Specific Plan. If such charges are adopted, the CITY shall use such charges to reimburse the OWNER who originally paid the cost of preparing the Specific Plan, including costs incurred pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.) to the extent the OWNER paid more than its relative benefit from the Specific Plan. Such charges, if adopted, shall be imposed on persons seeking CITY approvals that are required to be consistent with the Specific Plan, to the extent such person(s) has/have not entered into a reimbursement agreement with, and satisfactory to, the person(s) originally responsible for the cost of preparing the Specific Plan, including costs incurred pursuant to CEQA.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Impact Fees.

4.2.1 Amount of Development Impact Fee. Development Impact Fees (DIF) shall be paid by OWNER. The Development Impact Fee amounts to be paid by OWNER shall be the amounts that are in effect at the time such amounts are due. Nothing contained in this Agreement shall affect the ability of the CITY to impose new Development Impact

Fees or amend the amounts of existing Development Impact Fees. Additionally, nothing contained in this Agreement shall affect the ability of other public agencies that are not controlled by CITY to impose and amend, from time to time, Development Impact Fees established or imposed by such other public agencies, even though such Development Impact Fees may be collected by CITY.

4.2.2 Time of Payment. The Development Impact Fees required pursuant to Section 4.2.1 shall be paid to CITY prior to the issuance of building permit for each applicable building (subject to the application/use of available fee deferrals or credits), except for the Species, Habitat Conservation, and Open Space Mitigation Development Impact Fee, which shall be paid by OWNER to CITY prior to the issuance of a grading permit.

4.3 Responsibility for Construction of Public Improvements.

4.3.1 Timely Construction of Public Infrastructure. The phasing of the area wide infrastructure construction within the vicinity of the Project shall be as approved by the CITY. OWNER shall be responsible for the timely construction and completion of all public infrastructure required for the Project as described and depicted in the Infrastructure Improvements Exhibit and any and all parcel map conditions. Unless otherwise specified in the Parcel Map conditions, and subject to the provisions of Section 3.5 and 3.6, all other required Improvements for each parcel map and each development Phase (*i.e.*, Phase A, Phase B, Phase C), shall be substantially completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of a final occupancy permit for any buildings to be constructed on the Property within the applicable phase as specified in the Phasing Plan set forth in Section 4.3.2. All Infrastructure and Improvements shall be completed as required by the Subdivision Agreement/Parcel Map conditions for Parcel Map No. 20273.

4.3.2 Phasing Plan. CITY and OWNER agree and acknowledge that the Phasing Plan, attached as Exhibit F, reflects the anticipated phasing schedule. Notwithstanding this anticipated phasing schedule, the parties agree that the order of the development may necessitate a different order due to any number of conditions including, but not limited to, business judgment, state or federal permitting issues, etc. In such case, OWNER may reorder the Phases of development, subject to approval by CITY, which approval shall not be unreasonably delayed, conditioned, or denied. OWNER shall have substantially completed all improvements for a Phase before requesting and receiving a certificate of occupancy for any part of said Phase of the development.

4.3.3 Construction of Public Infrastructure by Third Parties. CITY and OWNER acknowledge that a portion of the Improvements described in Exhibit E and depicted in Exhibit F are necessary for the development of surrounding properties within the Ontario Ranch and the other property owners are also obligated to construct the Improvements or portions thereof. As such, CITY agrees that OWNER's obligation to construct the Improvements may be satisfied by third party owners pursuant to separate written agreements between OWNER and said third party undertaking the construction of the Improvements. Nothing in this Agreement shall be construed to prohibit the coordination

of the construction of the Improvements between private parties, including the allocation of costs for the construction of the Improvements. Notwithstanding anything to the contrary herein, any applicable DIF Credits may be transferred and assigned from one (1) party to another with respect to the construction of the Improvements and such transfer or assignment shall not require the conveyance of any real property.

4.3.4 Availability and Use of Recycled Water. OWNER agrees that recycled water shall be available and utilized by OWNER for all construction-related water uses including prior to, and during, any grading of the Property. OWNER and CITY agree that OWNER may, in-lieu of utilizing recycled water during grading and construction, utilize water from existing agricultural wells on the Property subject to the terms of a separate Well Use Agreement between the CITY and OWNER.

4.3.5 Construction of DIF Program Infrastructure. To the extent OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program CITY agrees that CITY shall issue DIF Credit in accordance with the provisions of a separate Fee Credit Agreement between CITY and OWNER. Limitations on the use of DIF Credit issued to OWNER to offset OWNER's DIF payment obligations shall also be subject to the provisions of a separate Fee Credit Agreement. OWNER may be eligible to receive DIF Credit from OWNER's construction of DIF Program Infrastructure. Any such DIF Credit shall be subject to a Fee Credit Agreement between CITY and OWNER. CITY and OWNER agree that the Fee Credit Agreement between CITY and OWNER shall comply with CITY's adopted policies applicable to such agreements.

4.4 Public Services Funding Fee.

4.4.1 Requirement for Payment of Public Services Funding Fee. In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to each Project in a timely manner, OWNER shall pay to CITY a "Public Services Funding Fee." The Public Services Funding Fee shall apply to residential and non-residential uses as set forth below.

4.4.2 Public Services Funding Fee Amount. OWNER shall pay a Public Services Funding fee in a single installment payment in the amount of Sixty-Four Cents (\$.64) per square foot of each non-residential building. The single installment for non-residential uses shall be due and payable on a building-by-building basis prior to the issuance of the building permit for a non-residential building. The amount of the Single Installment for non-residential uses shall automatically increase by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2022. OWNER may exercise the option to pay any single installment amounts for the remainder of the non-residential square footage within the Project on or before December 31st, before the Single Installment amount is automatically increased.

4.5 Water Availability.

4.5.1 Water Availability. The Property requires the completion of the Phase 2 Water Improvements (Phase 2A and 2B) for permanent water system capacity and supply. Until the Phase 2 Water Improvements are fully constructed and completed, OWNER acknowledges that the Project shall have sufficient water capacity and supply on an interim basis made available through the construction of the Potable Water Improvements (as described in Exhibit E), the Phase 2A Water Improvements, and the Interim Chino Avenue Loop depicted in Exhibit F. OWNER acknowledges and agrees that the CITY shall not issue final certificates of occupancy for the Project until the completion of the Potable Water Improvements (as described in Exhibit E), the Phase 2A Water Improvements and the Interim Chino Avenue Loop, as depicted in Exhibit F. OWNER further acknowledges and agrees that all Phases within the Property require the Phase 2 Water Improvements as depicted in Exhibit F.

4.5.2 Phase 2 Water Construction Fee. Prior to CITY's issuance of a grading permit for any Phase of development of the Property (each, a "Grading Permit"), OWNER shall pay to CITY the applicable Phase 2 Water Construction Fee. The Phase 2 Water Construction Fee shall be calculated based on the following formula: (a) the regional water development impact fee, based on the square footage of developable property and the approved land use category for each Phase of the Project (the "Base Regional Water DIF"), PLUS (b) OWNER's pro rata share of the difference between the total projected cost of construction of the Phase 2 Water Improvements (the "Pro Rata Share") and the Base Regional Water DIF. To determine the Pro Rata Share, which may fluctuate over time, CITY shall, at the time OWNER applies for a Grading Permit, calculate the total projected cost of construction of the Phase 2 Water Improvements and subtract from that amount (y) all Phase 2 Water Construction Fees previously collected and (z) the aggregate Base Regional Water DIF to be paid by OWNER and all developers then at that time obligated to pay a Base Regional Water DIF specifically for use of the Phase 2 Water Improvements (together, the "Phase 2 Water Developers"). If the difference is zero or a number less than zero, then there is no Pro Rata Share and the Phase 2 Water Construction Fee shall equal the sum of all Base Regional Water DIF to be paid by all Phase 2 Water Developers. If the difference results in a positive number, the funding gap (the "Funding Gap") shall be divided by the total acreage of land to be developed by the Phase 2 Water Developers to obtain a Funding Gap "per acre" amount (the "Funding Gap Per Acre Amount"). Each Phase 2 Water Developer's respective total acreage to be developed shall then be multiplied by the Funding Gap Per Acre Amount to obtain each Phase 2 Water Developer's Pro Rata Share, which will then be added to each Phase 2 Water Developer's Base Regional Water DIF to obtain the Phase 2 Water Construction Fee due and payable at the time of issuance of the applicable Grading Permit.

4.5.3 DIF Credit for Phase 2 Water Construction Fees. Within thirty (30) days of OWNER's payment of each Phase 2 Water Construction Fee, CITY shall issue a certificate of DIF Credit which may be used to offset OWNER's DIF obligations in the Regional Water DIF Category. The form of the Certificate of DIF Credit shall be as described in Exhibit G, attached hereto and incorporated herein. OWNER acknowledges that any Regional Water DIF Credit issued to OWNER shall not be used to satisfy Phase

2 Water Construction Fees and may only be used to offset OWNER's DIF obligations in the Regional Water DIF Category.

4.5.4 Additional Contributions for Phase 2 Water Improvements. OWNER acknowledges and agrees that, as of the Effective Date of this Agreement, the CITY does not have sufficient funding to construct and complete the Phase 2 Water Improvements. OWNER agrees to provide the CITY with additional contributions for the Phase 2 Water Improvements prior to the issuance of a Grading Permit for any Phase within the Project, pursuant to the Pro Rata Share calculation as set forth in Section 4.5.2 above. OWNER acknowledges and agrees that the CITY has the right to conduct subsequent reviews of the available funding for the construction of, or continuation of the construction of, the Phase 2 Water Improvements. If at any time outside of OWNER's submission of a request for a Grading Permit the CITY determines that there is not sufficient funding for the construction of, or continuation of the construction of, the Phase 2 Water Improvements necessary to support current and anticipated future development within the Ontario Ranch area served by the Phase 2 Water Improvements, OWNER agrees to pay such subsequent additional contribution payment necessary from the OWNER (on a pro rata basis with other Phase 2 Water Developers then existing at the time) to the CITY to initiate construction of, or continue construction of, the Phase 2 Water Improvements. The CITY shall determine OWNER's additional contribution amount (above and beyond OWNER's Pro Rata Share) and such amount shall be due and payable to the CITY within thirty (30) days of written notice from the CITY to OWNER.

4.5.5 Future Reimbursement of Pro Rata Share of Phase 2 Water Construction Fees. OWNER agrees that the CITY will be responsible for the construction and completion of the Phase 2 Water Improvements, as depicted in Exhibit F. Subject to the successful completion of the Phase 2 Water Improvements, CITY and OWNER shall meet periodically and/or as needed from the date of completion of the Phase 2 Water Improvements, to jointly develop a plan and mutually enter into an agreement for the reimbursement of OWNER's Pro Rata Share of Phase 2 Water Construction Fees that may be reimbursed from future development in the 925 Zone as depicted in the City's Domestic Water Master Plan, following any reallocation of each Phase 2 Water Developer's Pro Rata Share, CITY's collection of additional Regional Water DIF in connection with construction of the Phase 2 Water Improvements, and after the completion of the Phase 2 Water Improvements. Such agreement shall be approved at the sole discretion of the Ontario City Council.

4.6 Compliance with Public Benefits Requirements.

4.6.1 Failure to Provide Public Benefits. In the event OWNER fails or refuses to comply with any condition referenced in Section 4.1 through 4.5, or challenges (whether administratively or through legal proceedings) the imposition of such conditions, OWNER shall be deemed in default of this Agreement, thereby entitling CITY to any and all remedies available to it, including, without limitation, the right of CITY to withhold OWNER's Project-related building permits, certificates of occupancy, or discretionary approvals, without liability. Nothing herein shall waive OWNER's right to assert a default

(or failure to perform) by CITY has excused OWNER's performance under this Agreement.

5. FINANCING OF PUBLIC IMPROVEMENTS.

5.1 Financing Mechanism(s). OWNER agrees that, prior to the recordation of any Parcel Map, the property subject to such Parcel Map shall be included in a CFD to finance CITY services through annual special taxes that will initially be Thirty-One Cents (\$.31) per square foot for non-residential buildings. These amounts shall be subject to an automatic increase at a rate not to exceed four (4%) percent per year. Depending on the fiscal year that the CFD is formed and the CFD tax is levied, the annual special taxes may be higher. CITY shall be the sole and exclusive lead agency in the formation of any CFD, assessment district or other public financing mechanism within the Property; provided however, that the proceeds of any such CFD, assessment district, or financing mechanism may be used, subject to restrictions that may be imposed by applicable law, for the purposes of acquiring, constructing or maintaining public facilities to be owned or operated by other public agencies, including, without limitation those facilities owned or operated by a school district. In addition to the rights of the CITY pursuant to section 5.1 hereof, CITY shall have the right, but not the obligation, to condition the formation of any CFD, assessment district or other public financing mechanism within the Property on the OWNER mitigating all Project-related impacts to the applicable school district(s) as required by such school district(s). Written evidence by such school district(s) may be required by the CITY as the condition to the formation of any CFD, assessment district or other public financing mechanism within the Property, or any steps preliminary thereto, including, without limitation, the adoption of any resolution of intention to form such CFD, assessment district or other public financing mechanism within the Property. It is not the intent of the parties hereto, by this provision, to prohibit or otherwise limit CITY's ability to take any and all necessary steps requisite to the formation of the CFD to finance CITY services through annual special taxes as set forth in this Section 5.1. Formation of any CFD, assessment district or other public financing mechanism within the Property, shall be subject to CITY's ability to make all findings required by applicable law and complying with all applicable legal procedures and requirements including, without limitation, CITY's public financing district policies as such policies may be amended from time to time. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district.

6. [OMITTED]

7. REVIEW FOR COMPLIANCE.

7.1 Periodic and Special Reviews.

7.1.1 Time for and Initiation of Periodic Review. The CITY shall review this Agreement every twelve (12) months from the Effective Date in order to ascertain the good faith compliance by the OWNER with the terms of this Agreement. The OWNER shall submit an Annual Monitoring Report to CITY, in a form acceptable to the City

Manager, along with any applicable processing charge within ten (10) days after each anniversary date of the Effective Date of this Agreement. Within fifteen (15) days after the receipt of the Annual Monitoring Report, CITY shall review the Annual Monitoring Report. Prior to the expiration of the fifteen (15) day review period, CITY shall either issue a notice of continuing compliance or a notice of non-compliance and a notice of CITY's intent to conduct a Special Review pursuant to Sections 7.1.2 through 7.1.6. Issuance of a notice of continuing compliance may be issued by the City Manager or his designee.

7.1.2 Initiation of Special Review. A special review may be called either by agreement between the parties or by initiation in one or more of the following ways:

- (a) Recommendation of the Planning staff;
- (b) Affirmative vote of at least four (4) members of the Planning Commission; or
- (c) Affirmative vote of at least three (3) members of the City Council.

7.1.3 Notice of Special Review. The City Manager shall begin the special review proceeding by giving notice that the CITY intends to undertake a special review of this Agreement to the OWNER. Such notice shall be given at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission.

7.1.4 Public Hearing. The Planning Commission shall conduct a hearing at which the OWNER must demonstrate good faith compliance with the terms of this Agreement. The burden of proof on this issue is upon the OWNER.

7.1.5 Findings Upon Public Hearing. The Planning Commission shall determine upon the basis of substantial evidence whether or not the OWNER has, for the period under review, complied in good faith with the terms and conditions of this Agreement.

7.1.6 Procedure Upon Findings.

(a) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has complied in good faith with the terms and conditions of this Agreement during the period under review, the review for that period is concluded.

(b) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has not complied in good faith with the terms and conditions of this Agreement during the period under review, the Planning Commission may recommend to the City Council to modify or terminate this Agreement.

(c) The OWNER may appeal a determination pursuant to paragraph (b) to the City Council in accordance with the CITY's rule for consideration of appeals in zoning matters generally.

7.2 Proceedings Upon Modification or Termination. If, upon a finding under Section 7.1.6(b), the CITY determines to proceed with modification or termination of this

Agreement, the CITY shall give notice to the property OWNER of its intention so to do. The notice shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not the CITY proposes to terminate or to modify this Agreement; and
- (c) Other information that the CITY considers necessary to inform the OWNER of the nature of the proceeding.

7.3 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, the OWNER shall be given an opportunity to be heard. The OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on the OWNER. If the City Council finds, based upon substantial evidence in the administrative record, that the OWNER has not complied in good faith with the terms and conditions of the agreement, the City Council may terminate this Agreement or modify this Agreement and impose those conditions to the action it takes as it considers necessary to protect the interests of the CITY. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

7.4 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon written request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Planning Director and City Council that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Planning Director or City Council.

8. [OMITTED]

9. DEFAULT AND REMEDIES.

9.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof. In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that (i) CITY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages and (ii) OWNER shall not be liable in damages

to CITY, or to any other person, and CITY covenants not to sue for damages or claim any damages:

- (a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or
- (b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or
- (c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

9.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

- (a) Money damages are unavailable against CITY and OWNER as provided in Section 9.1 above.
- (b) Due to the size, nature and scope of the Project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

9.3 Release. Except for non-damage remedies, including the remedies of judicial review and of specific performance as provided for in Sections 7.3 and 9.2, respectively,, OWNER, for itself, its successors and assignees, hereby releases the CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the CITY because it entered into this Agreement or because of the terms of this Agreement.

9.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Sections 7.2 and 7.3 herein, CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of

default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

9.5 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

10. THIRD PARTY LITIGATION.

10.1 General Plan Litigation. CITY has determined that this Agreement is consistent with the General Plan, as such General Plan exists as of the Effective Date ("General Plan"), and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination. CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan or this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

10.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any such claim, action or proceeding, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action or proceeding, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action or proceeding.

10.3 Indemnity. In addition to the provisions of Section 10.2 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, to the extent relating to or in any

way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action. OWNER's indemnity obligation shall terminate following CITY's legal acceptance of (i.e. taking of title to) the Improvements.

10.4 Environment Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, to the extent based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property during OWNER'S period of ownership of the Property, including, but not limited to, soil and groundwater conditions caused by OWNER, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

10.5 Reservation of Rights. With respect to Sections 10.2, 10.3 and 10.4 herein, CITY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend CITY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse CITY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

10.6 Survival. The provisions of this Sections 10.1 through 10.6, inclusive, shall survive the termination of this Agreement.

11. MORTGAGEE PROTECTION.

11.1 Mortgagee Protection. The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement

(e) In the event of a default by OWNER, any Mortgagee shall have the right to remedy, or cause to be remedied, such default within sixty (60) days following the later to occur of (i) the date of Mortgagee's receipt of the notice referred to in Section 9.4 above, or (ii) the expiration of the period provided herein for OWNER to remedy or cure such default, and CITY shall accept such performance by or at the insistence of the Mortgagee as if the same had been timely made by OWNER; provided, however, that (i) if such default is not capable of being cured within the timeframes set forth in this Section and Mortgagee commences to cure the default within such timeframes, then Mortgagee shall have such additional time as is required to cure the default so long as Mortgagee diligently prosecutes the cure to completion and (ii) if possession of the Property (or portion thereof) is required to effectuate such cure or remedy, the Mortgagee shall be deemed to have timely cured or remedied if it commences the proceedings necessary to obtain possession thereof within sixty (60) days after receipt of the copy of the notice, diligently pursues such proceedings to completion, and, after obtaining possession, diligently completes such cure or remedy.

12. MISCELLANEOUS PROVISIONS.

12.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the San Bernardino County Recorder by the City Clerk within ten (10) days after the CITY executes this Agreement, as required by Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement as provided for herein and in Government Code Section 65868, or if the CITY terminates or modifies the agreement as provided for herein and in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of this Agreement, the City Clerk shall have notice of such action recorded with the San Bernardino County Recorder.

12.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

12.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

12.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

12.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

12.6 Singular and Plural. As used herein, the singular of any word includes the plural.

12.7 Joint and Several Obligations. Pursuant to Section 2.4, if at any time during the term of this Agreement the Property is subsequently owned, in whole or in part, by more than one owner, all obligations of such owners under this Agreement shall be joint and several, and the default of any such owner shall be the default of all such owners. Notwithstanding the foregoing, no owner of a single lot which has been finally subdivided and sold to such owner as a member of the general public or otherwise as an ultimate

user shall have any obligation under this Agreement except as provided under Section 4 hereof.

12.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

12.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

12.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

12.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, governmental orders related to statewide or national pandemics, any third party court actions challenging the Project (including but not limited to writs of mandate, restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

12.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

12.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

12.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

12.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the

validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

12.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

12.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement. The City Manager may delegate his powers and duties under this Agreement to an Assistant City Manager or other management level employee of the CITY.

12.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

12.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Planning Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto.

12.20 Estoppel Certificate. Within thirty (30) business days following a written request by any of the parties, the other party shall execute and deliver to the requesting party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current

uncured defaults under this Agreement or that the responding party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification except as may be represented by the requesting party and that there are no uncured defaults in the performance of the requesting party, except as may be represented by the requesting party. OWNER shall pay to CITY all costs incurred by CITY in connection with the issuance of estoppel certificates requested by OWNER under this Section 12.20 prior to CITY's issuance of such certificates.

12.21 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

**SIGNATURE PAGE
TO DEVELOPMENT AGREEMENT
FILE NO. PDA18-004**

"OWNER"

MERRILL COMMERCE CENTER EAST LLC
a Delaware limited liability company

By: _____
Name: _____
Title: _____
Date: _____

"CITY"
CITY OF ONTARIO

By: _____
Scott Ochoa
City Manager
Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:

BEST BEST & KRIEGER, LLP

City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"
TO DEVELOPMENT AGREEMENT

Legal Description of Property

(SEE ATTACHED LEGAL DESCRIPTION)

**EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY**

LEGAL DESCRIPTION (NCS-820460-SF)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

LOTS 1, 2, 15, 16, 18 AND 31, SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO, AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE EASTERLY 165 FEET OF THE WESTERLY 263 FEET OF THE NORTHERLY 150 FEET OF LOT 2 IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF RANCHO SANTA ANA DEL CHINO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE WESTERLY 185 FEET OF THE NORTHERLY 150 FEET OF LOT 1 IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF RANCHO SANTA ANA DEL CHINO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING FROM PARCEL A ABOVE: MINERALS, OIL, GAS AND KINDRED SUBSTANCES AS CONTAINED IN INSTRUMENTS RECORDED DECEMBER 5, 1949 IN BOOK 2496, PAGE 82; JUNE 24, 1968, AS INSTRUMENT NO. 322, IN BOOK 7047, PAGE 994; AND JUNE 24, 1968 AS INSTRUMENT NO. 321, IN BOOK 7047, PAGE 993; ALL OF OFFICIAL RECORDS.

PARCEL B:

LOTS 17 AND 32, IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO MAP OF PART OF RANCHO SANTA ANA DEL CHINO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 6 OF MAPS, PAGE 15, RECORDS OF SAID

PARCEL C:

THE EASTERLY 165 FEET OF THE WESTERLY 263 FEET OF THE NORTHERLY 150 FEET OF LOT 2 IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF RANCHO SANTA ANA DEL CHINO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6 PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM: MINERALS, OIL, GAS AND KINDRED SUBSTANCES AS CONTAINED IN INSTRUMENTS RECORDED DECEMBER 5, 1949 IN BOOK 2496, PAGE 82; JUNE 24, 1968, AS INSTRUMENT NO. 322, IN BOOK 7047, PAGE 994; AND JUNE 24, 1968 AS INSTRUMENT NO. 321, IN BOOK 7047, PAGE 993; ALL OF OFFICIAL RECORDS.

PARCEL D:

THE WESTERLY 185 FEET OF THE NORTHERLY 150 FEET OF LOT 1 IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF RANCHO SANTA ANA MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF RANCHO SANTA DEL CHINO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6 PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM: MINERALS, OIL, GAS AND KINDRED SUBSTANCES AS CONTAINED IN INSTRUMENTS RECORDED DECEMBER 5, 1949 IN BOOK 2496, PAGE 82; JUNE 24, 1968, AS INSTRUMENT NO. 322, IN BOOK 7047, PAGE 994; AND JUNE 24, 1968 AS INSTRUMENT NO. 321, IN BOOK 7047, PAGE 993; ALL OF OFFICIAL RECORDS.

PARCEL E:

AN UNDIVIDED 3/5 INTEREST IN AND TO A PUMP SITE LOCATED ON THE NORTH 63.00 FEET OF THE EAST 30.00 FEET OF THE WEST 230.00 FEET OF LOT 3 IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO A MAP OF SUBDIVISION OF RANCHO SANTA ANA DEL CHINO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6 PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS UPON SAID PROPERTY FOR THE PURPOSE OF OPERATING AND MAINTAINING SAID PUMPING PLANT AND IRRIGATING LINES.

FOR CONVEYANCE PURPOSES ONLY: APN 1054-171-02-0-000 (AFFECTS: PORTION OF PARCEL A)

1054-171-04-0-000 (AFFECTS: PORTION OF PARCEL A)

1054-181-01-0-000 (AFFECTS: PORTION OF PARCEL A)

1054-181-02-0-000 (AFFECTS: PORTION OF PARCEL A)

1054-191-01-0-000 (AFFECTS: PORTION OF PARCEL A)

1054-361-01-0-000 (AFFECTS: PORTION OF PARCEL A)

1054-191-02-0-000 (AFFECTS: PORTION OF PARCEL B)

1054-361-02-0-000 (AFFECTS: PORTION OF PARCEL B)

1054-171-01-0-000 (AFFECTS: PARCEL C)

1054-171-03-0-000 (AFFECTS: PARCEL D)

1054-161-02-0-000 (AFFECTS: PARCEL E)

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**EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY**

LEGAL DESCRIPTION (NCS-1017181-SF)

REAL PROPERTY IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 3, 14, 19 AND 30, OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO, AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM A 3/5THS INTEREST IN AND TO A PUMP SITE LOCATED ON THE NORTH 63.00 FEET OF THE EAST 30.00 FEET OF THE WEST 230.00 FEET OF LOT 3 IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO, AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, PURSUANT TO GRANT DEED RECORDED AUGUST 2, 1968, IN BOOK 7070, PAGE 513, OFFICIAL RECORDS.

EXCEPTING 25% OF ALL MINERAL, OIL, GAS AND KINDRED SUBSTANCES LYING IN, UPON AND UNDER THE PREMISES DESCRIBED ABOVE, AS CONTAINED IN THE DEED FROM WESTERN CONSUMERS FEED RECORDED SEPTEMBER 1, 1965 IN BOOK 6464, PAGE 563, OFFICIAL RECORDS.

ALSO EXCEPTING AN UNDIVIDED QUARTER INTEREST IN AND TO ALL MINERAL, OIL, GAS AND KINDRED SUBSTANCES LYING IN, UPON AND UNDER THE PREMISES DESCRIBED ABOVE, TOGETHER WITH THE RIGHT OF ENTRY THEREON FOR THE PURPOSE OF DEVELOPING, EXTRACTING AND REMOVING SAID SUBSTANCES THEREFROM, AS CONTAINED IN THE DEED FROM POMONA COLLEGE, RECORDED DECEMBER 5, 1949 IN BOOK 2496, PAGE 82, OFFICIAL RECORDS. (FOR CONVEYANCING PURPOSES ONLY):

- 1054-151-02-0-000 (AFFECTS LOT 14)
- 1054-161-02-0-000 (AFFECTS A PORTION OF LOT 3)
- 1054-161-03-0-000 (AFFECTS A PORTION OF LOT 3)
- 1054-201-02-0-000 (AFFECTS LOT 19)
- 1054-351-02-0-000 (AFFECTS LOT 30)

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Drawing Name: P:\Year_2018\2018-004 Borso & Minaberry SR_Support\05_Engineering\Exhibits\MCC_Development_Agreement_Exhibits\A-Legal_Description_of_Property.dwg

**EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY**

LEGAL DESCRIPTION (NCS-972996-SF)

REAL PROPERTY IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THAT PORTION OF LOTS 7, 8, 9, 10, 23, 24 AND 26, AND THE SOUTHERLY 1/2 OF EUCALYPTUS AVENUE VACATED BY ORDER OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY JUNE 6, 1922, ADJOINING SAID LOTS 7 AND 8 ON THE NORTH, SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO MAP OF PART OF RANCHO SANTA ANA DEL CHINO, RECORDS OF SAID COUNTY, LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF VINEYARD AVENUE (66 FEET WIDE) AND THE NORTH LINE OF MERRILL AVENUE (66 FEET WIDE); THENCE NORTH 89 DEGREES 56' 33" EAST 568.52 FEET ALONG THE NORTH LINE OF MERRILL AVENUE TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 20' 16" EAST 2606.28 FEET TO A POINT ON THE CENTER LINE OF EUCALYPTUS AVENUE (VACATED) WHICH IS NORTH 89 DEGREES 56' 26" EAST 616.91 FEET FROM THE INTERSECTION OF THE CENTER LINE OF SAID VINEYARD AVENUE WITH THE CENTER LINE OF SAID EUCALYPTUS AVENUE.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF MERRILL AVENUE (66 FEET WIDE) WITH THE SOUTHERLY PROJECTION OF THE WEST LINE OF PARCEL 2 OF RECORD OF SURVEY, RECORDED IN BOOK 25, PAGE 15, RECORDS OF SURVEY; THENCE NORTH 0 DEGREES 20' 16" EAST ALONG SAID WEST LINE 726.00 FEET; THENCE NORTH 89 DEGREES 56' 33" EAST 300.00 FEET PARALLEL WITH THE CENTER LINE OF SAID MERRILL AVENUE; THENCE SOUTH 0 DEGREES 20' 16" WEST 726.00 FEET PARALLEL WITH THE SAID WEST LINE OF PARCEL 2, TO THE CENTER LINE OF SAID MERRILL AVENUE; THENCE SOUTH 89 DEGREES 56' 33" WEST 300.00 FEET TO THE POINT OF BEGINNING.

NOTE: SAID LAND IS ALSO SHOWN ON LICENSED LAND SURVEYORS MAP FILED MARCH 29, 1966, IN BOOK 25, PAGE 15, RECORDS OF SURVEY.

PARCEL NO. 2

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL ONE ABOVE FOR INGRESS AND EGRESS PURSUANT TO THAT CERTAIN GRANT DEED BY AND BETWEEN GEORGE V. VANDERHAM AND ALICE M. VANDERHAM, HUSBAND AND WIFE, AND ALFRED V. HIGHSTREET AND EVADA V. HIGHSTREET, HUSBAND AND WIFE, RECORDED MAY 20, 1966 IN BOOK 6631 PAGE 577, SAN BERNARDINO COUNTY OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH 33 FEET OF LOT 8, SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO MAP OF PART OF RANCHO SANTA ANA DEL CHINO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 6 PAGE 15, RECORDS OF SAID COUNTY.

APN: (FOR CONVEYANCING PURPOSES ONLY): 0218-261-27-0-000, 0218-261-28-0-000, 0218-261-34-0-000

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**EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY**

LEGAL DESCRIPTION (NCS-1017182-SF)

REAL PROPERTY IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

A PORTION OF LOTS 23, 24, 25 AND 26 IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST OF MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO, AS FILED IN BOOK 6 OF MAPS, PAGE 15, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF MERRILL AVENUE (66 FEET WIDE) WITH THE SOUTHERLY PROJECTION OF THE WEST LINE OF PARCEL 2 OF RECORD OF SURVEY, RECORDED IN BOOK 25 PAGE 15 OF RECORDS OF SURVEYS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA; THENCE NORTH 0° 20' 16" EAST ALONG SAID WEST LINE 726.00 FEET; THENCE NORTH 89° 56' 33" EAST 300.00 FEET PARALLEL WITH THE CENTER LINE OF SAID MERRILL AVENUE; THENCE SOUTH 0° 20' 16" WEST 726.00 FEET PARALLEL WITH THE SAID WEST LINE OF PARCEL 2, TO THE CENTER LINE OF SAID MERRILL AVENUE; THENCE SOUTH 89° 56' 33" WEST 300.00 FEET TO THE POINT OF BEGINNING. TOGETHER WITH THE PARCEL OF LAND DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 24 AND 25 IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS OF THE COUNTY OF SAN BERNARDINO, CALIFORNIA.

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF VINEYARD AVENUE (66 FEET WIDE) AND THE NORTH LINE OF MERRILL AVENUE (66 FEET WIDE); THENCE NORTH 89° 56' 33" EAST ALONG THE NORTH LINE OF SAID MERRILL AVENUE A DISTANCE OF 568.52 FEET TO THE POINT OF BEGINNING, BEING ALSO A POINT ON THE WEST LINE OF PARCEL 2 OF RECORD OF SURVEY FILED IN BOOK 25, PAGE 15, RECORDS OF SAN BERNARDINO COUNTY LYING 33 FEET NORTH OF THE SOUTHWEST CORNER OF SAID PARCEL 2; THENCE NORTH 0° 20' 16" EAST ALONG THE WEST LINE OF SAID PARCEL 2, ALSO BEING THE WEST LINE OF THE PARCEL JOINED HERewith, A DISTANCE OF 693.00 FEET, TO THE NORTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTH 89° 56' 33" WEST AND PARALLEL WITH THE CENTER LINE OF MERRILL AVENUE A DISTANCE OF 334.13 FEET; THENCE SOUTH 0° 20' 16" WEST A DISTANCE OF 693.00 FEET TO THE NORTH LINE OF SAID MERRILL AVENUE; THENCE NORTH 89° 56' 33" EAST ALONG THE NORTH LINE OF MERRILL AVENUE (66 FEET WIDE) A DISTANCE OF 334.13 FEET TO THE POINT OF BEGINNING.

THE LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE APPROVING A LOT LINE ADJUSTMENT NO. W90-147S/99, RECORDED AUGUST 11, 1999 AS INSTRUMENT NO. 19990340741, OF OFFICIAL RECORDS.

PARCEL 2:

THAT PORTION OF LOTS 8, 9, 24 AND 25, AND THE SOUTHERLY ONE-HALF OF EUCALYPTUS AVENUE VACATED BY ORDER OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY DATED JUNE 6, 1922 ADJOINING SAID LOT 8 ON THE NORTH, ALL IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF VINEYARD AVENUE (66 FEET WIDE) AND THE NORTH LINE OF MERRILL AVENUE (66 FEET WIDE);

THENCE NORTH 89° 56' 33" EAST 568.52 FEET ALONG THE NORTH LINE OF MERRILL AVENUE TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0° 20' 16" EAST 2606.28 FEET TO A POINT ON THE CENTERLINE OF EUCALYPTUS AVENUE (VACATED) WHICH IS NORTH 89° 56' 26" EAST 616.91 FEET FROM THE INTERSECTION OF THE CENTERLINE OF SAID VINEYARD AVENUE WITH THE CENTERLINE OF SAID EUCALYPTUS AVENUE.

EXCEPT THAT PORTION OF LOTS 24 AND 25 IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS OF THE COUNTY OF SAN BERNARDINO, CALIFORNIA.

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF VINEYARD AVENUE (66 FEET WIDE) AND THE NORTH LINE OF MERRILL AVENUE (66 FEET WIDE); THENCE NORTH 89° 56' 33" EAST ALONG THE NORTH LINE OF SAID MERRILL AVENUE A DISTANCE OF 568.52 FEET TO THE POINT OF BEGINNING, BEING ALSO A POINT ON THE WEST LINE OF PARCEL 2 OF RECORD OF SURVEY FILED IN BOOK 25, PAGE 15, RECORDS OF SAN BERNARDINO COUNTY LYING 33 FEET NORTH OF THE SOUTHWEST CORNER OF SAID PARCEL 2; THENCE NORTH 0° 20' 16" EAST ALONG THE WEST LINE OF SAID PARCEL 2, ALSO BEING THE WEST LINE OF THE PARCEL JOINED HERewith, A DISTANCE OF 693.00 FEET, TO THE NORTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTH 89° 56' 33" WEST AND PARALLEL WITH THE CENTER LINE OF MERRILL AVENUE A DISTANCE OF 334.13 FEET; THENCE SOUTH 0° 20' 16" WEST A DISTANCE OF 693.00 FEET TO THE NORTH LINE OF SAID MERRILL AVENUE;

THENCE NORTH 89° 56' 33" EAST ALONG THE NORTH LINE OF MERRILL AVENUE (66 FEET WIDE) A DISTANCE OF 334.13 FEET TO THE POINT OF BEGINNING.

THE LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE APPROVING A LOT LINE ADJUSTMENT NO. W90-147/99, RECORDED AUGUST 11, 1999 AS INSTRUMENT NO. 19990340742, OF OFFICIAL RECORDS.

APN: (FOR CONVEYANCING PURPOSES ONLY): 0218-261-29-0-000 AND 0218-261-35-0-000 AND 0218-261-37-0-000

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Drawing Name: P:\Year_2018\2018-004_Borba 2_Miniberry_Sp_Support\09_Engineering\Exhibits\WCC_Development_Agreement_Exhibits\A-Legal_Description_of_Property.dwg

**EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY**

LEGAL DESCRIPTION (012-25002097-5-SG2)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 4 THROUGH 13, INCLUSIVE, AND LOTS 20 THROUGH 29, INCLUSIVE, IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO MAP OF PART OF RANCHO SANTA ANA DEL CHINO, AS PER PLAT RECORDED IN BOOK 6 OF MAPS, PAGE 15, RECORDS OF SAID COUNTY.

TOGETHER WITH THE STREET ADJOINING LOTS 4, 13, 20 AND 29 ON THE WEST, AND LOTS 5, 12, 21 AND 28 ON THE EAST, AS VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY, A CERTIFIED COPY OF WHICH WAS RECORDED APRIL 17, 1947, IN BOOK 2026, PAGE 464, OFFICIAL RECORDS. EXCEPT THAT PORTION OF LOT 8, SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA DEL CHINO, AS PER PLAT RECORDED IN BOOK 6 OF MAPS, PAGE 15, RECORDS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, SAID PORTION OF BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF GROVE AVENUE, 66.00 FEET WIDE, WITH THE CENTERLINE OF EUCALYPTUS AVENUE, 66.00 FEET WIDE, AS SHOWN ON SAID MAP; THENCE EASTERLY ALONG SAID CENTERLINE OF EUCALYPTUS AVENUE, A DISTANCE OF 85.00 FEET; THENCE SOUTHWESTERLY, A DISTANCE OF 153.24 FEET, MORE OR LESS, TO A POINT ON THE CENTERLINE OF SAID GROVE AVENUE, SAID POINT BEING SITUATE THEREON, SOUTH 127.50 FEET FROM THE POINT OF BEGINNING; THENCE NORTH ALONG SAID CENTERLINE OF GROVE AVENUE, A DISTANCE OF 127.50 FEET TO THE POINT OF BEGINNING.

APN(s): 1054-111-01, 02; 1054-121-01, 02; 1054-131-01 AND 02; 1054-141-01, 02; 1054-151-01; 1054-161-01; 1054-201-01; 1054-211-01 AND 02; 1054-221-01 AND 02; 1054-331-01 AND 02; 1054-341-01, 02 AND 1054-351-01

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Drawing Name: P:\Year_2018\2018-004 Borso & Minaberry SR_Support\05_Engineering\Exhibits\MCC_Development_Agreement_Exhibits\A-Legal_Description_of_Property.dwg

EXHIBIT "B" TO DEVELOPMENT AGREEMENT

Map showing Property and its location

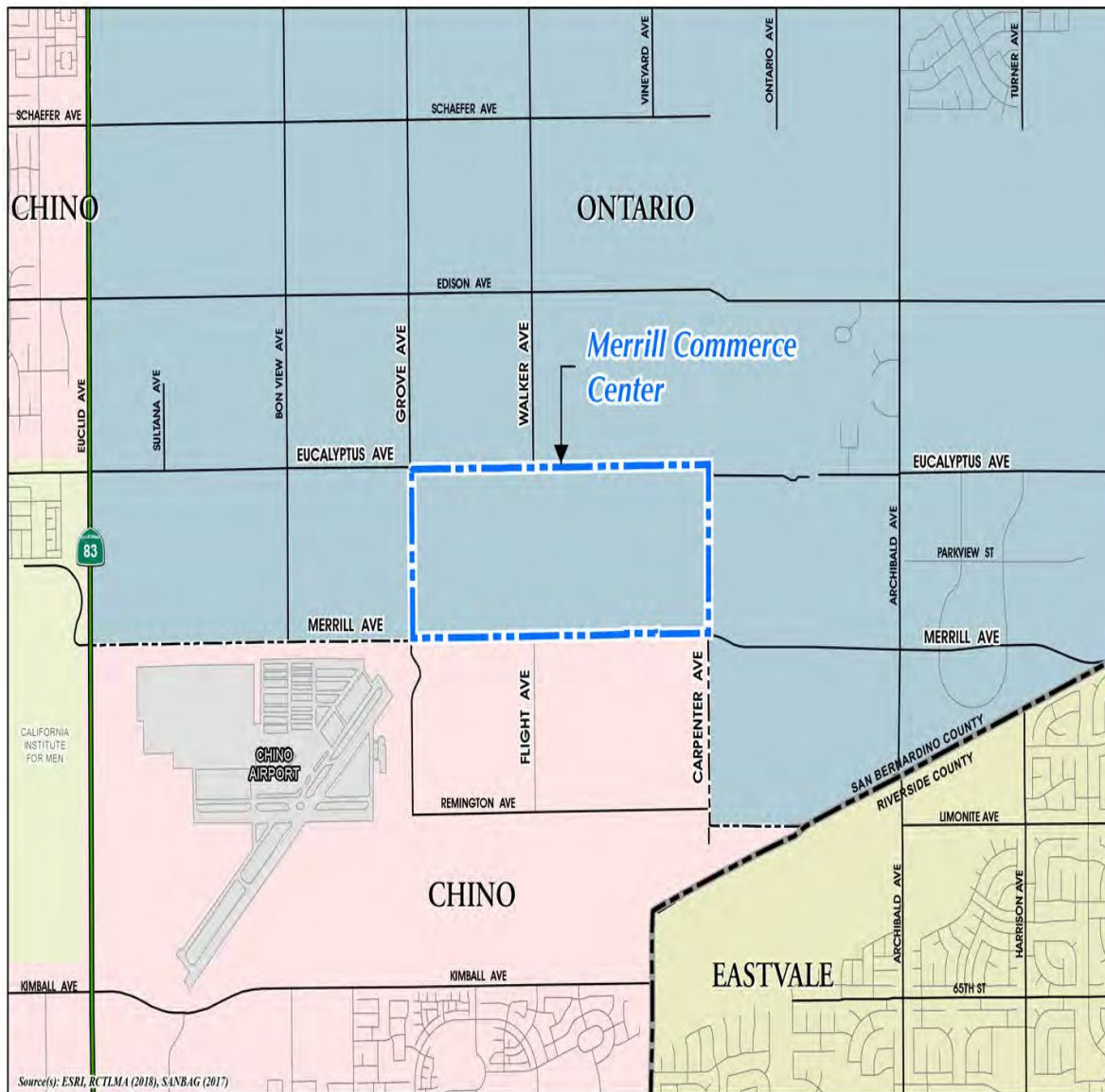


EXHIBIT "C"
TO DEVELOPMENT AGREEMENT

Existing Development Approvals

On December 22, 2020, the Planning Commission:

- a) Approved Resolution No. PC20-094, recommending the City Council certify the Environmental Impact Report (SCH #2019049079) for the Merrill Commerce Center Specific Plan (File No. PSP18-001).
- b) Approved Resolution No. PC20-095, recommending the City Council approve the General Plan Amendment (File No. PGPA18-003).
- c) Approved Resolution No. PC20-096, recommending the City Council approve the Merrill Commerce Center Specific Plan (File No. PSP18-001).

On February 2, 2021, the City Council:

- a) Adopted Resolution No. 2021-011, certifying the Environmental Impact Report (SCH #2019049079) for the Merrill Commerce Center Specific Plan (File No. PSP18-001).
- b) Adopted Resolution No. 2021-012, approving a General Plan Amendment (File No. PGPA18-003)

On February 16, 2021, the City Council:

- a) Adopted Ordinance No. 3178, approving the Merrill Commerce Center Specific Plan (File No. PSP18-001).

EXHIBIT "D"
TO DEVELOPMENT AGREEMENT

Existing Land Use Regulations

These documents are listed for reference only:

1. General Plan Amendment (File No. PGPA18-003)
2. Merrill Commerce Center Specific Plan (File No. PSP18-001), Ordinance No. 3178
3. Merrill Commerce Center Environmental Impact Report (SCH#2019049079)
4. City of Ontario Municipal Code
 - a. Six – Sanitation & Health
 - b. Seven – Public Works
 - c. Eight – Building Regulations
 - d. Nine – Development Code
 - e. Ten – Parks & Recreation

EXHIBIT "E"
TO THE DEVELOPMENT AGREEMENT

DESCRIPTION OF REQUIRED IMPROVEMENTS

OWNER shall design, construct, and complete the following Street, Sewer, Storm Drain, Potable Water, Recycled Water, and Fiber Optic improvements, prior to OWNER's request for any final certificate of occupancy permit for any building within Phase A.

PHASE A – STREETS (ST)

- a) ST improvements along Eucalyptus Avenue from Carpenter Avenue to westerly boundary of Phase A with street pavement transition.
- b) ST improvements along Merrill Avenue from Carpenter Avenue to westerly boundary of Phase A with street pavement transition.
- c) ST improvements along Vineyard Avenue from Merrill Avenue to Eucalyptus Avenue.
- d) ST improvements along Baker Avenue from Merrill Avenue to Eucalyptus Avenue.
- e) Traffic Signal at Eucalyptus Avenue/Carpenter Avenue.
- f) Traffic Signal at Eucalyptus Avenue/Vineyard Avenue.
- g) Traffic Signal at Eucalyptus Avenue/Baker Avenue.
- h) Traffic Signal Modification at Merrill Avenue/Carpenter Avenue.
- i) Traffic Signal at Merrill Avenue/Vineyard Avenue.
- j) Traffic signal at Merrill Avenue/Baker Avenue.
- k) Traffic Signal at Baker Avenue between Eucalyptus Avenue and Merrill Avenue.
- l) Traffic Signal at Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue.

PHASE A – SEWER (SS) (Subject to results of Sewer Technical Studies)

- a) 12" SS along Eucalyptus Avenue from Walker Avenue to west of Vineyard Avenue.
- b) 15" SS along Eucalyptus Avenue from Carpenter Avenue to Vineyard Avenue.
- c) 8" SS along Baker Avenue from south of Eucalyptus Avenue to Merrill Avenue.
- d) 10" SS along Merrill Avenue from Carpenter Avenue to Vineyard Avenue.
- e) 8" SS in Merrill Avenue from Baker Avenue going east.
- f) 12" SS in Merrill Avenue from Baker Avenue going west to Walker Avenue.
- g) 21"-30" SS in Walker Avenue from Eucalyptus Avenue to Merrill Avenue.
- h) 24" – 30" SS in Merrill Avenue from Walker Avenue to Grove Avenue.
- i) 30" SS in Merrill Avenue from Grove Avenue to Euclid Avenue.

- j) 36" SS in Euclid Avenue from Merrill Avenue to the point of connection in Kimball Avenue.

PHASE A – STORM DRAIN (SD)

- a) SD along Eucalyptus Avenue from Vineyard Avenue going west to the boundary of Phase A.
- b) SD along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) SD along Merrill Avenue from Carpenter Avenue going west to the boundary of Phase A.
- d) SD along Baker Avenue from Merrill Avenue to south of Eucalyptus Avenue.

PHASE A – POTABLE WATER (PW)

- a) 24" PW along Eucalyptus Avenue from Carpenter Avenue to Grove Avenue
- b) 12" PW along Merrill Avenue from Carpenter to Vineyard Avenue.
- c) 16" PW along Merrill Avenue from Vineyard Avenue going west to the boundary of Phase A.
- d) 16" PW along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue
- e) 12" PW along Baker Avenue from Eucalyptus Avenue to Merrill Avenue.

PHASE A – RECYCLED WATER (RW)

- a) 16" RW along Eucalyptus Avenue from Carpenter Avenue to Vineyard Avenue
- b) 12" RW along Eucalyptus Avenue from Vineyard Avenue going west to the boundary of Phase A.
- c) 8" RW along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- d) 16" RW along Carpenter Avenue from Eucalyptus Avenue to Merrill Avenue.
- e) 16" RW along Merrill Avenue from Carpenter Avenue going west to the boundary of PA 4.

PHASE A – FIBER OPTIC (FO)

- a) FO along Eucalyptus Avenue from Carpenter going west to the boundary of Phase A.
- b) FO along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) FO along Baker Avenue from Eucalyptus Avenue to Merrill Avenue.
- d) FO along Merrill Avenue from Carpenter Avenue going west to the boundary of Phase A.

**EXHIBIT “E” Continued
TO THE DEVELOPMENT AGREEMENT**

OWNER shall design, construct, and complete the following Street, Sewer, Storm Drain, Potable Water, Recycled Water, and Fiber Optic improvements, prior to OWNER’s request for any final certificate of occupancy permit for any building within Phase B.

PHASE B – STREETS (ST)

- a) ST improvements along Eucalyptus Avenue from Carpenter Avenue to Grove Avenue with street pavement transition.
- b) ST improvements along Walker Avenue from Edison Avenue to Merrill Avenue.
- c) ST improvements along Street “A” from Walker Avenue to Grove Avenue.
- d) ST improvements along Grove Avenue from Eucalyptus Avenue to Merrill Avenue.
- e) ST improvements along Merrill Avenue from Euclid Avenue to Grove Avenue.
- f) Traffic Signal at Eucalyptus Avenue/Carpenter Avenue
- g) Traffic Signal at Eucalyptus Avenue/Vineyard Avenue.
- h) Traffic Signal at Eucalyptus Avenue/Baker Avenue.
- i) Traffic Signal at Eucalyptus Avenue between Walker Avenue and Grove Avenue.
- j) Traffic Signal at Eucalyptus Avenue/Walker Avenue
- k) Traffic Signal at Eucalyptus Avenue/Grove Avenue.
- l) Traffic Signal at Walker Avenue/Street “A”.
- m) Traffic Signal at Grove Avenue/Street “A”.
- n) Traffic Signal at Street “A” between Walker Avenue and Grove Avenue.
- o) Traffic Signal Modification at Merrill Avenue/Carpenter Avenue.
- p) Traffic Signal at Merrill Avenue/Vineyard Avenue.
- q) Traffic Signal at Merrill Avenue/Baker Avenue.
- r) Traffic Signal at Merrill Avenue/Grove Avenue.
- s) Traffic Signal at Merrill Avenue between Walker Avenue and Grove Avenue.
- t) Traffic Signal at Merrill Avenue/Walker Avenue.
- u) Traffic Signal Modification at Merrill Avenue/Euclid Avenue.

PHASE B – SEWER (SS) (Subject to results of Sewer Technical Studies)

- a) 12” SS along Eucalyptus Avenue from west of Walker Avenue to Grove Avenue.
- b) 12” SS along Eucalyptus Avenue from west of Walker Avenue to west of Vineyard Avenue.
- c) 15” SS along Eucalyptus Avenue from Carpenter Avenue to Vineyard Avenue.
- d) 18” SS along Grove Avenue from Eucalyptus Avenue to Merrill Avenue

- e) 21" – 30" SS along Walker Avenue from Eucalyptus Avenue to Merrill Avenue
- f) 10" SS along Merrill Avenue from Carpenter Avenue to Vineyard Avenue.
- g) 8" SS along Merrill Avenue from Baker Avenue going east.
- h) 12" SS along Merrill Avenue from Baker Avenue to Walker Avenue.
- i) 24" – 30" SS along Merrill Avenue from Walker Avenue to Grove Avenue.
- j) 30" SS along Merrill Avenue from Grove Avenue to Euclid Avenue.
- k) 36" SS along Euclid Avenue from Merrill Avenue to point of connection in Kimball Avenue.

PHASE B – STORM DRAIN (SD)

- a) SD along Eucalyptus Avenue from Vineyard Avenue to Grove Avenue.
- b) SD along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) SD along Merrill Avenue from Carpenter Avenue to west of Walker Avenue.
- d) SD along Grove Avenue from Merrill Avenue to Eucalyptus Avenue.
- e) SD along Grove Avenue from Merrill Avenue going south to daylight point on Chino Airport property.
- f) SD along Walker Avenue from Merrill Avenue to the north of Street "A".

PHASE B – POTABLE WATER (PW)

- a) 24" PW along Eucalyptus Avenue from Carpenter Avenue to Grove Avenue.
- b) 12" PW along Grove Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) 16" PW along Merrill Avenue from Grove Avenue to Vineyard Avenue.
- d) 12" PW along Merrill Avenue from Vineyard Avenue to Carpenter Avenue.
- e) 12" PW along Street "A" from Grove Avenue to Walker Avenue.
- f) 16" PW along Walker Avenue from Merrill Avenue to Eucalyptus Avenue.

PHASE B – RECYCLED WATER (RW)

- a) 12" RW along Eucalyptus Avenue from Grove Avenue to Vineyard Avenue.
- b) 16" RW along Eucalyptus Avenue from Vineyard Avenue to Carpenter Avenue.
- c) 8" RW along Grove Avenue from Eucalyptus Avenue to Merrill Avenue.
- d) 8" RW along Merrill Avenue from Grove Avenue to Walker Avenue.
- e) 16" RW along Merrill Avenue from Walker Avenue to Carpenter Avenue.
- f) 16" RW along Carpenter Avenue from Merrill Avenue to Eucalyptus Avenue.
- g) 8" RW along Street "A" from Grove Avenue to Walker Avenue.
- h) 8" RW along Walker Avenue from Merrill Avenue to Eucalyptus Avenue.

PHASE B - FIBER OPTC (FO)

- a) FO along Eucalyptus Avenue from Carpenter Avenue to Grove Avenue.
- b) FO along Grove Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) FO along Merrill Avenue from Grove Avenue to Carpenter Avenue.
- d) FO along Street "A" from Grove Avenue to Walker Avenue.
- e) FO along Walker Avenue from Merrill Avenue to Eucalyptus Avenue.

**EXHIBIT “E” Continued
TO THE DEVELOPMENT AGREEMENT**

OWNER shall design, construct, and complete the following Street, Sewer, Storm Drain, Potable Water, Recycled Water, and Fiber Optic improvements, prior to OWNER’s request for any final certificate of occupancy permit for any building within Phase C.

PHASE C - STREETS (ST)

- a) ST improvements along Eucalyptus Avenue from Carpenter to Vineyard Avenue with street pavement transition.
- b) ST improvements along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) ST improvements along Merrill Avenue from Vineyard Avenue to Carpenter Avenue with street pavement transition.
- d) ST improvements along Carpenter Avenue from Merrill Avenue to Eucalyptus Avenue.
- e) Traffic Signal at Eucalyptus Avenue/Vineyard Avenue.
- f) Traffic Signal at Merrill Avenue/Vineyard Avenue.
- g) Traffic Signal Modification at Merrill Avenue/Carpenter Avenue.
- h) Traffic Signal at Eucalyptus Avenue/Carpenter Avenue.
- i) Traffic Signal at Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue.
- j) Traffic Signal at Carpenter Avenue between Eucalyptus Avenue and Merrill Avenue.

PHASE C – SEWER (SS) (Subject to results of the Sewer Technical Study)

- a) 15” SS along Eucalyptus Avenue from Carpenter Avenue to Vineyard Avenue.
- b) 10” SS along Merrill Avenue from Carpenter Avenue to Vineyard Avenue.

PHASE C – STORM DRAIN (SD)

- a) SD along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- b) SD along Merrill Avenue from Vineyard Avenue to Carpenter Avenue.

PHASE C – POTABLE WATER (PW)

- a) 24” PW along Eucalyptus Avenue from Carpenter Avenue to Grove Avenue.
- b) 16” PW along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) 12” PW along Merrill Avenue from Vineyard Avenue to Carpenter Avenue.

PHASE C – RECYCLED WATER (RW)

- a) 16” RW along Eucalyptus Avenue from Carpenter Avenue to Vineyard Avenue.
- b) 8” RW along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.

- c) 16" RW along Merrill Avenue from Vineyard Avenue to Carpenter Avenue.
- d) 16" RW along Carpenter Avenue from Merrill Avenue to Eucalyptus Avenue.

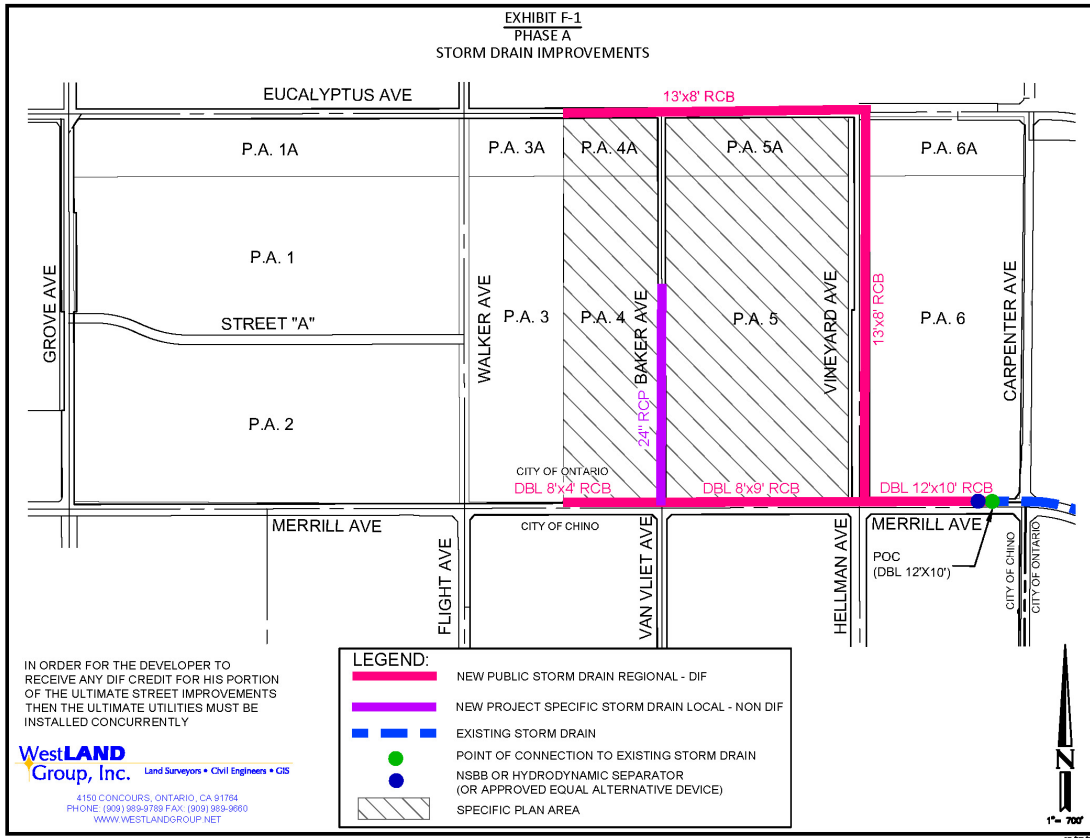
PHASE C – FIBER OPTIC (FO)

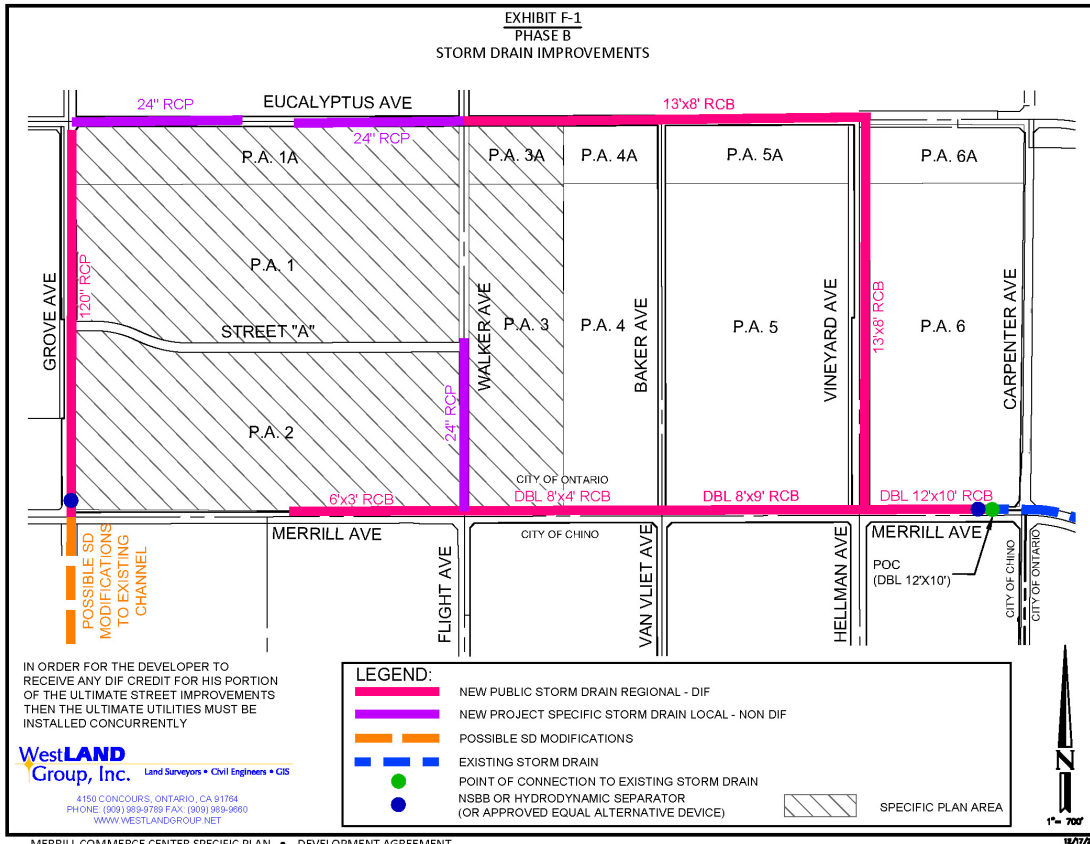
- a) FO along Eucalyptus Avenue from Carpenter Avenue to Vineyard Avenue.
- b) FO along Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue.
- c) FO along Merrill Avenue from Vineyard Avenue to Carpenter Avenue.

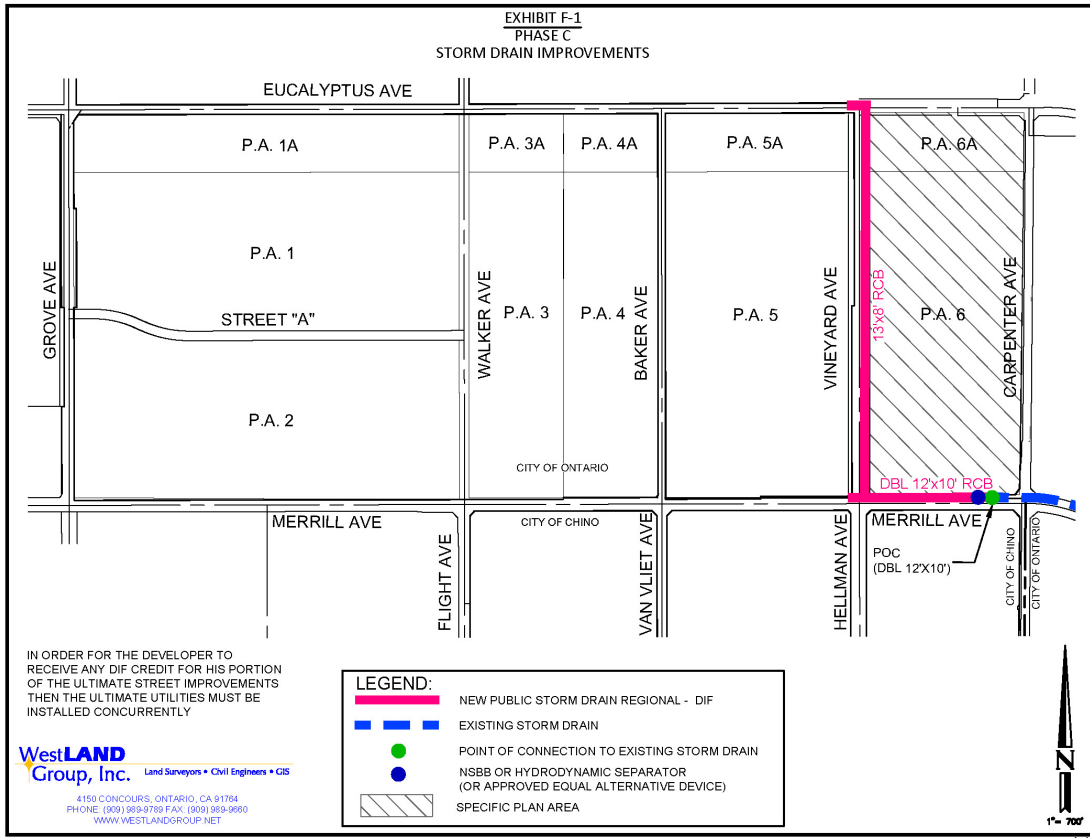
**EXHIBIT "F"
TO DEVELOPMENT AGREEMENT**

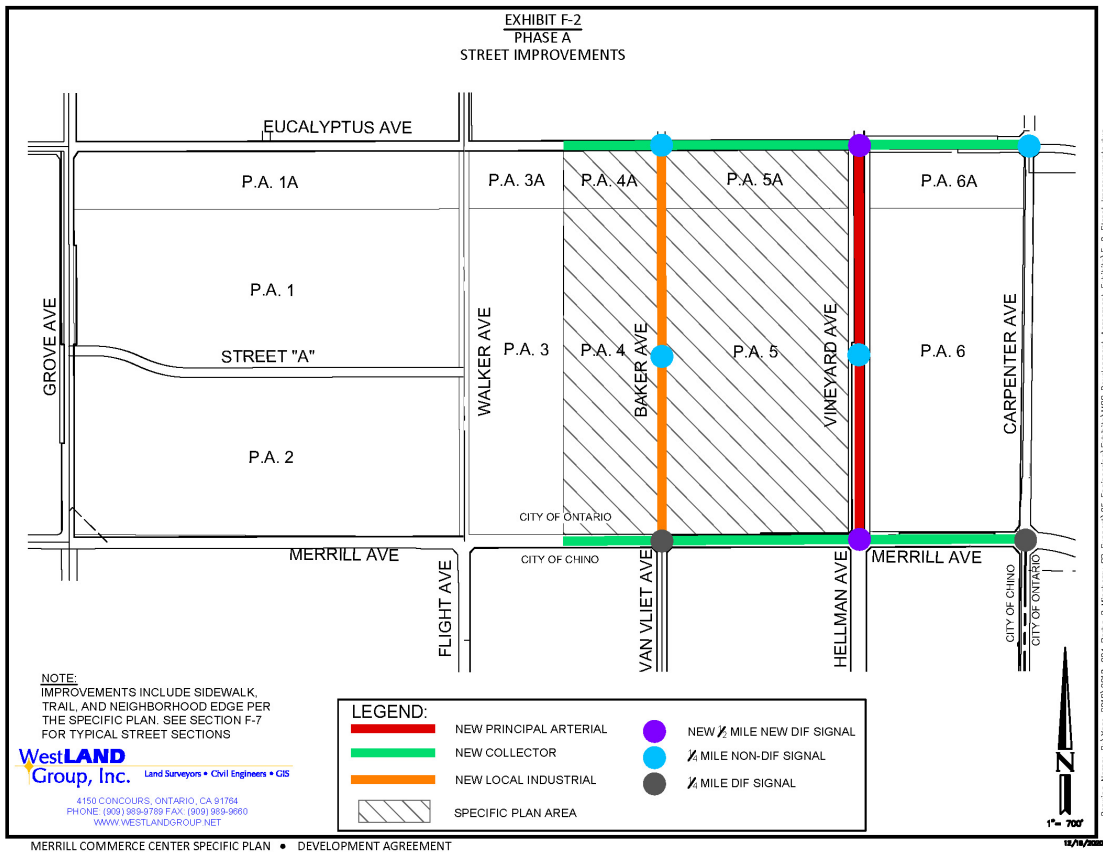
Required Infrastructure Improvements

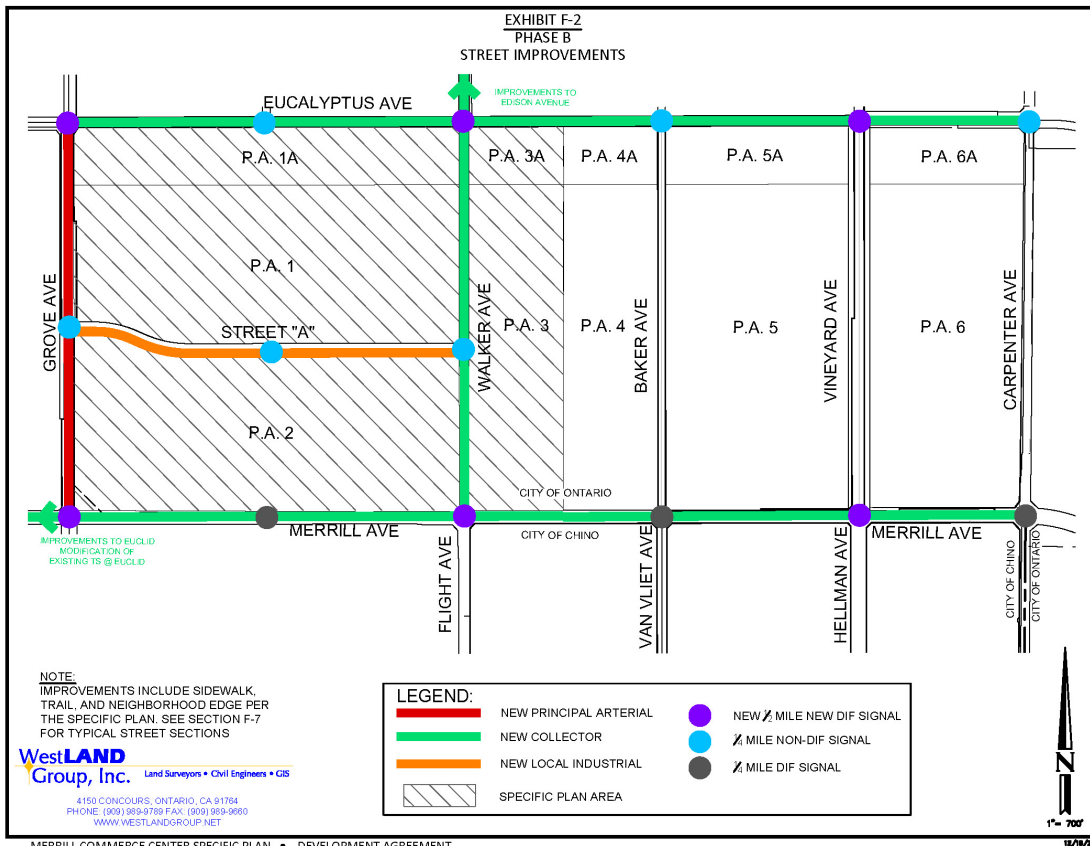
(SEE ATTACHED EXHIBITS)

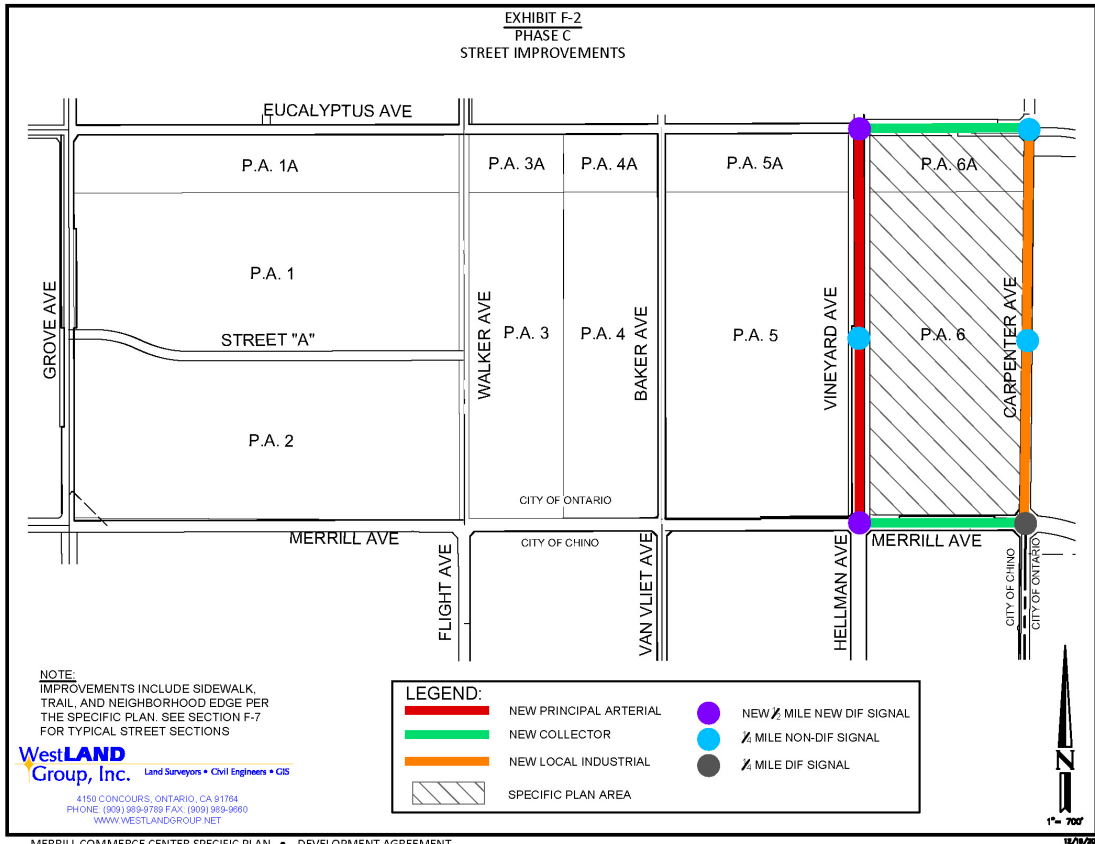




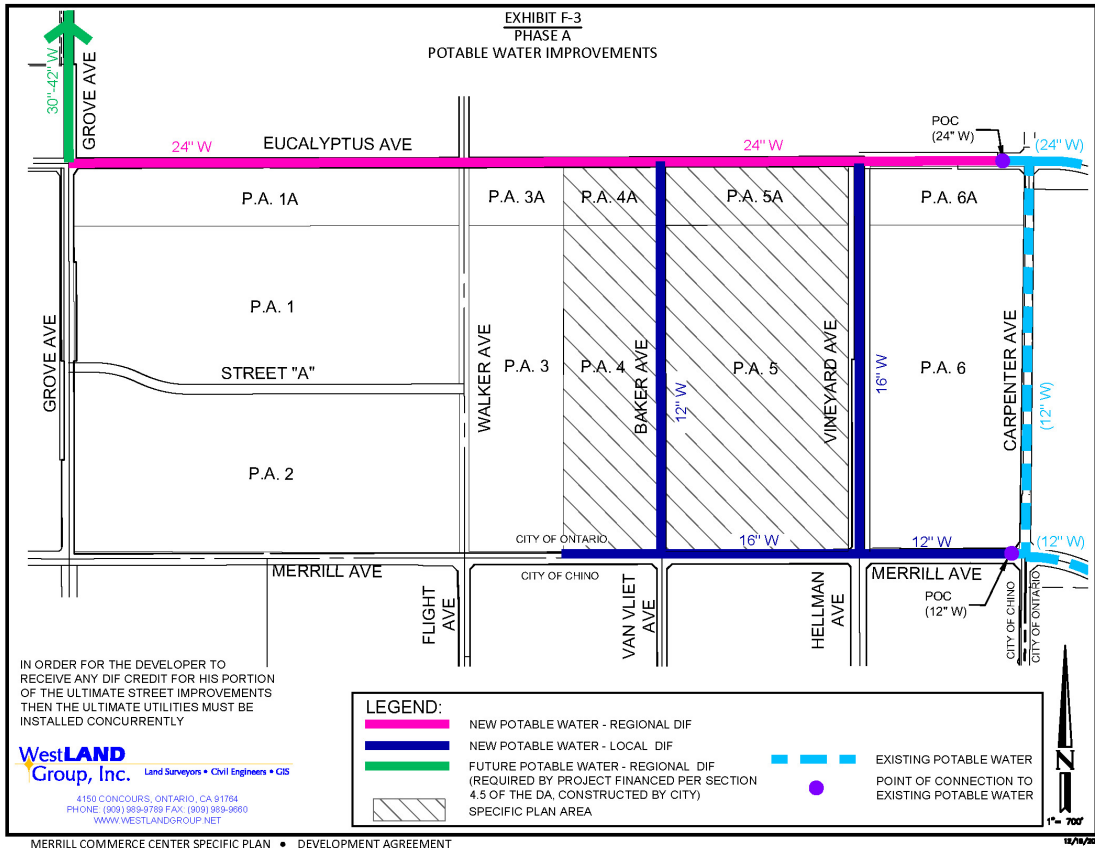


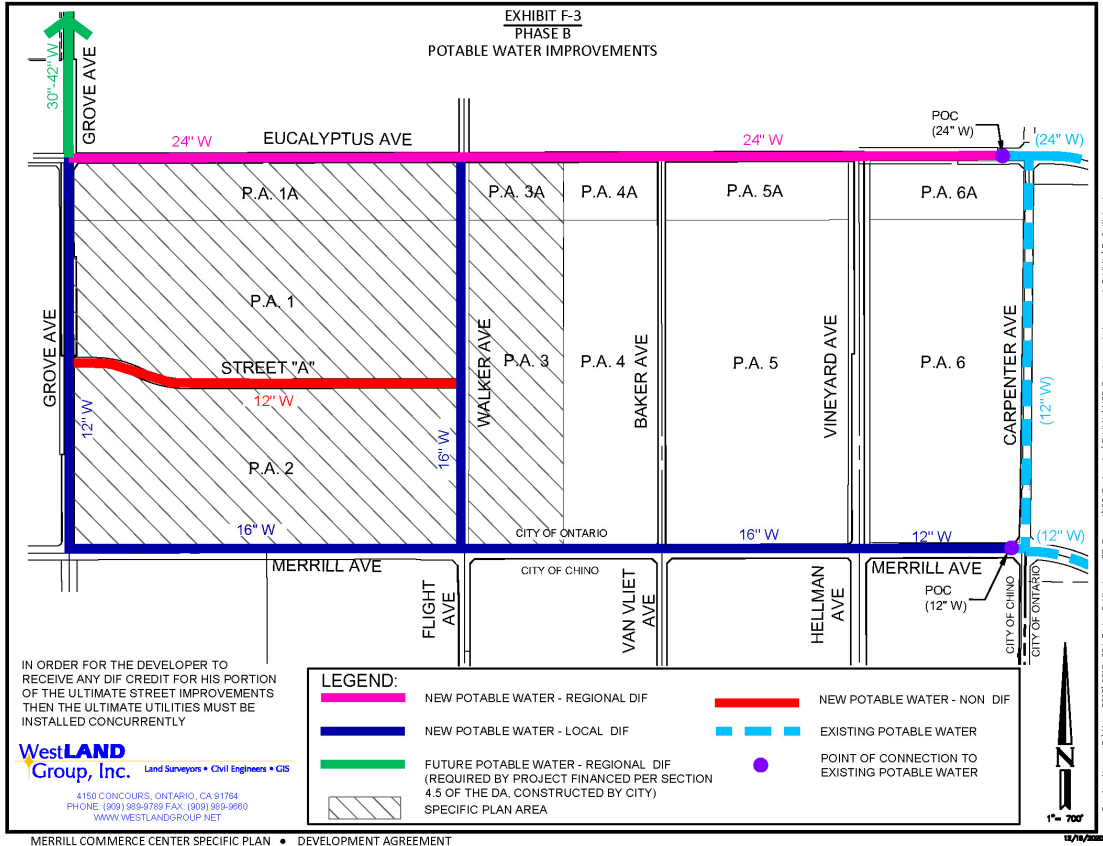






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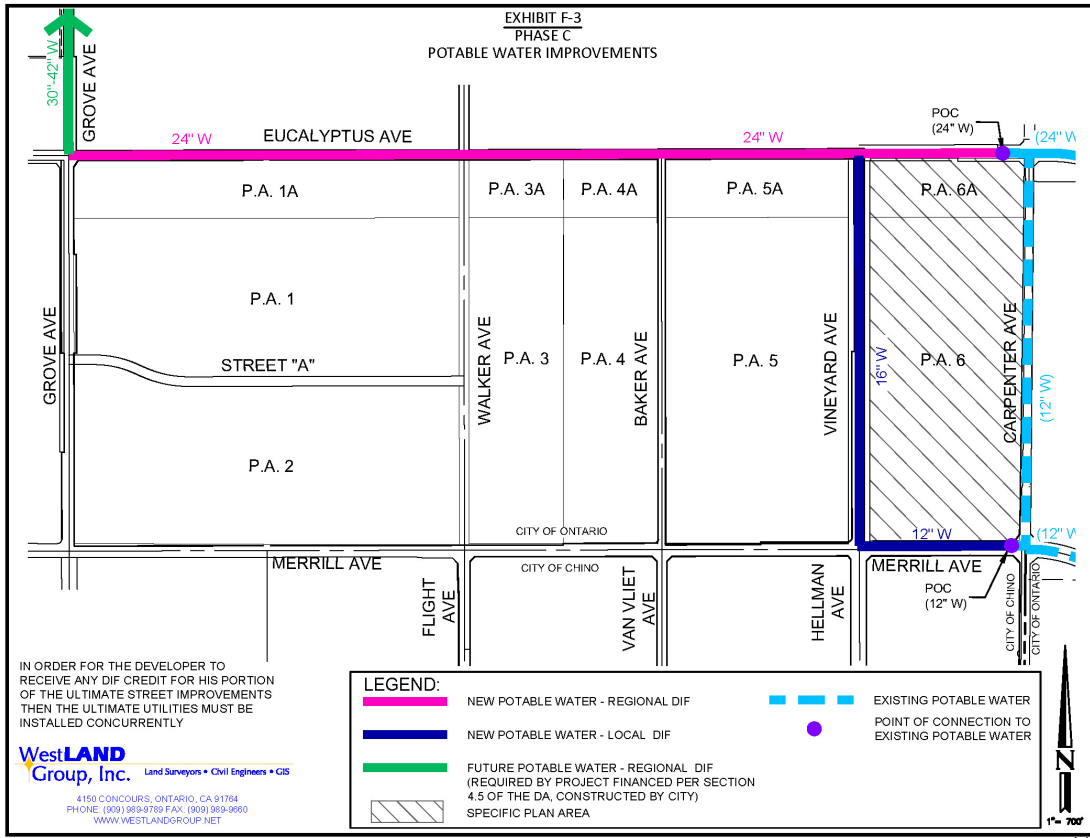
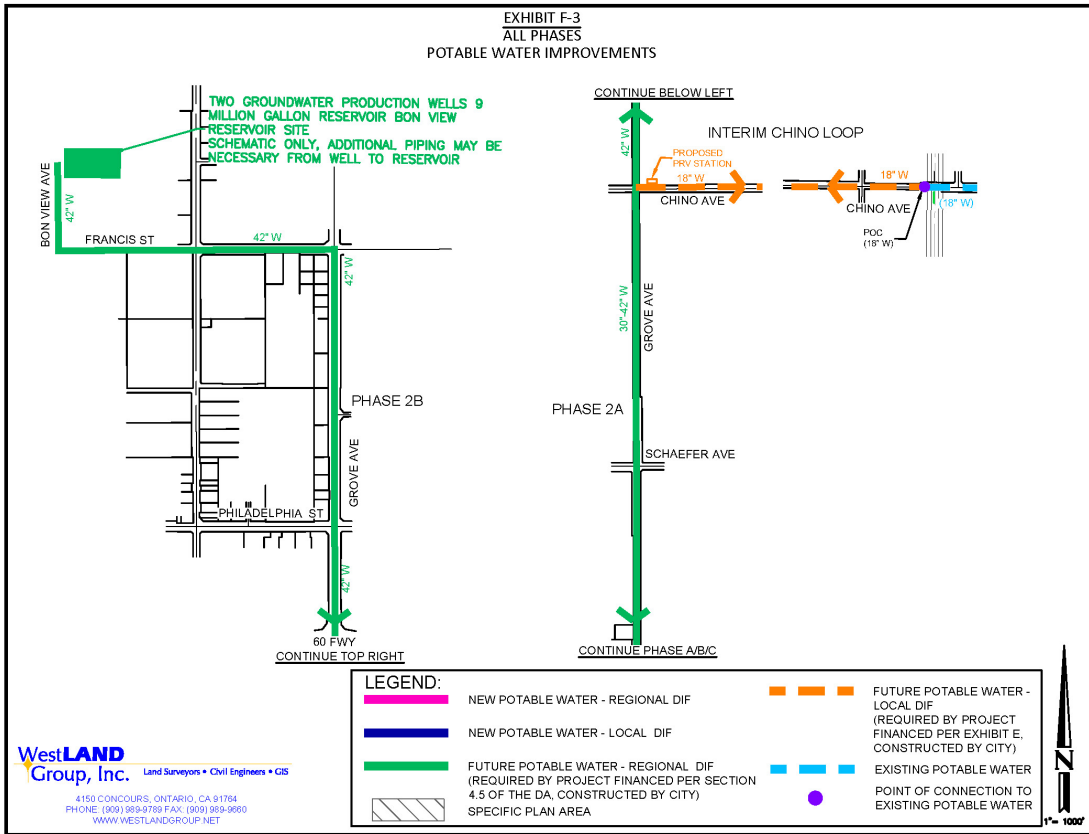


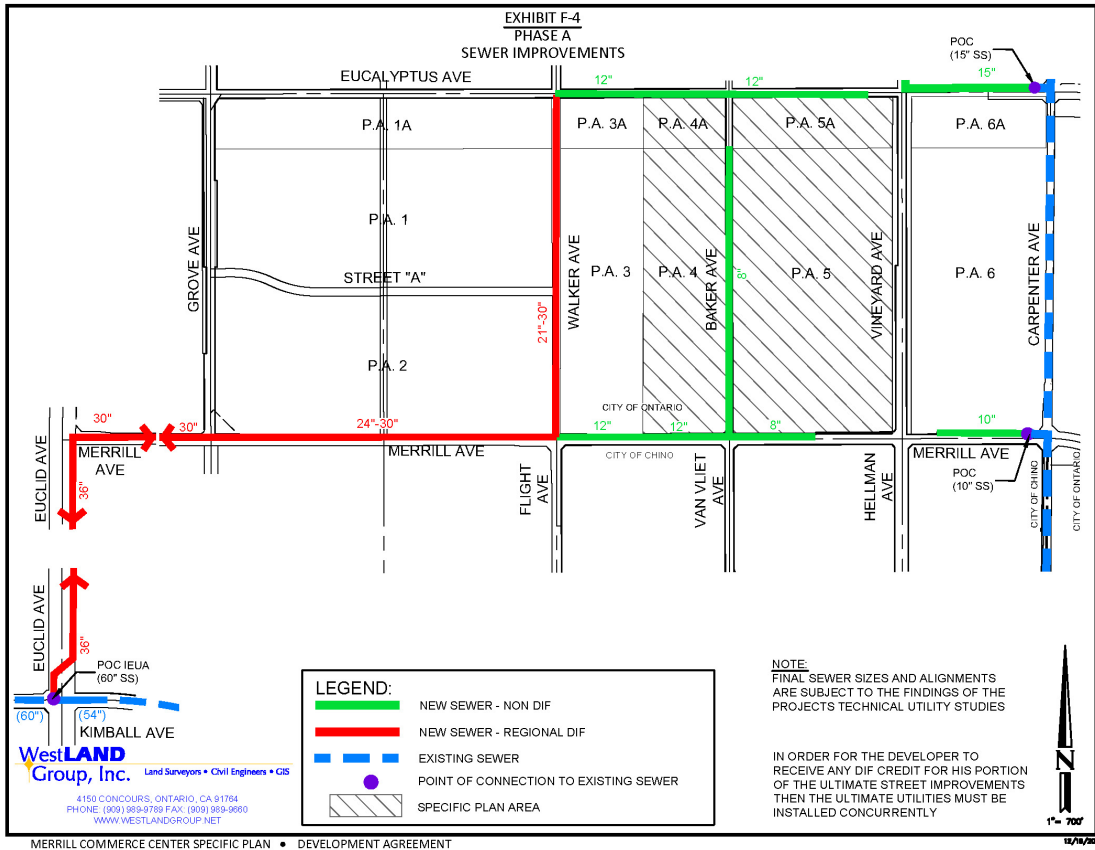
EXHIBIT F-3
ALL PHASES
POTABLE WATER IMPROVEMENTS

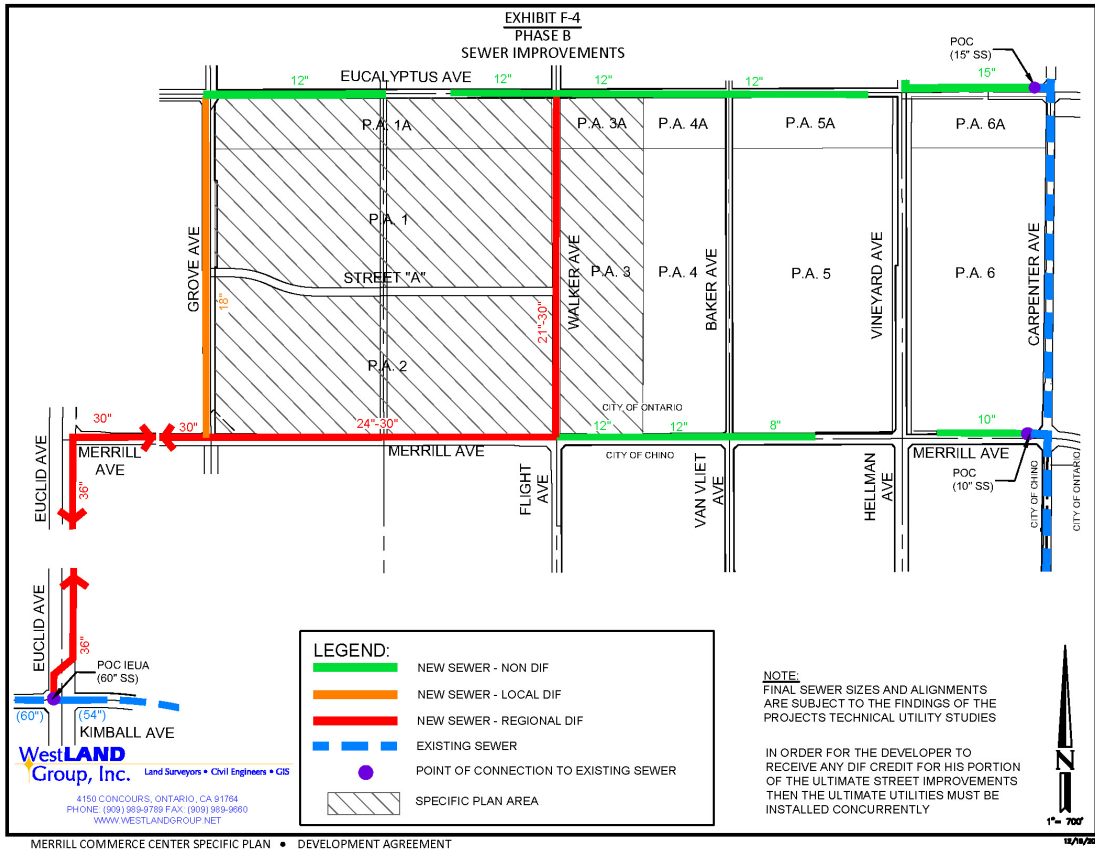


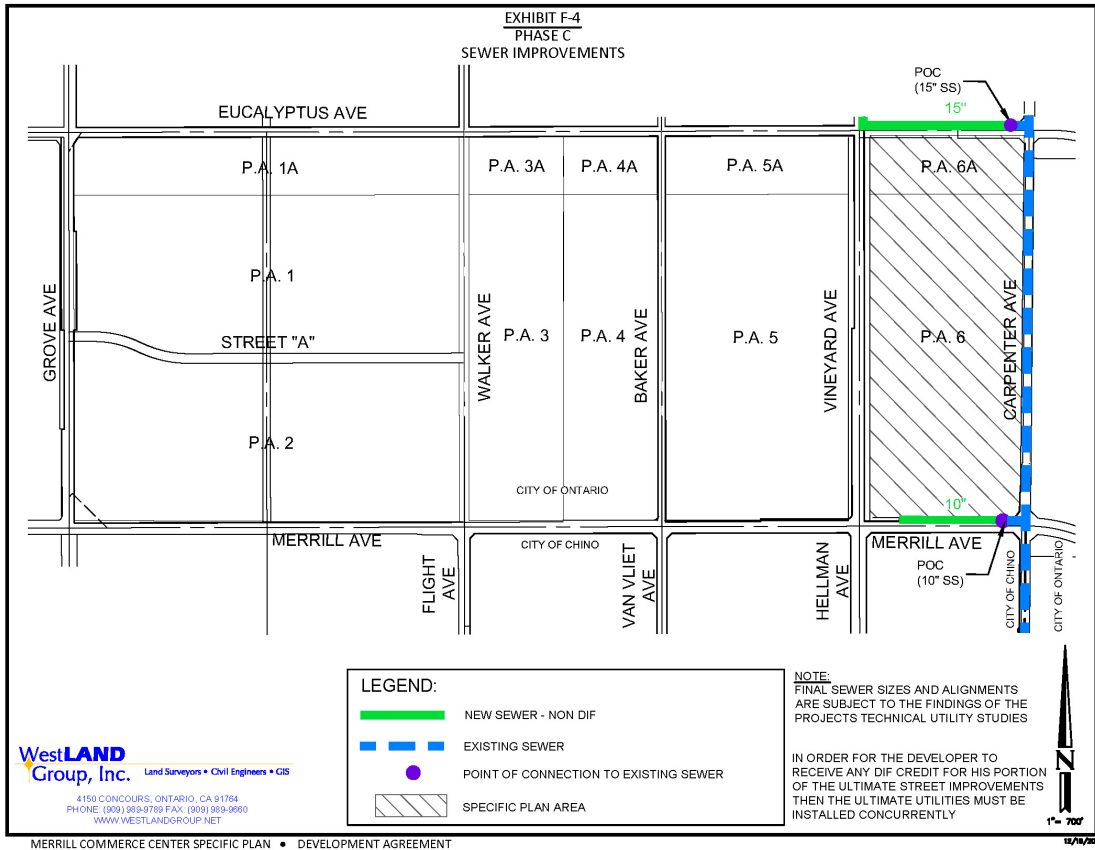
WestLAND Group, Inc.
Land Surveyors • Civil Engineers • GIS
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 959-8789 FAX: (909) 959-9680
WWW.WESTLANDGROUP.NET

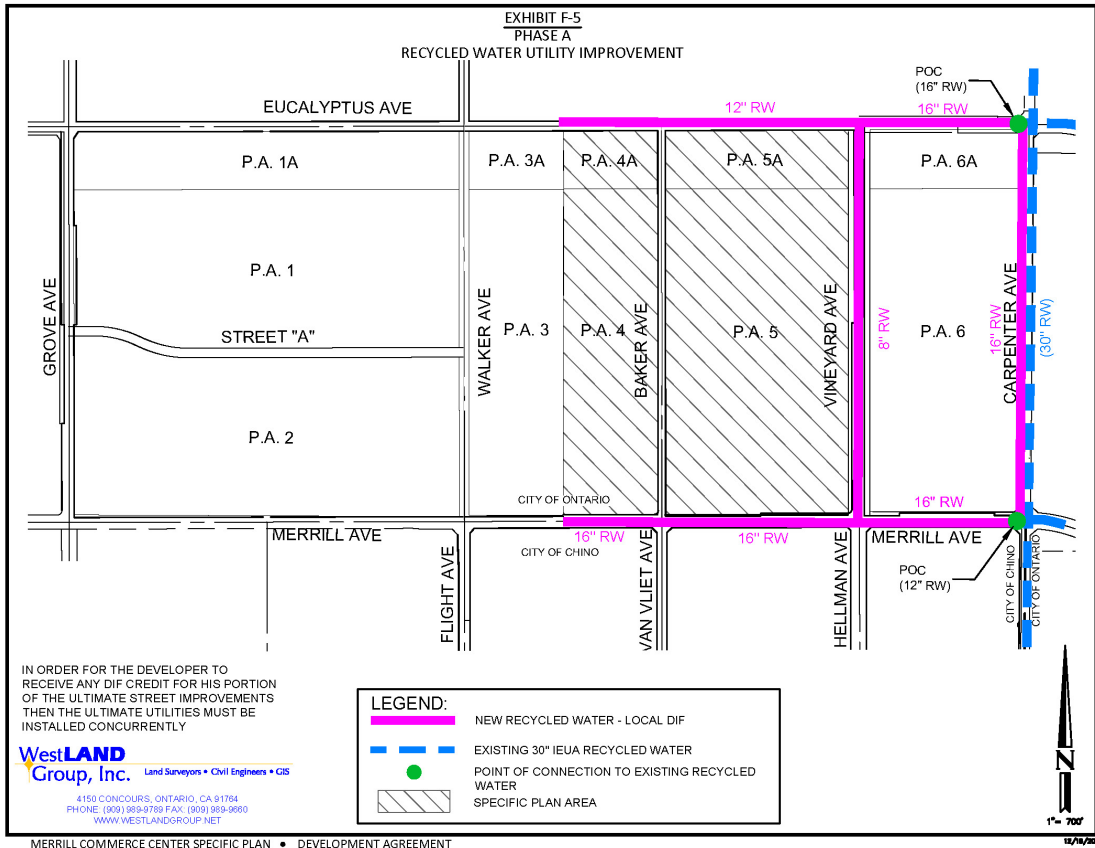
MERRILL COMMERCE CENTER SPECIFIC PLAN • DEVELOPMENT AGREEMENT

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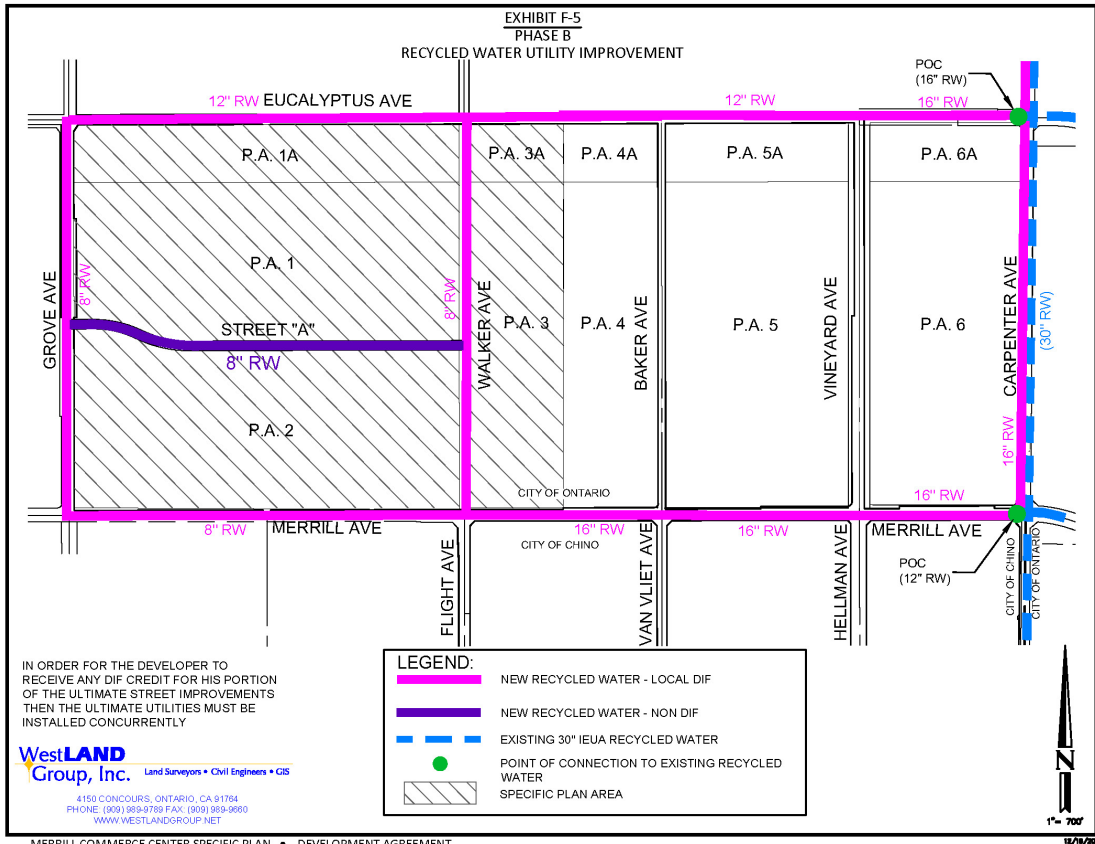




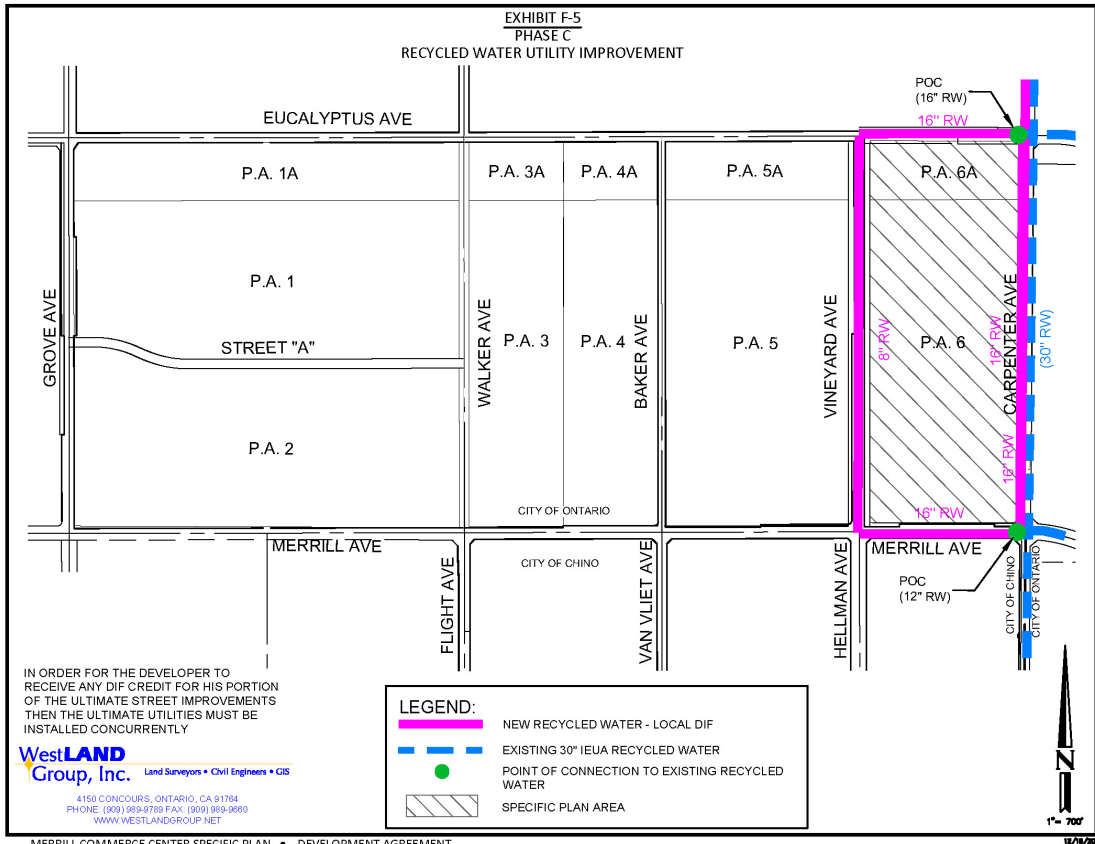


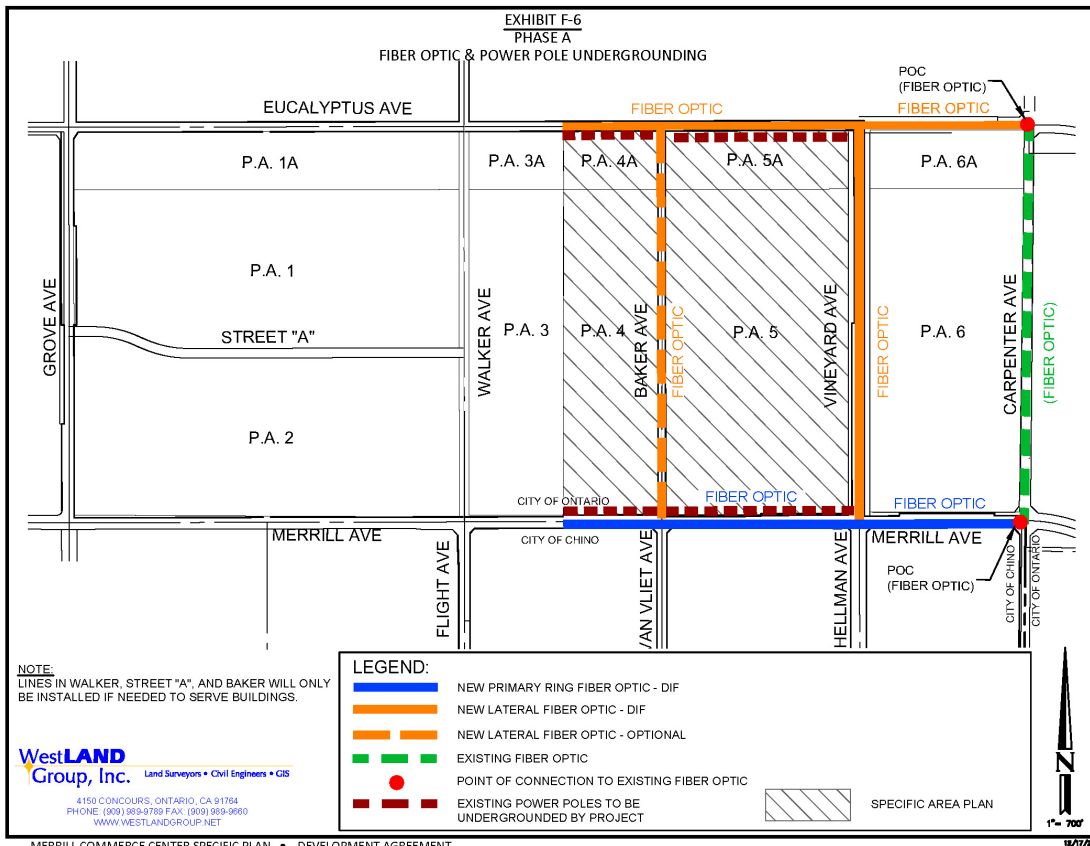


MERRILL COMMERCE CENTER SPECIFIC PLAN • DEVELOPMENT AGREEMENT

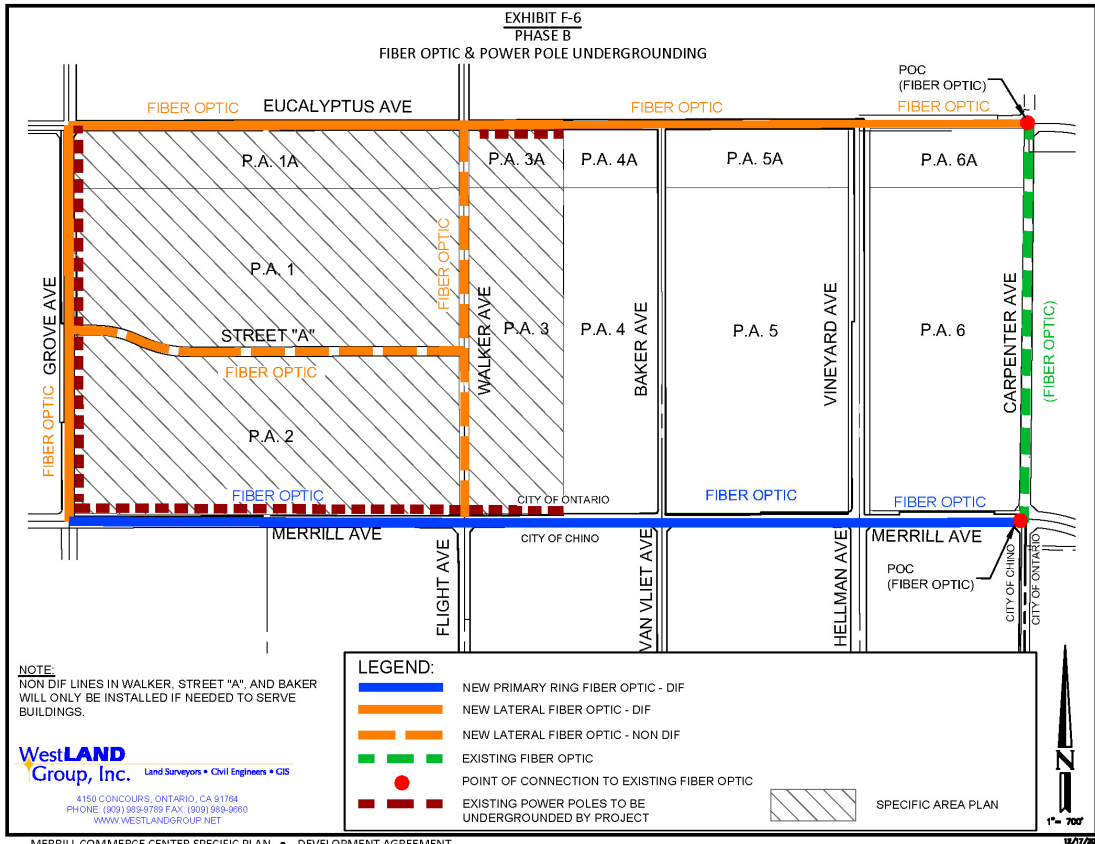


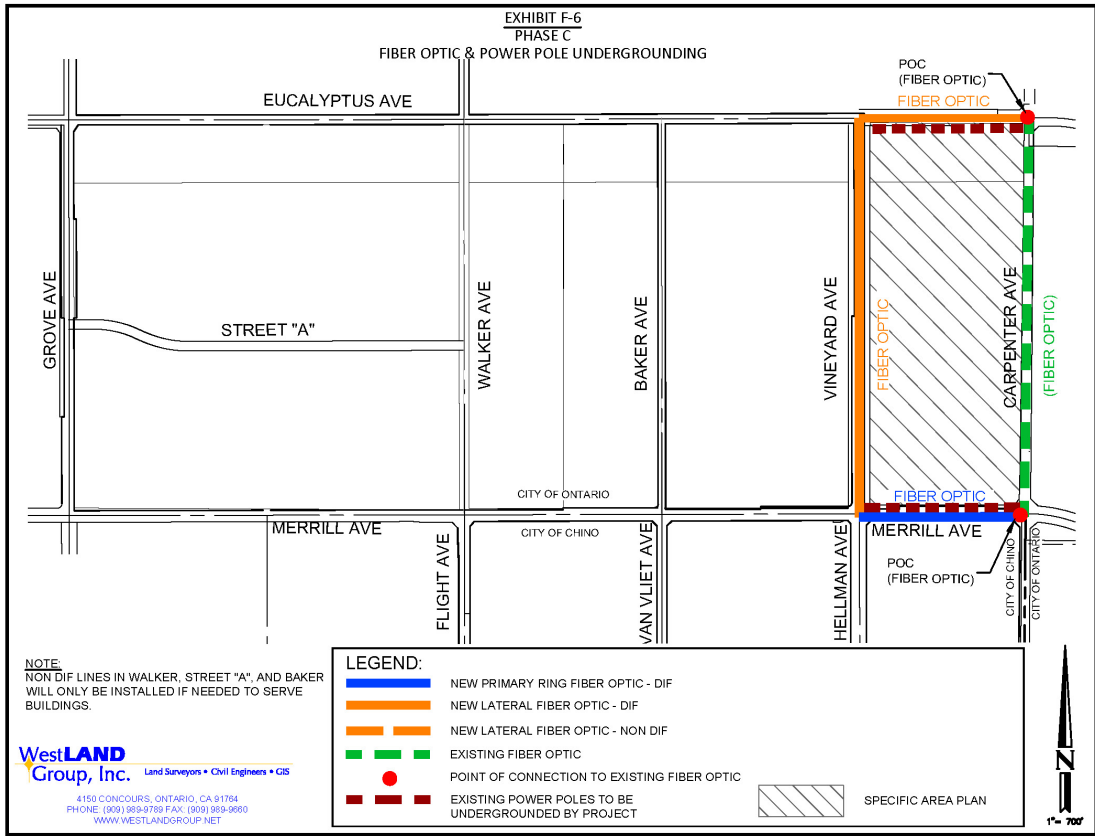
MERRILL COMMERCE CENTER SPECIFIC PLAN • DEVELOPMENT AGREEMENT





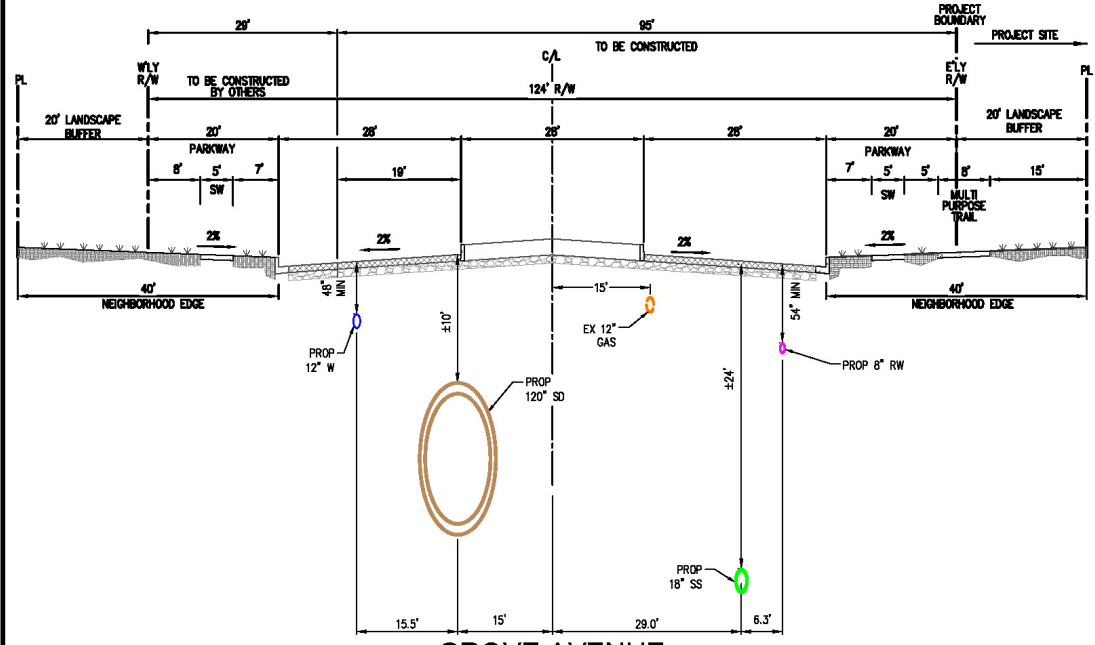
MERRILL COMMERCE CENTER SPECIFIC PLAN • DEVELOPMENT AGREEMENT



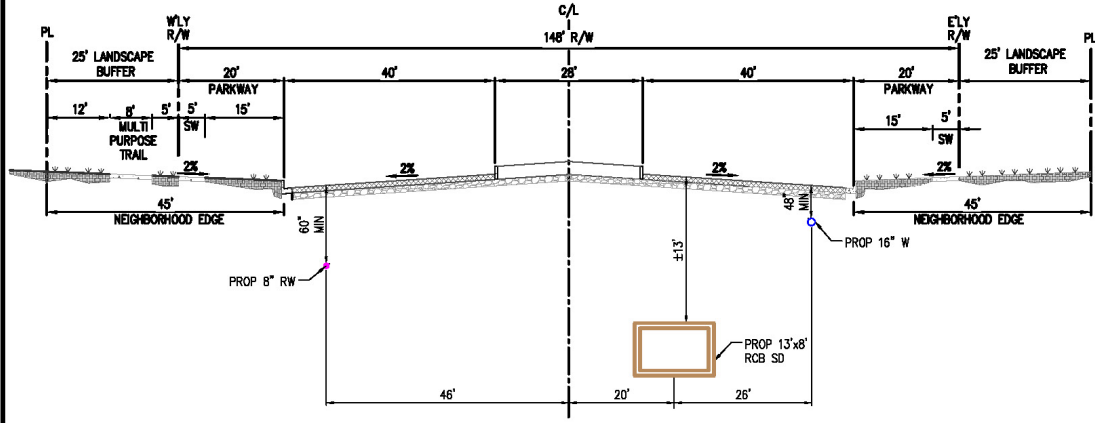


MERRILL COMMERCE CENTER SPECIFIC PLAN • DEVELOPMENT AGREEMENT

EXHIBIT F-7
STREET SECTIONS



GROVE AVENUE
PRINCIPAL ARTERIAL
124' ROW



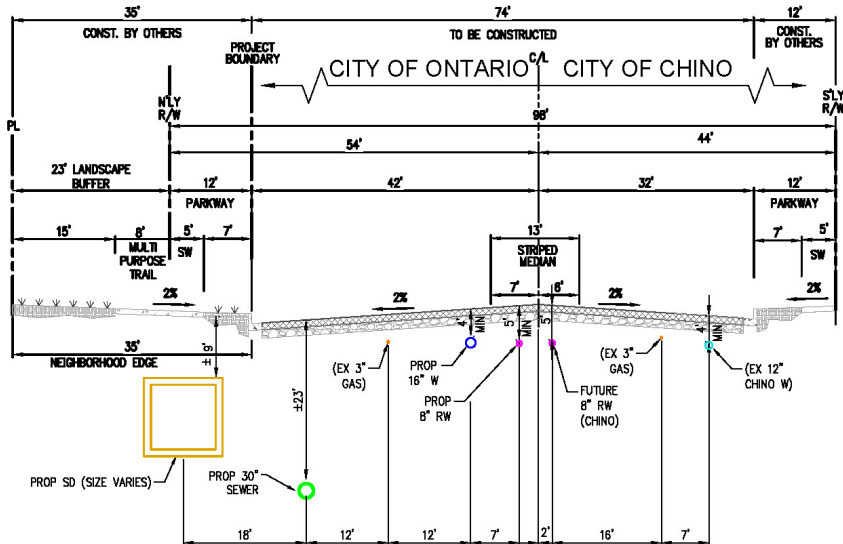
VINEYARD AVENUE
PRINCIPAL ARTERIAL
148' ROW

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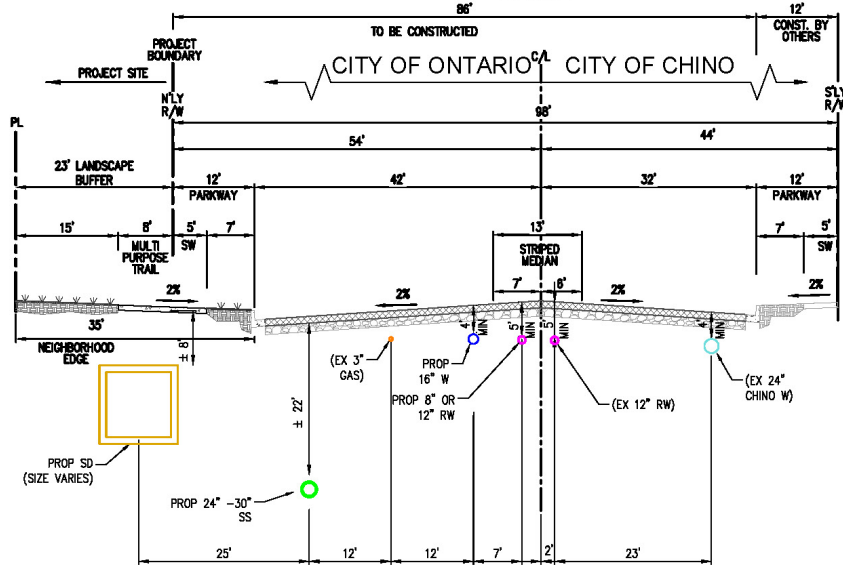
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9739 FAX: (909) 989-9660
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MERRILL COMMERCE CENTER SPECIFIC PLAN DEVELOPMENT AGREEMENT

EXHIBIT F-7
STREET SECTIONS



MERRILL AVENUE
COLLECTOR
WEST OF GROVE TO EUCLID
98' ROW



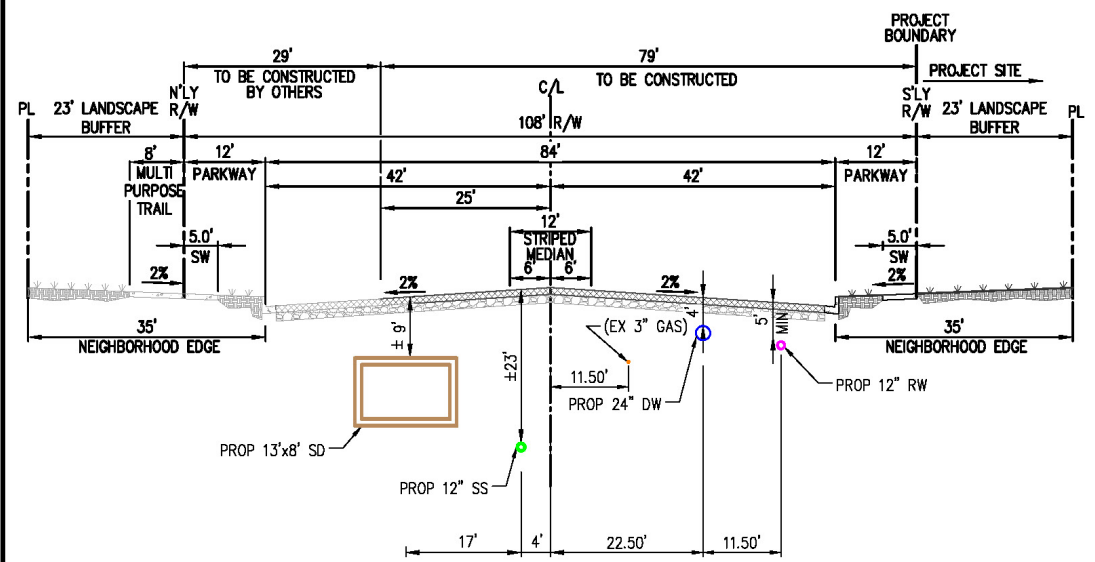
MERRILL AVENUE
COLLECTOR
EAST OF GROVE TO CARPENTER
98' ROW

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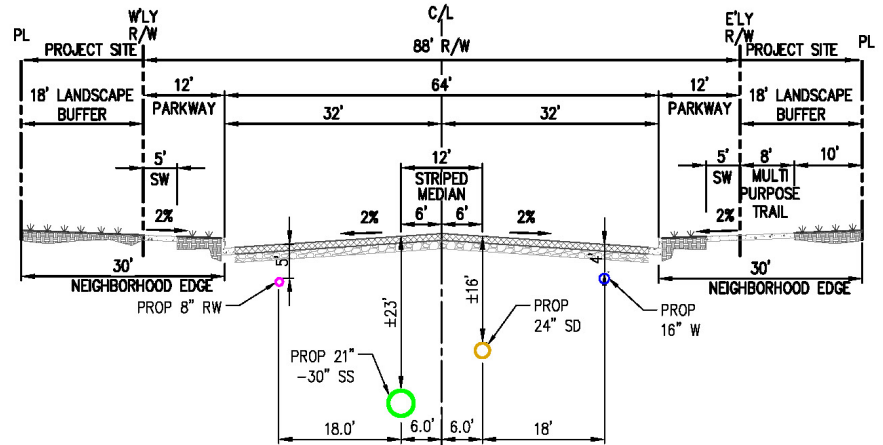
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MERRILL COMMERCE CENTER SPECIFIC PLAN DEVELOPMENT AGREEMENT

EXHIBIT F-7
STREET SECTIONS



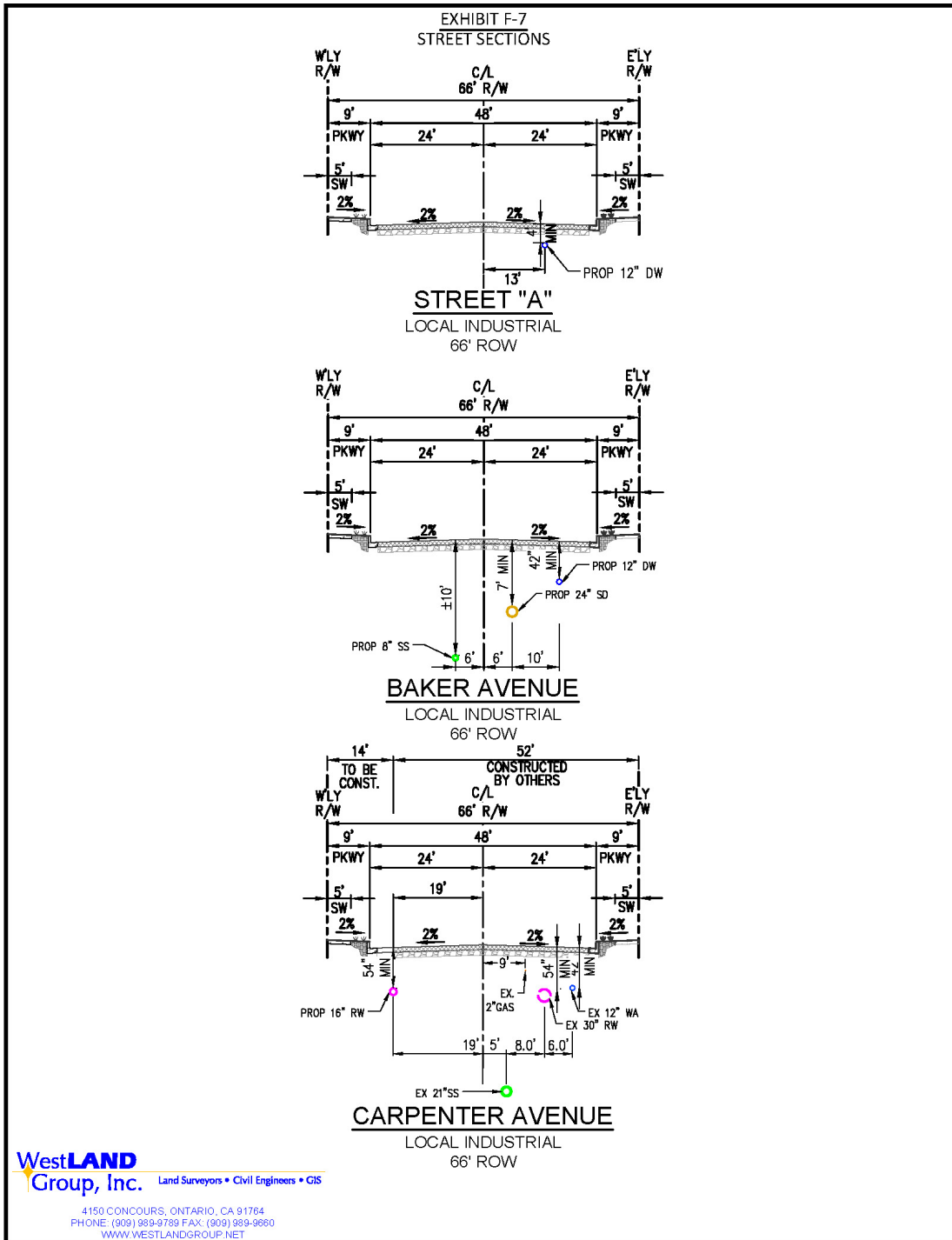
EUCALYPTUS AVENUE
COLLECTOR
108' ROW



WALKER AVENUE
COLLECTOR
88' ROW

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4150 CONCOURS, ONTARIO, CA 91764
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Exhibit "G"

FILE NOS: PMTT20-010, PWIL20-001, and PWIL20-002

SUBJECT: A Tentative Parcel Map (File No. PMTT20-010/TPM 20273) to subdivide 366.65 gross acres of land into 22 lettered lots and 22 numbered lots, and Tentative Cancellation of Williamson Act Contract Nos. 69-147 (File No. PWIL20-001) and 70-167 (File No. PWIL20-002). The project is bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, and is situated within the Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, regarding the Merrill Commerce Center Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was previously certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts; (APNs: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06) **submitted by Prologis.**

PROPERTY OWNER: Prologis L.P.; Minaberry Family, LLC; Joseph and Doleen Borba Administrative Trust

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PMTT20-010, PWIL20-001, and PWIL20-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 366.65 gross acres of land located at the northeast corner of Merrill

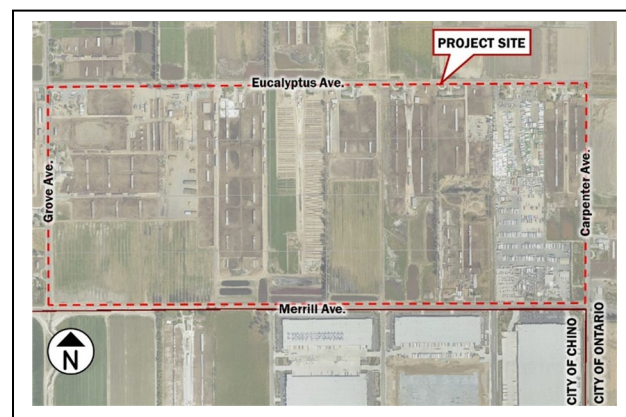



Figure 1: Project Location

Case Planner:	Edmelynn V. Hutter, AICP
Planning Director Approval:	
Submittal Date:	October 21, 2020

Hearing Body	Date	Decision	Action
DAB	3/1/2021	Approval	Recommend
PC	3/23/2021		Final
CC			

and Grove Avenues, within the SP (Merrill Commerce Center Specific Plan) zoning district and is depicted in Figure 1: Project Location. The Project site is bordered by Eucalyptus Avenue on the north, Merrill Avenue on the south, Carpenter Avenue on the east, and Grove Avenue on the west. The properties to the north of the site are currently developed with agricultural uses and dairies and are located within the SP(AG) zoning district. The properties to the south are located within the City of Chino and developed with the Chino Airport, industrial buildings, and agricultural uses. The properties east of the Project are improved with industrial and warehouse developments. The properties to the west are developed with dairy farms. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On February 2, 2021, the City Council approved the introduction (first reading) of Ordinance No. 3178 for the Merrill Commerce Center Specific Plan ("MCCSP"), adopted Resolution No. R2021-011, certifying the MCCSP Final Environmental Impact Report (State Clearinghouse No. 2019049047), and adopted Resolution No. R2021-012, approving the associated General Plan Amendment (File No. PGPA18-003) establishing the Business Park (0.6 FAR) and Industrial (0.55 FAR) land uses on the project site. On February 16, 2021, the City Council adopted (second reading) Ordinance No. 3178, approving the MCCSP (File No. PSP18-001). The MCCSP establishes the land use designations, development standards, and design guidelines on 376.3 acres of land, which includes the potential development of up to 8,455,000 square feet of industrial and business park development. The ordinance approving the MCCSP was enacted on March 18, 2021, following the 30-day referendum period mandated by State law (Elections Code Section 9235 et seq.).

On October 21, 2020, the applicant submitted a Tentative Parcel Map (File No. PMTT20-010) to facilitate the future construction of industrial buildings totaling 6,266,502 square feet and business park buildings totaling 1,074,566 square feet (See Exhibit B—Tentative Parcel Map No. 20273).

On November 13, 2020, the applicant submitted applications requesting Tentative Cancellation of Williamson Act Contract Nos. 69-147 (File No. PWIL20-001) and 70-167 (File No. PWIL20-002), which are currently in place on the Project site.

On March 1, 2021, the Development Advisory Board ("DAB") conducted a hearing to consider the Tentative Parcel Map, and concluded the hearing, voting unanimously to recommend that the Planning Commission approve the Application subject to conditions of approval, which are included as attachments to the Planning Commission resolution.

Development plans showing building layout, architectural design, landscaping, parking, etc., for individual parcels within the Project site will be submitted and processed at a later date, for Planning Commission consideration.

(2) Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the Project site into 22 numbered lots and 22 lettered lots (see Exhibit B-Tentative Parcel Map, attached) to facilitate the construction of 10 industrial buildings and 11 business park buildings totaling 7,341,068 square feet. The parcels range in size from 3.62 to 59.32 acres, as shown in the Tentative Parcel Map Summary Table (see Exhibit C, attached). The minimum parcel size required for the Business Park and Industrial land use districts is one acre.

(3) Site Access/Circulation — The Project site will be accessible from the four perimeter streets of Eucalyptus, Merrill, Carpenter, and Grove Avenues, which will all be widened and/or improved as part of future development of the Project. Street extensions, such as Vineyard Avenue, Walker Avenue, Baker Avenue, and the proposed “Street A,” will provide additional access to interior areas of the Project site.

(4) Parking — All future land uses will be required to meet all Development Code and MCCSP parking standards and regulations.

(5) Architecture — All future building designs shall be required to incorporate a Contemporary Architectural style, as required in the MCCSP. In addition, equipment and loading/dock areas will be screened from public view in accordance with Specific Plan requirements.

(6) Chino Airport Land Use Compatibility Compliance — The project site is located within the Chino Airport Influence Area (AIA). Pursuant to the California Airport Land Use Planning Handbook, the project site is located within Safety Zones 1 (Runway Protection Zone), 2 (Inner/Approach Departure Zone), 3 (Inner Turning Zone), 4 (Outer Approach/Departure Zone), and 6 (Traffic Pattern/Overflight Zones), as shown on Exhibit D – Chino Airport Safety Zones, attached. Safety Zone 1, which occupies portions of Parcels 2, 3, and 4, prohibits the construction of any buildings or structures. The remaining portion of the project site is impacted by a combination of Safety Zones 2, 3, 4, and 6, which are subject to intensity limits (number of people on the site) and open land criteria requirements. Future development shall be required to be consistent with the policies and criteria of the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook.

(7) Landscaping — The MCCSP requires a minimum 10 percent landscape coverage be provided for buildings within the Industrial and Business Park land use districts. All future development applications will be required to comply with the minimum 10 percent landscape coverage, in addition to right-of-way landscape and neighborhood edge landscape requirements. The proposed lettered lots associated with this Project will be

developed with landscaping and a Community Facilities District will be established to ensure these areas are properly maintained.

(8) Signage — The Merrill Commerce Center will be required to establish a comprehensive sign program and all future signage will be subject to the sign program and Development Code. The sign program will facilitate integration of the signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs. Key provisions will include an entry monument, center and tenant identification signage, traffic and wayfinding signs, building signs, secondary monumentation, and visitor and directional signage.

(9) Utilities (drainage, sewer) — To serve the future industrial developments, the Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-004) and requirements of the MCCSP. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of landscape areas designed as swales and grade to accept runoff, underground storm water retention chambers where downstream landscape areas are limited, surface retention basins to receive impervious area runoff and installation of storm water drywells in detention areas.

(10) Williamson Act Contract Cancellation — Agricultural lands under a Williamson Act Contract are governed by the California Land Conservation Act of 1965, also known as the Williamson Act and was enacted to promote farmland conservation. The Williamson Act provides relief of property tax to owners of farmland in exchange for a minimum ten-year agreement that restricts a specific parcel of land to agriculture uses. The contract time limit is indefinite, until the contract non-renewed and canceled. Upon annexation, the City of Ontario assumed responsibility for administration of the Land Conservation Contracts which existed in the Ontario Ranch area. The City adopted the Agricultural Overlay Zoning District, or a "Right-to-Farm" Ordinance, that would allow existing agricultural uses within Ontario Ranch to continue for as long as the landowner desired.

In the City's review of the cancellation process for Williamson Act Contracts, the Notice of Non-Renewal procedure was intended to be the normal method of terminating agricultural Contracts. For the landowner, it allows the Property Tax Assessments to gradually increase to full market value over a 10-year period, until the Contract expired. For the City, the non-renewal allows adequate time to plan for future land use and infrastructure requirements.

In conjunction with the proposed Tentative Parcel Map 20273, the applicant is requesting the cancellation of the Williamson Act Contract Nos. 69-147 and 70-167 prior to the Non-Renewal termination dates. The Cancellations will provide relief from the provisions of the Contracts, thus allowing for development of the properties with an industrial use. The Notice of Non-Renewal, for each of subject properties (Figure 2: Merrill Commerce Center Specific Plan - Williamson Act Contract Locations), was recorded with the County of San Bernardino as follows:

- Land Conservation Contract 69-147 Non-Renewal recorded on January 20, 2021 and will expire on January 1, 2031.
- Land Conservation Contract 70-167 Non-Renewal recorded on September 21, 2017 and will expire on January 1, 2027.

The proposed alternative use of industrial is consistent with the Policy Plan, which

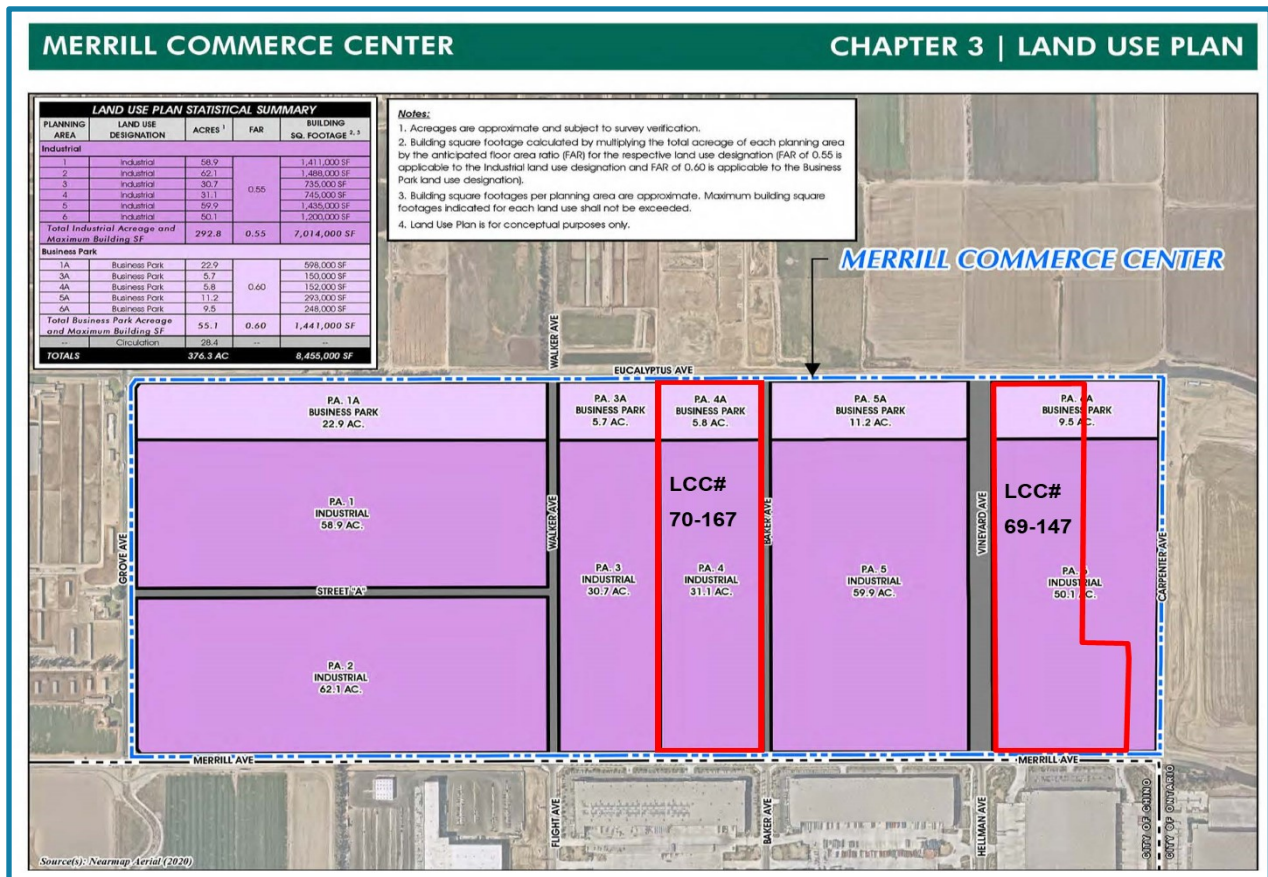


Figure 2: Merrill Commerce Center Specific Plan - Williamson Act Contract Locations

designates the subject site for Business Park (0.60 FAR) and Industrial (0.55 FAR). The subject site is part of the Merrill Commerce Center Specific Plan, which has been planned in accordance with TOP Policy Plan.

Copies of the petitions for cancellation were sent to the Director of the Department of Conservation, as required by the Williamson Act. On February 2, 2021, The Planning Department received comments from the Department of Conservation stating they concur with staff's findings, pursuant to Section 51282 of the Williamson Act.

Required Findings— The cancellation process for Williamson Act contracts identifies findings which must be made in order to cancel a contract. The City Council must find that the proposed cancellation is consistent with the purposes of the Williamson Act or is in the public interest. Staff has reviewed the request and believes that the cancellations are consistent with the purposes of the Williamson Act as follows:

1. The cancellation is for land on which a Notice of Non-Renewal has been served.

Pursuant with Government Code Section 51245 a Notice of Non-Renewal of Land Conservation Contract Numbers 69-147, was on recorded January 20, 2021, as Instrument No. 2021-0027541, and Conservation Contract Number 70-167, was on recorded September 21, 2017, as Instrument No. 2017-0391236, Official Records, has been served.

2. Cancellation is not likely to result in the removal of adjacent lands from agricultural use.

Cancellation of the Land Conservation Contract Nos. 69-147 and 70-167 is not likely to result in the removal of adjacent lands from agricultural uses. The properties adjacent to the contracted land are part of Merrill Commerce Center Specific Plan. The change in use of these parcels would be due to the development of the specific plan and not to the cancellation of land conservation contracts. Adjacent lands that were once subject to a Williamson Act Contract have terminated those contracts. Moreover, the policy decision to transition uses in the area from agriculture to urban was made when the City adopted TOP Policy Plan. The environmental consequences of that decision were analyzed in the Environmental Impact Report certified in conjunction with The Ontario Plan ("TOP"). Thus, the City's prior planning decision, and not the cancellation of the contracts associated with this project, would be the cause of any influence on the decision to remove land from agricultural use. Additionally, to ease the transition from agricultural to urban uses and to minimize conflicts between the two uses, the City has adopted an Agricultural Overlay District.

3. Cancellation is for an alternative use which is consistent with the applicable provisions of the City's General Plan.

The subject site is a part of Merrill Commerce Center Specific Plan and is planned in accordance with TOP Policy Plan depiction of Business Park (0.60 FAR) and Industrial (0.55 FAR).

4. Cancellation will not result in discontinuous patterns of urban development.

The subject properties are part of Merrill Commerce Center Specific Plan. TOP Policy Plan includes requirements for subsequent approval by the City of a Specific Plan for development within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, provision for public services including parks and schools, and urban design and landscape plans. Also, the properties north of Merrill Commerce Center Specific Plan have a General Plan land use designation of Medium Density Residential (11.1 -25 du/ac) and Mixed-Use, which will accommodate future residential and commercial uses. Further, a Specific Plan (West Ontario Commerce Center Specific Plan) has been approved immediately to the east of the project site. To the west the subject property abuts the future South Ontario Logistics Center Specific Plan, that is currently in the entitlement process. To the south the project site is bounded by industrial development and the Chino Airport, located within the City of Chino. Due to the established TOP Policy Plan (General Plan), which establishes the land use plan and intensity of development for the entire Ontario Ranch area and the existing developed urban areas, the subject properties and surrounding area will be urbanized in the near future. Therefore, cancellation of the Williamson Act contracts associated with the Project would not result in leap-frog development.

5. There is no proximate non-Contracted land, which is both available and suitable for the alternative proposed use or that development of the subject property will provide more contiguous patterns of urban development than development of proximate non-Contracted land.

The contracted land lies within the boundaries of Merrill Commerce Center Specific Plan. The adjacent non-contracted land is part of Merrill Commerce Center Specific Plan and is scheduled for future development, therefore not available. Development of the subject site and adjacent non-contracted land through Merrill Commerce Center Specific Plan will eliminate "leapfrog" development and provide for continuous pattern of development. The properties north of Merrill Commerce Center Specific Plan have a General Plan land use designation of Medium Density Residential (11.1 -25 du/ac) and Mixed-Use, which will accommodate future residential and commercial uses. To the south, the Specific Plan is bounded by industrial development and the Chino Airport. To the east, the Specific Plan is adjacent to industrial development (West Ontario Commerce Center Specific Plan), and to the west by the future South Ontario Logistics Center Specific Plan, that is currently in the entitlement process. Furthermore, since the subject site is within Merrill Commerce Center Specific Plan, once the adjacent parcels are developed it will provide for more contiguous

patterns of urban development than development of proximate non-contracted land.

Cancellation Fee— As required by the Williamson Act, there is a Penalty Fee for cancellation of an Agricultural Contract. The fee is equal to 12.5 percent of the unrestricted base value of the land as determined by the County Assessor's Office.

The fee for the subject property, as determined by the County Assessor, totals \$10,157,000 (LCC#69-147: \$5,069,500 and LCC#70-167: \$5,087,500). As required by the Williamson Act, a copy of the Assessor's value appraisal was sent to the Director of the Department of Conservation on February 2, 2021, to allow the opportunity to request a formal review from the Assessor.

Prior to City Council approval of the Tentative Cancellation, the City Council must review and approve the West Ontario Commerce Center Specific Plan Environmental Impact Report. In addition, the following Conditions and Contingencies will be required to be satisfied upon tentative approval by the City Council. All applicable conditions must be satisfied within one year of the date of recording of the Certificate of Tentative Cancellation. Conditions and contingencies include:

1. Upon approval, a Certificate of Tentative Cancellation must be recorded with the County Clerk;
2. Payment in full of the Penalty Fee. Together with a statement stating that unless the fee is paid, or a Certificate of Cancellation of Contract is issued within one year from the date of the recording of the Certificate of Tentative Cancellation, the fee shall be recomputed;
3. Obtain all approvals necessary (including Specific Plan, EIR adoption, and Tentative Map/s) to commence the specified alternative use; and
4. Within 30 days of satisfaction of the conditions, the City Council must execute and record a Certificate of Final Cancellation of the contract.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner

- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony
- (2) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(3) Policy Plan (General Plan).

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.
- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.
 - LU5-3: Airport Impacts. We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations.

➤ LU5-6: Alternative Process. We fulfill our responsibilities and comply with state law with regard to Alternative Process for proper airport land use compatibility planning.

➤ 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.

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.

Mobility Element:

▪ Goal M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

➤ M1-1 Roadway Design and Maintenance. We require our roadways to:

- Comply with federal, state and local design and safety standards.
 - Meet the needs of multiple transportation modes and users.
 - Handle the capacity envisioned in the Functional Roadway Classification Plan.
 - Be compatible with the streetscape and surrounding land uses.
- M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural

daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.
- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed Project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses near the airport are included in the conditions of approval provided with the attached Resolution.

The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of

Aeronautics. The proposed was evaluated and found to be consistent with the policies and criteria set forth within the Handbook, subject to conditions.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File no. PSP18-001), for which an Environmental Impact Report (State Clearing House No. 2019049079) was adopted by the City Council on February 2, 2021. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Agriculture, Dairy, Truck Terminal, and vacant	General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Business Park (0.6 FAR)	Specific Plan / Agricultural Overlay	N/A
<i>North</i>	Agriculture and Dairy	Mixed Use (NMC West) and Medium Density Residential (11.1 – 25 du/ac)	Specific Plan / Agricultural Overlay	N/A
<i>South</i>	Chino Airport, Agriculture, and Industrial (City of Chino)	Public and General Industrial (City of Chino)	AD (Airport Development), M2 (General Industrial), and Airport Overlay District (City of Chino)	N/A
<i>East</i>	Industrial (under construction)	Business Park (0.6 FAR) and Industrial (0.55 FAR)	Specific Plan	West Ontario Commerce Center
<i>West</i>	Dairy	Low Medium Density Residential (5.1 – 11 du/ac) and Business Park (0.6 FAR)	Specific Plan / Agricultural Overlay	N/A

General Site Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	366.65 acres	N/A	
<i>Lot/Parcel Size:</i>	1.65 – 2.59 acres Business Park 3.61 – 28.56 acres SF Industrial	Min. 1 acre (Business Park) Min. 1 acre (Industrial)	Y

EXHIBIT A – PROJECT AERIAL



Exhibit B—TENTATIVE PARCEL MAP

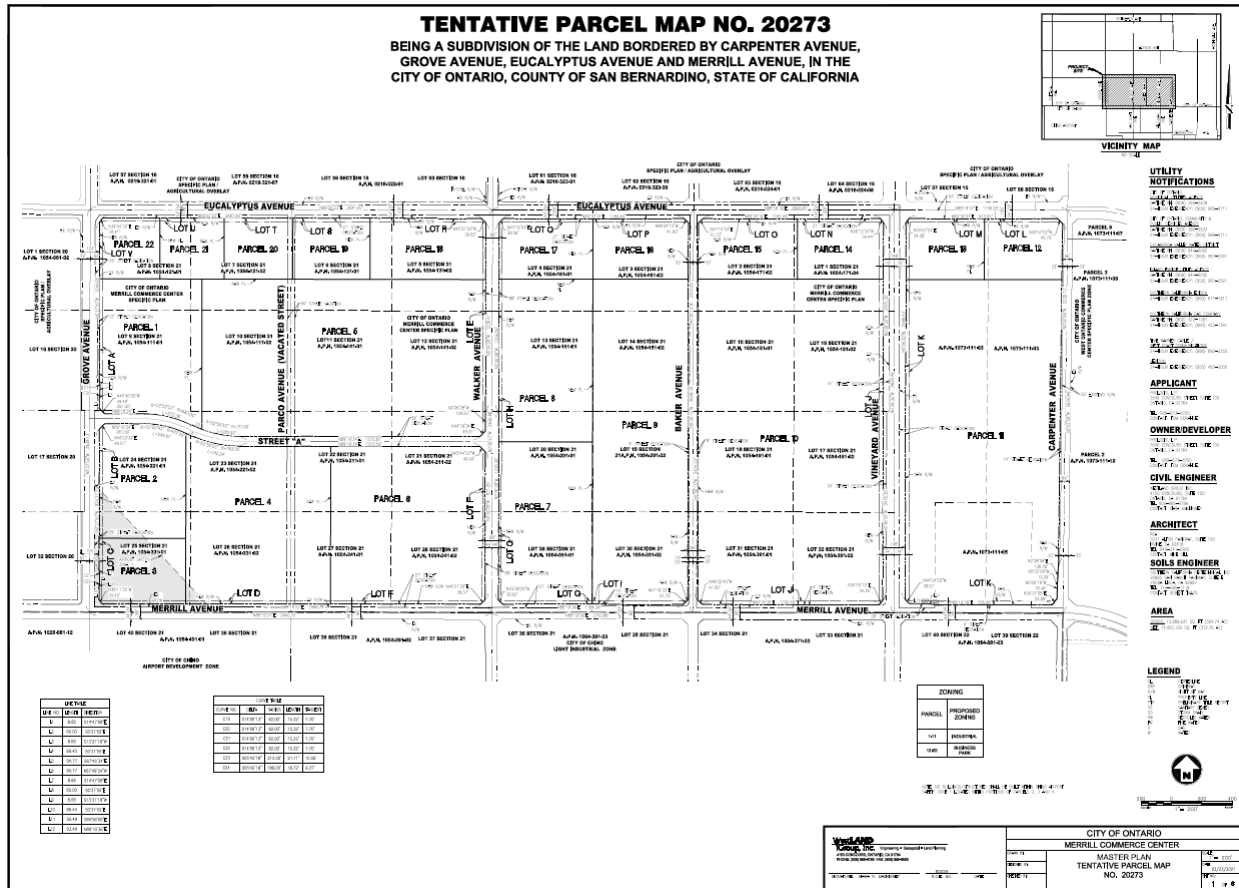
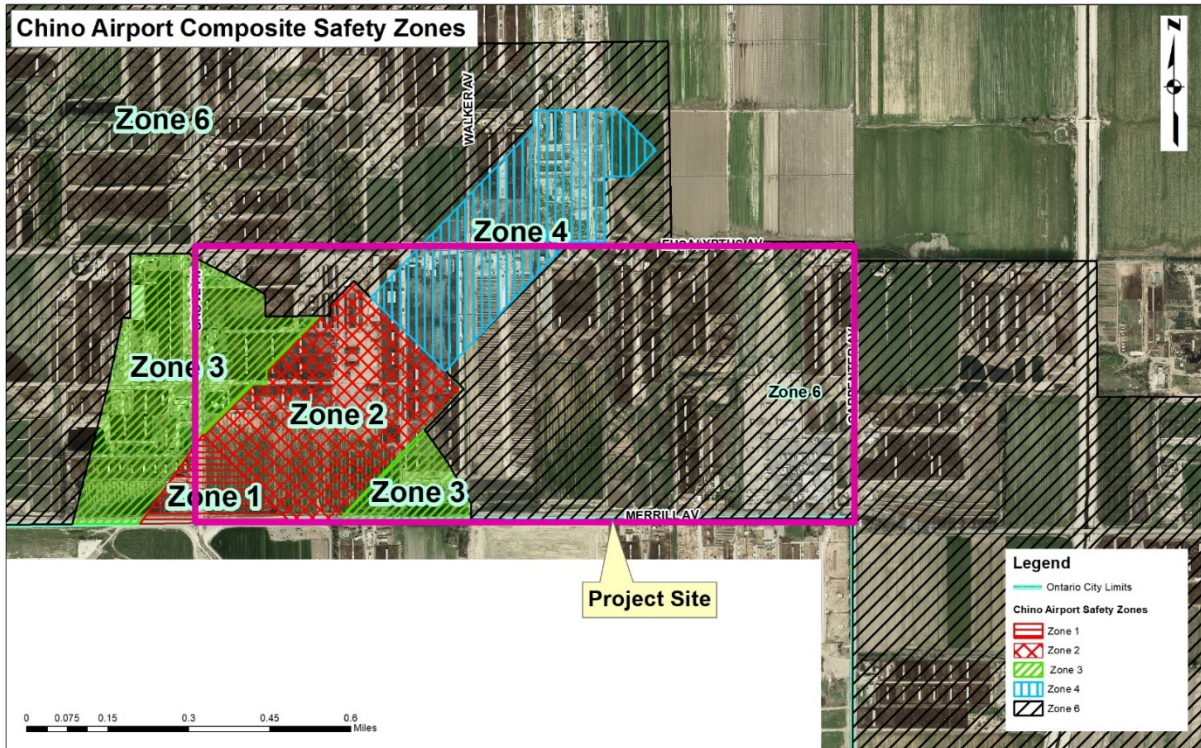


Exhibit C—TENTATIVE PARCEL MAP SUMMARY TABLE

Parcel	Parcel Area (acres)
1	14.51
2	9.24
3	5.60
4	22.60
5	43.98
6	24.06
7	15.05
8	15.05
9	30.64
10	59.32
11	49.56
12	4.68
13	4.73
14	5.17
15	5.95
16	5.75
17	5.65
18	6.96
19	4.65
20	4.14
21	3.88
22	3.62
Total	344.79

Exhibit D—CHINO AIRPORT SAFETY ZONES



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT20-010, A TENTATIVE PARCEL MAP (TPM 20273) TO SUBDIVIDE 366.65 GROSS ACRES OF LAND INTO 22 NUMBERED LOTS AND 22 LETTERED LOTS BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, CARPENTER AVENUE TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND GROVE AVENUE TO THE WEST, WITHIN THE MERRILL COMMERCE CENTER SPECIFIC PLAN ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; AND 1073-111-06.

WHEREAS, Prologis ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT20-010, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 366.65 acres of land generally bounded by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the Merrill Commerce Center Specific Plan (MCCSP) zoning district, and is presently improved with dairy, agricultural, truck terminal and vacant land uses; and

WHEREAS, the property to the north of the Project site is within the Specific Plan / Agricultural Overlay zoning district and is developed with agriculture and dairy uses. The property to the east is within the West Ontario Commerce Center Specific Plan zoning district and is developed with industrial uses. The property to the south is within the City of Chino Public and General Industrial zoning district and is developed with an airport, agriculture and industrial uses. The property to the west is within the Specific Plan / Agricultural Overlay zoning district and is developed with dairy uses; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-001, a Specific Plan for which an Environmental Impact Report — State Clearinghouse No. 2019049079 — (hereinafter referred to as "Certified EIR") was adopted by the City Council on February 2, 2021, and this Application introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the project site is also located with the Airport Influence Area of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, Applications for Tentative Cancelation of Williamson Acts Contract

Numbers 69-147 (File No. PWIL 20-001- APN: 1073-111-02) and 70-167 (File No. PWIL 20-002 – APN: 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02) have been submitted concurrently with the Tentative Parcel Map, File No. PMTT20-010, Application; and

WHEREAS, on March 1, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-003, recommending the Planning Commission approve the Application; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which a Certified EIR was adopted by the City Council on February 2, 2021.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, is consistent with the policies and criteria set forth within the ALUCP.

The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the 2011 California Airport Land Use Planning Handbook compatibility factors. As a result, the Planning Commission, therefore, finds and determines that the Project, is consistent with the policies and criteria set forth within the Handbook, subject to conditions.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed 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 Industrial (0.55 FAR) and Business Park (0.6 FAR) land use districts of the Policy Plan Land Use Map, and the Merrill Commerce Center Specific Plan zoning district. 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 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 Industrial and Business Park land use districts of the Policy Plan Land Use Map, and the Specific Plan (Merrill Commerce Center Specific Plan) zoning 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 Merrill Commerce Center Specific Plan zoning district, and is physically suitable for the type of industrial and business park 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 industrial and business park development at floor area ratios of 0.55 FAR and 0.6 FAR, respectively. The project site meets the minimum lot area and dimensions of the Merrill Commerce Center Specific Plan zoning district, and is physically suitable for this proposed intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan, respectively, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was adopted. The

proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

(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 infrastructure and landscape improvements proposed on the project site, are not likely to cause serious public health problems, as the project is required to comply with Federal, State, and local regulations regarding use, transportation, and storage of hazardous materials during either construction or project implementation, 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 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT20-010
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: March 23, 2021

File No: PMTT20-010

Related Files: PDA18-004

Project Description: A Tentative Parcel Map (TPM 20273) to subdivide 366.65 gross acres of land into 22 numbered lots and 22 lettered lots bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the SP/AG (Specific Plan/Agricultural Overlay) zoning districts. The environmental impacts of this project were previously reviewed in conjunction with PGPA18-003 and PSP18-001 regarding the Merrill Commerce Center Specific Plan, for which an Environmental Impact Report (State Clearing House No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN(s): 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01; 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06); **submitted by Tom Donahue, Prologis.**

Prepared By: Edmelyne V. Hutter, AICP, Senior Planner
Phone: 909.395.2429 (direct)
Email: ehutter@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval.

1.1 The project shall comply with the *Standard Conditions of Approval for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions of Approval 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 of Approval for New Development* identified in Condition No. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Specific Plan Approval. Tentative Parcel Map approval shall not be final and complete until such time that the Merrill Commerce Center Specific Plan has been enacted by action of the City Council.

2.2 Time Limits. 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.

2.3 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative 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.

(d) Prior to approval and recordation of the Final Parcel Map, the applicant shall submit to the City, a Street Naming request, pursuant to the requirements of Development Code Division 6.06 (Street Naming and Address Numbering).

2.4 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 the project, which shall be maintained onsite during project construction.

2.5 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) 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.

2.6 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.7 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.8 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owner's association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

- (i) Landscaping and irrigation systems within common areas;
- (ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;
- (iii) Shared parking facilities and access drives; and
- (iv) Utility and drainage easements.

(d) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(e) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(f) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.9 Signage.

(a) Prior to approval and issuance of a sign permit, the Applicant shall submit for review and approval a comprehensive sign program, pursuant to Development Code Sections 4.02.075 and 8.01.020.F.

2.10 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079), certified by the Ontario City Council on February 2, 2021, in conjunction with File Nos. PGPA18-003 (City Council Resolution No. 2021-012) and PSP18-001 (Ordinance No. 3178). This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.11 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.

2.12 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination 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 Clerks of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

(c) The applicant shall provide payment for CC&R review at the rate established by resolution of the City Council.

(d) The applicant shall provide payment for sign program review at the rate established by resolution of the City Council.

2.13 Additional Requirements.

(a) The applicant shall contact the Ontario Post Office to determine the quantity, size, and location of mailboxes for this project.

(b) The Project shall comply with all Federal, State, and local regulations regarding use, transportation, and storage of hazardous materials during construction and project implementation.

(c) Grading and development activities cannot occur on Assessors Parcels Number 1073-111-02, until the City Council adopts a resolution of final cancellation for Williamson Act Contract 69-147 (File No. PWIL20-001) and record of Certificate of Cancellation has been executed.

(d) Grading and development activities cannot occur on Assessors Parcels Numbers 1054-151-02, 1054-161-03, 1054-201-02 and 1054-351-02, until the City Council adopts a resolution of final cancellation for Williamson Act Contract 70-167 (File No. PWIL20-002) and record of Certificate of Cancellation has been executed.



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 - a. Merrill Avenue to the ultimate half width of right-of-way of 54 feet from centerline (CL) north along project frontage
 - b. Grove Avenue to the ultimate half width of right-of-way of 62 feet from CL east along project frontage
 - c. Eucalyptus Avenue to the ultimate half width of right-of-way of 54 feet from CL south along project frontage
 - d. Carpenter Avenue to the ultimate half width of right-of-way of 33 feet from CL west along project frontage
 - e. Street "A" to the ultimate full width of right-of-way of 66 feet from Grove Avenue to Walker Avenue
 - f. Walker Avenue to the ultimate full width of right-of-way of 88 feet along project frontage
 - g. Baker Avenue to the ultimate full width of right-of-way of 66 feet along project frontage
 - h. Vineyard Avenue to the ultimate full width of right-of-way of 148 feet along project frontage
 - i. Lettered Lots D, F, G, I, J, K for Neighborhood Edge along Merrill Avenue (25 feet wide measured from the ultimate northerly right-of-way)
 - j. Lettered Lots A through C for Neighborhood Edge along Grove Avenue (20 feet wide measured from the ultimate easterly right-of-way)
 - k. Lettered Lots L through V for Neighborhood Edge along Eucalyptus Avenue (23 feet wide measured from the ultimate northerly right-of-way)
 - l. Lettered Lots E through H for Neighborhood Edge along Walker Avenue (18 feet wide measured from the ultimate right-of-way on both sides)
 - m. Lettered Lots J and K for Neighborhood Edge along Vineyard Avenue (25 feet wide measured from the ultimate right-of-way on both sides)
 - n. Corner cutoffs at all public street intersections throughout the project site

- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to approved access points per the tentative Parcel Map and Merrill Commerce Center Specific Plan.

- 1.04 Vacate the following street(s) and/or easement(s):
 - 1. All easements interfering with required improvements shall be quitclaimed or vacated. This includes, but is not limited to, the existing easement along Merrill Avenue for operating and maintaining a pumping plant, irrigation lines, and incidental purposes. Otherwise, non-interference letters from the affected owner/utility company shall be provided. See COA 1.14.3.

- 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 Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - 1. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across applicable parcels as needed.



2. The Parcel Map shall comply with the approved Merrill Commerce Center Specific Plan, the Development Agreement and these Tentative Parcel Map Conditions of Approval.
3. The Applicant/Developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20273 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer’s office.
- 2.03 Please note that the subject parcels will be recognized parcels in the City of Ontario upon recordation of the Parcel Map.
- 2.04 Note that the subject parcel is an ‘unrecognized’ parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R’s), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R’s shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume “Disclosure Letter”. Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans) – Euclid Avenue Improvements
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)



- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA) – Kimball Avenue sewer connection
- Other:
 - City of Chino – For any improvements encroaching into their jurisdiction including but not limited to the required Merrill Avenue improvements
 - San Bernardino County Department of Airports/FAA – Construction of overhead structures and appurtenances such as traffic signals and street lights at or near the intersection of Merrill Avenue and Grove Avenue

- 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 \$10,915,766, 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. All master-planned utilities shall be designed and installed to the ultimate condition. These public improvements shall include, but not be limited to, those summarized in Exhibit 'B' (checked boxes).
- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design on Merrill Avenue, Eucalyptus Avenue, Grove Avenue, and Carpenter Avenue. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).
- 2.22 This project shall follow the Merrill Commerce Center Utilities System Map, dated 01/14/2021, and any deviation from this plan shall require the Utility Plan to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted with all public improvement plan submittals. See Utility Systems Map (USM) Requirements document for details.

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____
(Ref: Sewer plan bar code: _____)
- 2.24 Design and construct sewer main extensions. A sewer main is not available for direct connection. The closest mains are located at the intersections of Merrill Avenue/Carpenter Avenue and Kimball Avenue/Euclid Avenue.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - 1. The Sanitary Sewer Technical Study is currently in process and has not been finalized. The project shall complete the study during final design and prior to issuance of any building permit.
 - 2. The following sewer system improvements shall be installed per Master Plan and Specific Plan Requirements. Final sewer main sizes and alignments are subject to the findings of the Technical Study:
 - A. 21-inch to 30-inch main in Walker Avenue between Eucalyptus Avenue and Merrill Avenue
 - B. 24-inch to 30-inch main in Merrill Avenue between Walker Avenue and Grove Avenue
 - C. 30-inch main in Merrill Avenue between Grove Avenue and Euclid Avenue



- D. 36-inch main in Euclid Avenue between Merrill Avenue and Kimball Avenue with a connection to the existing 60-inch IEUA Kimball Interceptor Trunk Sewer main at Kimball Avenue
 - E. 18-inch main in Grove Avenue between Eucalyptus Avenue and Merrill Avenue
 - F. 8-inch main in Baker Avenue from south of Eucalyptus Avenue to Merrill Avenue
 - G. 12-inch main in Eucalyptus Avenue from west of Walker Avenue to Grove Avenue
 - H. 12-inch main in Eucalyptus Avenue from west of Vineyard Avenue to west of Walker Avenue
 - I. 15-inch main in Eucalyptus Avenue between Carpenter Avenue and Vineyard Avenue with a connection to the existing Carpenter Trunk Sewer main
 - J. 12-inch main in Merrill Avenue between Baker Avenue and Walker Avenue
 - K. 8-inch main in Merrill Avenue from west of Vineyard Avenue to Baker Avenue
 - L. 10-inch main in Merrill Avenue from east of Vineyard Avenue to Carpenter Avenue with a connection to the existing Carpenter Trunk Sewer main
3. The applicant/developer shall submit a written request letter to the City for a new Regional Sewer Connection. The request letter shall include: an exhibit that shows the tributary area of the Regional Connection; the proposed sewer system main connection through the proposed Regional Connection; IEUA record drawing number, station number and manhole number or the connection point; and a plan and profile detail of the manhole connection and any modification proposed to the manhole. Once received from the applicant, the City will request the new Regional Connection from IEUA. If approved by IEUA, the applicant shall be responsible for meeting all terms, conditions, standards, and requirements IEUA has for the Regional Connection.
4. Each Occupant of the building, or units, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to including possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____
 (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is located along Carpenter Avenue.
- 2.29 Other conditions:

- 1. The following potable water system improvements shall be installed per Master Plan and Specific Plan Requirements:
 - A. 24-inch main in Eucalyptus Avenue between Carpenter Avenue and Grove Avenue with a connection to the existing 24-inch main in Eucalyptus Avenue
 - B. 12-inch main in Grove Avenue between Eucalyptus Avenue and Merrill Avenue
 - C. 16-inch main in Merrill Avenue between Grove Avenue and Vineyard Avenue
 - D. 12-inch main in Merrill Avenue between Vineyard Avenue and Carpenter Avenue with a connection to the existing 12-inch main in Merrill Avenue
 - E. 16-inch main in Walker Avenue between Merrill Avenue and Eucalyptus Avenue
 - F. 12-inch main in Baker Avenue between Eucalyptus Avenue and Merrill Avenue
 - G. 16-inch main in Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue
 - H. 12-inch main in Street "A" between Grove Avenue and Walker Avenue
 - I. 30-inch to 42-inch main in Grove Avenue between Eucalyptus Avenue and Chino Avenue subject to the terms in the Development Agreement
 - J. 18-inch main in Chino Avenue between Grove Avenue and the Cucamonga Creek subject to the terms in the Development Agreement
 - K. Channel with a connection to the existing 18-inch main just west of the Cucamonga Creek Channel subject to the terms in the Development Agreement



L. Install an Interim 1010 PZ to 925 PZ Pressure Reducing Station at the intersection of Grove Avenue and Chino Avenue

2. The following potable water mains/facilities (final alignments subject to change) are required by the Project, but the Project shall contribute towards the construction as described within the Development Agreement:

- A. 42-inch main in Grove Avenue between Chino Avenue and Francis Avenue
- B. 42-inch main in Francis Avenue between Grove Avenue and Bon View Avenue
- C. 42-inch main in Bon View Avenue between Francis Avenue and Bon View Reservoir Site
- D. 9-million gallon reservoir on the Bon View Reservoir Site, two 2,500 GPM groundwater production wells with any treatment necessary to meet water quality standards, and the 16-inch and 24-inch collection mains from the wells to the reservoirs

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____.
 (Ref: Recycled Water plan bar code:_____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 Other conditions:
 - 1. This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for CFD and/or HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.
 - 2. The following recycled water system improvements shall be installed per Master Plan and Specific Plan Requirements:
 - A. 16-inch main in Eucalyptus Avenue between Carpenter Avenue and Vineyard Avenue with a connection to the existing 16-inch main in Eucalyptus Avenue
 - B. 12-inch main in Eucalyptus Avenue between Vineyard Avenue and Grove Avenue
 - C. 8-inch main in Grove Avenue between Eucalyptus Avenue and Merrill Avenue
 - D. 8-inch main in Merrill Avenue between Grove Avenue and Walker Avenue
 - E. 16-inch main in Merrill Avenue between Walker Avenue and Carpenter Avenue with a connection to the existing 16-inch main in Merrill Avenue
 - F. 16-inch main in Carpenter Avenue between Merrill Avenue and Eucalyptus Avenue
 - G. 8-inch main in Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue
 - H. 8-inch main in Walker Avenue between Eucalyptus Avenue and Merrill Avenue
 - I. 8-inch main in Street "A" between Grove Avenue and Walker Avenue



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer

- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.

- 2.37 Other conditions:

- 1. The Applicant/Developer shall be responsible to perform all mitigation measures and operational improvements in accordance with the Merrill Commerce Center Specific Plan TIA by Urban Crossroads dated June 30, 2020, and to the satisfaction of the City Engineer.
- 2. The Applicant/Developer shall be responsible to design and construct street improvements along Grove Avenue, Street "A", Walker Avenue, Baker Avenue, Vineyard Avenue, Carpenter Avenue, Eucalyptus Avenue, and Merrill Avenue as specified in these Conditions of Approval. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.
- 3. The Applicant/Developer shall be responsible to design and construct the necessary pavement and striping transitions from existing roadway conditions to the widened roadway portions along all project frontages. Striping improvements shall include the removal existing interim signing and striping beyond the project frontage limits and the installation of ultimate signing and striping.
- 4. Unless constructed by others, the Applicant/Developer shall be responsible to design and construct the following streets to their ultimate half-width including additional pavement for circulation lanes and graded shoulder (where applicable) beyond the centerline of the roadway:
 - a. Merrill Avenue from Carpenter Avenue to Euclid Avenue
 - b. Grove Avenue from Eucalyptus Avenue to Merrill Avenue
 - c. Eucalyptus Avenue from Grove Avenue to Carpenter Avenue
 - d. Carpenter Avenue from Eucalyptus Avenue to Merrill Avenue

Additional R/W shall be provided to accommodate additional left turn and right turn lanes at intersections based on required queue lengths per the Merrill Commerce Center Specific Plan TIA by Urban Crossroads. Improvements shall include, but not be limited to concrete curb and gutter, sidewalk, LED street lights, landscaped parkways, signing & striping, and necessary pavement transitions.

- 5. The Applicant/Developer shall be responsible to design and construct the following streets to their ultimate full-width:
 - a. Street "A" from Grove Avenue to Walker Avenue
 - b. Walker Avenue from Ontario Ranch Road to Merrill Avenue
 - c. Baker Avenue from Eucalyptus Avenue to Merrill Avenue
 - d. Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue
- 6. The Applicant/Developer shall be responsible to design and construct modifications to the existing traffic signal on Euclid Avenue at Merrill Avenue per the mitigation measures and operational improvements listed in the Merrill Commerce Center Specific Plan TIA by Urban Crossroads. The traffic signal modification shall address relocation of any equipment including video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new



signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.

7. The Applicant/Developer shall be responsible to design and construct modifications to the existing traffic signal on Merrill Avenue at Carpenter Avenue. The traffic signal modification shall address relocation of any equipment including video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
8. The Applicant/Developer shall be responsible to design and construct traffic signals at the following intersections:
 - a. Merrill Avenue at Vineyard Avenue
 - b. Merrill Avenue at Baker Avenue
 - c. Merrill Avenue at Walker Avenue
 - d. Merrill Avenue at Planning Area (P.A.) 2 Signalized Entrance
 - e. Merrill Avenue at Grove Avenue
 - f. Grove Avenue at Street "A"
 - g. Grove Avenue at Eucalyptus Avenue
 - h. Street "A" at P.A.1/2 Signalized Entrance
 - i. Walker Avenue at Street "A"
 - j. Baker Avenue at P.A. 4/5 Signalized Entrance
 - k. Vineyard Avenue at P.A. 5/6 Signalized Entrance
 - l. Carpenter Avenue at P.A. 6 Signalized Entrance
 - m. Eucalyptus Avenue at P.A. 1A Signalized Entrance
 - n. Eucalyptus Avenue at Walker Avenue
 - o. Eucalyptus Avenue at Baker Avenue
 - p. Eucalyptus Avenue at Vineyard Avenue
 - q. Eucalyptus Avenue at Carpenter Avenue

The new traffic signals shall include video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.

9. Merrill Avenue is designated truck route in the City of Ontario. Unless constructed by others, the Applicant/Developer shall be responsible to design and construct concrete pavement at the following intersections in accordance with City of Ontario Standard Drawing No. 1207:
 - a. Merrill Avenue at Carpenter Avenue
 - b. Merrill Avenue at Vineyard Avenue
 - c. Merrill Avenue at Baker Avenue
 - d. Merrill Avenue at Walker Avenue
 - e. Merrill Avenue at P.A. 2 Signalized Entrance
 - f. Merrill Avenue at Grove Avenue
10. Proposed driveways onto Grove Avenue and Vineyard Avenue shall be restricted to right-in/right-out access only unless the driveway located at a signalized intersection. On-site signage and pavement markings shall be provided for driveway access restrictions. Median breaks along Grove Avenue and Vineyard Avenue shall only be allowed at signalized intersections.
11. Driveways shall be constructed in accordance with City of Ontario Standard Drawing No. 1204. Provide truck turning templates for the site-specific design vehicles. The vehicle shall be capable of making the inbound and outbound maneuvers such that it does not impact more than one lane of traffic.
12. Driveways spacing shall be designed in accordance with Traffic and Transportation Guidelines Access Guidelines.



13. The Applicant/Developer shall be responsible to design and construct in-fill public street lights along its project frontages. Street lighting shall be LED-type and in accordance with the City's Traffic and Transportation Guidelines.
14. The Applicant/Developer shall be responsible to design and construct a bus turnouts to serve future stops on the east side of Grove Avenue, north of Merrill Avenue (along Parcel 3) and north of Street "A" (along Parcel 1). The bus turnouts shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
15. The Applicant/Developer shall be responsible to design and construct a bus turnouts to serve future stops on the east side and west side of Vineyard Avenue, north of Merrill Avenue (along Parcel 11), south of Eucalyptus Avenue (along Parcel 14), and north of and south of the signalized entrance (departure side) to P.A. 5/6 (along Parcel 10 & 11) . The bus turnouts shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
16. The Applicant/Developer shall be responsible to design and construct a bus pads to serve future stops on the south side of Eucalyptus Avenue, east of Grove Avenue, the signalized entrance to P.A. 1A, Walker Avenue, Baker Avenue, and Vineyard Avenue. The bus pads shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
17. The Applicant/Developer shall be responsible to design and construct a bus pads to serve future stops on the north side of Merrill Avenue, west of Carpenter Avenue, Vineyard Avenue, Baker Avenue, Walker Avenue and the signalized entrance to P.A. 2. The bus pads shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
18. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to start of signing and striping, traffic signal, and street lighting design, and develop an interim striping plan that includes any necessary pavement transitions in preparation for the plan check stage.
19. The Applicant/Developer shall submit documentation of coordination of Merrill Avenue and Euclid Avenue improvements with the City of Chino and Caltrans.

G. DRAINAGE / HYDROLOGY

- | | | | |
|-------------------------------------|------|---|--------------------------|
| <input type="checkbox"/> | 2.38 | A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____) | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 2.39 | Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 2.40 | An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project along Grove Avenue. Design and construct a storm water detention facilities on the project site. Detention is required throughout the site until such time as downstream facilities are constructed and accepted by applicable government agencies such as San Bernardino County Flood Control District and U.S. Army Corps of Engineers. The 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.41 | Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. | <input type="checkbox"/> |



- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.

- 2.43 Other conditions:
 - 1. Design and construct the following storm drain improvements in accordance with the Development Agreement:
 - A. 24" RCP on Eucalyptus Avenue from west of Walker Avenue to Grove Avenue
 - B. 24" RCP on Eucalyptus Avenue from east of Grove Avenue to Walker Avenue
 - C. 13'x 8' RCB on Eucalyptus Avenue from Walker Avenue to Vineyard Avenue
 - D. 13'x 8' RCB on Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue
 - E. 120" RCP on Grove Avenue from Eucalyptus Avenue to Merrill Avenue
 - F. 24" RCP on Walker Avenue from Street "A" to Merrill Avenue
 - G. 24" RCP on Baker Avenue from south of Eucalyptus Avenue to Merrill Avenue
 - H. 6'x3' RCB on Merrill Avenue from east of Grove Avenue to Walker Avenue
 - I. Double 8'x4' RCB on Merrill Avenue from Walker Avenue to Baker Avenue
 - J. Double 8'x9' RCB on Merrill Avenue from Baker Avenue to Vineyard Avenue
 - K. Double 12'x10' RCB on Merrill Avenue from Vineyard Avenue to the point of connection west of Carpenter Avenue on Merrill Avenue
 - L. Local storm drain improvements on Street "A" and Carpenter Avenue.
 - M. Unless constructed by others, construct storm drain improvements on Grove Avenue south of Merrill Avenue to the satisfaction of the City of Chino and City of Ontario.
 - 2. Public storm drain improvements shall accommodate for tributary flows in accordance with the City's Master Plan of Drainage.
 - 3. Design and construct all on-site storm drain improvements, which shall be privately owned and maintained.

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.

- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector



screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

- 2.47 Other conditions:
1. Design and construct nutrient separating baffle boxes (NSBB) or hydrodynamic separators or equivalent alternative approved devices to satisfy the statewide trash mandate on Grove Avenue north of the Merrill Avenue intersection and on Merrill Avenue west of the Carpenter Avenue intersection.
 2. Obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along project frontages of Merrill Avenue, Grove Avenue, Eucalyptus Avenue, Carpenter Avenue, Street "A", Walker Avenue, Baker Avenue, and Vineyard Avenue.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Integrated Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update_0.pdf
- 2.53 Other conditions:
1. The Conceptual Solid Waste Handling Plan for the entire map boundary dated 12/21/20, shall be updated to meet all conditions and requirements for a SWHP for review and approval with the development plan application for each parcel. See Solid Waste Handling Plan (SWHP) Requirements document for details.
 2. This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.



3. At minimum this site requires a trash enclosure sized to store three 4-cubic-yard bins (one for refuse, one for recycling, and one for organics) for each potential office area of each building.
4. The applicant shall submit a Conceptual Integrated Waste Management Report for review and approval with the development plan application for each parcel. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- | | | | |
|-------------------------------------|-------------|---|--------------------------|
| <input checked="" type="checkbox"/> | 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. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 3.02 | Complete all requirements for recycled water usage.

<input checked="" type="checkbox"/> 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.

<input checked="" type="checkbox"/> 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.

<input checked="" type="checkbox"/> 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. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 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. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 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. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 3.05 | Confirm payment of all Development Impact Fees (DIF) to the Building Department. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 3.06 | Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.). | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 3.07 | Other Conditions:

1. Successfully pass water system start-up and cross-connection tests.

2. Provide evidence demonstrating training of the on-site supervisor or designee as specified in the Recycled Water Engineering Report. | <input type="checkbox"/> |

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:



- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Parcel Map No. 20273

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans (e.g. SCE) within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. **Other:** _____

EXHIBIT 'B'

**ENGINEERING DEPARTMENT
Public Improvements Conditions of Approval No. 2.17**

Parcel Map No. 20273

Improvement	Merrill Avenue	Eucalyptus Avenue	Grove Avenue	Carpenter Avenue	Street "A"	Walker Avenue	Baker Avenue	Vineyard Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 42 ft. North of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. South of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. East of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. West of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 32 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 54 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 40 ft. from C/L north, including pavement transitions (A)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 40 ft. from C/L south along frontage, including pavement Transitions (B)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 40 ft. from C/L east along frontage, including pavement transitions (C)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 22 ft. from C/L west along frontage, including pavement transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 22 ft. from C/L both sides, along frontage	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 30 ft. from C/L both sides (D)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 20 ft. from C/L both sides along frontage	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 52 ft. from C/L both sides along frontage
PCC Pavement (Truck Route Only)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (E) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (E) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (E) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (E) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (E) <input checked="" type="checkbox"/> Landscaping (w/irrigation)

Improvement	Merrill Avenue	Eucalyptus Avenue	Grove Avenue	Carpenter Avenue	Street "A"	Walker Avenue	Baker Avenue	Vineyard Avenue
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New (F) <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral

Improvement	Merrill Avenue	Eucalyptus Avenue	Grove Avenue	Carpenter Avenue	Street "A"	Walker Avenue	Baker Avenue	Vineyard Avenue
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances (G)	<input checked="" type="checkbox"/> Conduit / Appurtenances (G)	<input checked="" type="checkbox"/> Conduit / Appurtenances (G)	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. Pavement widening will be required on both sides from Carpenter Avenue to Euclid Avenue. Pavement widening shall extend 30 feet south of C/L to accommodate the ultimate full width pavement. Obtain approval from City of Chino on these improvements. Please note, if the existing Merrill Avenue pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- B. Pavement widening shall extend 25 feet north of C/L to accommodate a striped median, one westbound lane, and a 5-foot wide graded shoulder. Please note, if the existing pavement is not consistent with the current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- C. Pavement widening shall extend 33 feet from C/L to accommodate one southbound lane and a 5-foot wide graded shoulder. Please note, if the existing pavement is not consistent with the current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- D. Pavement widening will be required on both sides from Merrill Avenue to Ontario Ranch Road.
- E. Includes Neighborhood Edge
- F. Traffic Signal modification and other public improvements located at the intersection of Merrill Avenue and Euclid Avenue must be reviewed and approved by Caltrans.
- G. Fiber Optic lines will be installed only if needed to serve buildings along these streets.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Robin Lucero, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Edmelynn Hutter, Senior Planner

DATE: October 30, 2020

SUBJECT: FILE #: PMTT20-010

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 Tentative Parcel Map (TPM 20273) to subdivide 366.65 gross acres of land into 22 lots bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the SP/AG (Specific Plan/Agricultural Overlay) zoning district (APNs: 1054-161-02, 1054-171-01, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, and 1054-361-02). Related File: PSP-18-001.

- 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.

Broadband Operations
Department

Robert De Casas
Signature

Sr. Systems Analyst
Title

11/04/2020
Date

1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
2. Communication systems proposed for on-site facilities will be placed underground within a duct and structure system to be installed by the developer. Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement generally, will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today’s technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:
 - Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City’s Structured Wiring ordinance
 - Allows for uniform receipt & distribution of technology services
 - Ensures scalability of wiring for future technology advances
 - Provides consistent & identical wiring protocols throughout developments
 - Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity
 - Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
6. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct
7. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
8. A minimum 13/16 millimeter microduct joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City’s website for additional details.

9. A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions



CITY OF ONTARIO

MEMORANDUM

TO: Edmelynne Hutter, Senior Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: November 4, 2020

SUBJECT: PMTT20-010 - A Tentative Parcel Map (TPM 20273) to subdivide 366.65 gross acres of land into 22 lots bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the SP/AG (Specific Plan/Agricultural Overlay) zoning district (APNs: 1054-161-02, 1054-171-01, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, and 1054-361-02). Related File: PSP-18-001.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: N/A
- B. Type of Roof Materials: N/A
- C. Ground Floor Area(s): N/A
- D. Number of Stories: N/A
- E. Total Square Footage: N/A
- F. 2019 CBC Occupancy Classification(s): N/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.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Robin Lucero, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Edmelynn Hutter, Senior Planner

DATE: January 13, 2021

REVISION NO. 1

SUBJECT: FILE #: PMTT20-010

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

PROJECT DESCRIPTION: A Tentative Parcel Map (TPM 20273) to subdivide 366.65 gross acres of land into 22 lots bordered by Eucalyptus Avenue to the north, Carpenter Avenue to the east, Merrill Avenue to the south, and Grove Avenue to the west, within the SP/AG (Specific Plan/Agricultural Overlay) zoning district (APNs: 1054-161-02, 1054-171-01, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, and 1054-361-02). Related File: PSP-18-001.

The plan does adequately address the departmental concerns at this time.

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Division
Department

[Signature]
Signature

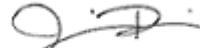
Landscape Planner
Title

1/12/2021
Date

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Senior Landscape Planner

1/12/2021

Date

Reviewer's Name:
Jamie Richardson, Senior Landscape Planner

Phone:
(909) 395-2615

DAB File No.:
 PMTT20-010

Related Files:

Case Planner:
 Edmelynn Hutter

Project Name and Location:

Subdivide 366.65 acres into 22 lots
 TPM 20273

Applicant/Representative:

Prologis – Siara MacKinney, Westland Group
 4150 Concours Street, Suite 100
 Ontario, CA 91764



A Tentative Tract Map (dated 01/04/2021) has been approved considering that the following conditions below be met upon submittal of the development plan and the landscape construction documents.



A Tentative Tract Map (dated) has not been approved. Corrections noted below are required before DAB approval.

CORRECTIONS REQUIRED

Conditions for the Development Plan and Grading/Utility Construction Documents:

1. Show and identify any on-site stormwater infiltration areas or stormwater infiltration devices proposed in parkways or other landscape areas.
2. Stormwater infiltration basins shall be no greater than 40% of the landscape area to allow for ornamental landscape. Provide a minimum 4' wide level grade adjacent to sidewalks for pedestrian safety and adjacent to parking areas for vehicle overhang and screening landscape. For example, a 25' wide landscape area allows for a 10' wide basin or swale. Show outlines of basin or swale at top of slope.
3. Basins shall be incorporated in the overall project and promote high-quality landscape design; avoid fences and rock bottoms. Basins shall utilize trees and landscaping on the outer edges and side slopes of the basins, dry/wet stream beds and provide appropriate plant material to encourage habitat and provide signage to educate the community on these spaces. Work with the Landscape Planning Division on overall design of the basins.
4. Restrictions for the north east corner of Grove Ave and Merrill Ave may limit the use of trees based on height requirements from the Chino Airport to the west. Consider relocating any infiltration basins outside of these limits to allow for landscaping and trees required for basins or propose underground chambers in this area.
5. Locate utilities to minimum clearances to allow parkway trees. Parkway trees are to be 30' apart and where residential driveways occur, a maximum 45' apart. Show and note a 10' parkway tree space, 5' clearance each side of the tree from any utility or hardscape including water, sewer, drain lines and driveways, and min. 10' clear from street lights.

6. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 ½" below finished surfaces; landscaped slopes to max 3:1.
7. Landscape island fingers are required in parking areas; one island finger for every five spaces double row and one island finger for every ten spaces single row.
8. Show or note transformers shall be in planter areas and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans.
9. Show or note backflow devices shall be in planter areas and set back min 3' from paving. Locate on level grade. Coordinate with landscape plans.
10. Show light standards 15' away from required tree locations.
11. Wall footings shall not restrict landscape; max 12" in front of footing with 12" of cover.
12. Show on plans step-outs at parking spaces adjacent to planters; 12" wide monolithic curb, 12" compacted decomposed granite or pavers adjacent to the 6" curb.
13. Provide enhanced paving at entries.
14. Provide an outdoor employee area with places to sit and shade trees or structures.
15. 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. Include existing trees within 15' of adjacent property affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans.
16. Add notes for any tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures.

Once items are complete, you may email an electronic set to landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT20-010

Address: North East Corner of Merrill Avenue & Grove Avenue

APN: 1054-161-02, 1054-141-01, 3 & 4, 1054-181-01 & 2, 1054-361-01 & 2

Existing Land Use: Vacant

Proposed Land Use: Tentative Parcel Map to subdivide 366 acres into 22 Lots

Site Acreage: 366.65 Proposed Structure Height: N/A

ONT-IAC Project Review: n/a

Airport Influence Area: ONT & Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Edmelynn Hutter

Date: 2/18/2021

CD No.: 2020-033 Rev. 1

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: 50 - 115 FT

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

The project is located within Chino Airport Influence Area and located within Safety Zones 1, 2, 3, 4 & 6 and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for Chino provided the following conditions are met. See attached comments.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2020-033 Rev. 1
PALU No.: _____

PROJECT CONDITIONS

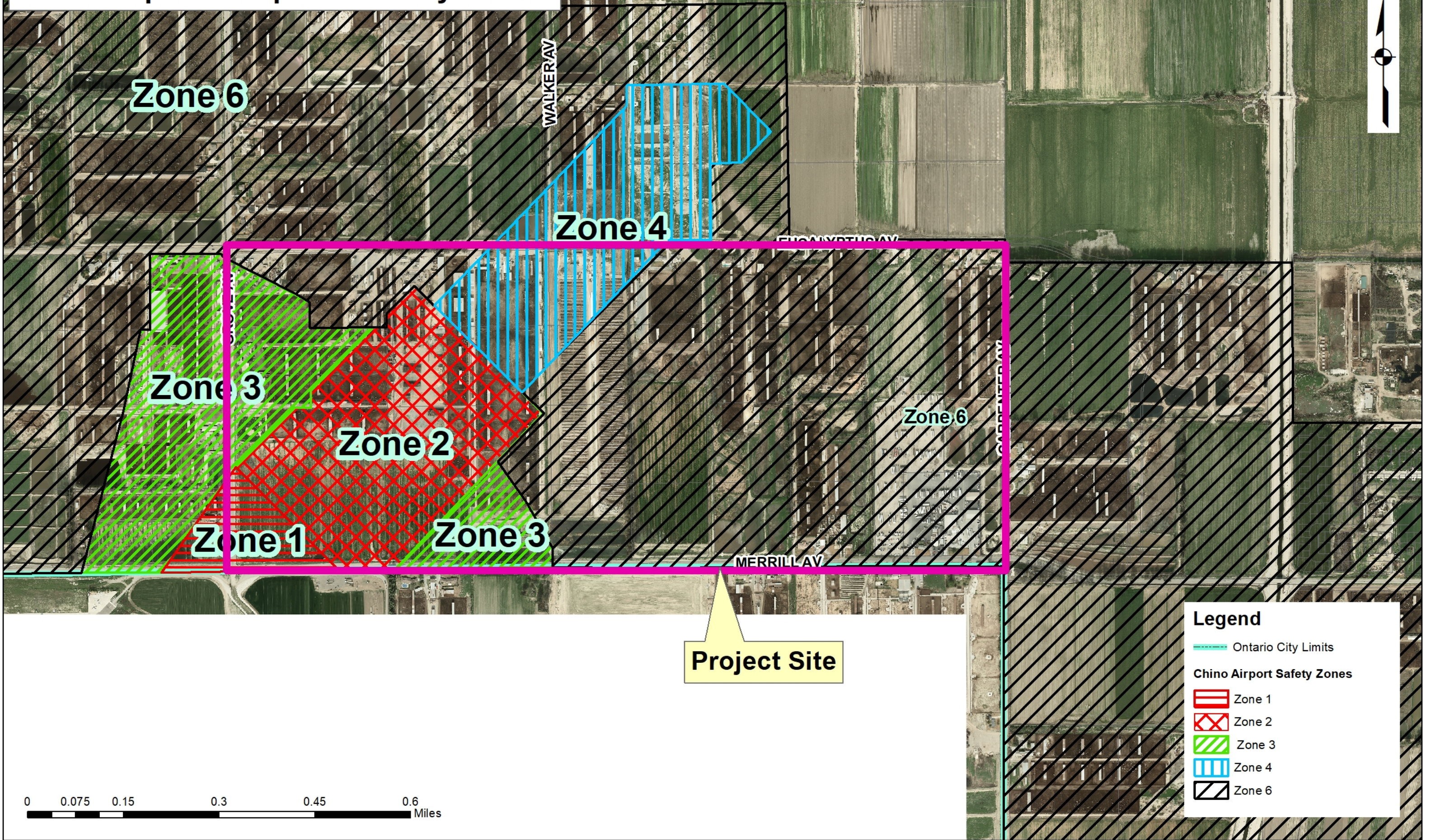
Tentative Parcel Map Comments

1. No buildings or structures shall be built within Safety Zone 1, which is located within portions of Parcels 2, 3 and 4 as delineated on Sheet 1 and 5 of Tentative Parcel Map No. 20273.
2. The portion of Merrill Avenue located within Safety Zone 1 must remain clear of permanent aboveground objects. The developer shall coordinate with Chino Airport and FAA to determine allowable heights and structures permitted within Safety Zone 1 near the Grove Avenue/Merrill Avenue intersection such as Traffic signals and street lights. The applicant shall file for an Obstruction Evaluation with the FAA and receive a Determination of No Hazard prior for permit issuance of any street improvements (street lights/traffic signals/street trees).
3. Wildlife can pose hazards to aircraft operations; collisions or “strikes” with wildlife can cause damage to or destroy aircraft and result in injuries or fatalities to air travelers and those on the ground. The FAA identifies stormwater management facilities as one of the greatest attractants to hazardous wildlife. Many species are attracted to open water features and associated vegetation that offers water, food, and shelter. Whenever possible, new stormwater management facilities located within the AIA should be designed to avoid the creation of open water and habitat.

If new detention basins are required, they should be designed to drain completely within a maximum 48-hour period following design storm event (i.e., 24-hour storm) and remain totally dry between storm events.

Exposed surface water features should include one of the recommended design measures: floating covers, bird balls, netting, or overhead wires should be installed to deter wildlife. The deterrent should be selected based on pond size and the type of species to be discouraged. Steep-sided, rip-rap lined, narrow, linearly shaped water detention basin (i.e., 1:1 slopes) should be provided; and Vegetation should not be provided because it can provide food or cover for hazardous wildlife. Stormwater management plans located within the Chino AIA shall be reviewed by an FAA-qualified Airport Wildlife Biologist.
4. The Tentative Parcel Map is impacted by Safety Zones 1, 2, 3, 4 and 6 (see attached exhibit) and all future Development Plans shall be required to be consistent with the Chino Airport Land Use Compatibility Plan that includes Open Land and Land Use Intensity requirements.
5. Open Land must have a minimum dimensions of (75 feet by 300 feet). Open Land area must be free of structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
6. The project site is located within an area where 50-115 foot building heights are allowed. Allowable building heights gradually increase from the southwest to the northeast corner of the project site. Given its close proximity to Chino Airport the applicant will be required to file for an FAA Obstruction Evaluation Airport Airspace Analysis (FAA Form 7460-1) for all future buildings and for any temporary construction equipment such as cranes and receive a Determination of No Hazard prior to scheduling any public hearings.
7. The planting palette will need to include tree species that will not grow to a mature height that would create future hazards to aircraft in flight.

Chino Airport Composite Safety Zones



Legend

- Ontario City Limits
- Chino Airport Safety Zones**
- Zone 1
- Zone 2
- Zone 3
- Zone 4
- Zone 6

0 0.075 0.15 0.3 0.45 0.6 Miles

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PWIL20-001, A TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT NUMBER 69-147 FOR 29.095 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND VINEYARD AVENUE, APPROXIMATELY 522 FEET WEST OF CARPENTER AVENUE, WITHIN PLANNING AREA 6 (INDUSTRIAL DISTRICT) OF MERRILL COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF— APN: 1073-11-02.

WHEREAS, 9052 MERRILL AVE ONTARIO LLC ("Applicant") has filed an Application for the approval of the cancellation of Land Conservation Contract Number 69-147, File No. PWIL20-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 29.095 acres of land generally located on the southeast corner of Eucalyptus Avenue and Vineyard Avenue, approximately 522 feet west Carpenter Avenue, within the Planning Area 6 (Industrial district) of the Merrill Commerce Center Specific Plan, and is presently improved with dairy and agriculture use; and

WHEREAS, the properties to the north of the Project site is within the Specific Plan/Agriculture Overlay (SP/AG) zoning district and is developed with dairy and agriculture uses. The properties to the east are within the industrial zoning district (Planning Areas 1 and 2) of the Colony Commerce Center West Specific Plan and is developed with industrial uses. The properties to the south are within the City of Chino and is developed with industrial uses. The properties to the west are within the Business Park and Industrial zoning districts of the Merrill Commerce Center Specific Plan and is developed with dairy and agriculture uses; and

WHEREAS, the subject property was annexed into the City of Ontario on November 30, 1999; and

WHEREAS, the City of Ontario certified the *Ontario Sphere of Influence Final Environmental Impact Report* in January 7, 1998. The Final EIR evaluated the potential impacts to prime agricultural land and to agricultural productivity that would result from the full and complete build-out of the New Model Colony (NMC) pursuant the General Plan Amendment. The Final EIR concluded that the conversion of agricultural uses to urban uses within the NMC would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved; and

WHEREAS, the City, upon annexation, assumed responsibility for administration of the Land Conservation Contracts which existed in the annexed area; and

WHEREAS, the City Ontario certified the Environmental Impact Report for The Ontario Plan (TOP) on January 27, 2010. The adoption of TOP also included the approval of the Policy Plan (General Plan), which replaced the previous Ontario General Plan and New Model Colony General Plan Amendment. The Final TOP EIR concluded that the conversion of agricultural uses to urban uses within Ontario Ranch (NMC) would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved; and

WHEREAS, The City's the Agricultural Overlay Zoning District, or a "right-to-farm" ordinance (Development Code Division 6.01, Section 6.01.035), allows existing agricultural uses within Ontario Ranch to continue for as long as the landowner desires; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the environmental impacts of this project were reviewed in conjunction with Merrill Commerce Center Specific Plan File No. PSP18-001, Environmental Impact Report (SCH#2019049079); 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 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 make a recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the Project is located with the Airport Influence Area of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Merrill Commerce Center Specific Plan EIR (SCH#2019049079) and supporting documentation. Based upon the facts and information contained in the previous Merrill Commerce Center Specific Plan EIR (SCH#2019049079) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific (File No. PSP18-001), for which a Certified EIR (SCH#2019049079) was adopted by the City Council on February 16, 2021.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based 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 and Chino Airport Influence Area.* The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed, and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions. In addition, the project site is located within the Chino Airport’s airport influence area (AIA) and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Pursuant to the California Airport Land Use Planning Handbook, the Specific Plan site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within Zones 2, 3, 4, and 6, subject to Open Land criteria.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

- a. ***The cancellation is for land on which a Notice of Non-Renewal has been served.***

Pursuant with Government Code § 51245 a Notice of Non-Renewal of Land Conservation Contract Number 69-147, was recorded on January 20, 2021, as Instrument No. 2021-0027541, Official Records, has been served.

b. ***Cancellation is not likely to result in the removal of adjacent lands from agricultural use.***

Cancellation of the Land Conservation Contract No. 69-147 is not likely to result in the removal of adjacent lands from agricultural uses. The properties adjacent to the contracted land are part of Merrill Commerce Center Specific Plan. The change in use of the subject property would be due to the development of the specific plan and not to the cancellation of land conservation contracts. Adjacent lands that were once subject to a Williamson Act Contract have terminated those contracts. Moreover, the policy decision to transition uses in the area from agriculture to urban was made when the City adopted TOP Policy Plan. The environmental consequences of that decision were analyzed in the Environmental Impact Report certified in conjunction with The Ontario Plan (TOP). Thus, the City's prior planning decision, and not the cancellation of the contracts associated with this project, would be the cause of any influence on the decision to remove land from agricultural use. Additionally, to ease the transition from agricultural to urban uses and to minimize conflicts between the two uses, the City has adopted an Agricultural Overlay District.

c. ***Cancellation is for an alternative use which is consistent with the applicable provisions of the City's General Plan.***

The subject site is a part of Merrill Commerce Center Specific Plan and is planned in accordance with TOP Policy Plan depiction of Business Park (0.60 FAR) and Industrial (0.55 FAR).

d. ***Cancellation will not result in discontinuous patterns of urban development. The cancellation of the Land Conservation Contracts will not result in discontinuous patterns of urban development.***

The subject property is part of Merrill Commerce Center Specific Plan. TOP Policy Plan includes requirements for subsequent approval by the City of a Specific Plan for development within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, provision for public services including parks and schools, and urban design and landscape plans. In

addition, the properties north of Merrill Commerce Center Specific Plan have a General Plan land use designation of Medium Density Residential (11.1 -25 du/ac) and Mixed-Use, which will accommodate future residential and commercial uses. Further, a Specific Plan (West Ontario Commerce Center Specific Plan) has been approved immediately to the east of the project site. To the west the subject property abuts the future South Ontario Logistics Center Specific Plan, that is currently in the entitlement process. To the south the project site is bounded by industrial development and the Chino Airport, located within the City of Chino. Due to the establish TOP Policy Plan (General Plan), which establishes the land use plan and intensity of development for the entire Ontario Ranch area and the existing developed urban areas, the subject property and surrounding area will be urbanized in the near future. Therefore, cancellation of the Williamson Act contracts associated with the Project would not result in leap-frog development.

- e. ***There is no proximate non-Contracted land, which is both available and suitable for the alternative proposed use or that development of the subject property will provide more contiguous patterns of urban development than development of proximate non-Contracted land.***

The contracted land lies within the boundaries of Merrill Commerce Center Specific Plan. The adjacent non-contracted land is part of Merrill Commerce Center Specific Plan and is scheduled for future development, therefore not available. Development of the subject site and adjacent non-contracted land through Merrill Commerce Center Specific Plan will eliminate “leapfrog” development and provide for continuous pattern of development. The properties north of Merrill Commerce Center Specific Plan have a General Plan land use designation of Medium Density Residential (11.1 -25 du/ac) and Mixed-Use, which will accommodate future residential and commercial uses. To the south, the Specific Plan is bounded by industrial development and the Chino Airport. To the east, the Specific Plan is adjacent to industrial development (West Ontario Commerce Center Specific Plan) and to the west by the future South Ontario Logistics Center Specific Plan, that is currently in the entitlement process. Furthermore, since the subject site is within Merrill Commerce Center Specific Plan, once the adjacent parcels are developed it will provide for more contiguous patterns of urban development than development of proximate non-contracted land.

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application,

subject to each and every condition set forth in set forth in the staff report, attached hereto as 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PWIL20-002, A TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT NUMBER 70-167 FOR 37.34 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHSIDE OF EUCALYPTUS AVENUE, APPROXIMATELY 630 FEET EAST OF WALKER AVENUE AND APPROXIMATELY 2,490 WEST OF CARPENTER AVENUE AT 8643 SOUTH EUCALYPTUS AVENUE, WITHIN PLANNING AREA 4 (INDUSTRIAL DISTRICT) OF MERRILL COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-151-02, 1054-161-03, 1054-201-02 AND 1054-351-02.

WHEREAS, LIBERTY PROPERTY LIMITED PARTNERSHIP ("Applicant") has filed an Application for the approval of the cancellation of Land Conservation Contract Number 70-167, File No. PWIL20-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 37.34 acres of land generally located on the South side of Eucalyptus Avenue, approximately 630 feet east of Walker Avenue and approximately 2,490 west of Carpenter Avenue at 8643 South Eucalyptus Avenue, within the Planning Area 4 (Industrial district) of the Merrill Commerce Center Specific Plan, and is presently improved with dairy and agriculture use; and

WHEREAS, the properties to the north of the Project site is within the Specific Plan/Agriculture Overlay (SP/AG) zoning district and is developed with dairy and agriculture uses. The properties to the east are within the Business Park and Industrial zoning districts of the Merrill Commerce Center Specific Plan and is developed with dairy and agriculture uses. The properties to the south are within the City of Chino and is developed with industrial uses and the Chino Airport. The properties to the west are within the Business Park and Industrial zoning districts of the Merrill Commerce Center Specific Plan and is developed with dairy and agriculture uses; and

WHEREAS, the subject properties were annexed into the City of Ontario on November 30, 1999; and

WHEREAS, the City of Ontario certified the *Ontario Sphere of Influence Final Environmental Impact Report* in January 7, 1998. The Final EIR evaluated the potential impacts to prime agricultural land and to agricultural productivity that would result from the full and complete build-out of the New Model Colony (NMC) pursuant the General Plan Amendment. The Final EIR concluded that the conversion of agricultural uses to urban uses within the NMC would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved; and

WHEREAS, the City, upon annexation, assumed responsibility for administration of the Land Conservation Contracts which existed in the annexed area; and

WHEREAS, the City Ontario certified the Environmental Impact Report for The Ontario Plan (TOP) on January 27, 2010. The adoption of TOP also included the approval of the Policy Plan (General Plan), which replaced the previous Ontario General Plan and New Model Colony General Plan Amendment. The Final TOP EIR concluded that the conversion of agricultural uses to urban uses within Ontario Ranch (NMC) would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved; and

WHEREAS, The City's the Agricultural Overlay Zoning District, or a "right-to-farm" ordinance (Development Code Division 6.01, Section 6.01.035), allows existing agricultural uses within Ontario Ranch to continue for as long as the landowner desires; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the environmental impacts of this project were reviewed in conjunction with Merrill Commerce Center Specific Plan File No. PSP18-001, Environmental Impact Report (SCH#2019049079); 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 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 make a recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the Project is located with the Airport Influence Area of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on March 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Merrill Commerce Center Specific Plan EIR (SCH#2019049079) and supporting documentation. Based upon the facts and information contained in the previous Merrill Commerce Center Specific Plan EIR (SCH#2019049079) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific (File No. PSP18-001), for which a Certified EIR (SCH#2019049079) was adopted by the City Council on February 16, 2021.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based 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 and Chino Airport Influence Area.* The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed, and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions. In addition, the project site is located within the Chino Airport’s airport influence area (AIA) and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Pursuant to the California Airport Land Use Planning Handbook, the Specific Plan site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within Zones 2, 3, 4, and 6, subject to Open Land criteria.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

- a. ***The cancellation is for land on which a Notice of Non-Renewal has been served.***

Pursuant with Government Code § 51245 a Notice of Non-Renewal of Land Conservation Contract Number 70-167, was recorded on September 21, 2017, as Instrument No. 2017-0391236, Official Records, has been served.

- b. ***Cancellation is not likely to result in the removal of adjacent lands from agricultural use.***

Cancellation of the Land Conservation Contract No. 70-167 is not likely to result in the removal of adjacent lands from agricultural uses. The properties adjacent to the contracted land are part of Merrill Commerce Center Specific Plan. The change in use of the subject properties would be due to the development of the specific plan and not to the cancellation of land conservation contracts. Adjacent lands that were once subject to a Williamson Act Contract have terminated those contracts. Moreover, the policy decision to transition uses in the area from agriculture to urban was made when the City adopted TOP Policy Plan. The environmental consequences of that decision were analyzed in the Environmental Impact Report certified in conjunction with The Ontario Plan (TOP). Thus, the City's prior planning decision, and not the cancellation of the contracts associated with this project, would be the cause of any influence on the decision to remove land from agricultural use. Additionally, to ease the transition from agricultural to urban uses and to minimize conflicts between the two uses, the City has adopted an Agricultural Overlay District.

- c. ***Cancellation is for an alternative use which is consistent with the applicable provisions of the City's General Plan.***

The subject properties are part of Merrill Commerce Center Specific Plan and is planned in accordance with TOP Policy Plan depiction of Business Park (0.60 FAR) and Industrial (0.55 FAR).

- d. ***Cancellation will not result in discontinuous patterns of urban development. The cancellation of the Land Conservation Contracts will not result in discontinuous patterns of urban development.***

The subject properties are part of Merrill Commerce Center Specific Plan. TOP Policy Plan includes requirements for subsequent approval by the City of a Specific Plan for development within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, provision for public services including parks and schools, and urban design and landscape plans. In addition, the properties north of Merrill Commerce Center Specific Plan have a General Plan land use designation of Medium Density Residential (11.1 -25 du/ac) and Mixed-Use, which will accommodate future residential and commercial uses. To the east and west the subject properties are within

the Business Park and Industrial zoning districts of the Merrill Commerce Center Specific Plan. To the south the project site is bounded by industrial development and the Chino Airport, located within the City of Chino. Due to the establish TOP Policy Plan (General Plan), which establishes the land use plan and intensity of development for the entire Ontario Ranch area and the existing developed urban areas, the subject properties and surrounding area will be urbanized in the near future. Therefore, cancellation of the Williamson Act contracts associated with the Project would not result in leap-frog development.

- e. ***There is no proximate non-Contracted land, which is both available and suitable for the alternative proposed use or that development of the subject property will provide more contiguous patterns of urban development than development of proximate non-Contracted land.***

The contracted land lies within the boundaries of Merrill Commerce Center Specific Plan. The adjacent non-contracted land is part of Merrill Commerce Center Specific Plan and is scheduled for future development, therefore not available. Development of the subject site and adjacent non-contracted land through Merrill Commerce Center Specific Plan will eliminate “leapfrog” development and provide for continuous pattern of development. The properties north of Merrill Commerce Center Specific Plan have a General Plan land use designation of Medium Density Residential (11.1 -25 du/ac) and Mixed-Use, which will accommodate future residential and commercial uses. To the south, the Specific Plan is bounded by industrial development and the Chino Airport. To the east, the Specific Plan is adjacent to industrial development (West Ontario Commerce Center Specific Plan) and to the west by the future South Ontario Logistics Center Specific Plan, that is currently in the entitlement process. Furthermore, since the subject site is within Merrill Commerce Center Specific Plan, once the adjacent parcels are developed it will provide for more contiguous patterns of urban development than development of proximate non-contracted land.

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, subject to each and every condition set forth in set forth in the staff report, attached hereto as 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 23rd day of March 2021, 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:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 23, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore



CITY OF ONTARIO

MEMORANDUM

TO: Planning Commission

FROM: Rudy Zeledon, Planning Director *RZ*

DATE: March 23, 2021

SUBJECT: Monthly Activity Reports

The Monthly Activity Reports were not available at the time of agenda packet distribution. These Reports will be made available at the April 27, 2021 Planning Commission meeting.