



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

December 20, 2021

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764.**

**MEETING WILL BE HELD AT 1:30 PM IN ONTARIO CITY COUNCIL CHAMBERS
LOCATED AT 303 East “B” St.**

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Community Development Agency
Jennifer McLain Hiramoto, Economic Development Director
James Caro, Building Official
Rudy Zeledon, Planning Director
Khoi Do, City Engineer
Chief Michael Lorenz, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Angela Magana, Community Improvement Manager

PUBLIC COMMENTS

Citizens wishing to address the Development Advisory Board 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 Development Advisory Board values your comments, the members cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

AGENDA ITEMS

For each of the items listed below 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 Development Advisory Board 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.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Development Advisory Board Minutes of October 18, 2021, approved as written.

A-02. MINUTES APPROVAL

Development Advisory Board Minutes of November 15, 2021, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-030:** A Development Plan (File No. PDEV21-030) to construct a 174,603 -square-foot industrial building on 7.47 acres of land. The project is located on the west side of Bon View Avenue, approximately 132 feet north of Cedar Street, within the IL (Light Industrial) and IG (General Industrial) zoning districts. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), 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); (APNs: 1050-441-05, 1050-441-09, 1050-441-11, 1050-441-12, 1050-441-13, 1050-441-14, 1050-441-15, 1050-441-16, 1050-441-17, 1050-441-18, 1050-441-19, 1050-441-20, 1050-441-21, 1050-441-22, 1050-441-23, 1050-441-24, 1050-441-25, 1050-441-26, 1050-441-27, 1050-441-28, 1050-441-29, 1050-441-30, 1050-441-31, 1050-441-32, 1050-441-33, 1050-441-34, 1050-441-35, 1050-441-36, 1050-441-37, 1050-441-38, 1050-441-39, 1050-441-40, 1050-441-41, 1050-441-42, 1050-441-43, 1050-441-44, 1050-441-45, 1050-441-46, 1050-441-47, 1050-441-48, 1050-441-49, 1050-441-50, 1050-441-51, 1050-441-52, 1050-441-53, 1050-441-54, 1050-441-55, 1050-441-56, 1050-441-57, 1050-441-58, 1050-441-59, 1050-441-60, 1050-441-61, 1050-441-62, and 1050-441-73) **submitted by Bon View Land 10, LLC & BV Investments 10, LLC. Planning Commission action is required.**

1. CEQA Determination

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

2. File No. PDEV21-030 (Development Plan)

Motion to recommend Approval/Denial

- C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT21-012:** A Tentative Parcel Map (TPM 20387) to subdivide 0.31-acre of land

into 2 parcels located at the southwest corner of Euclid Avenue and Maitland Street, at 1004 South Euclid Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts. 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: 1049-563-10) **submitted by United Construction Company. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15315

2. **File No. PMTT21-012 (TPM 20387)** (Tentative Parcel Map)

Motion to recommend Approval/Denial

- D. **ENVIRONMENTAL ASSESSMENT, CONDITIONAL USE PERMIT, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PCUP21-004 AND PDEV21-012:** A Conditional Use Permit (File No. PCUP 21-004) and Development Plan (File No. PDEV21-012) to construct and establish a 2,370 square foot fast food restaurant with drive-thru (Sonic) on 0.72-acre of land located at the southwest corner of Mountain Avenue and Sixth Street, within the Main Street land use district of the Mountain Village Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1008-431-25) **submitted by Coast to Coast Commercial, LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PCUP21-004** (Conditional Use Permit)

Motion to recommend Approval/Denial

3. **File No. PDEV21-012** (Development Plan)

Motion to recommend Approval/Denial

- E. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT21-010 AND PDEV21-018:** A Tentative Parcel Map (TPM 20147) (File No. PMTT21-010) to subdivide 95.35 acres of land into three parcels, in conjunction with a Development Plan (File No. PDEV21-018) to construct two industrial buildings totaling 168,772 square feet on 13.07 acres of land located at the southeast corner of Jurupa Street and Milliken Avenue, at 1425 South Toyota Way, within the Industrial Mixed Use and Warehouse/Distribution land use districts of the Toyota Ontario Business Park Specific Plan. An Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008104410) was prepared. 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: 0238-121-75) **submitted by Pamela Steele, MIG, Inc. Planning Commission action is required.**

1. **CEQA Determination**

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

2. **File No. PMTT21-010 (TPM 20147)** (Tentative Parcel Map)

Motion to recommend Approval/Denial

3. **File No. PDEV21-018** (Development Plan)

Motion to recommend Approval/Denial

BUSINESS MATTERS

- Nominations for a new Development Advisory Board Chairperson.

If you wish to appeal a decision of the **Development Advisory Board**, you must do so within ten (10) days of the **Development Advisory Board** action. Please contact the **Planning Department** for information regarding the appeal process.

If you challenge any action of the **Development Advisory Board** 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 **Development Advisory Board** at, or prior to, the public hearing.

The next **Development Advisory Board** meets on **January 3, 2022**.

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 or before **December 16, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.


Administrative Assistant

CITY OF ONTARIO

Development Advisory Board

Minutes

OCTOBER 18, 2021

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
James Caro, Building Department
Charity Hernandez, Economic Development Agency
Khoi Do, Engineering Department
Dennis Mejia, Municipal Utilities Company
Tony Galban, Police Department

BOARD MEMBERS ABSENT

Elda Zavala, Community Improvement
Mike Gerken, Fire Department

STAFF MEMBERS PRESENT

Antonio Alejos, Engineering Department
Diane Ayala, Planning Department
Gwen Berendsen, Planning Department
Michael Bhatanawin, Engineering Department
Edmelyne Hutter, Planning Department
Raymond Lee, Engineering Department
Lorena Mejia, Planning Department
Chuck Mercier, Planning Department
Miguel Sotomayor, Engineering Department

PUBLIC COMMENTS

No person from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the September 20, 2021 meeting of the Development Advisory Board was made by Mr. Do; seconded by Mr. Mejia; and approved unanimously by those present (4-0). Tony Galban and James Caro recused themselves as they were not at this meeting.

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-027:** A Development Plan to construct a 7,200-square-foot maintenance building and tractor-trailer parking on 4.2 acres of land located at 2009 South Cucamonga Avenue, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332

(Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-501-16) **submitted by NFI Industries.**

Jonathan Shardlow with NFI Industries was present and available to answer questions.

Mr. Zeledon asked if he had reviewed the Conditions of Approval and agreed to them.

Mr. Shardlow stated he agreed to the COAs.

Motion to approve **File No. PDEV20-027**, subject to the conditions, was made by Mr. Mejia; seconded by Mr. Do; and approved unanimously by those present (6-0).

C. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-008 AND PDEV19-023: A Tentative Tract Map (File No. PMTT19-008; TTM 20281) to subdivide 4.79 acres of land into 37 numbered lots and one common lettered lot in conjunction with a Development Plan (File No. PDEV19-023) to construct 37 dwelling units and an associated recreation facility, for property located at 9510 East Chino Avenue, within the Neighborhood 3A land use district of the Countryside Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Countryside Specific Plan (File No. PSP04-001) Environmental Impact Report (State Clearinghouse No. 2004071001), certified by the City Council on April 18, 2006. 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: 0218-111-56) **submitted by Chino Avenue, LLC. Planning Commission action is required.**

Phillip LaSasso with Chino Avenue, LLC was present and was available to answer questions.

Mr. Zeledon asked if he had reviewed the Conditions of Approval and agreed to them.

Mr. LaSasso stated he agreed to the COAs.

Motion to recommend approval of **File Nos. PMTT19-008 and PDEV19-023**, subject to the conditions, to the Planning Commission, was made by Mr. Caro; seconded by Mr. Mejia; and approved unanimously by those present (6-0).

D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-020: A Development Plan (File No. PDEV20-020) to construct a mixed-use development consisting of 144 residential apartment units and approximately 4,500 square feet of ground floor retail on 1.66 acres of land bordered by D Street to the north, Euclid Avenue to the west, C Street to the south, and Lemon Avenue to the east, within the C1 Block of the Downtown Civic Center Planned Unit Development and the MU-1 (Downtown Mixed Use) and Euclid Avenue Overlay zoning districts. 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, 1048-551-11, and 1048-551-12). **submitted by Hutton Development. Planning Commission action is required.**

Scott Felix with Hutton Development was present and was available to answer questions.

Senior planner Ayala stated there were two revisions to the Landscape Conditions of Approval: Item 3 and 4 the setback would be changed to 3 feet.

Mr. Zeledon asked if he had reviewed the Conditions of Approval and agreed to the revisions.

Mr. Felix stated he agreed to the revised COAs.

Motion to recommend approval of **File No. PDEV20-020**, subject to the conditions, to the Planning Commission, was made by Ms. Hernandez; seconded by Mr. Mejia; and approved unanimously by those present (6-0).

E. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT21-006: A Tentative Parcel Map (TPM No. 20335) to subdivide 5.77 acres of land into two parcels located at the northeast corner of Inland Empire Boulevard and Haven Avenue, at 800 North Haven Avenue, within the Urban Commercial land use district of the Ontario Center Specific Plan. 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: 0210-204-03) **submitted by Fuscoe Engineering. Planning Commission action is required.**

Steve Ellis with Fusco Engineering was present and was available to answer questions.

Engineer Alejos stated there were two revisions to the Engineering Conditions of Approval: Item 2.08 was being removed and Item 2.17 delete drive approach remove and replace, fire hydrant, sewer, water and streetlight requirement.

Mr. Zeledon asked if he had reviewed the Conditions of Approval and agreed to the revisions.

Mr. Ellis stated he agreed to the revised COAs.

Motion to recommend approval of **File No. PMTT21-006**, subject to the conditions, to the Planning Commission, was made by Mr. Do; seconded by Mr. Caro; and approved unanimously by those present (6-0).

There being no further business, the meeting was adjourned to the next meeting on November 1, 2021.

Respectfully submitted,

Gwen Berendsen
Recording Secretary

CITY OF ONTARIO

Development Advisory Board

Minutes

NOVEMBER 15, 2021

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
James Caro, Building Department
Charity Hernandez, Economic Development Agency
Raymond Lee, Engineering Department
Christy Stevens, Municipal Utilities Company
Bill Lee, Police Department
Elda Zavala, Community Improvement

BOARD MEMBERS ABSENT

Paul Ehrman, Fire Department

STAFF MEMBERS PRESENT

Gwen Berendsen, Planning Department
Michael Bhatanawin, Engineering Department
Tony Galban, Police Department
Chuck Mercier, Planning Department
Alexis Vaughn, Planning Department

PUBLIC COMMENTS

No person from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to continue the approval of the minutes of the October 18, 2021 meeting of the Development Advisory Board to the December 6, 2021 meeting, as there was not a quorum present from this meeting, was made by Ms. Hernandez; seconded by Mr. Caro; and approved unanimously by those present (7-0).

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-011 (TTM 18916):** A Tentative Tract Map (TTM 18916) to subdivide 11.05 acres of land into 36 numbered lots and two lettered lots to facilitate future residential development, located near the southwest corner of Archibald and Chino Avenues, within Neighborhood 7 of the Countryside Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Countryside Specific Plan (File No. PSP04-001), Environmental Impact Report (State Clearinghouse No. 2004071001), certified by the City Council on April 18, 2006. 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: 0218-131-34) **submitted by LHC Ontario Holdings, LLC. Planning Commission action is required.**

Craig Cristina with Richland Communities, representing LHC Ontario Holdings, LLC, was present and available to answer questions.

Mr. Zeledon asked if he had reviewed the Conditions of Approval and agreed to them.

Mr. Cristina stated he agreed to the COAs.

Motion to recommend approval of **File No. PMTT21-011 (TTM 18916)**, subject to the conditions, to the Planning Commission, was made by Mr. Caro; seconded by Ms. Stevens; and approved unanimously by those present (7-0).

BUSINESS MATTERS

- Nominations for a new Development Advisory Board Chairperson, was continued to the December 6, 2021, so that more regular committee members would be present.

There being no further business, the meeting was adjourned to the next meeting on December 6, 2021.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



Development Advisory Board Decision

December 20, 2021

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NO.: PDEV21-030

DESCRIPTION: A Development Plan to construct a 174,603-square-foot industrial building on 7.47 acres of land located on the west side of Bon View Avenue, approximately 132 feet north of Cedar Street, within the IL (Light Industrial) and IG (General Industrial) zoning districts; (APNs: 1050-441-05, 1050-441-09, 1050-441-11, 1050-441-12, 1050-441-13, 1050-441-14, 1050-441-15, 1050-441-16, 1050-441-17, 1050-441-18, 1050-441-19, 1050-441-20, 1050-441-21, 1050-441-22, 1050-441-23, 1050-441-24, 1050-441-25, 1050-441-26, 1050-441-27, 1050-441-28, 1050-441-29, 1050-441-30, 1050-441-31, 1050-441-32, 1050-441-33, 1050-441-34, 1050-441-35, 1050-441-36, 1050-441-37, 1050-441-38, 1050-441-39, 1050-441-40, 1050-441-41, 1050-441-42, 1050-441-43, 1050-441-44, 1050-441-45, 1050-441-46, 1050-441-47, 1050-441-48, 1050-441-49, 1050-441-50, 1050-441-51, 1050-441-52, 1050-441-53, 1050-441-54, 1050-441-55, 1050-441-56, 1050-441-57, 1050-441-58, 1050-441-59, 1050-441-60, 1050-441-61, 1050-441-62, and 1050-441-73) **submitted by Bon View Land 10, LLC & BV Investments 10, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

BON VIEW LAND 10, LLC & BV INVESTMENTS 10, LLC., (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV21-030, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 7.47 acres of land located on the west side of Bon View Avenue, approximately 132 feet north of Cedar Street, and includes a 4.70-acre common lot subdivision with 52 industrial condominium parcels and one 2.77-acre parcel of land as depicted in Exhibit A: Project Location Map, attached. The site is presently improved with a mix of land uses and building types which includes commercial, industrial, and one single-family residence, which will all be razed to facilitate the construction of the proposed Project. Historically, the area was used for residential and agriculture purposes until at least 1960, when the first commercial building was constructed on the site. Throughout the 1960s to the present day, the surrounding area has been predominately developed with industrial land uses.

West of the residence is an 'L'-shaped commercial building constructed during the 1960s, two industrial buildings, built after 1966 and before 1980, and an outdoor storage yard. North of the residence are two multi-tenant industrial buildings that were built after 1986, and the remainder of the property is undeveloped. Existing land uses, General Plan, and zoning designations on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site:</i>	Single-Family Residential /Industrial/ Office and Self-storage	Industrial (0.55 FAR)	IL (Light Industrial) IG (General Industrial)
<i>North:</i>	Industrial	Industrial (0.55 FAR)	IG (General Industrial)

	Existing Land Use	General Plan Designation	Zoning Designation
<i>South:</i>	Single-Family Residential/ Storage Yard	Industrial (0.55 FAR)	IL (Light Industrial)
<i>East:</i>	Industrial	Industrial (0.55 FAR)	IL (Light Industrial)
<i>West:</i>	Industrial/ Storage Yard	Industrial (0.55 FAR)	IL (Light Industrial) and IG (General Industrial)

(2) **Project Description:**

(a) **Background** — On September 1, 2021, the Applicant submitted File No. PDEV21-030, a Development Plan to construct a 174,603-square-foot industrial building on the 7.47-acre Project site. The subject application was submitted in conjunction with three other application types that are essential to the proposed development, which include:

- A Certificate of Appropriateness (File No. PHP21-015) to allow for the demolition of a Tier III historic resource (a 1,008 square-foot Craftsman single-family structure) that exists on the subject site;
- A Zone Change (File No. PZC21-001) on a 2.77-acre portion of the subject site, changing the zoning designation from IL (Light Industrial) to IG (General Industrial); and
- A Lot Line Adjustment (File No. E202100860) consolidating three lots that comprise the Project site, into a single lot. Additionally, the recorded condominium plan over a portion of the Project site will be quitclaimed prior to the issuance of a building permit to construct the proposed Project.

On December 9, 2021, the Historic Preservation Subcommittee ("HPSC") conducted a hearing to consider the Certificate of Appropriateness and voted to recommend approval of the Certificate of Appropriateness application to the Planning/Historic Preservation Commission.

(b) **EIR Addendum** — The related Applications establish a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an Initial Study/Addendum has been prepared to determine possible environmental impacts. Although the proposed project could have a significant effect on the environment, because all potentially significant effects have been analyzed adequately in an earlier Certified EIR, and have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed on the proposed project, nothing further is required. The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Environmental Impact Report, are a condition of project approval and are incorporated in the Initial Study/Addendum (see Attachment A—EIR Addendum, attached).

(c) **Site Design/Building Layout** — The proposed industrial building is rectangular in shape and will have an overall height of 45 feet, consistent with the development standards of the IG (General Industrial) zoning district. The building will include 4,500 square feet of office space and 170,173 square feet of warehouse space. Passenger vehicle parking is proposed along the north and south sides of the building. The building's main entrance and visitor parking are located adjacent to Bon View Avenue. An outdoor employee patio area is proposed at the northwest corner of the lot.

A yard area designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging is proposed along the north side of the building and will be screened from public view by a combination of landscaping and 14-foot-high tilt-up decorative screen walls. The screen wall height may be reduced based on a sight-line analysis/wall section plan which shows that all roll-up doors, truck trailers, and any items stored outdoors will be completely screened from view from the public street. The proposed screen wall

has been designed to match the architecture of the proposed building. In addition, tubular steel fencing at 8 feet in height has been proposed along the north, west, and a portion of the south property lines, transitioning to a 6-foot-high decorative wall with pilasters, extending 61 feet in length, which will be constructed along the south-easterly portion of the project site to provide screening for the existing single-family residence.

(d) Site Access and Circulation — The site will have two points of access from Bon View Avenue through a 40-foot wide north driveway and a 30-foot wide south driveway with truck yard access through a gate-controlled system. A 26-foot drive aisle provides the proposed internal circulation. Pursuant to the conditions of approval, the decorative pavement will be provided at all driveway approaches, which will extend from the back of the driveway apron to the first intersecting drive aisle or parking space.

(e) Parking — The Project has provided the required off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The off-street parking calculations for each building are as follows:

Parking Requirements

Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Warehouse / Distribution	170,173	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF; and One tractor-trailer parking space per 4 dock-high loading doors: <ul style="list-style-type: none"> 23 dock-high loading doors proposed. 19 tractor-trailer parking spaces are provided 	98	100
Office	4,500 SF	4 spaces per 1,000 SF (0.004/SF) of GFA (parking required when "general business offices" and other associated uses, exceed 10 percent of the building GFA (17,000 SF of office allowed unless additional parking is provided))	0	0
TOTAL	174,603 SF		98	100

The number of off-street parking spaces provided for the building meets the minimum number of parking spaces required by the Development Code for warehouse/distribution facilities. In addition, the City's off-street parking and loading standards require the site to provide a minimum of one tractor-trailer parking space for every four dock-high loading spaces. Therefore, the number of tractor-trailer parking spaces provided for the buildings meets the minimum number required.

(f) Architecture — The proposed building will be of concrete-tilt-up construction with enhanced features such as smooth painted concrete, metal siding, inset reveals, storefront windows, anodized clear aluminum mullions, and steel canopies throughout the façade of the building as depicted in Exhibit D—Proposed Elevations, attached. Staff believes the proposed Project illustrates the type of high-quality architecture promoted by the Development Code and is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; and
- Articulation in the building parapet/roofline, which serves to accentuate the building's entries and breaks up large expanses of building wall; and
- A mix of exterior materials, finishes, and fixtures; and

- Incorporation of base and top treatments defined by changes in color, materials, and recessed wall areas; and
- The building was designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent on all four building elevations.

(g) Landscaping — The Project provides landscaping along Bon View Avenue and around the project perimeter. The Development Code requires a minimum of 10 percent landscape coverage, which the Project exceeds at 10.14 percent. The proposed on-site and off-site landscape improvements incorporate a combination of 48-inch and 24-inch box trees along Bon View Avenue, which includes a mix of Western Toyon, Chinese Flame Tree, Eastern Red Bud, Chinese Pistache, Yew Pine, California Sycamore, and Brisbane Box, in addition, a mix of 15-gallon and 24-inch box accent and shade trees will be provided throughout the project site that includes Island Oak. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought-tolerant (see Exhibit E—Landscape Plan, attached).

(h) Health Risk Assessment — The Project site is within 1,000 feet of existing residential land uses located within Industrial zoning and The Ontario Plan (“TOP”) Policy Plan land use designations. As such, the Applicant was required to prepare a Health Risk Assessment (“HRA”) to determine whether the proposed Project would pose a health risk to the existing housing units in the vicinity of the project site. The HRA analyzed the cancer burden estimates as well as the Project operational Toxic Air Contaminants (“TACs”) impact from Diesel Particulate Matter (“DPM”) emissions. Both analyses concluded that these factors would be less than significant; therefore, no mitigation is required for the Project beyond that which was previously analyzed in the TOP Environmental Impact Report (State Clearinghouse No. 2008101140), as certified by the Ontario City Council on January 27, 2010.

(i) 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 stormwater 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, infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater chamber system for the Project. Any overflow drainage will be conveyed to the 48-inch storm drain located within Bon View Avenue via an 18-inch storm service lateral.

Part II—RECITALS

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

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

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

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant

effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and recommend on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; 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 December 20, 2021, the DAB issued a Resolution recommending the Planning Commission approve the use of 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 December 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and

the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The environmental impacts of the Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

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

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

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

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

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

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the EIR Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB 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 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, 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: 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 recommending body for the Project, the DAB 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 DAB, 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 DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB 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 (FAR 0.55) land use district of the Policy Plan Land Use Map, and the IG (General Industrial) zoning district pending City Council approval of Zone Change request File No. PZC-21-001. 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 Development Code and the IG (General Industrial) zoning district pending City Council approval of Zone Change request File No. PZC-21-001, including standards relative to the particular land use proposed industrial warehouse, 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 imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed industrial warehouse. 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: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment B of this Decision 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. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 20th day of December 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

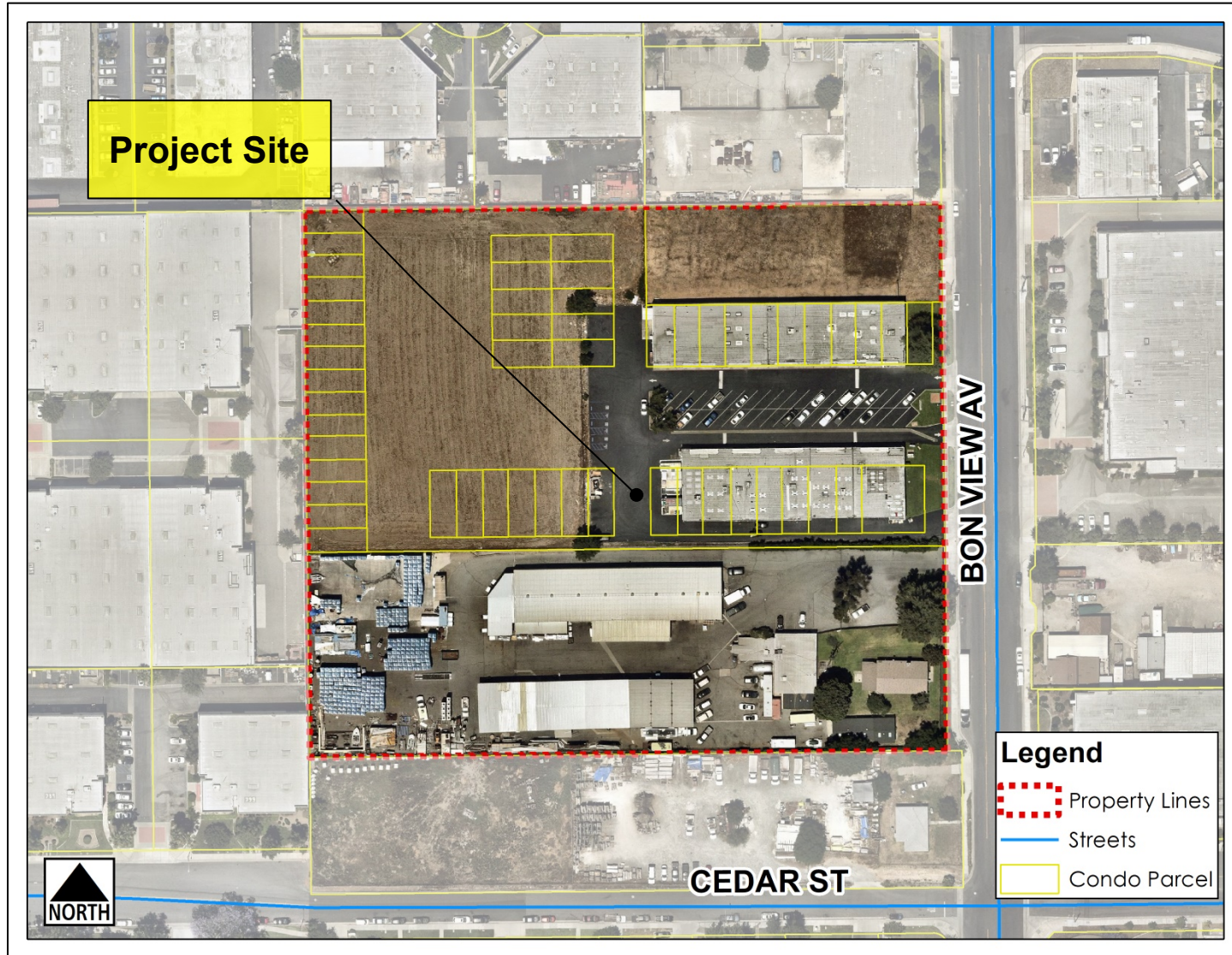


Exhibit B—SITE PLAN

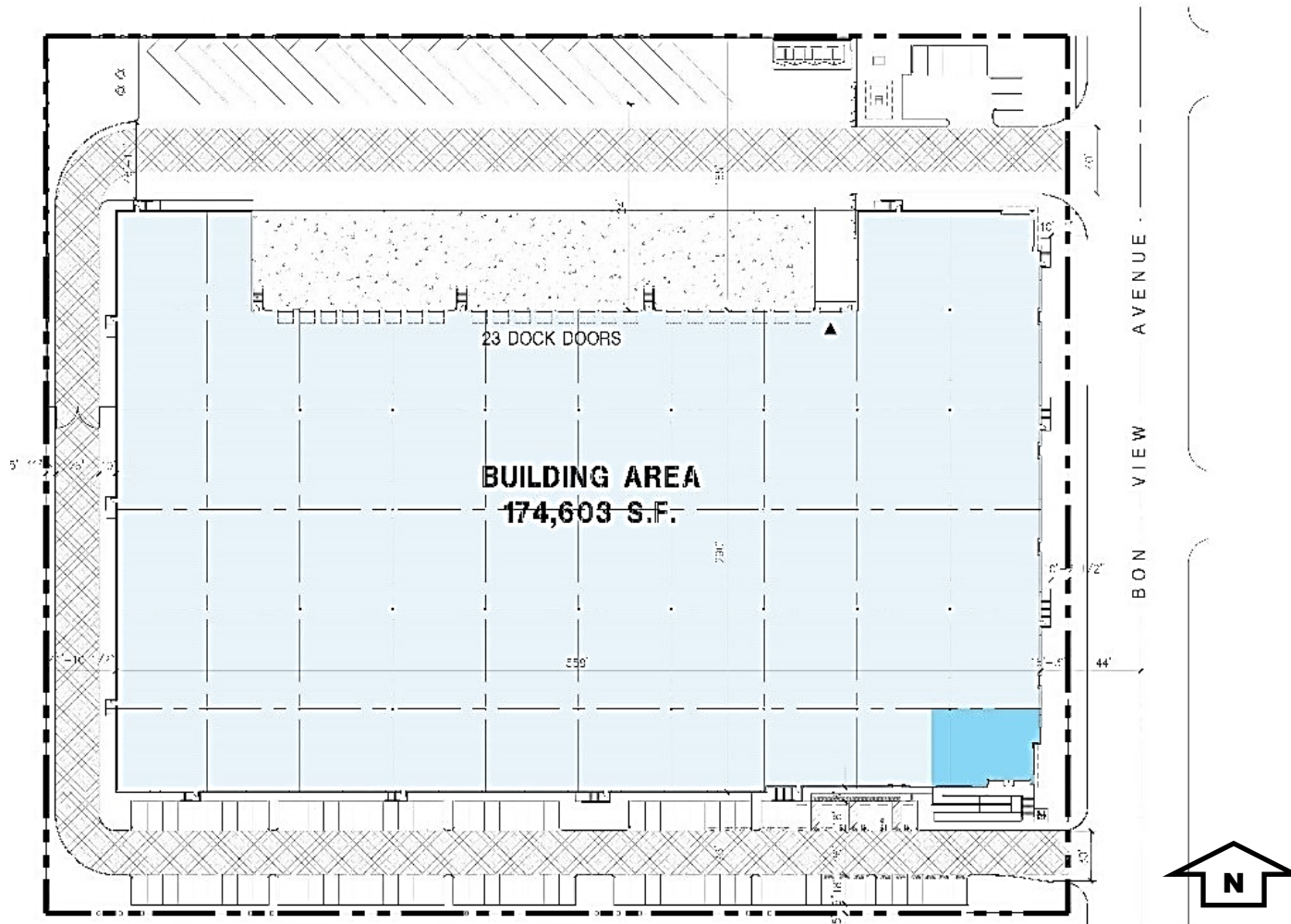
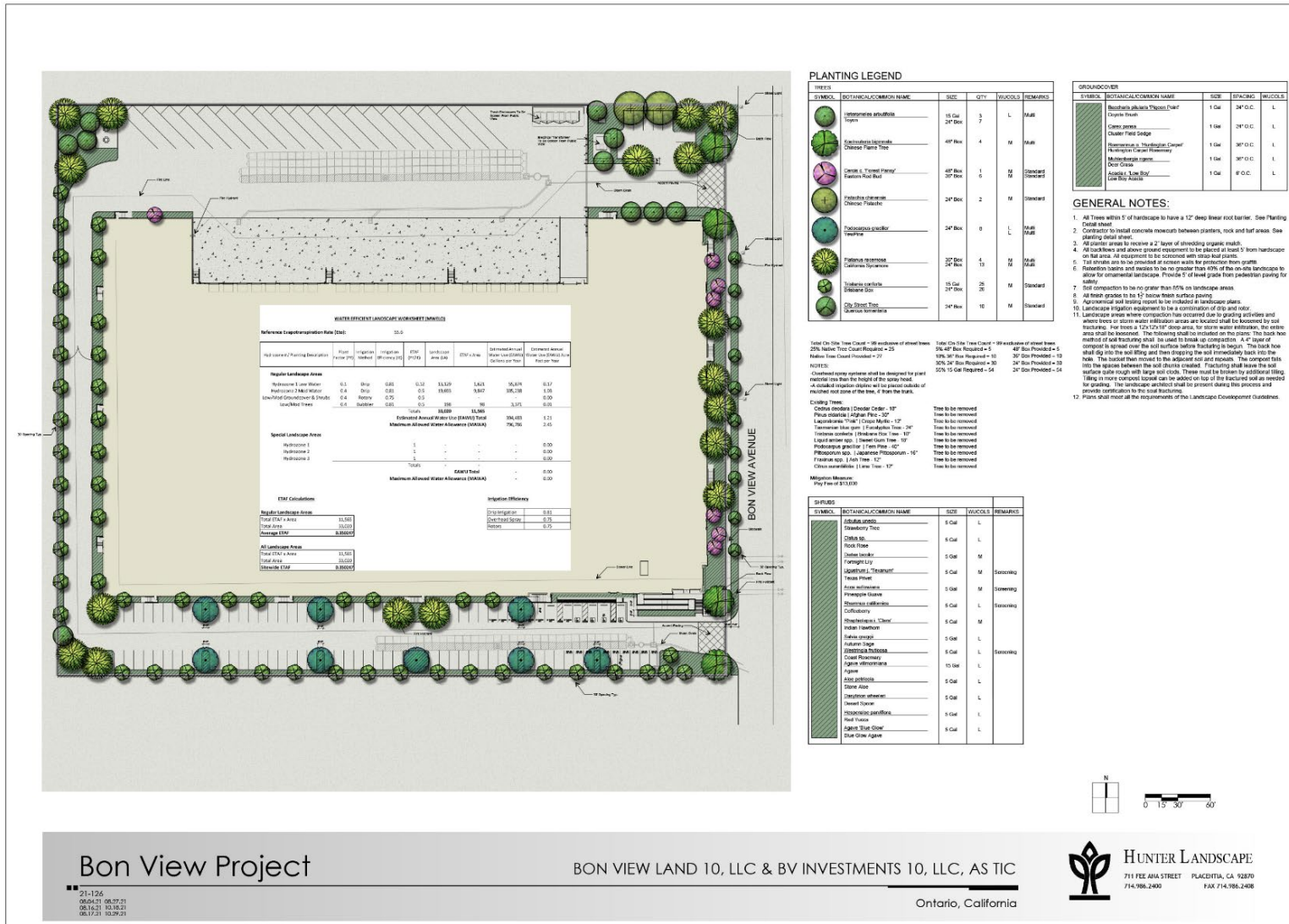


Exhibit C—EXTERIOR ELEVATIONS



Exhibit D—LANDSCAPE PLAN



Bon View Project

BON VIEW LAND 10, LLC & BV INVESTMENTS 10, LLC, AS TIC



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Attachment A—EIR Addendum

*To view this Attachment -
Go to the City of Ontario Planning Department Website at
Ontarioca.gov/Planning*

(The document was too large to be included in the Agenda Packet.)

Attachment B—Departmental Conditions of Approval

(Document follows this page)

Date Prepared: December 20, 2021

File No: PDEV21-030

Related Files: PHP21015 and PZC21-001

Project Description: A Development Plan to construct a 174,603-square-foot industrial building on 7.47 acres of land; The project is located on the west side of Bon View Avenue, approximately 132 feet north of Cedar Street, within the IL (Light Industrial) and IG (General Industrial) zoning districts. (APNs: 1050-441-05, 1050-441-09, 1050-441-11, 1050-441-12, 1050-441-13, 1050-441-14, 1050-441-15, 1050-441-16, 1050-441-17, 1050-441-18, 1050-441-19, 1050-441-20, 1050-441-21, 1050-441-22, 1050-441-23, 1050-441-24, 1050-441-25, 1050-441-26, 1050-441-27, 1050-441-28, 1050-441-29, 1050-441-30, 1050-441-31, 1050-441-32, 1050-441-33, 1050-441-34, 1050-441-35, 1050-441-36, 1050-441-37, 1050-441-38, 1050-441-39, 1050-441-40, 1050-441-41, 1050-441-42, 1050-441-43, 1050-441-44, 1050-441-45, 1050-441-46, 1050-441-47, 1050-441-48, 1050-441-49, 1050-441-50, 1050-441-51, 1050-441-52, 1050-441-53, 1050-441-54, 1050-441-55, 1050-441-56, 1050-441-57, 1050-441-58, 1050-441-59, 1050-441-60, 1050-441-61, 1050-441-62, and 1050-441-73) **submitted by Bon View Land 10, LLC & BV Investments 10, LLC.**

Prepared By: Robert Morales, Assistant Planner
Phone: 909.395.2432 (direct)
Email: Rmorales@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the

outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

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

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

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

2.6 Outdoor Loading and Storage Areas.

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

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

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

(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.

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 8.01 (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 reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (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.

2.13 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) Development Plan approval shall not be final and conclusive until the related Certificate of Appropriateness (File No. PHP21-015) has been approved by the Historic Preservation Commission.

(b) Development Plan approval shall not be final and conclusive until the related Zone Change (File no. PZC-21-001) has been approved by the City Council.

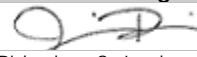
(c) The applicant shall submit a sight-line analysis/wall section plan which shows that all roll-up doors, truck trailers, and any items stored outdoors will be completely screened from view from the public street, subject to Planning Director review and approval.

(d) The maximum wall height on the south eastern side of the Project site shall not exceed three feet in height within the front setback area setback.

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

11/17/2021

Date

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

D.A.B. File No.:
 PDEV21-030, PZC-21-001, PHP-21-015 Case Planner:
 Robert Morales

Project Name and Location:
 Industrial Building
 Northwest Corner of S. Bon View Ave. and E. Cedar Street

Applicant/Representative:
 Bon View Land 10, LLC & BV Investments msizemore@panattoni.com
 2442 Dupont Drive
 Irvine, CA 92612

- Preliminary Plans (dated 11/4/2021) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.**
- Preliminary Plans (dated) have 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

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal," approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking, and irrigating 15-gallon trees (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division. Any stormwater devices in parkway areas shall not displace street trees.
4. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.

5. Show backflow devices set back 4' from paving all sides. Locate on level grade.
6. 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.
7. Dimension all planters to have a minimum 5' wide inside dimension.
8. 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.
9. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

10. Provide an arborist report and tree inventory as noted in #1.
11. 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 at regular intervals.
12. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
13. Detail irrigation dripline outside of mulched root zone of the tree; 4' from the trunk.
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. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> 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. PDEV21-030 RELATED FILE NO(S). PHP21-015	
<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: Robert Morales (909) 395-2432

DAB MEETING DATE: December 20, 2021

PROJECT NAME / DESCRIPTION: A Development Plan to construct one (1) industrial building totaling 175,047 square feet on 7.47 acres of land.

LOCATION: Northwest corner of Bon View Avenue and Cedar Street

APPLICANT: Bon View Land 10, LLC & BC Investments 10, LLC

REVIEWED BY: Raymond Lee 12/8/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 12-8-21
 Khoi Do, P.E. Date
 City Engineer



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 Ontario Ranch 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 parcels (APNs: 1050-441-05, 11-62, and 73) are recognized parcels in the City of Ontario Per Parcel Map 2683, Book 23, Page 31, and Tract Map 11808, Book 158, Pages 82-83.
- 2.04 Note that parcel (APN:1050-441-09) is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment to merge parcels (APNs: 1050-441-05, 09, 11-62 and 73) (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);



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

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

2.13 Ontario Ranch 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).

2.14 **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.**

2.15 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.

2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$175,397.09, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

2.17 **Other conditions:**
a. **Pay a Storm Drain In-Lieu Fee, \$108,750.18, for the future installation of a public storm drain in Bon View Avenue along the project frontage.**
b. **Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that conforms to the Conceptual USM and meets all of the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements which include a minimum 10' horizontal separation, outside wall to outside wall, between water and sewer and a minimum 5' horizontal separation, outside wall to outside wall, between water and all other utilities.**



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	Bon View Avenue	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> New; 32-ft. from C/L to replace drive approaches (match existing) <input checked="" 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 checked="" type="checkbox"/> Remove and replace with full height curb and gutter, parkway landscape, and 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
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace broken panels	<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 checked="" type="checkbox"/> New (2) <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 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 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	<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 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. 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 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): Bon View Avenue, centerline to gutter.**
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.302.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 Bon View Avenue. (Ref: Sewer plan bar code: S10702)**
- 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. **Construct a monitoring manhole immediately back of the project property line on private property. 10-feet of pipe leading to and 10-feet of pipe coming from the monitoring manhole must be straight. The slope must be greater 0.4%, but not greater than 2%.**

D. WATER

- 2.27 **An 8-inch water main is available for connection by this project in Bon View Avenue. (Ref: Water plan bar code: W11852) However, the main is undersized and requires removal and replacement with a 12-inch.**
- 2.28 **Design and construct a 12-inch water main to replace the existing 8-inch water main in Bon View Avenue, from the intersection of Cedar Street and Bon View Avenue, extending to the point of connection in the intersection of Francis Street and Bon View Avenue, approximately 1330LF in length. See 2.29 a.**



- 2.29 Other conditions:**
- a. **Upgrade the existing 8" domestic water main to a 12" water main along Bon View Avenue from Francis Street to Cedar Street. Applicant/Developer will be eligible for DIF reimbursement under a separate agreement. Contact the DIF group at: DIF@ontarioca.gov**
 - b. **Abandon the existing irrigation service back to the public water main and construct a new stand-alone irrigation service with a back flow device to current city standard, tie to the newly installed 12" water main.**
 - c. **Abandon the existing domestic water service back to the public water main and construct a new stand-alone domestic water service with a back flow device to current city standard, tie to the newly installed 12" water main.**
 - d. **Construct two fire hydrants to city current standard, one 145' south of the project northerly property line and another one 350' south from it, tie to the newly installed 12" water main.**

E. RECYCLED WATER

- 2.30 No recycled water main is available for connection by this project in Bon View Avenue.**
- 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. **Property frontage along Bon View Avenue shall be signed "No Parking Anytime".**
 - b. **Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway along Bon View Avenue.**
 - c. **The Applicant/Developer shall install edge line striping and object markers to accommodate frontage widening improvements transition to the narrower street section on Bon View Avenue.**
 - d. **The Applicant/Developer shall be responsible to design and construct in-fill public street lights and potential service along its project frontage of Bon View Avenue. Street**



lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.

- e. The Applicant/Developer shall be responsible to replace any existing street light fixtures along its project frontage of Bon View Avenue with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.

G. DRAINAGE / HYDROLOGY

- 2.38 No storm drain main is available to accept flows from this project in Bon View Avenue.
- 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 A fiber optic line is available for connection by this project in Bon View Avenue. See Exhibit 'B.'

2.51 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 generally be located along the frontage of Bon View Avenue, with a handhole at the northerly property limit, a handhole at the southerly property limit, and a handhole on the east side of Bon View Avenue, directly across from the handhole at the northerly property limit. See Exhibit 'B.'

2.52 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 Ontario Ranch Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV21-030

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. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
9. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
10. **Four (4) sets of Public Sewer improvement plan**
11. **Five (5) sets of Public Storm Drain improvement plan**
12. **Three (3) sets of Public Street Light improvement plan**
13. **One (1) set of Public Street Light Improvement plan (DELTA) for the LED Upgraded light**
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**



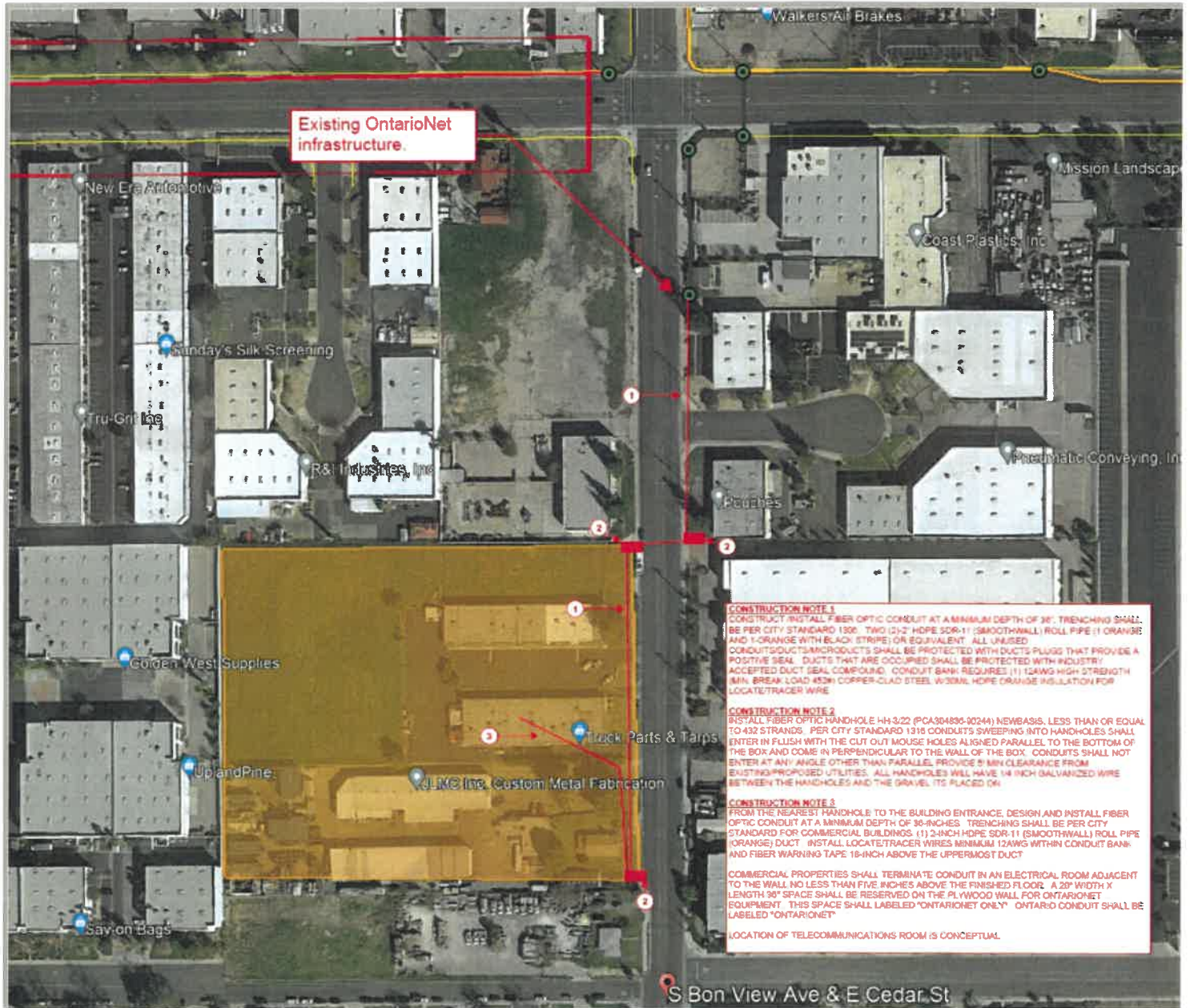
21. Payment for Final Map/Parcel Map processing fee
22. Three (3) copies of Final Map/Parcel Map
23. One (1) copy of approved Tentative Map
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. One (1) copy of Traverse Closure Calculations
26. **One (1) set of supporting documents 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. **One (1) set of Final Solid Waste Handling Plan (SWHP)**



EXHIBIT 'B'

**BROADBAND DEPARTMENT
 Fiber Optic Exhibit**

Project Number: PDEV21-030





CITY OF ONTARIO

MEMORANDUM

TO: Eric Woosley, ENGINEERING DEPARTMENT
FROM: Celia Corral
DATE: September 30, 2021
SUBJECT: File No. PDEV21-030



The PWQMP and Site Plan for this project is approved for DAB based on the following condition:

Note: This project will be conditioned in the Engineering DAB Report to prepare a WQMP based on the approved PWQMP. The WQMP template is available at: <http://www.sbcounty.gov/dpw/land/npdes.asp> or on the City's website under Engineering/Environmental Services.

All Priority Land Use (PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB).

Activities resulting in land disturbance of one acre or more is required to 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>



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner

FROM: Officer Antonio Galban, Police Department

DATE: September 23, 2021

SUBJECT: PDEV21-030- A DEVELOPMENT PLAN TO CONSTRUCT ONE (1) INDUSTRIAL BUILDING TOTALING 175,047 SQUARE FEET, LOCATED AT BON VIEW AVE AND CEDAR AVE.

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.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Antonio Galban at (909) 408-1006 with any questions or concerns regarding these conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner
Planning Department

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

DATE: September 29, 2021

SUBJECT: PDEV21-030 - A Development Plan to construct one (1) Industrial building totaling 175,047 square feet on 7.47 acres of land located on the southwest corner of Bon View Avenue and Cedar Avenue. APNs: 1050-441-05, 09, 11-62, and 73. Related File(s): PZC21-001 and PHP21-015.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 173,153 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 175,047 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): S-1/B

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finished) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be

submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.9 Hose valves with one and one half inch (1 ½”) connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

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.



Development Advisory Board Decision

December 20, 2021

DECISION NO.: [insert #]

FILE NO.: PMTT21-012 (TPM 20387)

DESCRIPTION: A Tentative Parcel Map (TPM 20387) to subdivide 0.31-acre of land into two parcels generally located at the southwest corner of Euclid Avenue and Maitland Street, at 1004 South Euclid Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts; (APN: 1049-563-10) **submitted by United Construction Company.**

Part I—BACKGROUND & ANALYSIS

UNITED CONSTRUCTION COMPANY, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PMTT21-012 (TPM 20387), as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 0.31-acre of land located at the southwest corner of Euclid Avenue and Maitland Street, at 1004 South Euclid Avenue, and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan, and zoning designations on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site:</i>	Vacant	Low Density Residential	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay)
<i>North:</i>	Multiple-Family Dwellings	Low Density Residential	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay)
<i>South:</i>	Single-Family Dwellings	Low Density Residential	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay)
<i>East:</i>	Vacant/Single-Family Dwellings	Low-Medium Density Residential	MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) and EA (Euclid Avenue Overlay)
<i>West:</i>	Multiple-Family Dwellings	Low Density Residential	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac)

(2) **Project Description:** The proposed Tentative Parcel Map will subdivide the Project site into two rectangular-shaped numbered lots (see Exhibit B—Tentative Parcel Map, attached). The Project site is currently comprised of one rectangular-shaped lot oriented west to east, towards Euclid Avenue. The subdivision will create two lots and reconfigure the lots to a north to south orientation, with the frontages located along Maitland Street. The parcels are each 6,573 square feet, with lot widths of 80.9 feet, and lot depths of 81.25 feet. The Development Code requires lots established by a Small Lot Traditional Single-Family Subdivision to have a minimum lot size of 4,000 square feet for interior lots and 4,500 square feet for corner lots, a minimum lot width of 40 feet for interior lots and 45 feet for corner lots and lot depths of 75 feet. In addition, the Project is consistent with the Small Lot Infill Subdivisions Development Code standards (Section 6.01.010.G) that requires that lots have a minimum area of 480 square feet and a minimum lot width of 16 feet. The proposed lots exceed these minimum requirements.

Approval of the Tentative Parcel Map will facilitate the future construction of a new single-family dwelling unit on each lot. The infill Project will front onto Maitland Street (see Exhibit C—Conceptual Site Plan, attached), with enhanced architecture on the Euclid Avenue and Maitland Street elevations (see Exhibit D—Conceptual Elevations, attached). Attached garages will be oriented north, with access from Maitland Street. Conditions of Approval have been imposed on the Project to ensure future development of the lots will be designed to safeguard Euclid Avenue’s national register status. The development of the lots will require separate approval through the City’s Building Department plan check process.

Part II—RECITALS

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 Development Advisory Board (“DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; 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 December 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB 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 DAB, the DAB finds as follows:

(1) 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 Project consists of the division of property in an urbanized area and is zoned for residential use. The subject site will be divided into two parcels and the division is in conformance with the City's General Plan and zoning. No variances or exceptions are required and all services and access to the proposed parcels are consistent with City standards. The subject site was not involved in a division of a larger parcel within the past two years and the subject site does not have an average slope greater than 20 percent; and

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

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 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, 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: *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 recommending body for the Project, the DAB 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 DAB, 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 DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) ***The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision,

Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to 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 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 Parcel Map is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts. 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;
- 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.*** The Project site meets the minimum lot area and dimensions of the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts 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/intensity of development proposed.*** The Project site is proposed for residential development at a density of 2.1 to 5.0 du/ac. The Project site meets the minimum lot area and dimensions of the LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac) 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 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 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision 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. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 20th day of December 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—TENTATIVE PARCEL MAP

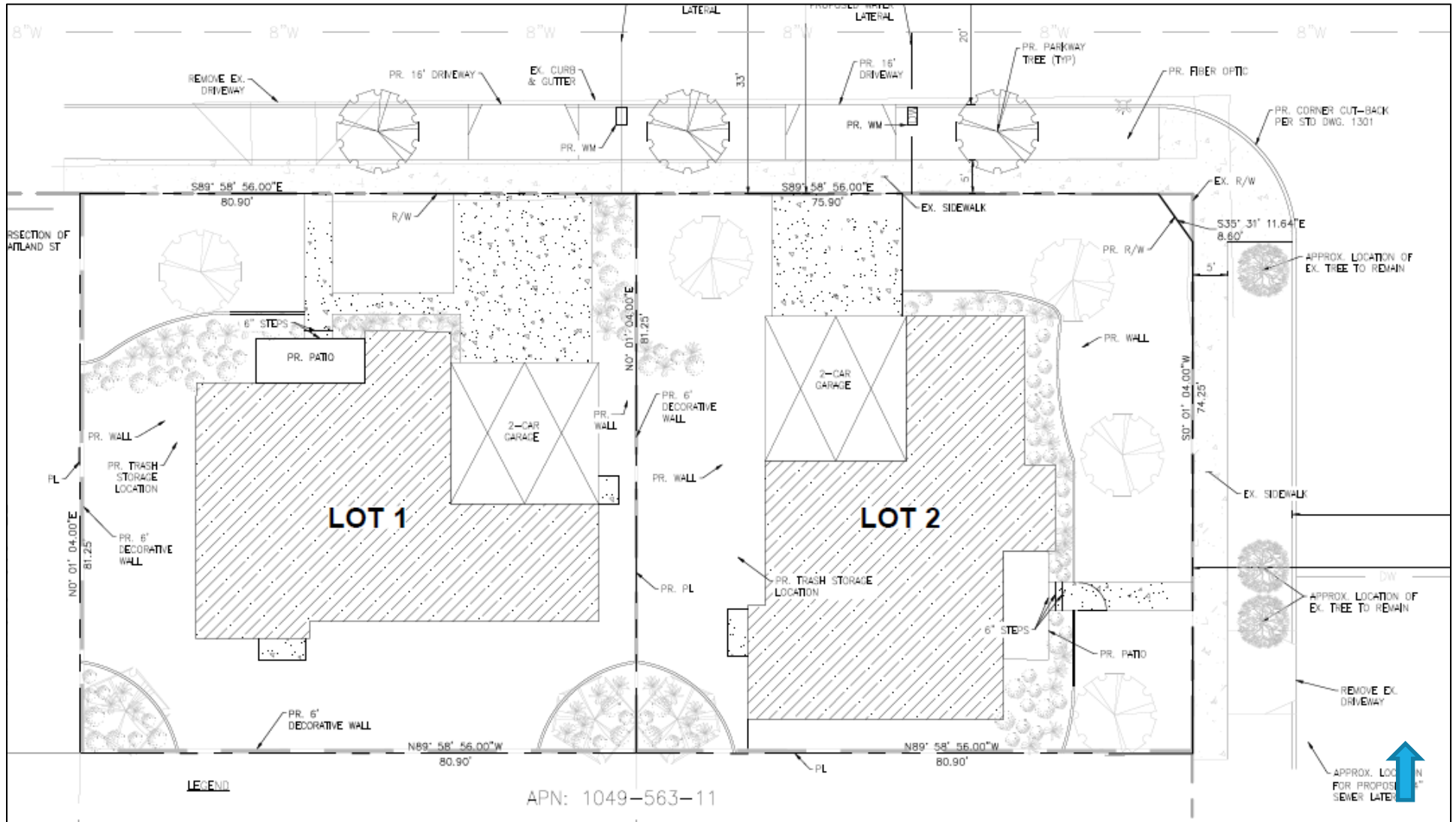
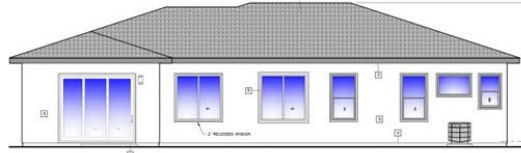
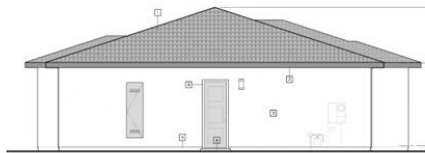


Exhibit D—CONCEPTUAL ELEVATIONS

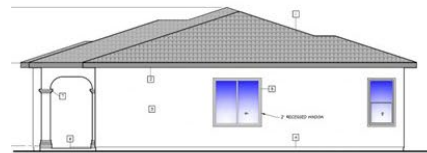
LOT 1



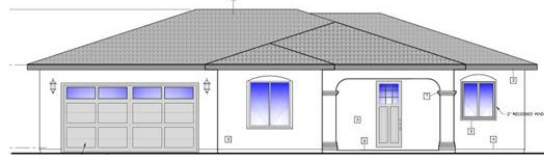
REAR ELEVATION (SOUTH)



SIDE ELEVATION (EAST)

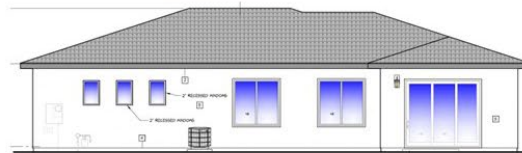


SIDE ELEVATION (WEST)

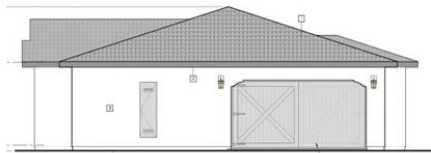


FRONT ELEVATION (NORTH)

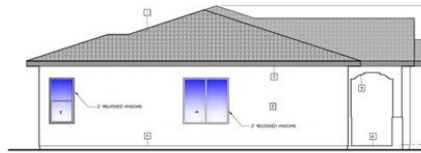
LOT 2



REAR ELEVATION (WEST)



SIDE ELEVATION (NORTH)



SIDE ELEVATION (SOUTH)



FRONT ELEVATION (EAST)

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

Date Prepared: 12/20/2021

File No: PMTT21-012 (TPM 20387)

Project Description: A Tentative Parcel Map (TPM 20387) to subdivide 0.31 acres of land into 2 parcels generally located at the southwest corner of Euclid Avenue and Maitland Street, at 1004 South Euclid Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts.; (APN: 1049-563-10); **submitted by United Construction Company.**

Prepared By: Elly Antuna, Associate Planner
Phone: 909.395.2414 (direct)
Email: eantuna@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel 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 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.

2.5 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).

2.7 Mechanical and Rooftop Equipment.

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

2.8 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 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).

2.10 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.

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 15315 (Class 15, 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 2 years, and the parcel does not have an average slope greater than 20 percent.

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

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a

qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

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

2.13 Additional Fees.

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

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

2.14 Additional Requirements.

(a) Development of Lots 1 and 2 shall be constructed in conformance with conceptual plans provided with the Tentative Parcel Map.

(b) Dwellings shall be constructed in the Mediterranean Revival architectural style, or any other appropriate architectural style as determined by the Planning Director.

(c) Primary entrances shall be enhanced with covered front porches.

(d) Floor plans shall be designed to accommodate focal windows on primary elevations.

(e) Development on Lot 2 shall be setback a minimum of 20 feet from Euclid Avenue, feature enhanced architectural treatment on both the Euclid Avenue (east) and Maitland Street (north) elevations, and incorporate features such as recessed windows and doors, arched openings, windowsills and enhanced porch columns.

(f) Lots 1 and 2 shall be oriented towards Maitland Street.



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 Ontario Ranch 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. 20387 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - 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) (For any work within Euclid Avenue ROW, including sewer laterals, ADA access ramp, etc.)**
 - 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 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 2.13 Ontario Ranch 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).

- 2.14 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.
- 2.15 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.
- 2.16 Pay all Development Impact Fees (DIF) to the Building Department.
- 2.17 Other conditions:
 - a. **Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that conforms to the Conceptual USM emailed on 11/10/2021 with a "last plotted" date of 11/10/2021 and meets all of the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements which include a minimum 10' horizontal separation, outside wall to outside wall, between water and sewer and a minimum 5' horizontal separation, outside wall to outside wall, between water and all other utilities.**



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	Euclid Avenue	Maitland Street	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> New; 80-ft. from C/L to replace drive approach (match existing) <input checked="" type="checkbox"/> Replace damaged	<input checked="" type="checkbox"/> New; 18-ft. from C/L to replace drive approach (match existing) <input checked="" type="checkbox"/> Replace damaged	<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 checked="" type="checkbox"/> Remove and replace with full height curb, parkway landscape and sidewalk	<input checked="" type="checkbox"/> New (2) <input checked="" type="checkbox"/> Remove and replace with full height curb	<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 damaged panels	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace damaged panels	<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	<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 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)	<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 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
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service (2)	<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. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____



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

- 2.18 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): Maitland Street, from centerline to curb.**
- 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 7-7.302.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8-inch and a 10-inch sewer main is available for connection by this project in Maitland Street and Euclid Avenue, respectively. (Ref: Sewer plan bar code: S10275, unknown)**
- 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. **Construct a new sewer lateral for Lot 1 along E Maitland Street and a new sewer lateral for Lot 2 along Euclid Avenue, as shown on the Conceptual USM last plotted on 11/10/2021. The proposed sewer laterals shall not be under any stormwater infiltration.**

D. WATER

- 2.27 **An 8-inch water main is available for connection by this project in Maitland Street. (Ref: Water plan bar code: W12430)**
- 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 two potable water services (one service for each lot) in Maitland Street, as shown on the Conceptual USM last plotted on 11/10/2021.**
 - b. **Comply with Division of Drinking Water (DDW) Separation Requirements and California Code of Regulations (CCR) § 64572. Potable water services shall be a minimum of 10 feet horizontally from sewer. Potable water mains and services shall be a minimum of 25 horizontal feet of the nearest edge of any facilities for storm water retention and storm water infiltration.**
 - c. **Abandon existing fire hydrant, lateral and valve back to the water main located at the southwest corner of Euclid Avenue and Maitland Street, and construct a new fire hydrant, lateral and valve. The new fire hydrant shall be located at a minimum of 5' back of the BCR.**
 - d. **Abandon the existing and unused potable water service in Euclid Avenue along the project's easterly frontage back to the main.**



E. RECYCLED WATER

- 2.30 **No recycled water main is available for connection by this project in Maitland Street or Euclid Avenue.**
- 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. **Existing driveways to be closed on Euclid Avenue and Maitland Street shall be infilled with curb and parkway including sidewalk, per City Standards and to the satisfaction of the City Engineer.**
 - b. **The Applicant/Developer shall be responsible to replace any existing street light fixtures along its project frontage of Euclid Avenue with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.**
 - c. **Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1203 for Residential Driveway Approach I along Maitland Street.**

G. DRAINAGE / HYDROLOGY

- 2.38 **No storm drain main is available to accept flows from this project in Maitland Street or Euclid Avenue.**
- 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 No fiber optic line is available for connection by this project.
- 2.51 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 generally be installed in the parkway along the frontages of Euclid Avenue and Maitland Street, with a handhole at each end of the property limits, see Fiber Optic Exhibit herein, Exhibit 'B'.
- 2.52 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 Ontario Ranch Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: **Parcel Map No. 20387**

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



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

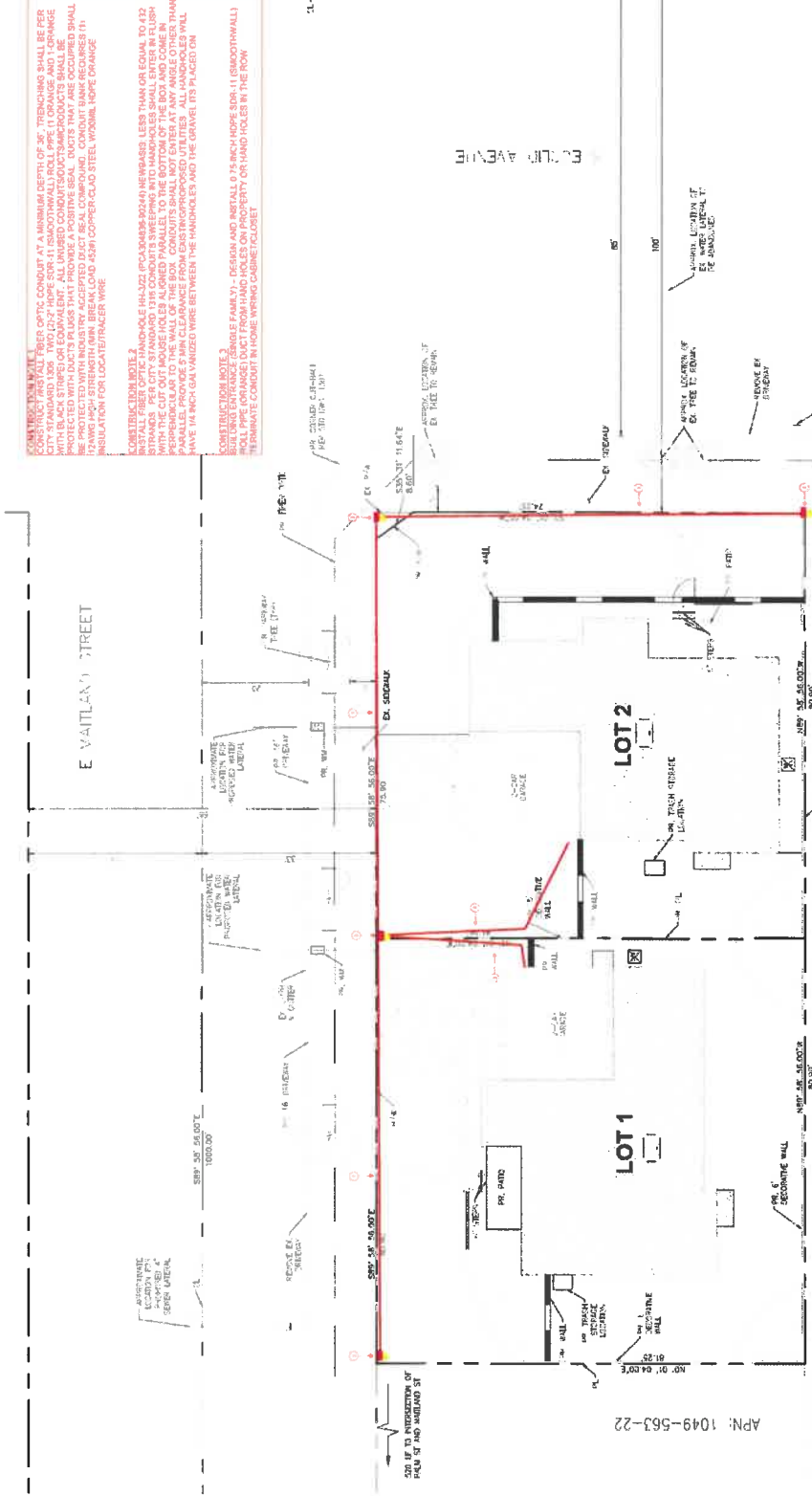


EXHIBIT 'B'

**BROADBAND DEPARTMENT
 Fiber Optic Exhibit**

TENTATIVE PARCEL MAP
 LOT 4, BLOCK 145, VILLA PLOTS SOUTH-SIDE TRACT AS PER PLAT RECORDED IN BOOK 6 OF MAPS, PAGE
 11, RECORDS OF SAID COUNTY
 APN: 1049-563-10

**COURTESY EXHIBIT
 BROADBAND OPERATIONS**
 12/08/2021 6:58:46 AM



CONSTRUCTION NOTE 1
 INSTALL FIBER OPTIC CABLE AT A MINIMUM DEPTH OF 30" TRENCHING SHALL BE PER CITY STANDARD 100.0' AND 12" HOPE SDR 11 (SMOOTHWALL) ROLL PIPE (1" ORANGE AND 1" ORANGE) PROTECTED WITH DUCTS PLUGS THAT PROVIDE A POSITIVE SEAL. DUCTS THAT ARE OCCUPIED SHALL BE PROTECTED WITH INDUSTRY ACCEPTED DUCT SEAL COMPOUND. CONDUIT MARK REQUIREMENTS: (1) 1/2" SDR 11 COPPER/CLD STEEL W/OMAL HOPE ORANGE INSULATION FOR LOCATE/TRACE WIRE

CONSTRUCTION NOTE 2
 INSTALL FIBER OPTIC HANDHOLE HAZZEL PCD30839-92449 NEWPSSS, LESS THAN OR EQUAL TO 432 WITH THE CUT OUT HOSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE HOLES AND IN PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN 90 DEGREES. HANDHOLES SHALL BE 14" MIN. GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL ITS PLACED ON

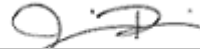
CONSTRUCTION NOTE 3
 BUILDING CHANGES DUCT FROM MAINLINE DESIGN AND INSTALL 0.75 INCH HOPE SDR 11 (SMOOTHWALL) TERMINATE CONDUIT IN HOME WIRING CABINET/CLOSET

APN: 1049-563-22

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

11/29/2021

Date

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

Phone:
(909) 395-2615

D.A.B. File No.:
 PMTT21-012

Related Files:

Case Planner:
 Elly Antuna

Project Name and Location:

Subdivide .31 acres into 2 parcels
 1004 S Euclid Ave.

Applicant/Representative:

United Construction Company
 9500 7th Street Suite U
 Rancho Cucamonga, CA 91730



A Tentative Tract Map (dated 10/28/2021) has been approved considering that the following conditions below be met upon submittal of the landscape construction



A Tentative Tract Map (dated) has not been approved. Corrections noted below are required before DAB approval.

CORRECTIONS REQUIRED

Conditions of Approval

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; mitigation may be required. Include existing trees within 15' of adjacent property affected by new walls, footings, or on-site tree planting. There are existing heritage trees on Euclid Ave.
2. Stormwater infiltration devices located in landscape areas shall not exceed 40% of the front yard landscape area's width. Transition from basin to a meandering dry stream bed and coordinate with a landscape architect for the design. The landscape has to be 55% living landscape materials, and non-living ornamental features (boulders, gravel, dry stream beds, etc.) may comprise up to 5% of the landscape and shall be a permeable material. Remove the "mow curb" and provide landscape.
3. Bio-retention areas to engineered soil (65% sand, 20% sandy loam, 15% organic matter by volume) with 40% void spaces and capable of supporting vegetation.
4. Show existing utilities: Relocate 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 tree from any utility or hardscape including water, sewer, drain lines, and driveways; and min. 10' clear from street lights.

Grading or Utility Construction Plans shall address the following:

5. Stormwater infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved before permit approval or installation.
6. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 1/2" below finished surfaces; landscaped slopes to max 3:1.

7. Show infiltrating catch basins with two $\frac{3}{4}$ " dia. holes in bottom set on 12" square of filter fabric wrapped gravel, located 5' or greater from buildings and 24" from sidewalk, add detail.
8. 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 transformers greater than 4' high. Locate on level grade. Coordinate with landscape plans.
9. 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 street trees.
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. Provide a solid surface path from the driveway to the side yard gate for entry and trash bin access.
13. 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 added for access.
14. Stormwater infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division before installation.
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 that would be 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.
17. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by City Council.



CITY OF ONTARIO

MEMORANDUM

TO: Elly Antuna, Associate Planner
Planning Department

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

DATE: July 6, 2021

SUBJECT: PMTT21-012 - A Parcel Map to subdivide .31 acres of land into 2 parcels located at the southwest corner of Maitland Street and Euclid Avenue (1004 South Euclid Avenue), within the LDR5 (Low Density Residential-2.1 to 5.0 DU/Acre) and EA (Euclid Avenue Overlay) zoning districts (APN: 1049-563-10).

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: non-rated
- C. Ground Floor Area(s): Various Unit A = 1,777 Sq. Ft. / Unit B = 1,787 Sq. Ft.
- D. Number of Stories: One Story
- E. Total Square Footage: 4,642 Sq. Ft.
- F. 2019 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 website 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.
- ☒ 2.7 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 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.



Development Advisory Board Decision

December 20, 2021

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NOS.: PDEV21-012 and PCUP21-004

DESCRIPTION: A Development Plan (File No. PDEV21-012) to construct a 2,370-square-foot commercial building for a fast-food restaurant (Sonic) in conjunction with a Conditional Use Permit (File No. PCUP21-004) to establish a drive-thru facility on 0.72-acre of land located at the southwest corner of Mountain Avenue and Sixth Street, within the Main Street land use district of the Mountain Village Specific Plan (APN: 1008-431-25); **submitted by Coast to Coast Commercial, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

COAST TO COAST COMMERCIAL, LLC, (herein after referred to as “Applicant”) has filed an application requesting a Development Plan and Conditional Use Permit approval, File Nos. PDEV21-012 and PCUP21-004, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 0.72-acre of land located at the southwest corner of Mountain Avenue and Sixth Street, within the Main Street District of the Mountain Village Specific Plan and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	General Commercial (GC)	Mountain Village Specific Plan	Main Street District
<i>North:</i>	Retail	General Commercial (GC)	Mountain Village Specific Plan	Entertainment District
<i>South:</i>	Carl’s Jr. Restaurant	GC (General Commercial)	Mountain Village Specific Plan	Main Street District
<i>East:</i>	Office	GC (General Commercial)	Mountain Village Specific Plan	Sixth Street District
<i>West:</i>	Medical Offices	GC (General Commercial)	Mountain Village Specific Plan	Main Street District

(2) **Project Description:**

(a) Background — The Mountain Village Specific Plan (File No. 5104-SP) and related Environmental Impact Report (EIR No. 97-1) were adopted by the City Council on December 2, 1997. The Mountain Village Specific Plan encompasses approximately 60 acres of land generally located along both

sides of Mountain Avenue, bounded by I-10 (San Bernardino Freeway) to the north, portions of Palmetto and Mountain Avenues to the east, Fifth Street to the south, and portions of Elderberry Court to the west. The purpose of the Specific Plan was to guide in the redevelopment of blighted and underutilized properties at one of Ontario's major gateways. The majority of the Specific Plan is presently built-out with a combination of commercial, office, fast-food restaurants, and residential uses, with a few vacant lots remaining, including the Project Site, where the applicant is proposing to construct a Sonic fast-food restaurant.

Sonic restaurants were founded in Oklahoma in the early 1950s, initially as a walk-up root beer stand, and over time, began serving hamburgers, hot dogs, drinks, and frozen desserts. Similar to many diners in the 1950s and 60s, Sonic transformed their ordering process by providing a carhop dining service (commonly known as "carhops"). However, unlike other carhops where servers came to the vehicle to take your order, Sonic installed speakers at each parking stall, allowing customers to place food orders and a server in roller skates would then bring restaurant orders directly to people in their cars. Sonic continues to evolve and presently the majority of their restaurants also include outdoor patio seating and drive-thru lanes to serve their customers. Currently there are over 3,500 Sonic restaurants located throughout 46 states, with the closest restaurant located in Rancho Cucamonga on Fourth Street, directly north of Ontario Mills.

On March 15, 2021, the applicant submitted a Development Plan (File No. PDEV21-012) requesting to construct a 2,370-square-foot fast-food restaurant, in conjunction with a Conditional Use Permit (File No. PCUP21-004) to establish the drive-thru facility.

(b) Site Design/Building Layout —The proposed fast-food restaurant and drive-thru is centered along the northern portion of the property, oriented in an east-west configuration, with the primary entrance facing east, toward Mountain Avenue and a secondary entrance facing north, towards Sixth Street. The building is setback 76 feet from the south property line, 87 feet from the west property line, 63 feet from the east property line (Mountain Avenue), and 17 feet from the north property line (Sixth Street). A plaza has been provided at the northeast corner of the project site and parking for employees and customers has been provided immediately to the south of the building.

The entrance to the drive-thru is located at the southeast corner of the Project site and will circulate from north to west, turning around the building south to east in a counterclockwise direction and terminating towards the east end of the building. The Project provides drive-thru lane stacking for 16 vehicles (see Exhibit B—Site Plan, attached).

To accommodate Sonic's carhop dining service, the Project is proposing two covered canopies within the parking lot to provide a total of 14 vehicle dine-in parking stalls. Each oversized parking stall (12 feet by 18 feet) will be equipped with an intercom speaker to accommodate Sonic's vehicle dine-in carhop service.

(c) Proposed Use — Sonic is a fast-food restaurant that provides drive-thru, dine-in, outdoor dining, and carhop services with a menu that offers breakfast, lunch, happy hour (2:00 PM to 5:00 PM), dinner, and frozen treats. Proposed business hours for dine-in, outdoor dining, and carhop services are Sunday through Thursday, from 8:00 AM to 12:00 AM, and Friday through Saturday, from 8:00 AM to 2:00 AM. The drive-thru will operate 24-hours per day. The restaurant will operate with approximately 10 employees per shift, for a total of 50 employees.

(d) Floor Plan — The restaurant is divided into six general areas, that include an indoor dining area that accommodates 36 patrons, kitchen, cooler, and freezer area, janitor and storage area, restrooms, and a 571-square-foot outdoor patio located on the east side of the building (see Exhibit C—Floor Plan, attached).

(e) Site Access/Circulation — There are three points of vehicular access proposed to serve the project site. Primary access will be taken from Mountain Avenue via an existing 26-foot-wide driveway located off-site, on the adjoining parcel directly south of the project site that is presently developed

with a Carl's Jr. fast-food restaurant. The Project is proposing to construct a 26-foot-wide drive-aisle located at the southeast corner of the site that will connect to the existing Mountain Avenue driveway and require off-site improvements on the adjoining Carl's Jr property. The off-site improvements include the removal of three to four parking stalls and the reconfiguration/removal of the landscape planter located along Carl's Jr. north property line that is necessary to provide access to the Project site. There is an existing reciprocal access easement agreement between the two properties that grants pedestrian, ingress, egress, and vehicular access to the Project site from Carl's Jr. (see Exhibit E—Reciprocal Easement Agreement). The final design of the Carl's Jr. off-site improvements has been conditioned to be subject to Planning Director review and approval.

A second point of vehicular access will be provided from Sixth Street, via a 28-foot-wide driveway located at the northwest corner of the Project site. A third access point will be provided at the southwest corner of the project site, via an existing 26-foot-wide driveway that connects to a 24-foot-wide drive-aisle, which runs north-south between the Project site and the office commercial properties to the west.

(f) **Parking** — The Project has been parked in accordance with the “restaurant” parking standards of the Mountain Village Specific Plan, which requires that a minimum of one off-street parking space for each 75 square feet of “public service area,” with outdoor dining area exempt up to 25 percent of the restaurant's built floor area. The Project provides a total of 570 square feet of indoor dining and 517 square feet of outdoor dining, requiring a minimum of 8 off-street parking spaces. The Project proposes to provide a total of 22 off-street parking spaces, exceeding the minimum off-street parking requirements, as shown in the table below.

Parking Summary Table				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Restaurant	570 SF	1 off-street parking space per 75 square feet of “public service area”	8	22
Outdoor Dining Area	571 SF	1 off-street parking space per 75 square feet of “public service area” (Outdoor dining area is exempt from the parking requirement, up to 25 percent of the restaurants-built floor area) * 593 SF of outdoor dining is allowed (25% of 2,370 total building SF)	0	0
TOTAL			8	22

(g) **Architecture** — The proposed Project incorporates a contemporary architectural style that is consistent with the requirements of the Mountain Village Specific Plan and complements the existing commercial development to the north (Edwards Theatre) and south (Carl's Jr., Raising Cane's, and Wal-Mart). The project incorporates design elements consistent with the design guidelines for commercial developments and drive-thru facilities, which are contained in the Specific Plan. The design guidelines require that a building should be designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree architecture) appearance. The exterior walls are treated with a combination of horizontal fiber reinforced cement panels, stone veneer, stucco, and a contrasting color palette that includes red, blue, tan, brown, and beige tones. The eastern elevation, facing Mountain Avenue, incorporates a tower element with a red metal canopy that projects over the main entrance and continues along the north elevation, facing Sixth Street. The drive-thru canopy, located along the south elevation, has been designed to complement the architectural style of the building and includes columns with a stone veneer and an overhead red metal canopy (see Exhibit D—Elevations).

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

architecture. Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- A mix of exterior colors, materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials, and recessed wall areas. Designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

(h) Landscaping — The Specific Plan requires a minimum 15 percent landscape coverage and 17.2 percent landscape coverage has been provided (see Exhibit E—Landscape Plan, attached). The Project provides substantial landscaping along Mountain Avenue and throughout the Project site. A combination of 48-inch, 36-inch box, and 15-gallon accent and shade trees are proposed including Mexican Blue Palms, Red Push Chinese Pistache and California Sycamore. Existing street trees along Mountain Avenue (Crape Myrtle) and Sixth Street (Crape Myrtle and London Plane) will be protected in place. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought tolerant. Additionally, accent and pedestrian lighting will be provided at key locations pursuant to the requirements of the Specific Plan.

The Mountain Village Specific Plan requires a Village Wall and plazas with entry gateways to be constructed at key locations to create a sense of identity along Mountain Avenue at a scale that can relate to both motorists and pedestrians. The Project will construct a plaza, entry gateway and complete the final portion of the Village Wall along Mountain Avenue and Sixth Street, consistent with the Specific Plan and properties located south of the Project site. On Mountain Avenue the Village Wall will feature a sand color split face block wall with decorative pilasters and matching cap, with an overall height of four feet. At the intersection of Mountain Avenue and Sixth Street, the entry gateway will feature two 12-foot-high split-face pilasters that will frame the entrance of the corner plaza and tie into the Village Wall. The Project has been conditioned to connect the two 12-foot-high pilasters with a heavy timber trellis and gateway sign consistent with the Specific Plan. On Sixth Street, the Village Wall will be constructed of metal panels (green-screen) and split-face pilasters spaced 15 feet apart, with an overall height of four feet. The Project has also been conditioned to provide a minimum 2-foot-wide landscape planter north of the Sixth Street Village Wall to provide adequate landscaping for screening the wall and continue the landscape plant palette and design from Mountain Avenue.

The Specific Plan requires the plaza at the intersection of Mountain Avenue and Sixth Street to be a minimum of 4,356 square feet (0.1-acre) in size and the Project is providing a 5,300 square foot plaza area. To accommodate the proposed drive-thru facility, the plaza was designed in a rectangular shape instead of the traditional square shape design that exist on the properties to the north. The plaza provides two separate seating areas divided by a portion of the drive-thru lane, decorative pavement, seating, tables, and extensive landscape areas. The Project has been conditioned to provide decorative paving within portions of the drive-thru lane to frame the pedestrian walkway connecting the two seating areas.

(i) Signage — The project is required to be consistent with the design guidelines and requirements of the Mountain Village Specific Plan, which allows for the installation of freestanding signage incorporated into the Village Wall. The Project has been conditioned to submit a sign plan for review and approval prior to the installation of any signage. The conceptual sign location and design have been included into the proposed building elevations for reference.

(j) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by

minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The on-site drainage will be conveyed via a catch basin and on-site storm drain to an underground basin located on the south side of the project site underneath the parking area and any overflow drainage will be conveyed to the curb and gutter along Mountain Avenue.

(k) Conditional Use Permit (File No. PCUP21-004) — The Mountain Village Specific Plan requires approval of a Conditional Use Permit to establish a drive-thru facility in conjunction with a restaurant. A Conditional Use Permit review is required to ensure the compatibility of the proposed use with adjacent existing and proposed uses by identifying potential nuisance activities and establishing measures for appropriate mitigation accordingly. The Project site is located within the Main Street District of the Mountain Village Specific Plan and the land uses immediately south of the Project Site have been developed as fast-food restaurants with drive-thru facilities (Carl’s Jr. and Raising Canes), consistent with the proposed Project. Staff believes that the Project’s overall site plan and drive-thru facility has been designed to provide adequate stacking of up to 16 vehicles to sufficiently mitigate any potential negative impacts that may be associated with the proposed use. Additionally, the nearby businesses within and surrounding area will not be exposed to any impacts beyond those that would normally be associated with any other fast-food restaurant with a drive-thru facility.

Part II—RECITALS

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 Development Advisory Board (“DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; 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 December 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB 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 DAB, the DAB finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 0.72 acre, less than the maximum five-acre threshold, and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare, or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The site is adequately served by all required utilities and public services; and

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

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 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, 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: 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 recommending body for the Project, the DAB 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 DAB, 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 DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) Conditional Use Permit (File No. PCUP21-004).

(a) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Main Street District land use district of the Mountain Village Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed fast-food restaurant with drive-thru facility will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Main Street District of the Mountain Village Specific Plan; and

(b) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed fast-food restaurant with drive-thru facility will be located within the General Commercial land use district of the Policy Plan Land Use Map, and the Main Street District of the Mountain Village Specific Plan. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(c) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed fast-food restaurant with drive-thru facility is located within the Main Street District of the Mountain Village Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use, consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and Mountain Village Specific Plan; and

(d) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Project site is located within the Main Street District of the Mountain Village Specific Plan, for which a drive-thru facility in conjunction with a restaurant is a conditionally permitted use. The project will be conditioned to ensure that it will operate and be properly maintained, therefore the project will not be detrimental or injurious to surrounding property and improvements. The Development Advisory Board has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Mountain Village Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; and [iv] the Project will be in harmony with the surrounding area in which it is proposed to be located.

(2) Development Plan (File No. PDEV21-012).

(e) ***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 General

Commercial land use district of the Policy Plan Land Use Map, and the Main Street District of the Mountain Village Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(f) ***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 Main Street District of the Mountain Village Specific Plan, including standards relative to the particular land use proposed (drive-thru restaurant), 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

(g) ***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 Mountain Village Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Mountain Village Specific Plan; and

(h) ***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 Mountain Village Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular commercial 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 Mountain Village Specific Plan.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision 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. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 20th day of December 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

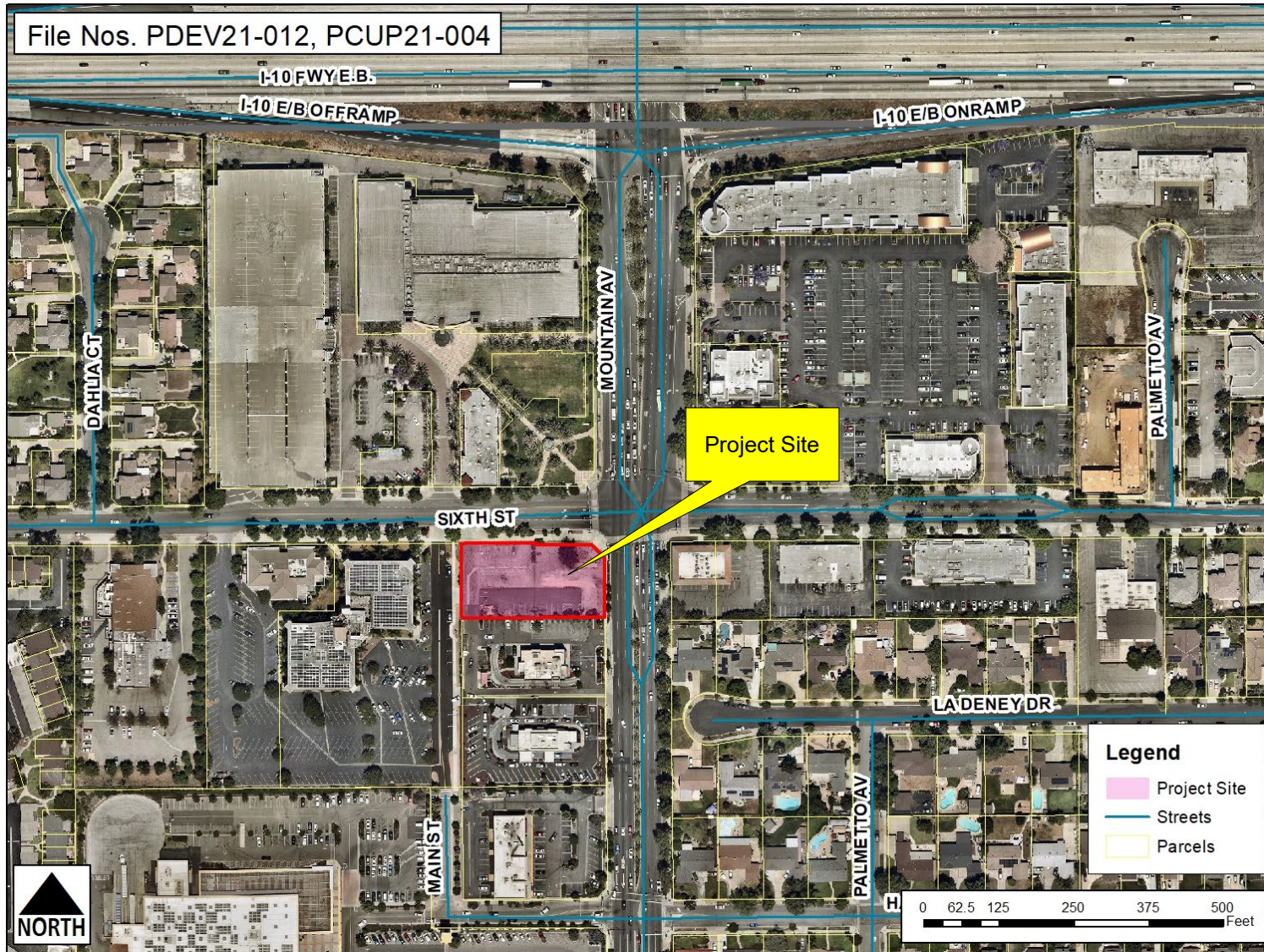


Exhibit B—SITE PLAN

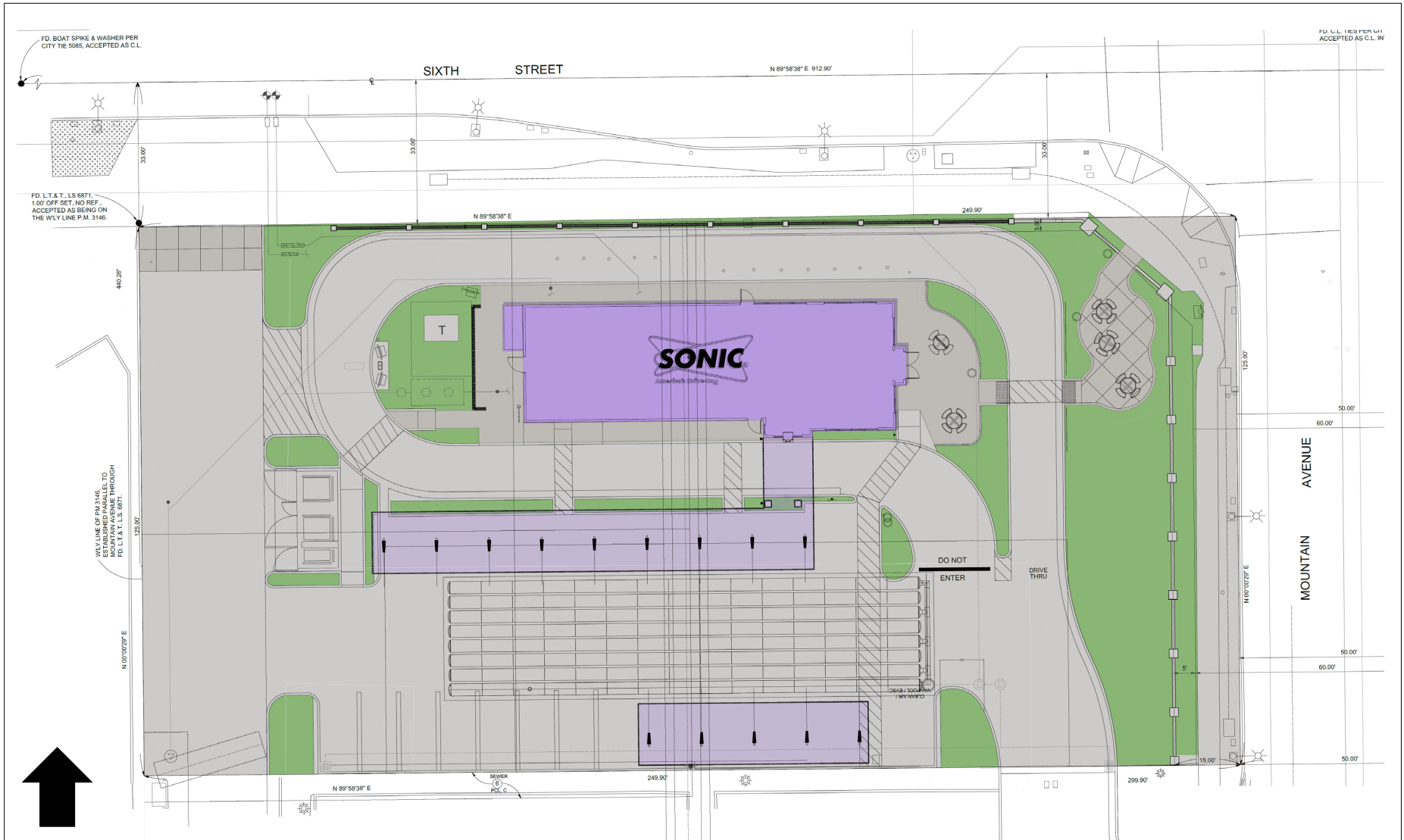


Exhibit C—FLOOR PLAN

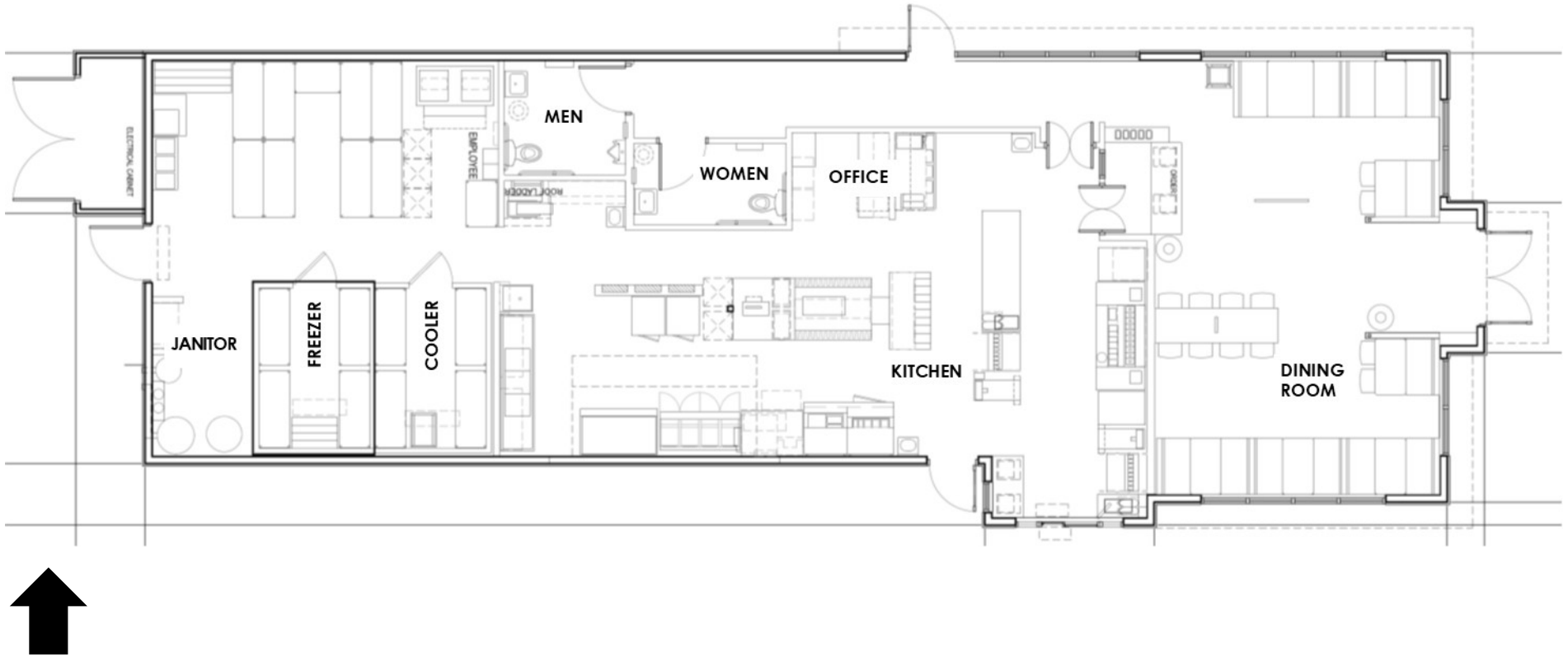
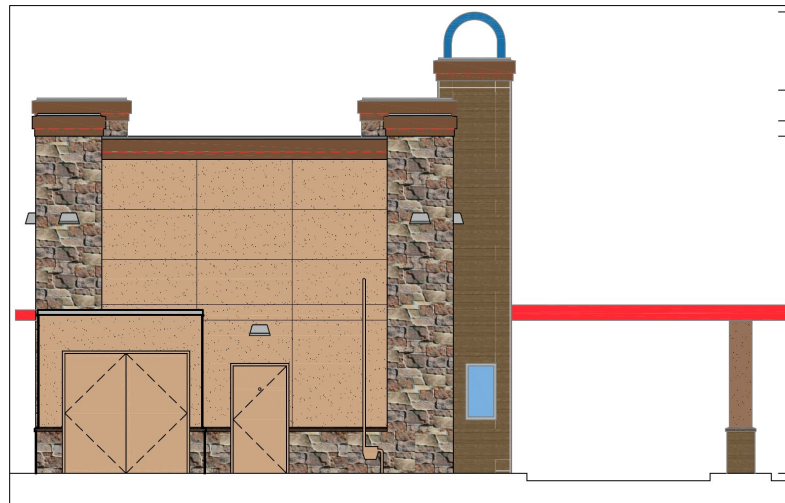


Exhibit D—ELEVATIONS

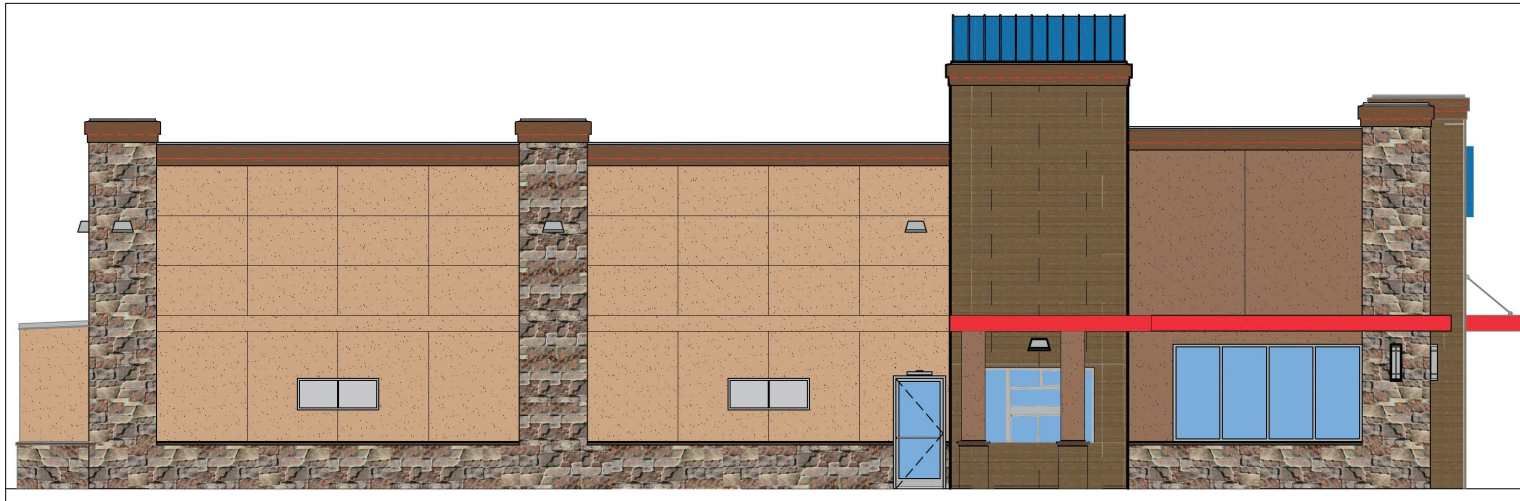


North Elevation



West Elevation

Exhibit D—ELEVATIONS CONTINUED



North Elevation



East Elevation

Exhibit E—LANDSCAPE PLAN

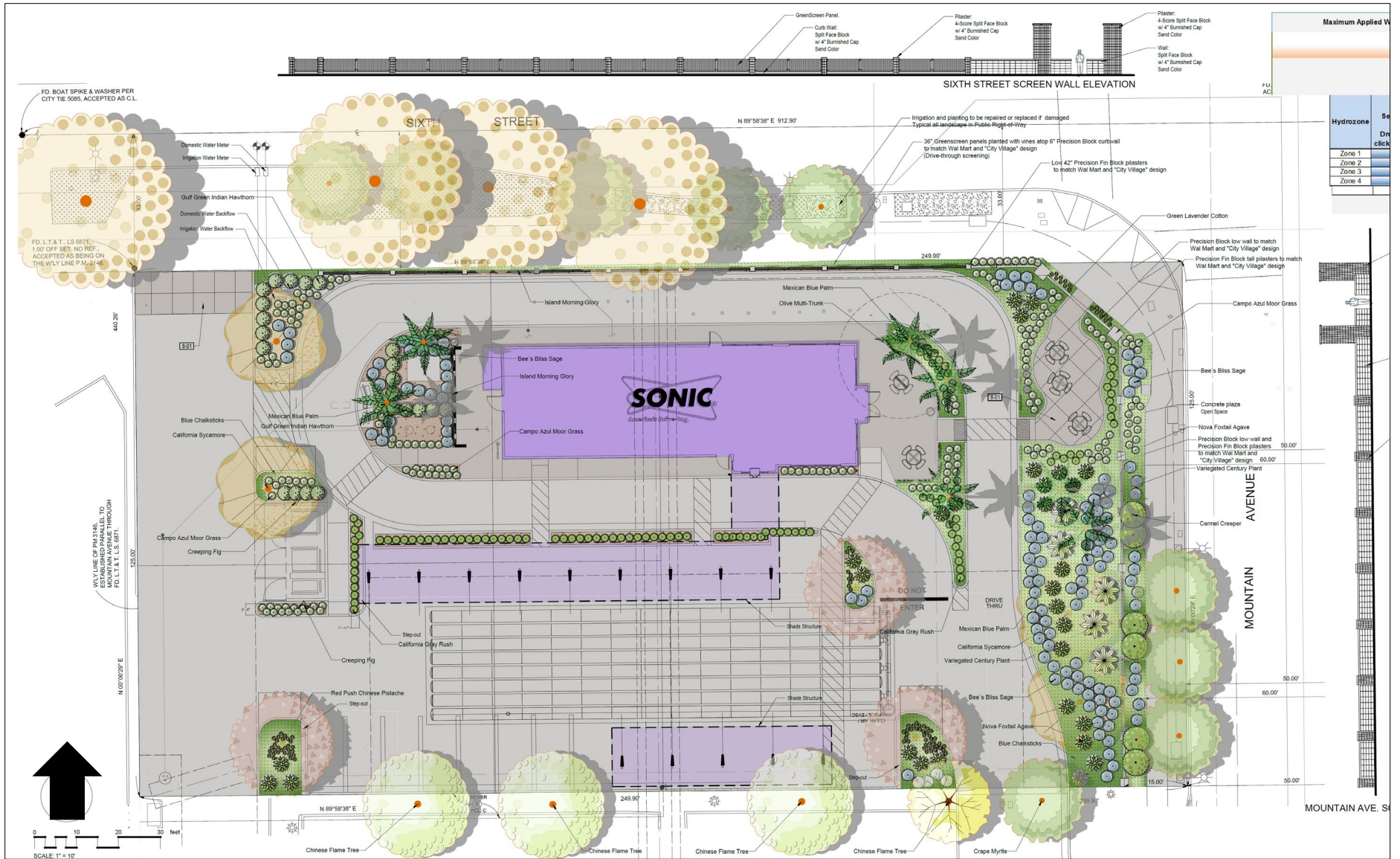


Exhibit F—RECIPROCAL EASEMENT AGREEMENT

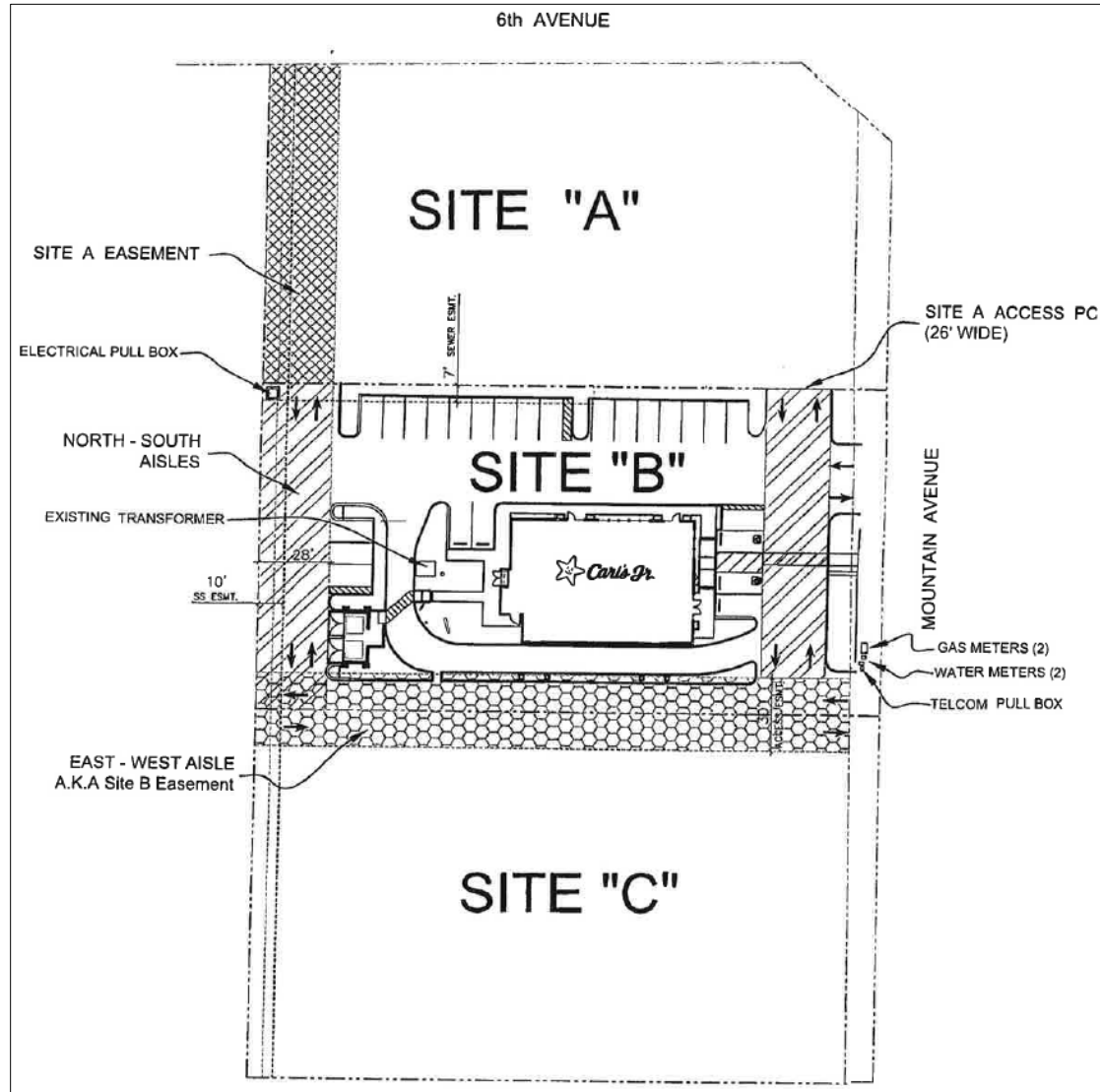


Exhibit G—MOUNTAIN AVENUE VILLAGE WALL

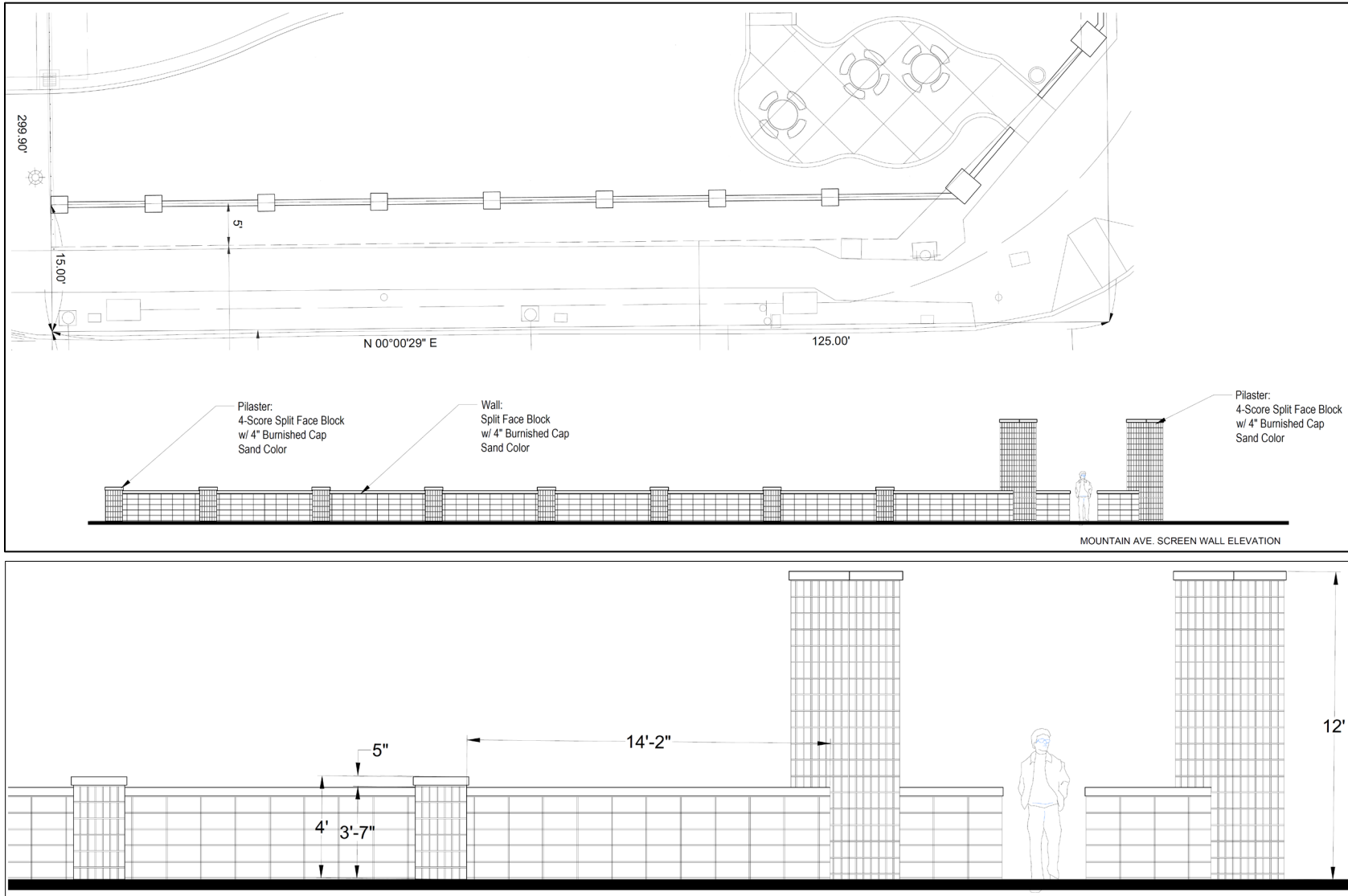
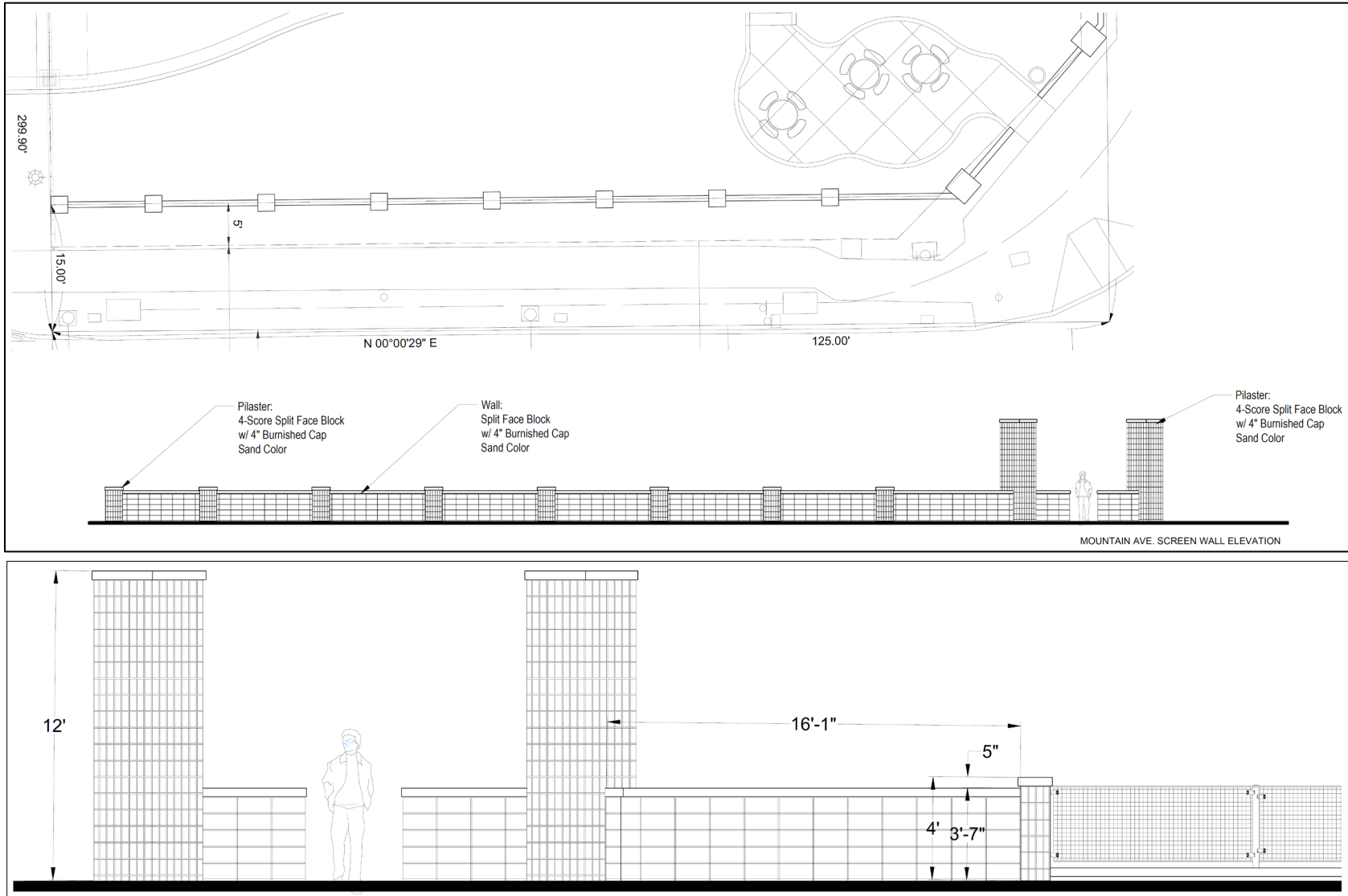


Exhibit H—SIXTH STREET VILLAGE WALL



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

Date Prepared: 12/7/2021
File No: PCUP21-004
Related Files: PDEV21-012

Project Description: A Conditional Use Permit to establish a 2,370 square foot fast food restaurant with drive-thru (Sonic) on 0.72-acre of land located at the southwest corner of Mountain Avenue and Sixth Street, within the Main Street land use district of the Mountain Village Specific Plan (APN: 1008-431-25); **submitted by Coast to Coast Commercial, LLC.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

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

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

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

2.1 Time Limits. Conditional Use Permit approval shall become null and void two years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

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

2.4 Environmental Review.

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

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

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

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

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

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

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

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

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

2.6 Additional Fees.

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

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

2.7 Additional Requirements.

(a) All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-012 & PCUP21-004

Address: SWC Mountain Ave & 6th Street

APN: 1008-431-25

Existing Land Use: Vacant

Proposed Land Use: Commercial drive-thru restaurant 2,370 SF (Sonics)

Site Acreage: 0.72 Proposed Structure Height: 30 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: July 6, 2021

CD No.: 2021-023

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 type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" 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: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner
Planning Department

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

DATE: March 25, 2021

SUBJECT: PCUP21-004 - A Conditional Use Permit to establish one (1) commercial drive-thru restaurant building totaling 2,370 square feet on 0.72 acres of land located at the southwest corner of Mountain Avenue and 6th Street, within the Main Street land use district of the Mountain Village Specific Plan (APN(s): 1008-431-25). Related File(s): PDEV21-012.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply. See conditions under PDEV21-012.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Matt Montieth, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department

FROM: Jeanie Irene Aguilo, Associate Planner

REVISION NO. 2

DATE: October 22, 2021

SUBJECT: FILE #: PCUP21-004 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 Conditional Use Permit to establish a 2,370 square foot fast food restaurant with drive-thru (Sonic) on 0.72-acre of land located at the southwest corner of Mountain Avenue and Sixth Street, within the Main Street land use district of the Mountain Village Specific Plan (APN: 1008-431-25). Related File: PDEV21-012.

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

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Department Landscape Planning Division Signature [Signature] Title Landscape Planner Date 11/12/21



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 12/7/2021
File No: PDEV21-012
Related Files: PCUP21-004

Project Description: A Development Plan Review to construct a 2,370 square foot fast food restaurant with drive-thru (Sonic) on 0.72-acre of land located at the southwest corner of Mountain Avenue and Sixth Street, within the Main Street land use district of the Mountain Village Specific Plan (APN: 1008-431-25); **submitted by Coast to Coast Commercial, LLC.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

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

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

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

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

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

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

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

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

(g) 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.

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

2.6 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.

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

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

2.9 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).

2.10 Environmental Review.

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

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

- (ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;
- (iii) The project site has no value as habitat for endangered, rare, or threatened species;
- (iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (v) The Project site can be adequately served by all required utilities and public services.

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

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

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

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

2.13 Additional Requirements.

(a) The final design of the Carl Jr's off-site parking lot improvements (parking space removal and a landscape planter removal/reconfiguration) shall require Planning Director review and approval. The off-site parking lot improvements shall be designed to be in accordance with the existing reciprocal access between Carl's Jr. and the Project site.

(b) Additional striping and signage shall be provided at the drive-thru lane emergency exit area located on the northwest corner of the Project site to prevent vehicles from entering the drive-thru lane improperly.

(c) The drive-thru lane shall incorporate decorative paving at the drive-thru entrance and on both sides of the pedestrian walkway connecting the plaza patio to the restaurant patio.

(d) The 12-foot-high gateway entrance pilasters shall be re-designed to include a heavy timber trellis and gateway sign consistent with the Mountain Village Specific Plan. The final design of the gateway entrance shall require Planning Director review and approval.

(e) A 2-foot-wide landscape planter shall be installed along the north side of the Sixth Street Village Wall. The landscape planting palette shall be similar to the landscape planter located along Mountain Avenue.



**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>PDEV21-012</u> RELATED FILE NO(S). <u>PCUP21-004</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos (909) 395-2384

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo (909) 395-2418

DAB MEETING DATE: December 20th, 2021

PROJECT NAME / DESCRIPTION: PDEV21-012, a Development Plan to construct a 2,370 square foot fast food restaurant with drive-thru (Sonic) on 0.72-acre of land within the Mountain Village Specific Plan.

LOCATION: Southwest Corner of Mountain Avenue & Sixth Street

APPLICANT: Coast to Coast Commercial, LLC

REVIEWED BY: 12/8/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: 12-8-21
 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):
 A. 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.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of 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 Ontario Ranch 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 LLA06-016 Instrument No. 2007-0116480.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - 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, and drive approaches, as applicable to the project.

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

- 2.08 Submit a soils/geology report.

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

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

_____ 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 Vacate the following street(s) and/or easement(s):
 - a. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
 - b. The southerly 3 feet of right-of-way along a portion of the Sixth Street property frontage.

- 2.13 Ontario Ranch 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.
- 2.14 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.**
- 2.15 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.
- 2.16 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$16,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.17 Other conditions:**
- a. **Submit a final Utilities Systems Map (USM) as part of the precise grading plan submittal that conforms to the Conceptual USM dated on 11/4/2021 and meets all of the City's USM requirements. The USM shall show and label all existing/proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements which include a minimum 10' horizontal separation, outside wall to outside wall, between water & sewer and a minimum 5' horizontal separation, outside wall to outside wall, between water & all other utilities.**
 - b. **The applicant/developer shall provide a copy of an executed reciprocal access easement to be used for the shared driveway approach, between the westerly parcel (APN 1008-431-24) and the easterly parcel (APN 1008-431-25).**
 - c. **The applicant/developer shall 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.**



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	Mountain Av	Sixth St	Drive Aisle	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
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 checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway (see Sec. 2.F)	<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)	<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 checked="" 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"/> Services	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service



Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input 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. **Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.**

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.302.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 the drive aisle. (Ref: Sewer Drawing Number: S11753)
- 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. All proposed sewer upstream of the existing manhole located at the southwest corner of the project site shall be privately owned and maintained.
 - b. The applicant/developer shall install a grease interceptor with a sample box downstream of the grease interceptor per the latest City of Ontario Design Guidelines/Standard Drawings.
 - c. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their establishment and comply with all the requirements of the Wastewater Discharge Permit application (https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/fse_wastewater_permit_application_fillable.pdf).

For wastewater discharge permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov
 Phone: (909) 395-2661

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Sixth Street. (Ref: Water Drawing Number: W10302)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

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



- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - a. **The applicant/developer shall install parkway landscaping with an irrigation system per the Landscape Planning Requirements. Installation of a 2-ft landscape buffer between the perimeter wall and sidewalk may result in the reconstruction of the sidewalk panels along the Sixth Street property frontage.**
 - b. **All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 42-inch storm drain main is available to accept flows from this project in Sixth Street. (Ref: Storm Drawing Number: D11046)**
- 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 A _____ fiber optic line is available for connection by this project in _____. (Ref: Fiber Optic plan bar code: _____)
- 2.51 **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. Generally located along Sixth Street and Mountain Avenue, see Fiber Optic Exhibit herein**
- 2.52 **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. **Prior to the issuance of a Building Permit, the applicant/developer shall comply with the following:**
 - i. **Submit a Solid Waste Handling Planning (SWHP) & Integrated Waste Management Report (IWMR) with the Precise Grading Plan and Trash Enclosure Detail with the Building (Architectural) Plan for the Ontario Municipal Utilities Company (OMUC) to review and approve. Additionally email a PDF copy of the plans after the building permit number is created to bishii@ontarioca.gov (if files are larger than 20MB, then send a link to download files).**
 - ii. **Size the trash enclosure for a minimum of three (3) 4CY bins (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics) plus any other bins/storage or other handling required by the SWHP and IWMR.**

**For questions on the SWHP and IWMR submittal requirements, please contact:
Blaine Ishii, Integrated Waste Assistant Division Manager
bishii@ontarioca.gov
Phone: (909) 395-2775**



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 Ontario Ranch Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV21-012

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

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



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-012 & PCUP21-004
 Address: SWC Mountain Ave & 6th Street
 APN: 1008-431-25
 Existing Land Use: Vacant
 Proposed Land Use: Commercial drive-thru restaurant 2,370 SF (Sonics)
 Site Acreage: 0.72 Proposed Structure Height: 30 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Jeanie Aguilo
 Date: July 6, 2021
 CD No.: 2021-023
 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 type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" 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: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Matt Montieth, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department

FROM: Jeanie Irene Aguilo, Associate Planner

REVISION NO. 2

DATE: October 22, 2021

SUBJECT: FILE #: PDEV21-012 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 2,370 square foot fast food restaurant with drive-thru (Sonic) on 0.72-acre of land located at the southwest corner of Mountain Avenue and Sixth Street, within the Main Street land use district of the Mountain Village Specific Plan (APN: 1008-431-25).
Related File: PCUP21-004.

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

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

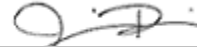
- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Department Landscape Planning Division Signature [Signature] Title Landscape Planner Date 11/12/21

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

CONDITIONS OF APPROVAL

Sign Off



11/12/2021

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV21-012

Case Planner:

Jeanie Aguilo

Project Name and Location:

Commercial drive-thru
 SW corner of Mountain Ave and 6th Street

Applicant/Representative:

Coast to Coast Commercial, LLC
 25400 La Alameda, Suite 100
 Mission Viejo, CA 92691



A Preliminary Plan (dated 10/22/2021) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. **A total of \$3,800 in monetary value will be paid prior to plan check approval.**

Landscape Plans

2. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
3. 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.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner
Planning Department

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

DATE: March 25, 2021

SUBJECT: PDEV21-012 - A Development Plan to construct one (1) commercial drive-thru restaurant building totaling 2,370 square feet on 0.72 acres of land located at the southwest corner of Mountain Avenue and 6th Street, within the Main Street land use district of the Mountain Village Specific Plan (APN(s): 1008-431-25). Related File(s): PCUP21-004.

-
- 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: V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 2,370 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 2,370 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): A-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/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.
- ☒ 2.7 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 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

- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 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.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner

FROM: Officer Bill Lee, Police Department

DATE: April 19, 2021

SUBJECT: PDEV21-012 - A DEVELOPMENT PLAN TO CONSTRUCT ONE COMMERCIAL DRIVE-THRU RESTAURANT BUILDING TOTALING 2,370 SQUARE FOOT LOCATED AT THE SOUTHWEST CORNER OF MOUNTAIN AVENUE AND 6TH STREET. RELATED FILE: PCUP21-004.

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. 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 of 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 will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be

covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

- Maintain all landscaping on property to a standard that all ground covering shrubbery and hedges are no taller than 2 feet (24") and the lower canopy of all trees is no lower than 6 feet (72").

The Applicant is invited to call Bill Lee at (909) 408-1672 regarding any questions or concerns.



Development Advisory Board Decision

December 20, 2021

DECISION NO.: [insert #]

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NOS.: PMTT21-010 and PDEV21-018

DESCRIPTION: A Tentative Parcel Map to subdivide 95.35 acres of land into three parcels and a Development Plan to construct two industrial buildings totaling 168,772 square feet on 13.07 acres of land located at 1425 South Toyota Way, on the southeast corner of Jurupa Street and Milliken Avenue, within the Industrial Mixed Use and Warehouse/Distribution land use districts of the Toyota Ontario Business Park Specific Plan. The project-specific environmental impacts of this project were analyzed in an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which concluded that this application introduces no new significant environmental impacts; (APNs: 0238-121-75) **submitted by MIG, Inc. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

MIG, INC., (herein after referred to as “Applicant”) has filed an application requesting Tentative Parcel Map and Development Plan approvals, File Nos. PMTT21-010 and PDEV21-018, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 95.35 acres of land located at 1425 South Toyota Way, and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Warehouse, Vacant	Industrial	Toyota Ontario Business Park Specific Plan	Industrial Mixed Use, Warehouse/Distribution
<i>North:</i>	Warehouse/ Distribution	Industrial	California Commerce Center Specific Plan	Light Industrial, Commercial/Food/Hotel
<i>South:</i>	Warehouse	Industrial	Entratter Industrial Specific Plan, General Industrial	Industrial
<i>East:</i>	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
<i>West:</i>	Business Park, Light Industrial	Industrial	California Commerce Center Specific Plan	Light Industrial, Commercial/Food/Hotel

(2) **Project Description:**

(a) Background — The Toyota Ontario Business Park Specific Plan was established in 1993 by the City Council to govern the development of the Specific Plan area. Subsequently, the specific plan area was developed in 1994 with a warehouse and distribution facility for Toyota North American Parts that includes warehouse space, ancillary office, parking lot, a truck yard, landscaping, a private street (Toyota Way), and other associated site improvements. The northwest portion of the Specific Plan area, however, was left vacant and undeveloped.

On June 2, 2020, the City Council adopted 1) Resolution No. R2020-063 approving an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by the Ontario City Council on January 27, 2010, and 2) Resolution No. R2020-064, approving a Specific Plan Amendment to the Toyota Ontario Business Park Specific Plan (File No. PSPA19-004) to allow Industrial Mixed-Use land uses and update the landscape palette to incorporate drought tolerant plant species.

On May 10, 2021, the Applicant submitted a Tentative Parcel Map and Development Plan applications requesting approval for the development and the construction of two industrial buildings with associated site improvements on the remaining vacant portion of the Project site.

(b) EIR Addendum — The related Applications establish a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an Initial Study/Addendum has been prepared to determine possible environmental impacts. Although the proposed project could have a significant effect on the environment, because all potentially significant effects have been analyzed adequately in an earlier Certified EIR, and have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed on the proposed project, nothing further is required. The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Environmental Impact Report, are a condition of project approval and are incorporated in the Initial Study/Addendum (see Attachment A—EIR Addendum, attached).

(c) Tentative Parcel Map No. 20147 (File No. PMTT21-010) — The Applicant is proposing to subdivide the 95.35-acre Project site into three numbered lots (see Exhibit B—Parcel Map and Exhibit C—Site Plan, both attached). Parcel 1 will be 81.67 acres in size and encompass the area already developed with the Toyota warehouse and distribution facility, Toyota Way (private street), and existing landscaped areas. Parcel 2 is the northwest parcel, occupying the corner of Milliken Avenue and Jurupa Street, and will be 8.24 acres in size. Parcel 3 is located to the south of Parcel 2 and located at the northeast corner of Milliken Avenue and Toyota Way, encompassing 3.79 acres of land. Parcels 2 and 3 comprise the existing vacant land in the northwest portion of the Project site. The lot sizes proposed by the tentative parcel map exceed the one-acre minimum lot size required by the Toyota Ontario Business Park Specific Plan.

(d) Development Plan (File No. PDEV21-018)

(i) Site Design/Building Layout — The Applicant is proposing to construct two industrial buildings and associated site improvements on the vacant portion of the Project site, at the northwest corner (see Exhibit C—Site Plan, attached) of the Specific Plan area. The subject area is triangular in shape and 13.07 acres in size and bounded by Jurupa Street to the north, Toyota Way to the south and east, and Milliken Avenue to the west. There is a City well site located on a separate parcel along the Jurupa Street frontage, midway between the Milliken Avenue and Toyota Way intersections and is not part of the Project site. No new development is proposed in the area south and east of Toyota Way, as this area is already developed with an 807,067 SF industrial building, including 48,929 square feet of office space.

The proposed Building A on Parcel 2 is the larger of the two new buildings at a total of 118,067 square feet, including 10,000 square feet of ancillary office space. This building is rectangular in shape and is designed with main entrances on the northwest and northeast corners of the building. The parking lot areas surround this building on four sides, providing a total of 131 parking spaces. The truck yard area is located along the south elevation and provides 25 truck dock positions, which will be screened from public view and gated.

Proposed Building B on Parcel 3 is a 50,705-square-foot industrial building, with 5,000 square feet of office space. The office area is located in the northwest corner of the building. The parking lot areas are on the north, south, and west sides of the building, with a total of 63 parking spaces. This industrial building also provides eight truck dock positions, which are located on the north side of the building. Consistent with Building A, the truck yard for Building B will be gated and screened from public view.

(ii) Site Access/Circulation — The Project site has existing access via Toyota Way, which is a private street that intersects with Milliken Avenue on the west and Jurupa Street to the north. The new industrial buildings will have access from new driveway approaches on Milliken Avenue and Toyota Way. Direct access from Jurupa Street is not proposed. The primary passenger vehicle and truck access is provided via a shared driveway on Milliken Avenue, approximately 400 feet south of Jurupa Street. Secondary access is available at two locations along Toyota Way.

Internal circulation is provided with minimum 24-foot-wide drive aisles along the building perimeter. The truck yard for Building A has two gated access points, one each on the east and west ends of the yard. The truck yard for Building B has one access point, which is located at the west end of the yard, near the primary driveway approach on Milliken Avenue.

Pedestrian access paths that lead to the building entrances are at three locations on the Project site. Two paths are located along Milliken Avenue, and the third path is along Jurupa Street.

(iii) Parking — The Project is required to provide 69 passenger vehicle parking spaces for Building A and 36 passenger vehicle parking spaces for Building B. The Project provides 131 vehicle parking spaces for Building A and 63 parking spaces for Building B, exceeding the passenger vehicle parking space requirements. Table 1 provides a parking summary for the Project.

Table 1: Parking Summary

Use & Required Parking Ratio	Building A		Building B		Total	
	Required	Provided	Required	Provided	Required	Provided
Warehouse (one space / 1,000 SF <20,000 SF and one space / 2,000 SF ≥20,000 SF)	69	131	36	63	105	194
Office (4 spaces / 1,000 SF for portion of building in excess of 10% of GFA)	0	0	0	0	0	0
Trailer Parking (one trailer space / 4 dock-high loading doors/spaces)	7	7	2	2	9	9

In addition to passenger vehicle parking spaces, the Project is required to provide truck-trailer parking spaces. The proposed site design provides the minimum number of truck-trailer parking spaces required for the Project.

(iv) Architecture — The architectural design of the proposed buildings is based on the existing warehouse building design to present a cohesive architectural style among the three industrial buildings. The new buildings will be of concrete tilt-up construction with painted and scored accents. The building elevations will have variations in the glazing and paint color, which are proposed to be a color

scheme of white with medium and gray accents, and blue trim (see Exhibit D—Exterior Elevations, attached). The building design also incorporates recessed primary entry doors, two story glazing, concrete trellis with metal fins, and variations in parapet height, all of which are designs that can be found on the existing warehouse building on the Project site.

(v) Landscaping — Landscaping is proposed along all street frontages, including Toyota Way, and will maintain the existing mature trees along Jurupa Street and Milliken Avenue. Areas that are not developed with structures, parking lot or other site amenity will be landscaped in accordance with City requirements. The Project is required to provide landscape areas over at least 15 percent of the lot area. The Project exceeds this requirement, with 29 percent landscape coverage on Parcel 2, where Building A is located, and 35 percent landscape coverage on Parcel 3, where Building B is located.

(vi) Signage — Project signage is not proposed as part of this Project. As conditioned, signage shall be required to comply with the Ontario Development Code Division 8.1 (Sign Regulations).

(vii) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration.

Part II—RECITALS

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

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

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

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (“DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; 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, as the first action on the Project, on December 20, 2021, the DAB issued a Resolution recommending the Planning Commission approve the use of 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 December 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The environmental impacts of the Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

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

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

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

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

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

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the EIR Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB 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 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, 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: 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 recommending body for the Project, the DAB 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 DAB, 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 DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4 of this Part, the DAB hereby concludes as follows:

(1) Tentative Parcel Map No. 20147 (File No. PMTT21-010)

(a) **The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Parcel Map is located within the Industrial land use district of the Policy Plan Land Use Map, and the Toyota Ontario Business Park 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*).

(b) **The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.** The proposed Tentative Parcel Map is located within the Industrial land use district of the Policy Plan Land Use Map, and the Industrial land use district of Toyota Ontario Business Park Specific Plan. 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*).

(c) **The site is physically suitable for the type of development proposed.** The project site meets the minimum lot area and dimensions of the Toyota Ontario Business Park Specific Plan and is physically suitable for the type of industrial development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(d) **The site is physically suitable for the density/intensity of development proposed.** The project site is proposed for industrial development at a floor area ratio of 22.68 percent for

Parcel 1, 32.89 percent for Parcel 2, and 30.71 percent for Parcel 3. The project site meets the minimum lot area and dimensions of the Toyota Ontario Business Park Specific Plan zoning district and is physically suitable for this proposed intensity of development.

(e) **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.

(f) **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 industrial warehouse 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.

(g) **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.

(2) Development Plan (File No. PDEV21-018)

(a) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the Industrial land use district of Toyota Ontario Business Park Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(b) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Toyota Ontario Business Park Specific Plan, including standards relative to the particular land use proposed (warehouse), 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.

(c) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The 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 Toyota Ontario Business Park Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Toyota Ontario Business Park Specific Plan.

(d) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Toyota Ontario Business Park Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (warehouse and distribution). 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 Toyota Ontario Business Park Specific Plan.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Applications subject to each and every condition set forth in the Department reports included as Attachment B of this Decision 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. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 20th day of December 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

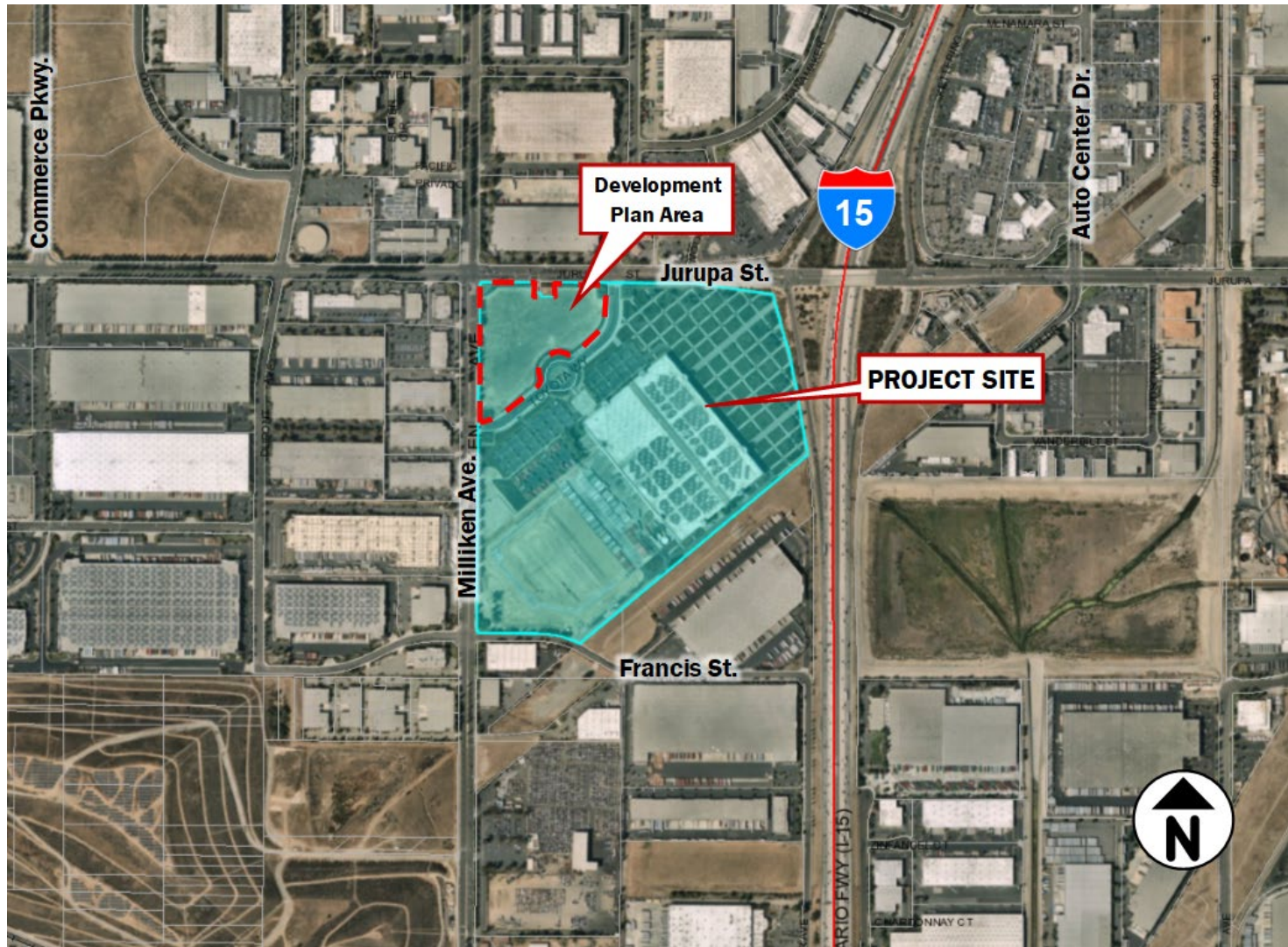


Exhibit C—SITE PLAN

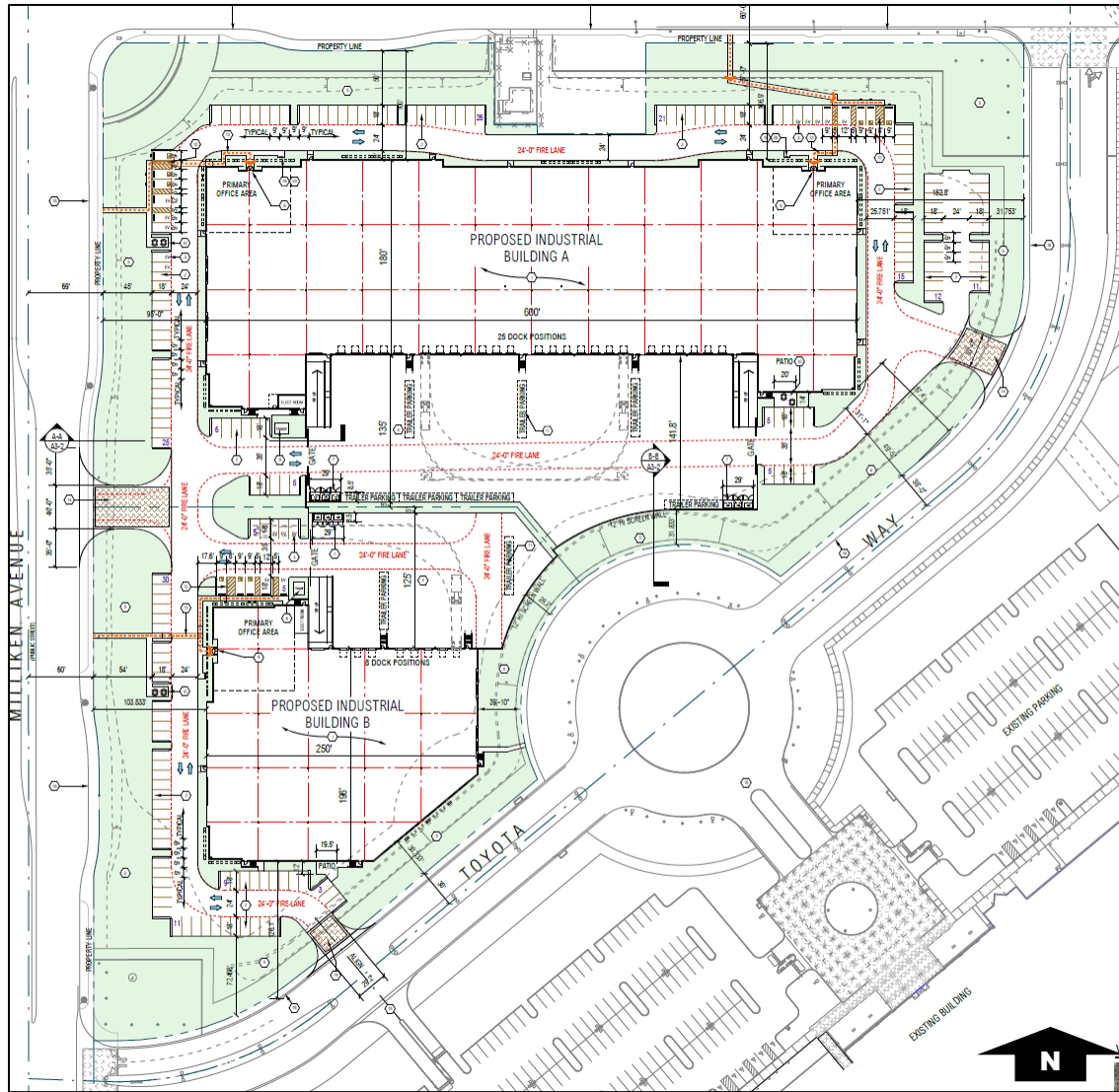


Exhibit D—EXTERIOR ELEVATIONS

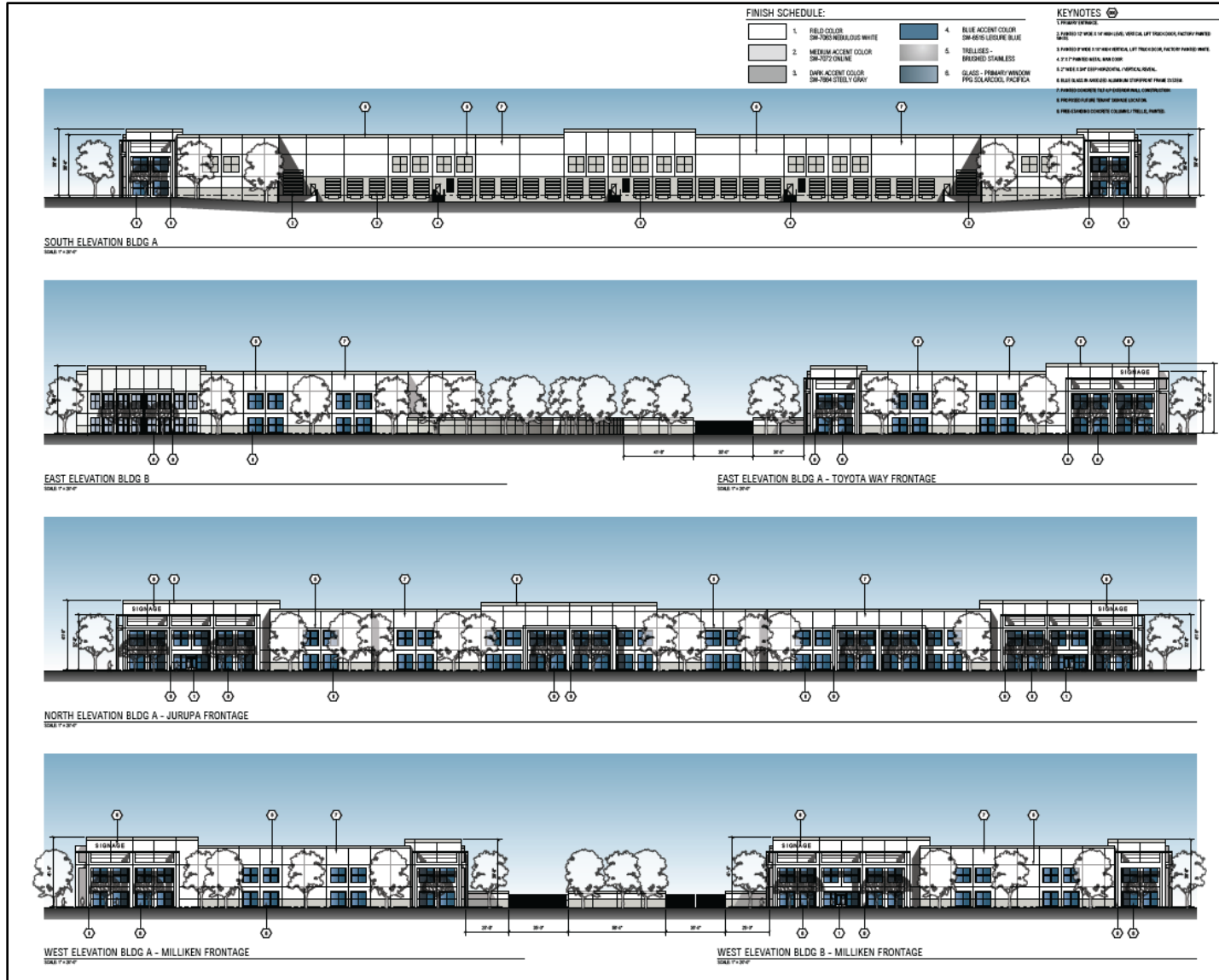
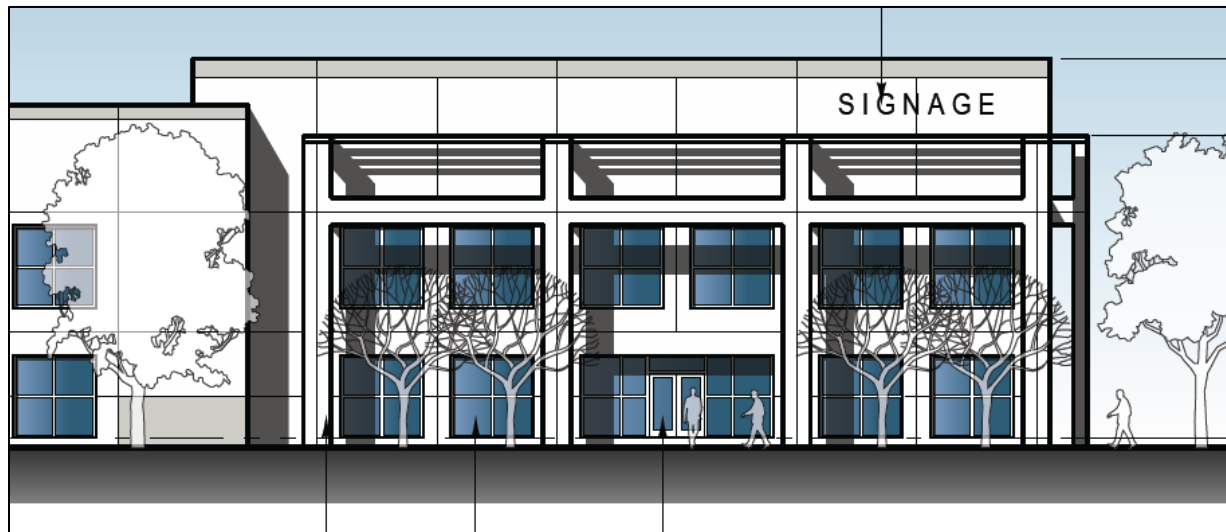


Exhibit D—EXTERIOR ELEVATIONS (continued)



1425 South Toyota Way



Building A

Attachment A—EIR Addendum

(Document follows this page)

California Environmental Quality Act

Addendum to The Ontario Plan Environmental Impact Report

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

1. Project Title/File No.: PMTT21-010 and PDEV21-018
2. Lead Agency: City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2036
3. Contact Person: Edmelyne V. Hutter, Senior Planner, Phone: (909) 395-2429, Email: ehutter@ontarioca.gov
4. Project Sponsor: MIG, Inc. ATTN: Pamela Steele; 1650 Spruce Street, Suite 106, Riverside, CA 92507
5. Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located at 1425 South Toyota Way, on approximately 95 acres, at the southeast corner of Jurupa Street and Milliken Avenue.

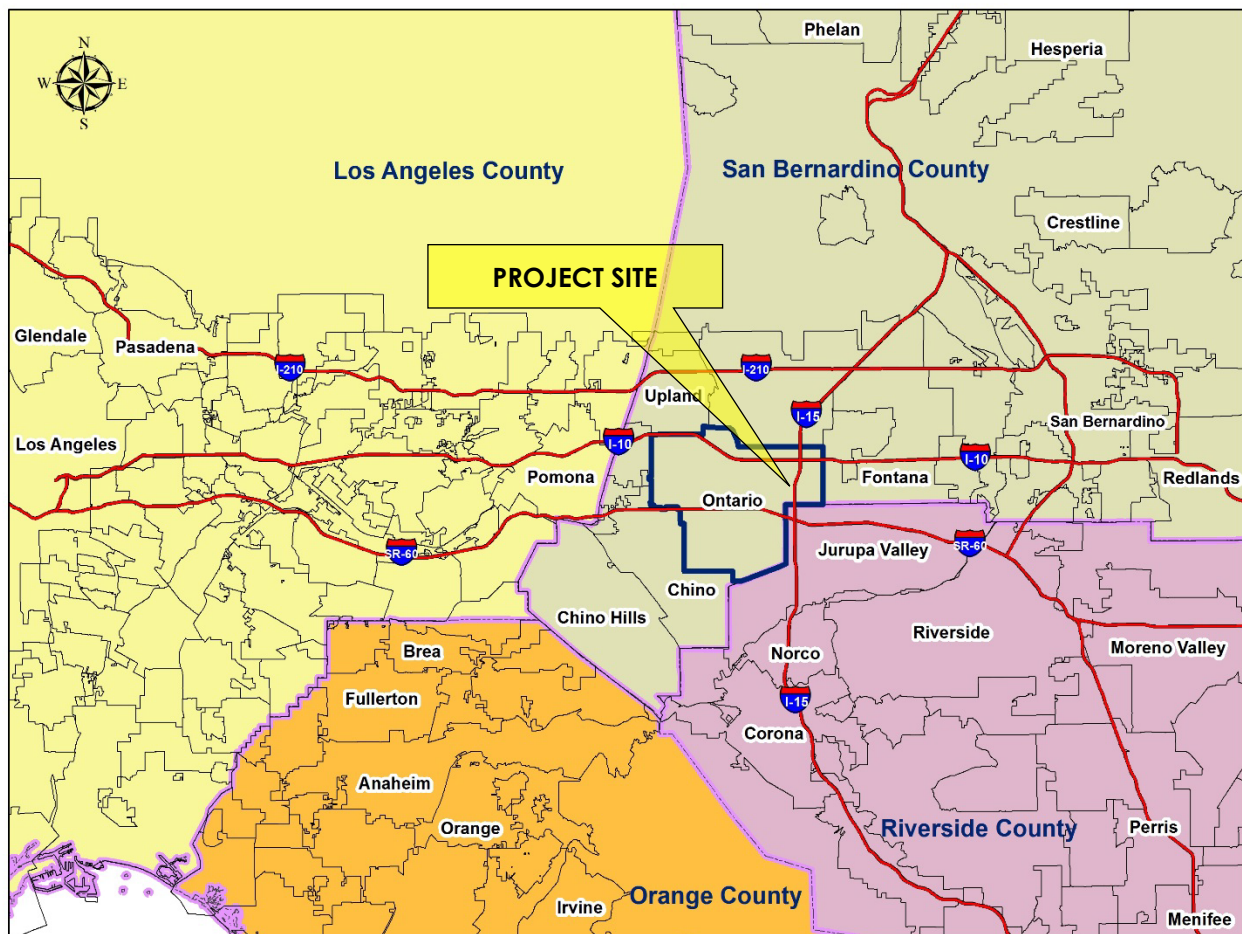


Figure 1: REGIONAL LOCATION MAP

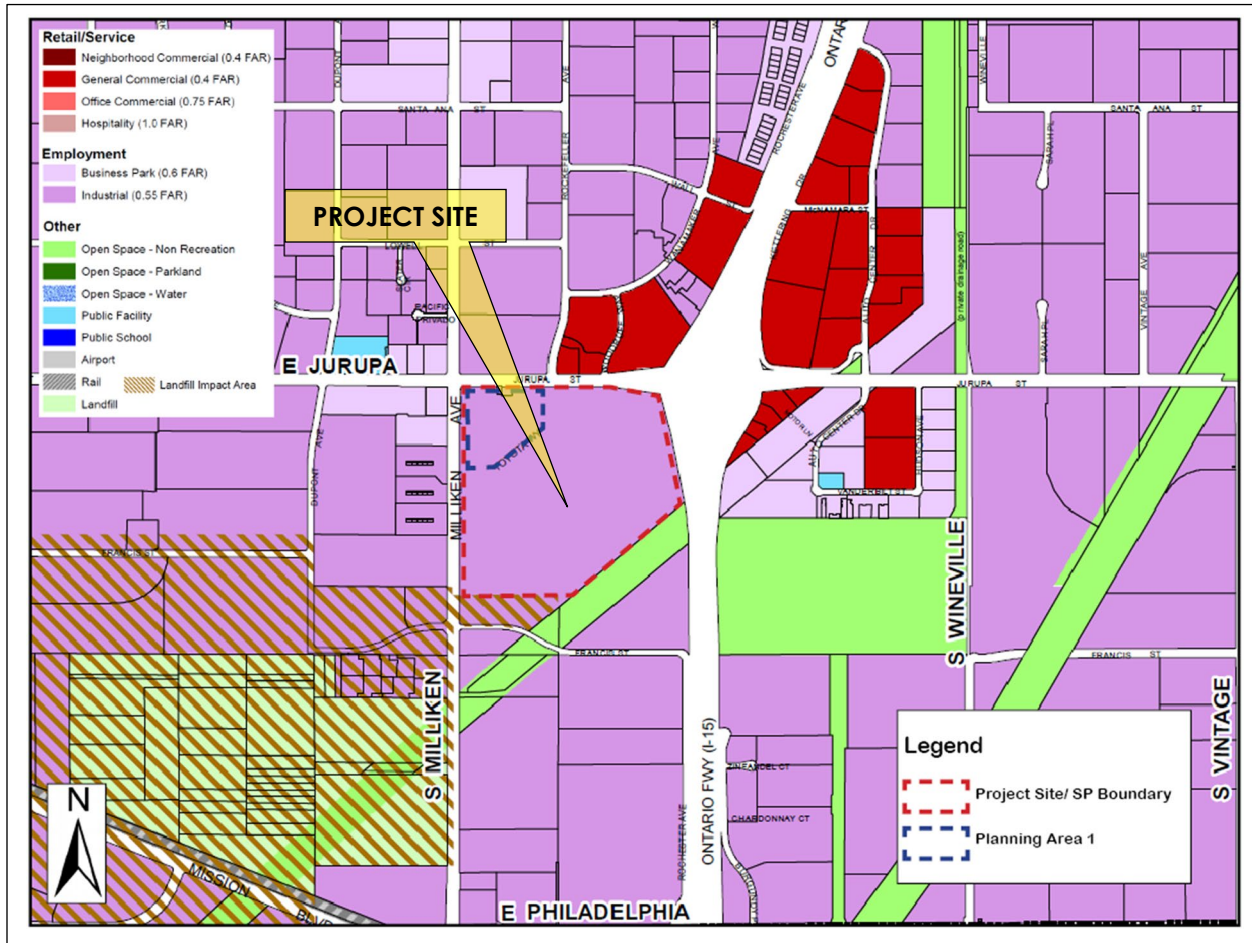


Figure 2: VICINITY MAP

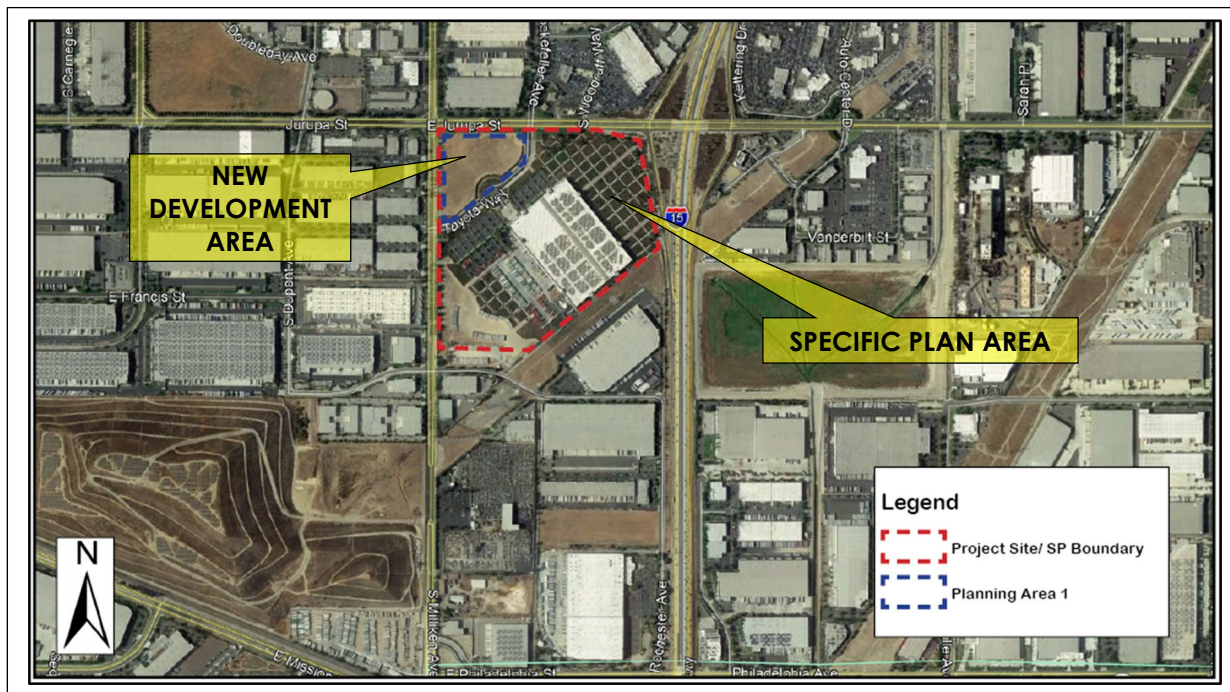


Figure 3: AERIAL PHOTOGRAPH

6. Policy Plan (General Plan) Designation: Industrial
7. Zoning Designation: Toyota/Ontario Business Park Specific Plan – Industrial Mixed Use
8. Description of Project: A Tentative Parcel Map (TPM No. 20147), submitted as part of the application, would subdivide the Specific Plan area into three parcels: Parcel 1 would include the Specific Plan area south of Toyota Way, which is already developed with an 807,068 square feet warehouse and distribution facility and no development for this area is proposed under this Project; Parcels 2 and 3 would be the area north of Toyota Way and include the northwest portion of the Project site where new development is proposed. As shown in Figure 4, the proposed Project would involve the construction of two industrial warehouse buildings totaling 168,722 square feet and associated site improvements.

Building A. Building A, located on the northern portion of Project site, would total 118,067 square feet and include 108,067 square feet of warehouse space and 10,000 square feet of office space. The office component of the building would be two stories and would be located in the northwest and northeast corners of the building. Twenty-five truck loading docks would be located along the southern side of the building. A summary of development specifications are outlined in Tables 1 and 2.

Building B. Building B, located on the southern portion of the Project site, would be located south of Building A and would total 50,705 square feet which would include 45,705 square feet of warehouse space with 5,000 square feet of office use. The office component of the building would be two stories and would be located in the northwest corner of the building. Eight truck loading docks would be located along the northern side of the building. A summary of development specifications are outlined in Tables 1 and 2.

Table 1: Development Specifications			
	1425 S. Toyota Wy. (existing) / Parcel 1	Building A / Parcel 2	Building B / Parcel 3
Office Space	48,929 sf	10,000 sf	5,000 sf
Warehouse Space	758,139 sf	108,067 sf	45,705 sf
Total Building Area	807,068 sf	118,067 sf	50,705 sf
Site Area (sf)	3,557,545 sf	358,934 sf	165,092 sf
Site Area (acres)	81.67 ac	8.24 ac	3.79 ac

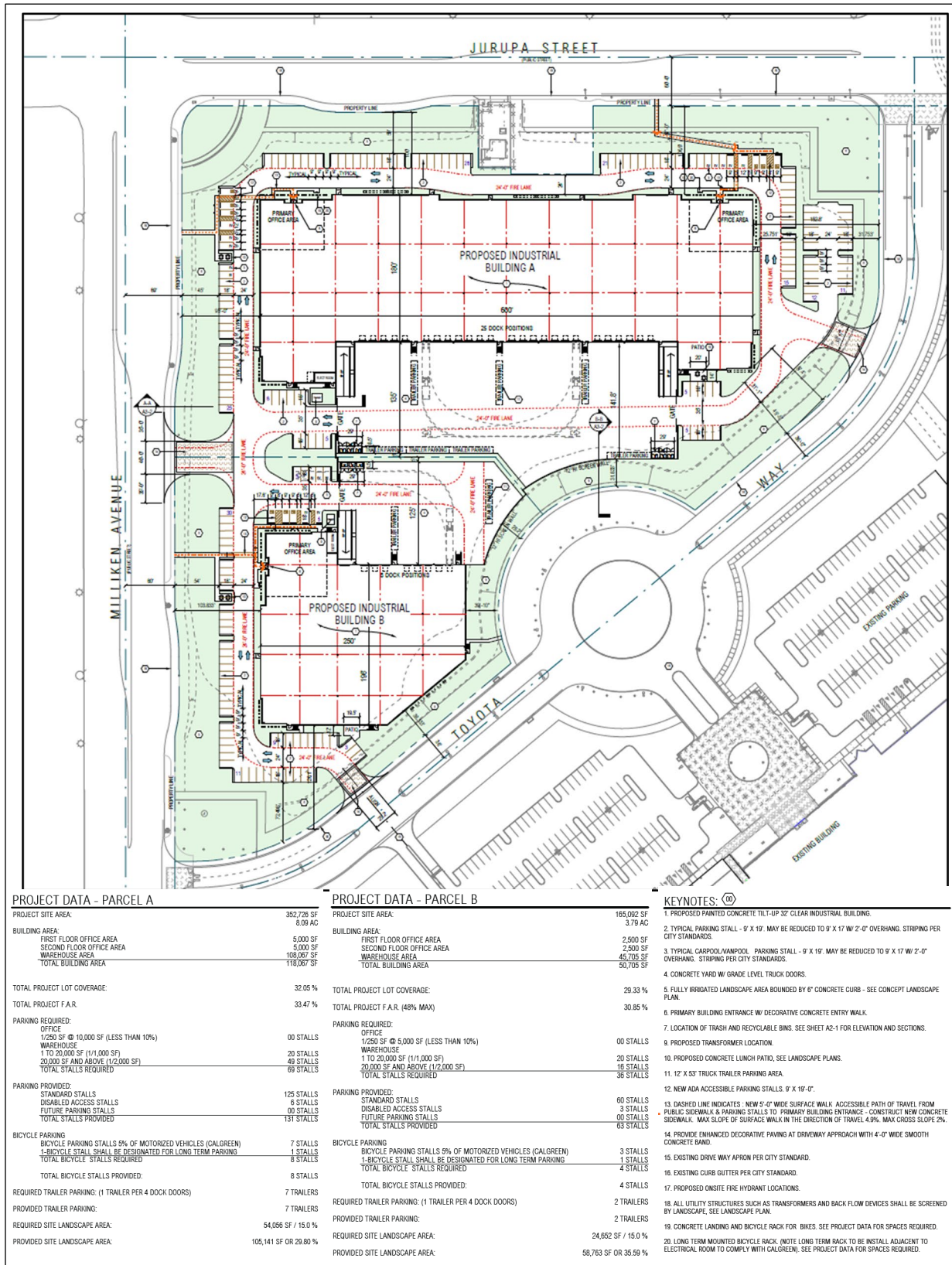


Figure 4: DEVELOPMENT PLAN SITE PLAN

Table 2: Applicable Development Standards				
Development Standards	Required	Parcel 1/ 1425 S. Toyota Wy.	Parcel 2/ Building A	Parcel 3/ Building B
Maximum FAR	55%	22.68%	32.89%	30.71%
Minimum Parcel Size	1 acre	81.67 acres	8.24 acres	3.79 acres
Maximum Building Height	65 feet	No change	41 feet	41 feet
<u>Minimum Building Setbacks</u>	45 feet	No change	95 feet	103.8 feet
Milliken Avenue	40 feet		100 feet	N/A
Jurupa Street	25 feet		87.4 -173.6 feet	38.3 to 126 feet
Toyota Way				
Warehousing and Distribution Parking Requirements				
Office-1 space/250 sf less than 10,000 sf	20 spaces	No change	Total Spaces: 131	Total Spaces: 63
Warehouse-1 space/1,000 sf to 20,000 sf	Bldg A = 20 spaces Bldg B = 20 spaces			
Plus 1 space/2,000 sf 20,000 sf and above	Bldg A = 44 spaces Bldg B = 23 spaces			
Parking Space Totals	Bldg A = 84 spaces Bldg B = 63 spaces			
Plus 1 tractor trailer parking space	1 space/4 dock doors	No change	25 dock doors 7 spaces	8 dock doors 2 spaces
Source: Discretionary Permit Application, May 2021; Project Site Plan, August 2021.				

Architecture. The proposed buildings would be concrete tilt-up construction with painted and scored accents. The design provides glazing and color variation along the length of the buildings, and would utilize a combination of materials and colors. The main colors of the buildings would be Nebulous White with accents colors of Online (medium) and Steely Gray (dark), with Leisure Blue trimming. The primary window blue reflective glass Solarcool Pacifica is located on the wall panels, the building corners, and office areas. There are trellises and free-standing concrete columns painted with a brushed Stainless color to provide accents to the buildings. The proposed screen walls would match the paint and color variations of the buildings. Conceptual elevations are shown in Figure 5.

The buildings designs would also incorporate the following features:

- Recessed primary entry doors
- Two story glazing
- Punched square first and second floor windows with thin concrete legs in a pattern to create an office look
- Concrete trellis with metal fin with canopy top
- Higher parapets at the primary entry to create hierarchy
- Higher parapets at the secondary corners to create additional hierarchy

Landscaping. Landscaping is proposed along all streets frontages, along Toyota Way, on the front and side setbacks adjacent to the buildings, and throughout the parking areas. The Project provides landscaping which exceeds the 15 percent landscaping requirement, and includes 29.80 percent for Building A and 35.59 percent for Building B. A landscaping plan is shown in Figure 6.

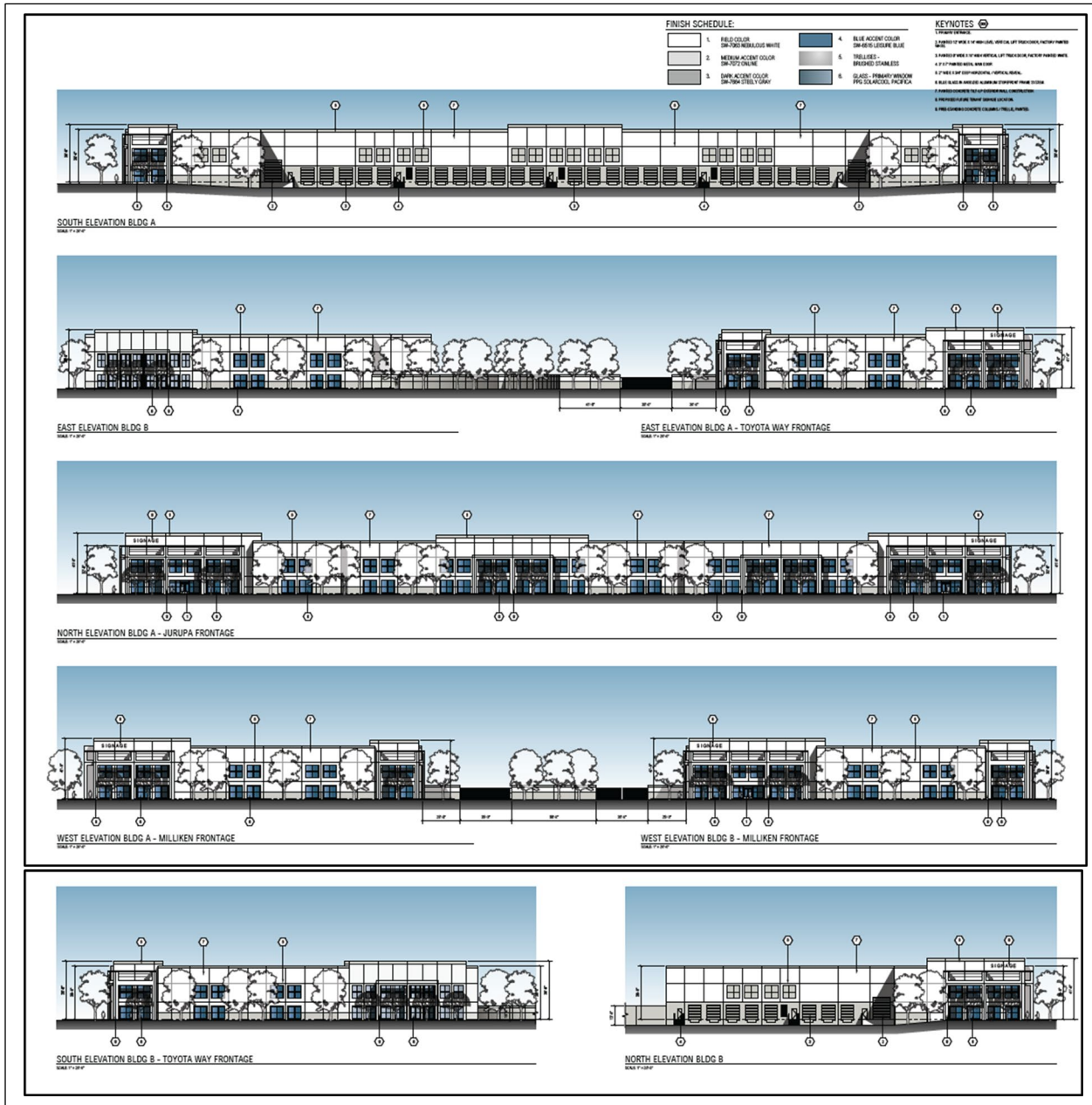


Figure 5: CONCEPTUAL BUILDING ELEVATIONS

proposed storm drain lines would discharge into an underground infiltration chamber system located in the southwest portion of the site. The underground infiltration system would be sized to capture and retain the required water quality design capture volume. The system would have a footprint of approximately 24-feet by 105-feet and consist of 60-inch diameter perforated corrugated metal pipes surrounded by gravel. The excess flow generated from higher storm events would be designed to back up in proposed Line D and release in Line E, which would convey and then discharge to the existing private storm drain line in Toyota Way.

Circulation. There are two driveways off Toyota Way that would provide access to the site. A 35-foot wide driveway, located east of Building A, would be for automobile and truck use. To the south of Building B there would be a 29-foot wide driveway for automobile use only. A 40-foot wide driveway located along Milliken Avenue would provide direct access to the truck courts of both buildings.

Emergency vehicle access would be provided around the two buildings with 24-foot wide drive aisles through the parking areas and truck court. The majority of the automobile parking would be located along the perimeter of the proposed buildings.

Prior Environmental Analysis of Project Site. The Project site is located within the boundary of the Toyota/Ontario Business Park Specific Plan (Specific Plan), which was adopted in August 1993. The Specific Plan area is Assessor's Parcel Number (APN) 0238-121-75, totaling 95.35 gross acres

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 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 was prepared for TOP (TOP FEIR) (SCH # 2008101140) and certified by the City Council on January 27, 2010 and included Mitigation Measures, Findings, and a Statement of Overriding Considerations pursuant to CEQA. TOP FEIR analyzed the direct and physical changes in the environment that would be caused by implementation of TOP, focusing on changes to land use associated with the buildout of the proposed land use plan, and the associated population and employment growth in the City. The Project site was analyzed in TOP FEIR as industrial (See Exhibit A, TOP EIR Figure 1-3, Proposed Land Use Plan) to be consistent with the industrial uses to the north, west, and south of the Project site, Interstate I-15 freeway to the east, and the Project site's location under the landing path of the Ontario International Airport. The significant unavoidable adverse impacts that were identified in TOP FEIR included: agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise and transportation/traffic.

In 2019, Toyota requested a Specific Plan Amendment to change the zoning of the Project site (identified as Planning Area 1 in the Specific Plan) from Office/Research & Development (Office/R&D) to Industrial Mixed Use, which would allow for both Office/R&D and warehouse/distribution/manufacturing uses on the site. The Specific Plan Amendment also updated the landscape palette to conform to current drought tolerant landscape practices, which apply to any development in the Specific Plan area. Revisions to the Specific Plan also included:

- Any graphic that showed Planning Area 1 zoning as Office/R&D was changed to Industrial Mixed Use.
- Text in the Specific Plan that referred to Office/R&D was revised to reflect the new

- designations of Industrial Mixed Use.
- Permitted Uses under Industrial Mixed Use was updated to include warehouse and distribution uses.
- Graphic and text references to Rockefeller Drive within the Specific Plan area were changed to reflect the actual street name: Toyota Way.
- The landscape palette and graphic representations of landscape were updated to reflect more drought tolerant materials.
- Specific Design Guidelines for Office/R&D district were retitled to Industrial Mixed Use.

To evaluate the environmental impacts associated with the Specific Plan Amendment, the City prepared an Addendum to TOP FEIR. The Specific Plan Amendment, File No. PSPA 19-004 was approved in 2020 with an environmental Addendum Resolution No. 2020-063, which included the review and approval of three updated technical studies including a Traffic Trip Generation Comparison Letter, Greenhouse Gas Emissions CEQA Thresholds and Screening Tables, and a Cultural Resources Report.

Use of an Addendum. 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 construction and operation would not require revisions to TOP FEIR. TOP FEIR analyzed the environmental impacts that would be caused by implementation of TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The Project site is located in the Toyota/Ontario Business Park Specific Plan area, with a zoning designation of Industrial Mixed Use, which would allow warehouse/distribution uses along with the Office/R&D uses. As described in the Specific Plan and, therefore, analyzed in TOP FEIR, maximum development within Planning Area 1 could be up to 300,000 square feet. The proposed Project would include 168,722 square feet of warehouse use on the site, which would be significantly less development than assumed at the site in TOP FEIR. Therefore, the proposed Project would result in the less development than TOP FEIR analyzed at buildout.

Because the proposed Project would result in reduction in development, compared to the site development assumptions originally included in TOP FEIR analysis, no revisions to TOP FEIR are required. A trip generation comparison was conducted by Ganddini Group, and reviewed by the City's Traffic Engineering Division, which compares trip generation at the Project site under the original zoning versus the development proposed under the Specific Plan Amendment. As shown below in Table 3, the Specific Plan Amendment zoning would result in 2,528 fewer daily personal car equivalent (PCE) trips compared to the development allowed under the prior zoning included in TOP FEIR. It should also be noted that the proposed Project would include less square footage than analyzed within the Ganddini Group trip generation comparison, so the reduction in trips would likely be greater than what was identified in Table 3.

Table 3: Trip Generation Comparison								
Zoning	Quantity	Trip Generation						Daily
		AM Peak Hour			PM Peak Hour			
		In	Out	Total	In	Out	Total	
Original Zoning (Office)	300,000 SF	299	49	348	55	290	345	2,922
Proposed (Warehouse)	173,247 SF	35	14	49	16	36	52	394
Trip Generation Comparison (Proposed Project – Original Zoning)		-264	-35	-299	-39	-254	-293	-2,528

Source: Ganddini Group Inc, 2019.

In addition, all previously adopted mitigation measures of TOP FEIR are applicable to the Project and are incorporated herein by reference. Additionally, City Standard Conditions of Approval, and Development and Performance Standards included in the Specific Plan, would be applicable to the proposed Project. Construction and operation of the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects. The attached Initial Study provides an analysis of the proposed Project and verification that the Project would 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 that would require major revisions to TOP FEIR. TOP FEIR evaluated the Project site as Industrial with a maximum FAR of 0.55 (see attached Exhibit "A"- TOP EIR Figure 1-3, Proposed Land Use Plan), consistent with the surrounding industrial properties to the north, west, and south. A Specific Plan Amendment was adopted by the City Council and an Addendum to TOP FEIR was prepared and adopted in 2020. The proposed Project would result in the construction of two warehouse buildings, and associated site improvements, and would be consistent with the Industrial Mixed Use land use designation included in the Specific Plan Amendment. No proposed changes or revisions to TOP FEIR are required. In addition, all previously adopted mitigation measures of TOP FEIR are applicable to the Project and are incorporated herein by reference. Lastly, City Standard Conditions of Approval, and Development and Performance Standards included in the Specific Plan, would be applicable to the proposed Project. The attached Initial Study provides an analysis of the proposed Project and verification that the Project would 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 FEIR. As stated above in Section 2, no substantial changes have occurred with respect to the circumstances under which the Project was undertaken. TOP FEIR evaluated the site as Industrial with a maximum FAR of 0.55 (see attached Exhibit "A"- TOP EIR Figure 1-3, Proposed Land Use Plan), consistent with the surrounding industrial properties to the north, west, and south. Since adoption of the 1992 General Plan and the 2010 TOP FEIR, the Project site and

surrounding area have been planned for and remained industrial use (see attached Exhibit "B"- 1992 General Plan Land Use Map). Therefore, no proposed changes or revisions to TOP FEIR are required. In addition, all previously adopted mitigation measures of TOP FEIR are applicable to the Project and are incorporated herein by reference. Finally, City Standard Conditions of Approval, and Development and Performance Standards included in the Specific Plan, would be applicable to the proposed Project. The attached Initial Study provides an analysis of the proposed Project and verification that the Project would 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:
 - i. The project will have one or more significant effects not discussed in the previous negative declaration;
 - ii. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - iii. 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
 - iv. 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 proposed Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to TOP FEIR.

Conclusion. TOP FEIR, 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 FEIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment associated with implementation of TOP. Consequently, TOP FEIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, and impacts from the resulting population and employment growth in the City. The proposed Project is consistent with the existing uses of the properties and uses within the surrounding areas. As described above, the amount of development associated with the proposed Project would be lower for Planning Area 1 than TOP FEIR analyzed.

Accordingly, and based on the findings and information contained in the previously certified TOP FEIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in TOP FEIR. No changes or additions to TOPFEIR 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 TOP FEIR.

9. **Project Setting:** The Project site is relatively flat with minimal topographic variation, with the majority of the area being developed with the warehouse building, parking lot and landscaping. The vacant area of the project site being proposed for new development is primarily covered in grass. Mature palm trees are planted at various locations along the perimeter of the site with shrubs located along the Toyota Way frontage. Existing sidewalks are located along the Milliken Avenue and Jurupa Street frontages. Street lighting is also located along the perimeter of the site. A city well and structure is south of Jurupa Street immediately adjacent to the Project site; however, this area is not included within the Project site. The Project site is located in a developed, urban area of the City of Ontario, and is surrounded by business park uses, warehouses, and distribution facilities.

The Project site is located within the Toyota/Ontario Business Park Specific Plan (Specific Plan), which identifies the land use of the site as Industrial Mixed Use and Warehouse/Distribution. As described in the Specific Plan, which was adopted in August 1993, the purpose of the document is to assure the systematic implementation of the goals and policies contained in the Ontario General Plan. The Specific Plan contains development standards for the classifications of land use within the Project site, and addresses transportation and circulation, streetscape and landscape guidelines, and infrastructure and public services.

The proposed new industrial buildings would be located on approximately 13 acres of vacant land in the northwest corner of the Project site and bounded by Jurupa Street to the north, Toyota Way to the south and east, and Milliken Avenue to the west.

10. Surrounding Land Uses:

	<u>Existing Land Use</u>	<u>General Plan Designation</u>	<u>Zoning Designation</u>	<u>Specific Plan Land Use</u>
Site:	Warehouse, vacant	Industrial	Toyota Ontario Business Park Specific Plan	Industrial Mixed Use, Warehouse/Distribution
North:	Warehouse/ Distribution	Industrial	California Commerce Center Specific Plan	Light Industrial

	<u>Existing Land Use</u>	<u>General Plan Designation</u>	<u>Zoning Designation</u>	<u>Specific Plan Land Use</u>
South:	Warehouse	Industrial	Entratter Industrial Specific Plan	Industrial
East:	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
West:	Office/Business Park	Industrial	California Commerce Center Specific Plan	Light Industrial, Commercial/Food/Hotel

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

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?

Yes No

If "yes", has consultation begun?

Yes No Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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


DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been

made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: 	Date: November 16, 2021
Printed Name: Edmelynne V. Hutter, Senior Planner	For: City of Ontario

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.

(Note: Example explanations have been provided. Add, remove, or replace as needed.)

Issues	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No New Impact / No Impact</i>
1. AESTHETICS. Except as provided in Public Resources Code section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No New Impact / No Impact
environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district 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	<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	No New Impact / No Impact
and Game or U.S. Fish and Wildlife Service?				
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"/>
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 § 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 § 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:				
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	<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	No New Impact / No Impact
liquefaction?				
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, 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 wastewater?	<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"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death	<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	No New Impact / No Impact
involving wildland fires?				
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:				
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"/>
d) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>
f) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No New Impact / No Impact
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.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION. Would the project:				
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) 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"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No New Impact / No Impact
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), or	<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"/>
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. 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?	<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	<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	No New Impact / No Impact
exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				
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. (State CEQA Guidelines section 15065(a).)				
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 the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09. Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey County 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.				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

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

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located along Milliken Avenue and Jurupa Street, both principal arterials, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan.

The proposed Project would allow for the construction of warehouses within an area that has warehouse, business park, and industrial development. While construction of the Project may block some public views to the north, intermittent views of the San Gabriel Mountains would still be available, and the Project would not result in significant adverse environmental impacts with

regard to views of the San Gabriel Mountains; no significant adverse impacts on a scenic vista would occur.

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

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

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east-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 is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis are necessary.

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

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an urban area that is characterized by industrial development and is surrounded by urban land uses. Development of the proposed Project would be required to meet policies of the TOP Community Design Element and zoning designations on the property. Furthermore, the proposed Project would be required to be consistent with the design guidelines and development standards of the Toyota/Ontario Business Park Specific Plan. The Project site is zoned for Industrial Mixed Use, and the Project would not conflict with regulations governing scenic quality.

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

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

Discussion of Effects: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code, project on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Furthermore, as required by the Toyota/Ontario Business Park Specific Plan, a Master Lighting Plan would be submitted to the City of Ontario for review and approval. The Master Plan would contain criteria and standards governing lighting along Toyota Way, lighting within parking lots and access drives, and lighting improvements for pedestrian walkways. The Master Plan would also establish minimum illumination criteria consistent with City of Ontario policies on exterior illumination. Site lighting would be directed inward and downward, to avoid spillover of light and glare onto the adjacent freeway, nearby public streets or onto adjacent properties.

Additionally, the Project would be required to adhere to the following performance standard included in the Toyota/Ontario Business Park Specific Plan:

5.11.3 Light and Glare: *No lighting fixture shall create any illumination which exceeds five foot candles on adjacent parcels of land, whether such illumination is direct or indirect. Glare levels shall be measured with a photoelectric photometer following standard spectral luminous efficiency curves adopted by the International Commission of Illumination.*

Site lighting plans are subject to review by the Planning Department and Ontario Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance); no significant adverse impacts would occur.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 proposed development 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 is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 site zoned is Industrial Mixed Use (Toyota Ontario Business Park Specific Plan). The proposed project is consistent with the development standards and allowed land uses of the proposed zone. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: Impacts to forest land were not analyzed in TOP FEIR, but this topic has since been included as part of the revisions to the State CEQA Guidelines. The Project site is zoned Industrial Mixed Use. Development of the proposed Project would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production as those land use designations do not exist within the City of Ontario. No impacts to forest or timberland would occur.

Mitigation: No additional mitigation is required. The proposed Project would not conflict with existing zoning or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impact would occur and no further analysis of impacts to forest resources or timberland is required in TOP FEIR; no changes or additions to TOP FEIR analysis are necessary.

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

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

Mitigation: No additional mitigation is required. The proposed Project would not result in a loss of forest land or conversion of forest land to non-forest use. No impact would occur and no further analysis of impacts to forest resources is required in TOP FEIR; no changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Construction of the proposed Project would not result in changes to the existing environment that would result in the loss of farmland. 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 immediate vicinity of the Project site; the Project does not directly or indirectly result in conversion of farmland. No new cumulative impacts beyond those identified in the Certified TOP FEIR would result from Project construction. As a result, the Project would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. The proposed Project would not result in the conversion of forest land to non-forest use.

Mitigation Required: No additional mitigation is required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: As described in TOP FEIR, TOP would not be consistent with the South

Coast Air Quality Management District's 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 TOP Land Use Plan would exceed estimates of population, employment, and VMT for Ontario; these emissions are not included in the regional emissions inventory for the SoCAB used for the analysis within TOP FEIR. Therefore TOP was considered inconsistent with the AQMP resulting in a significant unavoidable impact.

Because the proposed Project would result in a decrease in the amount of development than was anticipated at the Project site under TOP FEIR, construction and operation of the proposed Project would not increase the identified significant air quality impact associated with implementation of TOP

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: As described in TOP FEIR, both construction and operational air quality impacts associated with implementation of TOP Land Use Plan were deemed to be significant. Mitigation measures were identified, but the impacts were still considered significant and unavoidable. These mitigation measures are applicable to the proposed Project, and are included below:

3-1: The City of Ontario Building Department shall require that all new construction projects incorporate all feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:

- *Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:*
- *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.*

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).

Because the proposed Project would result in a decrease in the amount of development anticipated at the Project site compared to what was assumed in TOP FEIR, construction and

operation of the proposed Project would not increase the anticipated air quality impacts identified within TOP FEIR.

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

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: As described in TOP FEIR, eight high vehicle count intersections were evaluated for CO emissions, and it was determined that sensitive receptors in the area would not be significantly adversely affected by CO emissions generated at buildout of the Land Use Plan. Localized air quality impacts related to mobile-source emissions were identified as being less than significant.

In addition, as noted in TOP FEIR, the California Air Resource Board (CARB) developed and approved the *Air Quality and Land Use Handbook: A Community Health Perspective* in May 2005 to address the siting of sensitive land uses in the vicinity of freeways, distribution centers, rail yards, ports, refineries, chrome-plating facilities, dry cleaners, and gasoline-dispensing facilities. This guidance document was developed to assess compatibility and associated health risks when placing sensitive receptors near existing pollution sources.

As detailed in TOP FEIR Table 5.3-9, CARB provides the following recommendations for siting new sensitive land uses for distributions centers:

- Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units [TRUs] per day, or where TRU unit operations exceed 300 hours per week).
- Take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points.

The Project site is located within an industrial area, and is not located in close proximity to any sensitive receptors.

The proposed warehouse would not be located within 1,000 feet of any sensitive receptor, and is not anticipated to generate 100 truck trips per day; the trip generation analysis provided by Ganddini Group estimated 61 truck trips per day. The proposed Project would not place sensitive receptors near existing pollution sources. Therefore, impacts related to the exposure of sensitive receptors to substantial pollutant concentrations would not occur.

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

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

Discussion of Effects: As described in TOP FEIR, construction activity would require the operation of equipment that may generate exhaust from either gasoline or diesel fuel. Construction and development would also require the application of paints and the paving of roads, which could generate odors from materials such as paints and asphalt. As these odors are short-term in nature and quickly disperse into the atmosphere, this is not considered significant. Additionally, commercial, industrial, and residential projects, associated with implantation of TOP are also required to comply with SCAQMD Rule 402 to prevent occurrence of public nuisances. As a result, Project-related odors are required to avoid the creation of a public nuisance. Odorous emissions attributable to implementation of TOP are not considered a significant adverse impact to air quality.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 Project site is within an urbanized area, characterized by industrial development, and lacks native habitat. However, the United States Department of Fish and Wildlife (USFWS) has identified the Project vicinity as an area where the endangered Delhi Sands flower-loving fly (*Rhaphiomidas terminates abdominalis*) is known to currently or to have at one time existed. Because the Delhi Sands flower-loving fly requires a specific habitat type, this species requires site specific considerations, protection and enhancement of its limited habitat type, and species specific management to maintain the habitat and populations. To avoid potential impacts to this species, the proposed Project conducted pre-construction surveys for Delhi Sands flower-loving fly to determine if the species or its habitat are currently located on the Project site. The pre-construction surveys of the site determined that there is currently no extant habitat for the species nor were any individuals of the species observed on the Project site. Therefore, impacts to species identified as a candidate, sensitive, or special status species will not occur as a result of the proposed Project.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 Project site is within an urbanized area and lacks native habitat. According to the United States National Wetlands Inventory (NWI), no riparian habitat is found within the Project site. Therefore, no significant impact would occur to riparian or other sensitive natural communities as a result of construction and operation of the proposed Project.

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

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: The Project site is within an urbanized area and lacks any wetlands. According to the United States National Wetlands Inventory (NWI), no wetlands occur within the Project site; no significant wetlands impact would occur.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: As described in TOP FEIR, no regional wildlife movement corridors have been identified in the City, and most of the City is ill-suited for the purposes of wildlife movement. Furthermore, the Project site is within an urban area with industrial uses and is bounded on all sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no significant wildlife corridor impacts would occur.

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

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

Discussion of Effects: As described in TOP EIR, while the City of Ontario does not have any municipal ordinances for the protection of trees on private property, Municipal Code Sections 10-1.25 and 10-2.05 prohibit the damaging or destruction of trees on City property, except under conditions specified in the Municipal Code. Additionally, TOP Policy ER5-2 notes that the City will comply with state and federal regulations regarding protected species. The proposed Project would not conflict with any local policies or ordinances protection biological resources.

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

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion of Effects: The Project site is vacant and does not contain any buildings or structures constructed more than 50 years ago (generally, structures need to be at least 50 years or older to be considered historical resources). As such, there are no structures onsite eligible 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 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. However, this historic resource would not be impacted (directly or indirectly) by the proposed Project. Therefore, no significant impacts would occur.

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

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

Discussion of Effects: As described in TOP FEIR, a records review at the Archaeological Information Center at San Bernardino County Museum (SBCM) indicated no known prehistoric archaeological resources in the City of Ontario; however, only about 10 percent of the City has been adequately surveyed for prehistoric or historic archaeology. Figure 5.5-2 of TOP FEIR shows that the Project site has not been surveyed for archeological resources. The CHRIS-SCCIC records search, noted in subsection "a" above, did not identify prehistoric, historic, or historic built environments within or adjacent to the Project boundaries. Additionally, an NAHC Sacred Lands File search 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 including agricultural use from the 1940's through the 1960's and the development and construction of the Toyota Motors North American Parts Center and supporting infrastructure that would have displaced potential surface and subsurface archaeological resources. The proposed Project would 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 the site due to its urbanized nature, the following City Standard Conditions of Approval would be applied should unanticipated archaeological resources be discovered during excavation or construction:

5.2 If any archeological or paleontological resources are found during Project grading, excavation, or 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.

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

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

Discussion of Effects: The proposed Project is located in an area that has been previously disturbed by human activity. No known religious or sacred sites exist within the Project area, and human remains are not expected to be encountered during 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, the following City Standard Conditions of Approval would be applied in the event of unanticipated discoveries of human remains are identified during excavation and construction activities:

5.1 If human remains are found during Project grading, excavation, or 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 is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 TOP FEIR, but was included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the proposed 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.

Operation. Operation of the proposed Project would require electricity for multiple purposes, such as: building heating and cooling, lighting, appliances, and electronics. Although electricity consumption would increase at the site under implementation of the proposed 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, which would further reduce electricity consumption. 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 operational phase of the proposed Project would require natural gas consumption for various purposes, such as building heating and cooling. While natural gas consumption would increase at the site with construction of the proposed 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. 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 Proposed 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. Construction-related vehicles 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 proposed 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. 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 proposed 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: The Project would not result in any new significant impacts. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The proposed 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 roofs, etc.) on energy consumption. As described above, the Project would be required to comply with the 2019 CALGreen standards, and would implement additional measures identified in the City's Greenhouse Gas Reduction Measures Screening Threshold Table for Commercial and Industrial Development. Given the above, the proposed 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: The Project would not result in any new significant impacts. No changes or additions to TOP FEIR 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 Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

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

iii. Seismic-related ground failure, including liquefaction?

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

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

iv. Landslides?

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

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

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

Discussion of Effects: Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, the following City Standard Conditions of Approval would reduce the potential for substantial erosion:

3.67 Prior to Grading Plan approval and the issuance of a grading permit, an Erosion and Sediment Control Plan shall be submitted to, and approved by, the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on the Project during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system.

Compliance with the California Building Code, review of grading plans, and approval and implementation of the Erosion and Sediment Control Plan by the Engineering Department would ensure no significant erosion impacts occur. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, California Building Code, and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: Please see Section 7.a.iii for a discussion of liquefaction and Section 7.a.iv for a discussion of landslides.

Lateral spreading is a form of horizontal displacement of soil toward an open channel or other "free" face, such as an excavation boundary. Lateral spreading may also occur where open banks and unsupported cut slopes provide a free face. Ground subsidence is the gradual settling or sinking of the ground surface with little or no horizontal movement, and most often results from human activities such as the extraction of oil, gas, or groundwater. Effects of subsidence include fissures, sinkholes, depressions, and disruption of surface drainage.

As described in TOP FEIR, projects developed pursuant to TOP would be required to meet the most current seismic safety requirements in the California Building Code (CBC). Chapter 16 of the CBC contains requirements for design and construction of structures to resist loads, including earthquake loads. Chapter 18 contains requirements for excavation, grading, and fill; load-bearing values of soils; and foundations, footings, and piles. Compliance with those requirements would ensure that there would not be substantial impacts related to ground shaking, liquefaction, or seismic settlement. TOP Policy S1-1 would require that all new habitable structures be designed in accordance with the most recent Building Code adopted by the City, including provisions regarding lateral forces and grading. Implementation of TOP strategies, California Building Code, and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and

addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: Soils containing expansive clay minerals can shrink or swell substantially as the moisture content decreases or increases. Structures built on these soils may experience shifting, cracking, and breaking damage as soils shrink and subside or expand.

As described in TOP FEIR, expansive soils are likely in the southern parts of the City, where there are silts, sandy silts, and silty clays. Near-surface soils in the northern and central parts of the City are primarily granular, that is, silty sand, sand, and gravel; such sediments are usually non-expansive or have very low expansion potential. Projects in the southern part of the City considered for approval under TOP could expose persons or structures to potentially significant hazards from expansive soils. However, compliance with the CBC and review of grading plans for individual projects by the City Engineer would ensure no significant impacts would occur.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 Project area is served by the local sewer system and the use of septic tanks or alternative wastewater disposal systems is not proposed.

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

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

g.

Discussion of Effects: A paleontological resources records search prepared for the Project site commissioned through the Natural History Museum of Los Angeles County (NHMLAC) did not identify previously recorded vertebrate fossil localities or unique geological features within the Project Site or within a one-mile radius. There are two previously recorded fossil localities (LACM 7811: Masticophis and LACM 1207: Odocoileus) located within a five-mile radius of the Project site that were discovered within the same sedimentary deposits at depths that extends into the Project area. The results of the literature review and the search at the NHMLAC indicated 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. Therefore, MIG concluded that the proposed Project would not result in a significant impact to paleontological resources or unique geological features, and no mitigation measures are recommended.

While no paleontological resources are anticipated on the Project site, the following City Standard Conditions of Approval would be applied should unanticipated paleontological resources be uncovered during excavation and construction activities:

5.2: If any archeological or paleontological resources are found during Project grading, excavation, or 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.

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

8. GREENHOUSE GAS EMISSIONS. Would the project:

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

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Environmental Impact Report ("EIR") for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

The Project applicant has prepared a Greenhouse Gas Reduction Measures Screening Threshold Table for Commercial and Industrial Development, which identifies the GHG reduction measures that have been incorporated into the Project. As noted in the instructions for completing the table, the Screening Table assigns points for each option incorporated into a project as mitigation or a project design 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 and the Project GHG impact is considered less than significant. No changes or additions to TOP FEIR analysis are necessary.

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

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

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the

proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

As described in more detail in Section 8.a (above), the proposed Project includes enough GHG reduction features to be considered consistent with the reduction quantities anticipated in the City's Climate Action Plan. Construction and operation of the proposed Project would not result in a significant conflict with an applicable plan, policy or regulation developed to reduce GHG emissions

Mitigation Required: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: Construction of the proposed Project would likely involve the use and disposal of chemical agents, solvents, paints, and other hazardous materials associated with construction activities. The amount of these chemicals typically present during construction would be limited, would be in compliance with existing government regulations, and would not be considered a significant hazard.

It is possible that activities associated with operation of the proposed Project would involve transport, use or disposal of hazardous materials. As described in TOP FEIR, current federal and state regulations, City ordinances, and TOP policies would regulate the handling of hazardous substances to reduce potential releases; exposure; and risks of transporting, storing, treating, and disposing of hazardous materials and wastes. Hazardous waste transport, use, and/or disposal that would occur would be less than significant with adherence to the existing regulations.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: Operation of the proposed Project may involve the transport, storage, use or disposal of hazardous materials. With existing federal, State and local regulation and oversight of hazardous materials, the risk to the public or the environment from upset and accident conditions involving the release of hazardous materials would be a less than significant.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 is a warehouse facility, and is not anticipated to generate or emit hazardous emissions or materials as part of its regular operations. It is possible that the facility could store hazardous materials. However, as described in TOP FEIR, current federal

and state regulations, City ordinances, and TOP policies would regulate the handling of hazardous substances to reduce potential releases; exposure; and risks of transporting, storing, treating, and disposing of hazardous materials and wastes. Any hazardous waste transport, use, and/or disposal that would occur with operation of the Project would be less than significant with adherence to the existing regulations.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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). An airport influence area includes areas in which current or future airport-related safety, noise, airspace protection, or overflight factors may significantly affect land uses or necessitate restrictions on those uses. The entirety of the City of Ontario is within the ONT influence area. The Project site is located within the ONT airport influence area but outside the airport safety zones. The Project site lies outside the boundaries of the Chino Airport Influence Area.

The Project 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 required to file and record an Avigation Easement with the Ontario International Airport Authority prior to obtaining a Certificate of Occupancy. Any potential impact would be considered less than significant.

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

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The proposed Project does not include any changes to surrounding

roadways. The City's Safety Element, as included within TOP, includes policies and procedures to be administered in the event of a disaster. TOP 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 proposed Project would comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the Project will comply with all applicable City codes, any impacts would be reduced to a less than significant level.

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

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion of Effects: The Project site is located within an urban industrial area and does not include any changes to roadways. Additionally, according to CalFire mapping, the Project site is not located in or near a State Responsibility Area (SRA), nor is it located in or near lands identified as a Fire Hazard Severity Zone (FHSZ). The closest FHSZ is approximately three miles from the Project site. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR; no significant wildland fire impact would occur.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance.

Additionally, the Project applicant would be required to submit a Water Quality Management Plan (WQMP), which would establish the site's compliance with storm water discharge and water quality management requirements. The WQMP 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. Furthermore, prior to Grading Plan approval and the issuance of a grading permit, an Erosion and Sediment Control Plan must be approved by the Engineering Department. The Erosion and Sediment Control Plan will specifically identify the Best Management Practices (BMPs) that will be implemented on the Project during construction, to

reduce the discharge of sediment and other pollutants into the City's storm drain system. Adherence to federal and state regulations, City ordinances, and TOP policies would result in a less-than-significant impact.

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

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface.

As described in the City's Urban Water Management Plan, the Chino Basin is the City's main source of water supply. Chino Basin encompasses about 235 square miles of the upper Santa Ana River watershed and lies within portions of San Bernardino, Riverside, and Los Angeles counties. The Chino Basin has approximately 5 to 7 million acre feet of water in storage, and an estimated 1 million acre-feet of additional unused storage capacity.

TOP FEIR assumed development on the Project site would be an industrial use. The proposed Project includes warehouse uses, which would generally have a lower water demand than Office/Research & Development (Office/R&D), which was the prior zoning of the Project site. Therefore, this would result in a decrease in demand on groundwater supplies compared to what was evaluated within the TOP FEIR.

While construction of the proposed Project would result in an increase in impervious surfaces, which would decrease the amount of groundwater recharge that occurs on the Project site, given the total size of the Chino Basin, this decrease in pervious surface would not be considered to interfere substantially with groundwater recharge. This potential impact would be considered less than significant.

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

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?

Discussion of Effects: The Project site is currently undeveloped, and construction of the proposed Project would change the existing drainage pattern of the Project site. However, the Project applicant would be required to submit an Erosion and Sediment Control Plan which would be approved by the Engineering Department. The Erosion and Sediment Control Plan would specifically identify the Best Management Practices (BMPs) that would be implemented on the Project site during construction to reduce the discharge of sediment and other pollutants into the City's storm drain system. Furthermore, stormwater generated by the Project would be discharged

in compliance with the statewide NPDES Permit and San Bernardino County MS4 permit requirements. Implementation of a Storm Water Pollution Prevention Plan (SWPPP), the BMPs included in the SWPPP, and an Erosion and Sediment Control Plan would reduce any impacts to below a level of significance. No streams or streambeds are present on the site.

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

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

Discussion of Effects: For Building A, runoff from the east portion of the site, along with the northerly landscaped area, would be conveyed through storm drain Line A. Runoff from the west half of the site along with the parking lot to the south of the building would be conveyed through storm drain Line B. These storm drain lines would discharge into an underground infiltration chamber system located in the central portion of the site. The underground infiltration system would be sized to capture and retain the required water quality design capture volume, as well as mitigate discharge to existing conditions for the project site. The system would have a footprint of approximately 54-feet by 160-feet and consist of 60-inch diameter perforated corrugated metal pipes surrounded by gravel. The excess flow generated from higher storm events would be designed to back up in proposed Line A, which would convey and then discharge to the existing private storm drain line in Toyota Way.

For Building B, runoff from the area to the north of the building would be conveyed through storm drain Line C. Runoff from the area to the south of the site would be conveyed through storm drain Line D. The proposed storm drain lines would discharge into an underground infiltration chamber system located in the southwest portion of the site. The underground infiltration system would be sized to capture and retain the required water quality design capture volume. The system would have a footprint of approximately 24-feet by 105-feet and consist of 60-inch diameter perforated corrugated metal pipes surrounded by gravel. The excess flow generated from higher storm events would be designed to back up in proposed Line D and release in Line E, which would convey and then discharge to the existing private storm drain line in Toyota Way. On- or off-site flooding impacts would be considered less than significant.

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

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?

Discussion of Effects: Please see Section 10.b.ii for a discussion of on-site storm drainage facilities. The proposed Project's underground infiltration system would be sized to capture and retain the required water quality design capture volume as well as mitigate discharge to existing conditions for the Project site.

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

f. Otherwise substantially degrade water quality or potential for discharge of storm water to

affect the beneficial uses of receiving water?

Discussion of Effects: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

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

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion of Effects: The project site is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, no impacts are anticipated.

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

h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of the Policy Plan (General Plan), the site lies outside of the 100-year flood hazard area. Therefore, no adverse impacts are anticipated.

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

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of The Ontario Plan, the site lies outside of the 100-year flood hazard area. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

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

j. Expose people or structures to inundation by seiche, tsunami or mudflow?

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. According to FEMA mapping, the Project site is not located in a known floodplain. No

wetlands have been mapped on the Project site according to the NWI. The Project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Additionally, the Project site is not next to a large body of water. Therefore, the Project would not have a significant risk of flood hazard, tsunami, seiche zones.

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

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community or between a community and outlying area. The Project site is located in an area that is currently developed with urban land uses. This Project would be of similar design and size to surrounding development, and would not change any public roadways. The proposed Project would not physically divide an established community.

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

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

Discussion of Effects: The proposed project is consistent with The Ontario Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

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

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None required.

12. MINERAL RESOURCES. Would the project:

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

Discussion of Effects: As shown in Figure 5.11-1 of TOP FEIR, the Project site is located within an area identified as Mineral Resource Zone 3 (MRZ-3). As described in TOP FEIR, a designation of MRZ-3 indicates the significance of mineral deposits cannot be determined from available data.

The Project site is located within a mostly developed area surrounded by urban land uses

and, as noted in TOP FEIR, development in a MRZ-3 would not result in significant impacts as mineral resources of statewide or local importance are not identified in the California Geological Survey PC maps. Therefore, this potential impact would be considered less than significant.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: The Project site is not identified as a locally important mineral resource recovery site on a local general plan, specific plan, or other land use plan, and there are no known mineral resources on the Project site. No mineral resource impacts would occur.

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

13. NOISE. Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: Construction Noise. As described in TOP FEIR, there are two types of short-term noise impacts could occur during construction. First, the transport of workers and movement of materials to and from the site could incrementally increase noise levels along local access roads. However, the amount of construction traffic is typically small in relation to the total daily traffic volumes on those roadway segments.

The second type of short-term noise impact is related to demolition, site preparation, grading, and/or physical construction. Construction is performed in distinct steps, each of which has its own mix of equipment, and, consequently, its own noise characteristics. However, despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Construction of individual developments associated with buildout of TOP Land Use Plan would temporally increase the ambient noise environment. However, the City of Ontario restricts the hours of construction activities to the least noise-sensitive portions of the day. According to the Municipal Code, construction activities are restricted to the weekday hours of 7:00 AM to 6:00 PM and 9:00 AM to 6:00 PM on Saturday and Sunday. However, construction activities may occur outside of these hours if the City determines that the maintenance, repair, or improvement is necessary to maintain public services or cannot feasibly be conducted during normal business hours, or if construction activities comply with the stationary source noise standards of the Municipal Code (see Table 5.12-4 of TOP FEIR). Because construction activities associated with any individual development may occur near noise-sensitive receptors and noise disturbances may occur for prolonged periods of time, construction noise impacts from buildout of the Land Use Plan are considered significant.

The Project site is identified as industrial use in TOP Land Use Plan. The industrial land use designation is generally not considered a noise sensitive land use. The Project is located in an industrial area and there are no noise-sensitive receptors in the immediate vicinity that may be disturbed by construction of the proposed Project. In addition, the following mitigation measure from TOP FEIR would be applicable:

Mitigation Measures 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 nonessential 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.

Operational Noise. As described in TOP FEIR, the northeastern portion of the City of Ontario is characterized by industrial warehousing operations. In addition to on-site mechanical equipment, warehousing and industrial land uses generate substantial truck traffic that results in additional sources of noise on local roadways in the vicinity of industrial operations.

The City of Ontario regulates noise sources within the City through the City's Municipal Code (Title 5, Chapter 29, Noise). The City of Ontario Municipal Code has established noise standards for stationary source noise levels, as shown in Table 5.12-4 of TOP FEIR, *City of Ontario Maximum Permissible Exterior Noise Levels*, at various categories of land uses in the City. The City applies the Noise Control Ordinance standards to non-transportation noise sources. These standards do not gauge the compatibility of developments in the noise environment, but provide restrictions on the amount and duration of noise generated at a property, as measured at the property line of the noise receptor.

Industrial noise is less intermittent and can have moderate to high levels on a continual basis. TOP proposes 159,998,711 square feet of industrial land uses at buildout. As shown in Figure 3-6 for TOP FEIR, proposed industrial areas are centered around the Ontario International Airport (ONT) and Chino Airport. In general, new industrial areas would be buffered by business park uses or located around existing major noise sources that would mask most industrial noise (e.g., freeways, Chino Airport, ONT). The siting of new industrial developments may increase noise levels to nearby uses. This can be due to the continual presence of heavy trucks used for the pick-up and delivery of goods and supplies, or from the use of noisy equipment used in the manufacturing or machining process. While vehicle noise on public roadways is exempt from local regulation, for the purposes of the planning process, it may be regulated as a stationary-source noise while operating on private property. To regulate stationary-source noise created by industrial machinery and tools from affecting sensitive land uses, the City of Ontario requires industrial operations to limit noise to no greater than the maximum allowable noise levels as described in the Noise Ordinance.

As shown in TOP FEIR Figure 5.12-6, future noise levels from surface transportation are expected to be between 65 and 75 dBA CNEL, depending on the location within the Project site. Part of the Project site would be expected to experience a 3 to 4 dBA CNEL increase associated with buildout of TOP land use plan.

The proposed Project would be required to comply with the City's Noise Ordinance (Title 5, Chapter 29, Noise). Compliance with the noise ordinance would result in noise levels that are acceptable to the City and would result less than significant noise impacts from stationary sources.

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

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

Discussion of Effects: The Proposed Project would involve a warehouse use, and excessive

groundborne vibration or groundborne noise levels are not anticipated with operation of the Project.

Groundborne vibration may occur as part of the construction of the proposed Project. As described in TOP FEIR, construction operations can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, and slight structural damage at the highest levels.

The Project site is located within an industrial area, and there are no noise-sensitive receptors in the immediate vicinity. As specific construction equipment use is not known at this time, the following mitigation measure included in TOP FEIR would be applicable to the Project site, and reduce the potential impact to a less-than-significant level:

Mitigation Measures 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).

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

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: The project will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels because of the limited size and scope of the project. Moreover, the proposed use will be required to operate within the noise levels permitted for commercial development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels within the vicinity of the project are anticipated.

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

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Temporary construction activities will minimally impact ambient noise levels. All construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels.

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

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

Discussion of Effects: According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. However, the project is located outside of the 65CNEL noise contour. Therefore, no impacts are anticipated.

Mitigation: None required.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

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

14. POPULATION & HOUSING. Would the project:

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

Discussion of Effects: This proposed Project includes construction of two warehouse buildings and associated site improvements. The Project does not include new housing or a large employment generator, which could directly induce substantial unplanned population growth. Additionally, the proposed Project does not include the expansion of infrastructure, which could indirectly cause unplanned population growth. No population growth impacts are anticipated.

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

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

Discussion of Effects: The Project site is currently vacant and does not include any housing units. Construction of the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing; no impact would occur.

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

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

Discussion of Effects: The project site is currently undeveloped. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and

addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 Ontario Fire Department provides fire service to the Project site. The Ontario Fire Department has ten fire stations, including the Ontario International Airport (ONT) fire station. These fire stations house nine 4-person paramedic engine companies, three 4-person truck companies, an 8-person ARFF station, one fire investigation supervisor, and two battalion chiefs. The closest fire station to the Project site is Ontario Fire Department Station 7, located at 4901 Vanderbilt Street, which is approximately one mile from the Project site.

In 2020, the Ontario Fire Department responded to over 20,000 calls for service, approximately 55 calls per day, ranging from medical emergencies to a traffic collisions to large commercial fires. Ontario Fire Department has 221 personnel comprised of 182 sworn firefighters and 39 professional staff members serving our community across five bureaus – Operations, Fire Prevention, Support Services/Airport Operations, EMS, and Administrative Services.

As described in TOP FEIR, firefighter staffing needs are determined by the Ontario Fire Department by the number of calls and requests for fire services within the service area. The Fire Department also reviews service contracts with the California Department of Forestry to ensure fire services in times of emergency. To ensure the provision of adequate fire protection services, the City of Ontario has established a Development Impact Fee Program to provide funding for services within the City. Fees collected from developers are placed in a fire services fund that can be expended for the acquisition or construction of new fire services facilities and for the improvement or expansion of the City's existing fire service capabilities, provided that such expenditure from the fund has been authorized by the City Council. The Project applicant would be required to pay all appropriate fire service development fees.

Additionally, as described in detail in TOP FEIR, future growth in accordance with TOP is expected to increase the demand for fire services throughout the city but especially in the New Model Colony (NMC). The Development Impact Fee and Nexus Schedule (2005) recommends that two new stations would be built in the Old Model Colony (OMC) to replace stations number 3 and 7 and that four new stations be built in the NMC. The funding needed to build these stations has been assessed and incorporated into the fee schedule and it would be adequate for the proposed development and relocation of stations. Various localized environmental impacts related to construction of new fire stations could occur; however environmental review would occur once site specific plans have been developed.

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

ii. Police protection?

Discussion of Effects: The Ontario Police Department is a full-service police agency providing a wide range of crime suppression, education, and prevention services to the community. The Ontario Police Department has three main service bureaus: the Uniform Bureau,

Investigations Bureau, and Service Bureau. Within these bureaus, the department comprises the Police Administration, Air Support Unit, Community Oriented Problem Solving unit, Special Weapons and Tactics Team, Traffic Division, Communications Division, Investigation Division, and Crime Prevention Division.

The Ontario Police Department has implemented a geographical based policing program. As part of this "Geo-Policing" program, the city has been divided into three geographical areas: West, East, and South. Each area has an assigned Lieutenant as Area Commander. The Area Commander is responsible for the delivery of police services in their area of control with an emphasis on the preservation and improvement of the quality of life, safety, and economic value of those who live and do business in the city. Each area has dedicated teams of officers and corporals, headed by police sergeants, who work day-to-day (24/7) patrol operations; traffic officers; Community Oriented Problem Solving (C.O.P.S.) officers, who work special projects; narcotics investigators; and detectives. The Project site is located within the East Area Command.

As described in TOP FEIR, buildout of TOP would result in an increase in demand for police protection services within the City. New facilities, equipment, and personnel may be necessary to maintain adequate levels of service. Development within the City would be subject to development impact fees that would pay for police services. The police services required to cover the new development and population growth for the City of Ontario would be assessed and acquired appropriately based on the needs of the City. The police services would receive adequate funding through the City's general fund to cover Project needs.

Buildout of TOP would result in an impact on the Ontario Police Department and their ability to deliver police services in a timely manner. Buildout of TOP would require the hiring of new staff and the building of new facilities. Environmental impacts would result from the construction of these facilities and each project would have to complete environmental review under CEQA. Various localized environmental impacts related to construction of new police facilities could occur; however environmental review would occur once site specific plans have been developed and potential environmental impacts would be reduced to less than significant through mitigation and compliance with existing regulations.

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

iii. Schools?

Discussion of Effects: The proposed Project does not include residential uses and is not expected to directly increase demand for school services. The proposed Project would be required to pay applicable development impact fees to the Cucamonga School District and the Chaffey Joint Union High School District, which provide school services to the Project site and surrounding area. Currently, the Cucamonga School District collects a development fee of \$0.228 per square foot of Industrial/Warehouse/Manufacturing Use. Based on a revenue sharing agreement, the Chaffey Joint Union High School District receives approximately 31 percent of the school impact fee collected. Payment of school impact fees, as allowed by Government Code 65996, are meant to offset increased student enrollment and has been deemed by the State legislature (per Government Code Section 65995(h)) to constitute full and complete mitigation of impacts of a development project on the provision of adequate school facilities. No impacts are anticipated.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered

and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis are necessary.

iv. Parks?

Discussion of Effects: This proposed Project includes construction of two warehouse buildings and associated site improvements. The Project does not include new housing or a large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities; this potential impact would be considered less than significant.

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

v. Other public facilities?

Discussion of Effects: This proposed Project includes construction of two warehouse buildings and associated site improvements. The Project does not include new housing or a large employment generator that would cause an increase in the use of public facilities, such as libraries; this potential impact would be considered less than significant.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 proposed Project includes construction of two warehouse buildings and associated site improvements. The Project does not include new housing or a large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities; this potential impact would be considered less than significant.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: The Project does not include construction of recreational facilities. Additionally, the Project is not proposing any new housing or a large employment generator that would require the construction or expansion neighborhood parks or other recreational facilities; this potential impact would be considered less than significant.

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

17. TRANSPORTATION/TRAFFIC. Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to?

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to be increased as a result of this Project. Less than significant impacts are anticipated.

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

b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: TOP FEIR concluded that trips generated as a result of buildout TOP Land Use Plan would cause a deficient level of service (LOS) for existing area intersections without implementation of the recommended lane geometry improvements. In addition, buildout of TOP 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. TOP FEIR Mitigation Measure 16-1 includes development of more enhanced intersections throughout the City, as identified in Table 5.16-6 of TOP FEIR, and construction of additional turn and through lanes. As further described in TOP FEIR, implementation of these improvements would result in LOS E or above at all intersections during both AM and PM peak hours. With implementation of the mitigation measure, impacts to local roadways would be less than significant. However, buildout of TOP Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to mainline freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under the sole jurisdiction of the California Department of Transportation (Caltrans), such as freeway mainline segments, and the City cannot widen the freeway itself. Consequently, impacts to freeway segments within the City were identified as significant and unavoidable.

As described in more detail in Section 17.b, below, the proposed Project is forecast to generate fewer trips than the original zoning of the site, which was incorporated in TOP FEIR. The traffic impacts associated with the proposed Project would be considered consistent with and less than the traffic impacts projected and analyzed in TOP FEIR. The proposed Project would not create an increase in the number of vehicle trips, traffic volume, or congestion at intersections than has already been evaluated in TOP FEIR.

As described in TOP FEIR, the Mobility Element would introduce and implement various strategies and approaches to accommodate multiple modes of travel. The plan accounts for improvements and enhancements to roadways (for passenger cars, trucks, buses, and bicycles), rail lines (for freight and passenger rail), and trails and walkways (for bicycles and pedestrians). The strategies and approaches to improvements to public transit and nonmotorized transportation would ensure that this impact would be less than significant. Construction of the proposed Project would not impede implementation of the strategies identified in the Mobility Element, and the impact would be considered less than significant.

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

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a

change in location that results in substantial safety risks?

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it is under such height restrictions. No impacts are anticipated.

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

d. 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 update as part of the implementation of SB 743, which requires local jurisdictions use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. 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. TOP FEIR was certified prior to adoption of SB 743. As such, the analysis of traffic impacts within TOP FEIR is based on Level of Service (LOS) methodologies, not Vehicle Miles Travelled (VMT). As TOP FEIR relies on LOS for the analysis of the transportation impacts, this Addendum also includes a discussion of LOS.

TOP FEIR concluded that trips generated as a result of buildout of TOP Land Use Plan would cause a deficient LOS for the existing area intersections without implementation of the recommended lane geometry improvements. In addition, buildout of TOP Land Use Plan would also cumulatively contribute to the cumulatively significant freeway level of service impact that were projected to occur in the future. TOP FEIR Mitigation Measure 16-1 includes development of more enhanced intersections throughout the City, as identified in Table 5.16-6 of the TOP FEIR, and construction of additional turn and through lanes. As further described in TOP FEIR, implementation of these improvements would result in LOS E or above at all intersections during both AM and PM peak hours. Under the City's development impact fee program, project applicants for new developments can either contribute their fair share toward traffic improvements or make the improvements as part of the project. Additionally, the City of Ontario has a Capital Improvement Program that details the implementation of regional improvements. With implementation of the mitigation measure, impacts to local roadways would be less than significant. However, buildout of TOP Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to mainline freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans' sole jurisdiction, such as freeway mainline segments, and the City cannot widen the freeway itself. Consequently, impacts to freeway segments within the City were identified as significant and unavoidable.

TOP FEIR analysis assumed that the Project site would have an Industrial land use. The Toyota/Ontario Business Park Specific Plan identified the site as having a maximum development potential of 300,000 square feet. The Specific Plan Amendment to the Toyota/Ontario Business Park Specific Plan adopted by the City Council in 2020 changed the zoning of the site from Office/Research & Development (Office/R&D) to Industrial Mixed Use. The proposed Project includes development of two warehouse buildings totaling 168,772 square feet, which includes approximately 15,000 square feet of office space and approximately 153,772 square feet of warehouse space.

To evaluate the potential change in trips associated with the Specific Plan Amendment for the Project site, Ganddini evaluated the trip generation associated with the original Office/Research and Development zoning designation, as well as the development for the Specific Plan Amendment. It should be noted that for the Specific Plan Amendment development

analysis, the Ganddini Group evaluated a development scenario that was slightly larger (approximately 4,475 square feet) than what the Project proposes. As shown in Table 5, the Proposed Project would result in a reduction in the number of trips generated on the Project site compared to the prior zoning designation.

Table 5: Trip Generation Comparison								
Zoning	Quantity	Trip Generation						Daily
		AM Peak Hour			PM Peak Hour			
		In	Out	Total	In	Out	Total	
Original Zoning (Office)	300,000 SF	299	49	348	55	290	345	2,922
Proposed (Warehouse)	173,247 SF ^(A)	35	14	49	16	36	52	394
Trip Generation Comparison (Proposed – Original)		-264	-35	-299	-39	-254	-293	-2,528
Source: Ganddini Group Inc, 2019.								
^(A) While the proposed Project includes 168,772 square feet of floor area, the Ganddini report analyzed impacts from 173,247 square feet of floor area.								

The proposed Project is forecast to generate fewer trips than the original zoning of the site. The traffic impacts associated with the proposed Project would be considered consistent with and less than the traffic impacts projected and analyzed with TOP FEIR. The proposed Project would not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections than has already been evaluated within the FEIR.

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

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

Discussion of Effects: The Project is in an area that is mostly developed, and no alterations are proposed for adjacent intersections or arterials. The Project would not create a substantial increase in hazards due to a design feature; this potential impact would be considered less than significant.

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

f. Result in inadequate emergency access?

Discussion of Effects: The proposed Project would not include any changes to adjacent roadways. Additionally, development of the proposed Project includes fire lanes and would provide access for all emergency vehicles. The proposed Project would not result in a significant impact related to inadequate emergency access.

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

g. Result in inadequate parking capacity?

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

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

h. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Discussion of Effects: The 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. In compliance with AB 52, 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 agricultural use from the 1940's through the 1960's and the development and construction of the Toyota Motors North American Parts Center and supporting infrastructure that would have displaced surface and subsurface archaeological resources. Therefore, it is concluded that the proposed Project would not impact Tribal Cultural Resources or Native America artifacts relating to TCR's and as such, no mitigation measures are recommended.

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

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

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

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

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system and which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. The project will therefore not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

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

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: As described in TOP FEIR, the potable water network in Ontario includes 536 miles of pipeline, ranging from 2 to 42 inches in diameter. The City has four pressure zones. Locally obtained water comes from approximately 20 operating groundwater wells in Ontario and the Chino Basin Desalter Authority (CDA). The Project Site would be served by City of Ontario water system and there is a 12-inch water line available for connection in Jurupa Street.

TOP FEIR includes a discussion of the City's sewer system. The City sewer mains are primarily constructed of vitrified clay pipe ranging from 4 to 42 inches in diameter. Approximately 75 percent of the pipes are 8 inches in diameter. The City's sewers are classified into two groups: primary sewers, greater than 15 inches in diameter, and secondary sewers, 15 inches or smaller in diameter. The City has about 375 miles of gravity sewers. The City's wastewater collection system also consists of two City-owned pump stations, one privately owned/City-maintained pump station, over 7,000 feet of associated force mains, and five siphons. The Project would connect to an 8-inch sewer line off Jurupa Street.

Wastewater generated at the Project site would be treated by the Inland Empire Utilities Agency at Regional Water Recycling Plant No. 1 (RP-1). RP-1 is located in the City of Ontario and has undergone several expansions to increase the design hydraulic domestic wastewater treatment capacity to 44 million gallons per day. The plant treats an average influent wastewater flow of approximately 28 million gallons per day. The plant serves areas of Chino, Fontana, Montclair, Ontario, Rancho Cucamonga, Upland, and solids removed from RP-4, located in Rancho Cucamonga. RP-1 has treatment capacity and future development of this Project site would not cause RP-1 to exceed capacity.

The City of Ontario maintains the local stormwater drainage system, which includes regional (major) drainage facilities designed to convey peak 100-year discharge flows and secondary drainage facilities designed for peak 10-, 25-, or 100-year flows that convey locally generated flows to regional facilities. The City's stormwater is collected and diverted into various channels that empty into the Santa Ana River; a small portion is reclaimed in spreading basins for reuse as percolated groundwater. The primary direction of drainage flow in the Chino watershed is from the San Gabriel Mountains southward to the Santa Ana River, then southwest in the river.

For Building A, runoff from the east portion of the site, along with the northerly landscaped area, would be conveyed through storm drain Line A. Runoff from the west half of the site along with the parking lot to the south of the building would be conveyed through storm drain Line B. These storm drain lines would discharge into an underground infiltration chamber system located in the central portion of the site. The underground infiltration system would be sized to capture and retain the required water quality design capture volume, as well as mitigate discharge to existing conditions for the Project site. The system would have a footprint of approximately 54-feet by 160-feet and consist of 60-inch diameter perforated corrugated metal pipes surrounded by gravel. The excess flow generated from higher storm events would be designed to back up in proposed Line A, which would convey and then discharge to the existing private storm drain line in Toyota Way.

For Building B, runoff from the north of the building would be conveyed through storm drain Line C. Runoff from the south of the building would be conveyed through storm drain Line D. The proposed storm drain lines would discharge into an underground infiltration chamber system located in the southwest portion of the site. The underground infiltration system would be sized to capture and retain the required water quality design capture volume. The system would have a footprint of approximately 24-feet by 105-feet and consist of 60-inch diameter perforated corrugated metal pipes surrounded by gravel. The excess flow generated from higher storm events would be designed to back up in proposed Line D and release in Line E, which would convey and then discharge to the existing private storm drain line in Toyota Way.

The proposed Project would not require the construction of new water or wastewater treatment facilities, or the expansion of existing facilities. As discussed in the Energy Section above (Section 6), the Project would have less than significant impacts with regard to electric power and natural gas. In addition, the Project would not have an impact on telecommunications facilities. Construction and operation of the proposed Project would result in a less than significant impact related to utilities services.

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

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: As a water supplier, the City is required to prepare and Urban Water Management Plan (UWMP). A UWMP provides a framework for long term water supply and evaluates existing water conservation efforts. As described in the City's UWMP, purchased water and groundwater supplies are sufficient in meeting the City's water demands under all base years, including during normal, single, and multiple dry years. Sufficient water supplies are available to serve the proposed Project.

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

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

Discussion of Effects: Wastewater generated at the Project site would be treated by the Inland Empire Utilities Agency at the Regional Water Recycling Plant No. 1 (RP-1). RP-1 is located in the City of Ontario and has undergone several expansions to increase the design hydraulic domestic wastewater treatment capacity to 44 million gallons per day. The plant treats an average influent wastewater flow of approximately 28 million gallons per day. The plant serves areas of Chino, Fontana, Montclair, Ontario, Rancho Cucamonga, Upland, and solids removed from the Regional Water Recycling Plant No. 4 (RP-4), located in Rancho Cucamonga. RP-1 has treatment capacity, and future development of this Project site would not cause RP-1 to exceed capacity.

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

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: None required.

g. 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: As described in TOP FEIR, increases in population in the City of Ontario would result in increases in solid waste disposal needs. Buildout of TOP would result in the generation of 2,017 tons per day of solid waste in the City. This would be 1,009 more tons per day

(368,488 more tons per year) of solid waste than in 2007. To reduce waste disposal, AB 939 requires every California city and county to divert 50 percent of its waste from landfills by the year 2000. The City of Ontario has met this waste diversion requirement through local recycling programs and participation in regional recycling programs.

As noted in TOP FEIR, the El Sobrante landfill has a capacity of 184,930,000 tons and is expected to close in 2030. Growth in the surrounding communities that use El Sobrante landfill will cause additional increases in waste generation. According to AB 939, jurisdictions are required to begin planning for new landfills when the jurisdiction's primary disposal site reaches its 15-year capacity. To reduce waste disposal, AB 939 also requires every California city and county to divert 50 percent of its waste from landfills by the year 2000. The City of Ontario has exceeded this requirement by diverting approximately 64 percent of waste through local recycling programs and participation in regional recycling programs. Continuation of these recycling programs would ensure compliance with AB 939. All impacts on waste disposal services would be less than significant.

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

- h. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: The proposed Project would comply with all with federal, state, and local statutes and regulations regarding solid waste; potential impacts would be considered less than significant.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 was not analyzed in TOP FEIR but has since been included as part of the 2019 revisions to the State CEQA Guidelines. A discussion of potential wildfire impacts is provided below.

The Project site is located within an urban industrial area and does not include any changes to roadways. Additionally, according to CalFire mapping, the Project site is not located in or near a State Responsibility Area (SRA), nor is it located in or near lands classified as a Fire Hazard Severity Zone (FHSZ). The closest FHSZ is approximately three miles from the Project site. The proposed Project would not substantially impair and emergency response or evacuation plan.

Mitigation: No new mitigation measures are required. The proposed Project would not result in any new significant impacts. No changes or additions to TOP FEIR analysis 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 an SRA nor is it located in or near lands classified as a very high FHSZ. The closest FHSZ is approximately three miles from the Project site. This potential impact would be considered less than significant.

Mitigation: No new mitigation measures are required. The proposed Project would not result in any new significant impacts. No changes or additions to TOP FEIR analysis 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 proposed Project would include construction of two warehouse buildings and associated onsite improvements, and would not require the installation of off-site infrastructure, such as roads, fuel breaks, emergency water sources, or other utilities. The Project site is not located in or near an SRA nor is it located in or near lands classified as a very high FHSZ. The closest fire hazard severity zone is approximately three miles from the Project site. This potential impact would be considered less than significant.

Mitigation: No new mitigation measures are required. The proposed Project would not result in any new significant impacts. No changes or additions to TOP FEIR analysis 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 relatively flat and is located in an urban industrial area. The Project site is not located in or near an SRA nor is it located in or near lands classified as a very high FHSZ. The closest FHSZ is approximately three miles from the Project site. This potential impact would be considered less than significant.

Mitigation: No new mitigation measures are required. The proposed Project would not result in any new significant impacts. No changes or additions to TOP FEIR analysis are necessary.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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 results of the preceding analysis indicate that the proposed Project would have less-than-significant impacts to sensitive biological, historical, archaeological, and paleontological resources with implementation of the mitigation measures identified in TOP FEIR and the City's Standard Conditions of Approval. Impacts related to degradation of the environment would be less than significant and no additional mitigation is required.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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 proposed Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. TOP land use

plan has anticipated industrial uses on the Project site, and all applicable TOP FEIR mitigation measures and City Standard Conditions of Approval would be applicable.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: Cumulative impacts resulting from the development of the Project site were included in TOP FEIR analysis. The proposed Project does not include any changes to land use plan designations and thus is generally consistent with the project analyzed in TOP FEIR. The proposed Project's individual contribution to potentially significant cumulative impacts is not considerable and no mitigation is required.

Mitigation: No additional mitigation is required. The proposed Project would not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analysis 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: As supported by the preceding environmental evaluation, the proposed Project would not result in substantial adverse effects on human beings. It has been determined through analysis within TOP FEIR and this Addendum that the proposed Project would not result in a significant substantial adverse effect on human beings.

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

EARLIER 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 analyzes used and state where they are available for review.

- a) The Ontario Plan Final Environmental Impact Report
- b) The Ontario Plan
- c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal

standards.

MITIGATION MEASURES

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

The Mitigation Measures contained in the Certified TOP Final Environmental Impact Report adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the attached Mitigation Monitoring and Reporting Program.

No additional mitigation beyond that previously imposed is required.

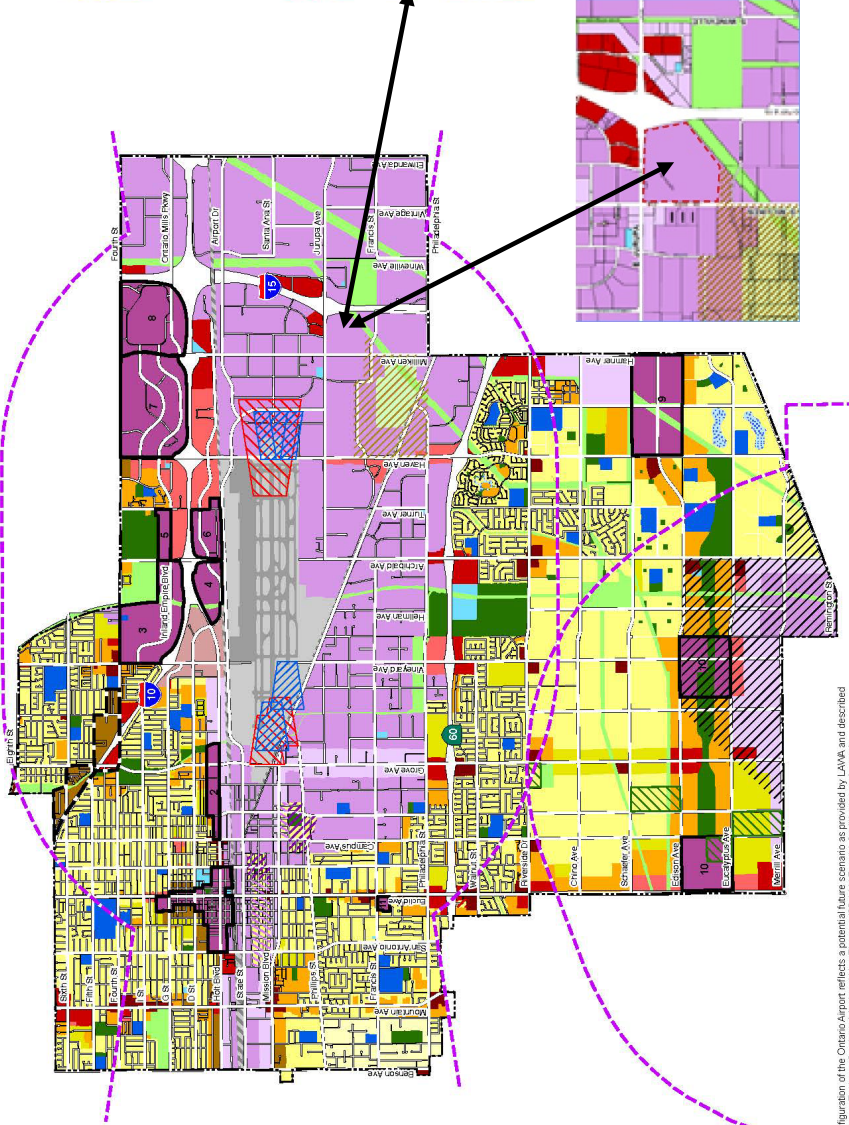
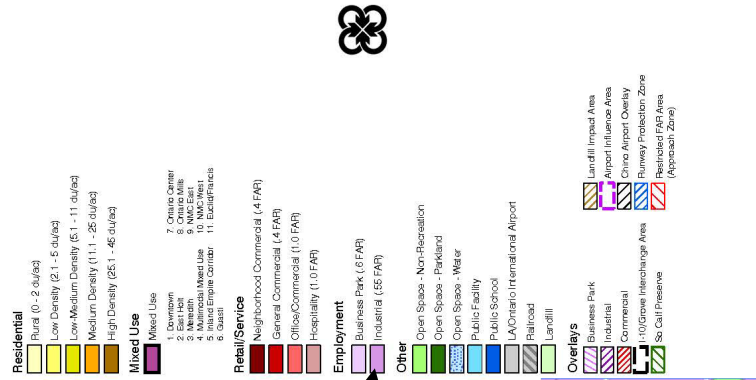
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Exhibit A TOP EIR Figure 1-3, Proposed Land Use Plan

1. Executive Summary

Proposed Land Use Plan

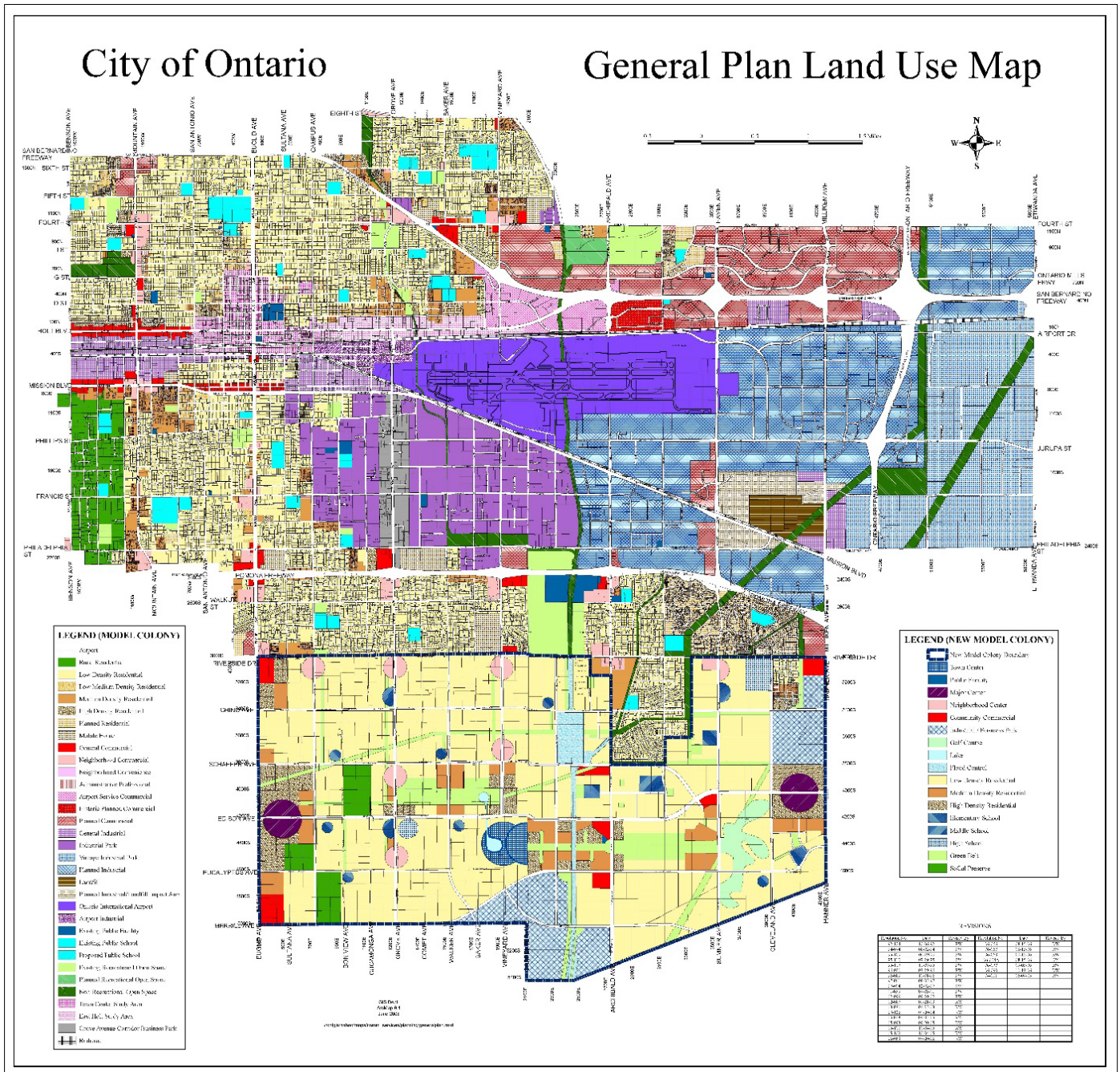


Note: The depiction of the Chino Airport reflects a potential future scenario as provided by LARL and described in the Airport Element Section of the Land Use Element (25-4 MAP and 1 in million tons of cargo).

The Ontario Plan Draft EIR

The Planning Center • Figure 1-3

Exhibit B 1992 General Plan Land Use Map



Attachment B—Departmental Conditions of Approval

(The Departmental Conditions of Approval follow this page)



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 11/18/2021

File No: PMTT21-010

Related Files: PDEV21-018

Project Description: A Parcel Map to subdivide 95.35 acres of land into three parcels to facilitate the construction of two industrial buildings on land located at 1425 South Toyota Way, on the southeast corner of Jurupa Street and Milliken Avenue, within the Industrial Mixed use and Warehouse/Distribution land use districts of the Toyota Ontario Business Park Specific Plan; (APN: 0238-121-75) **submitted by MIG, Inc.**

Prepared By: Edmelynn V. Hutter, Senior Planner
Phone: 909.395.2429 (direct)
Email: ehutter@ontarioca.gov

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

- (iii) Shared parking facilities and access drives; and
- (iv) Utility and drainage easements.

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

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

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

2.5 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report** (State Clearinghouse No. 2008101140). 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.

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

2.7 Additional Fees.

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Matt Montieth, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department

FROM: Edmelyne Hutter, Senior Planner

DATE: October 07, 2021

SUBJECT: FILE #: PMTT21-010

Finance Acct#:

Revision #2

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 Parcel Map to subdivide 13.07 acres of land into three (3) parcels located at southeast corner of Jurupa Street and Milliken Avenue, within the Office/R-D and Warehouse/Distribution land use districts of the Toyota Business Park Specific Plan (APN(s): 0238-121-75). Related File(s): PDEV21-018.

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

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Department: Landscape Planning Division
Signature: *J. P. Richardson*
Title: landscape Planner
Date: 10/16/21



**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 checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
PROJECT FILE NO. PMTT21-010 RELATED FILE NO(S). PDEV21-018		
<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: **Edmelynn Hutter (909) 395-2429**

DAB MEETING DATE: **December 20, 2021**

PROJECT NAME / DESCRIPTION: **PM-20147, a Tentative Parcel Map to subdivide 13.07 acres of land into three (3) parcels within the Office/R-D and Warehouse/Distribution land use districts of The Toyota Business Park Specific Plan**

LOCATION: **Southeast corner of Jurupa Street and Milliken Avenue**

APPLICANT: **MIG, Inc.**

REVIEWED BY: *Raymond Lee* 11/29/21
 Raymond Lee, P.E. **Date**
 Assistant City Engineer

APPROVED BY: *Khôi Do* 11-30-21
 Khôi 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 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, 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):**
 A. **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 Ontario Ranch 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:
 - A. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
 - B. Provide a private access easement across Parcel 1/Toyota Way (private) in favor of Parcels 2 and 3 for ingress and access purposes.

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

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

- 2.01 Record Parcel Map No. 20147 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____ .
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six



months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);

- 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 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 2.13 Ontario Ranch 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).

- 2.14 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.
- 2.15 **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.**
- 2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$270,471, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.17 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	Jurupa Street	Milliken Avenue	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 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 type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main (A) <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 type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
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. For longitudinal trenches over 150' in length, a minimum 10' wide, 2" grind and overlay is required per City Std. No. 1306. See COA 2.18 below.
- B. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
- Milliken Ave from Jurupa Street to Toyota Way. See recycled water main construction listed in COA 2.17 above.



- 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 7-7.302.e of the City's Municipal Code.

- 2.22 **Other conditions:**
 - A. Pay an in-lieu fee for PCC pavement installation at the following signalized intersections:**
 - i. Jurupa Street & Toyota Way
 - ii. Jurupa Street & Milliken Avenue
 - iii. Toyota Way & Milliken Avenue

The fee will be based on an engineer's cost estimate that will be reviewed and approved by the City. The Applicant/Developer will be responsible for their fair share which is equivalent to 25% of the total cost.

C. SEWER

- 2.23 **A 18 inch sewer main is available for connection by this project in Milliken Ave. (Ref: Sewer plan bar code: S10006)**
- 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. Sewer Monitoring Manhole: Each building is to have its own monitoring manhole, on private property, immediately back of the property line.**

D. WATER

- 2.27 **A 16 inch water main is available for connection by this project in Jurupa St and Milliken Ave. (Ref: Water plan bar code: W11713, W10016)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 **A 8 inch recycled water main is available for connection by this project in Jurupa St. (Ref: Recycled Water plan bar code: P10294)**
- 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. Recycled Water Main Extension: Extend by constructing a recycled water main from the intersection of Milliken Avenue and Jurupa Street, south to serve Building A and B, specifically Building B with recycled water.**

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. Replace any existing street light fixtures project frontages of Milliken Avenue and Jurupa Street with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines**
 - B. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**
 - C. Provide reciprocal access with the between the project site and all other adjacent properties.**
 - D. Design and construct proposed driveway in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway along Milliken Avenue.**

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: _____

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 A _____ fiber optic line is available for connection by this project in _____.
(Ref: Fiber Optic plan bar code: _____)
- 2.51 **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 located at the southeast corner of Jurupa St and Milliken Ave. Limits of work are generally located along the project frontages of Jurupa St and Milliken Ave.**



- 2.52 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

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

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

- 2.54 Other conditions:

- A. Organics Separation and Collection: This development shall comply with the Requirements of State Assembly Bill AB341 and AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes. Additional information can be obtained at through the City website at <https://www.ontarioca.gov/IntegratedWaste>:
- B. Three 4-CY Bins Trash Enclosure: Each trash enclosure is to have three 4-cy bins with their respective gate, and a solid roof.
- C. 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 the Integrated Waste Department.
- D. Integrated Waste Management Report (IWMR): Prior to approval of the Precise Grading Plan, submit to OMUC for review and approval, an Integrated Waste Management Report (IWMR) that complies with the IWMR Requirements.

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

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

- 3.02 Complete all requirements for recycled water usage.

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

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

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

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

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

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

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



4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PMTT21-010, PDEV21-018, and/or Parcel Map No. 20147

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Edmelynne Hutter, Senior Planner
Planning Department

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

DATE: May 24, 2021

SUBJECT: PMTT21-010 - A Parcel Map to subdivide 13.07 acres of land into three (3) parcels located at southeast corner of Jurupa Street and Milliken Avenue, within the Office/R-D and Warehouse/Distribution land use districts of the Toyota Business Park Specific Plan (APN(s): 0238-121-75).
Related File(s): PDEV21-018.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Building A = 113,067 Sq. Ft.
Building B = 48,205 Sq. Ft.
- D. Number of Stories: 1 with Mezzanine
- E. Total Square Footage: Building A = 118,067 Sq. Ft.
Building B = 50,705 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): B/S1/F1

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 website 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 3750 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 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. 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. 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.

- ☒ 5.6 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.



CITY OF ONTARIO

MEMORANDUM

TO: Edmelynne Hutter, Senior Planner

FROM: Officer Bill Lee, Police Department

DATE: May 19, 2021

SUBJECT: PMTT21-010- A DEVELOPMENT PLAN TO CONSTRUCT TWO (2) INDUSTRIAL BUILDINGS TOTALING 168,772 SQUARE FEET, LOCATED AT THE SOUTHEAST CORNER OF JURUPA STREET AND MILLIKEN AVENUE. RELATED FILE: PDEV21-018.

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.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-018& PMTT21-010

Address: SEC Jurupa Street & Milliken Avenue

APN: 0238-121-75

Existing Land Use: Vacant and Industrial Building

Proposed Land Use: Development Plan to construct 2 industrial buildings totaling 168,772 SF and Tentative Parcel Map to subdivide 13.07 acres into 3 parcels

Site Acreage: 13.07 Proposed Structure Height: 41 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Edmelynn Hutter

Date: July 6, 2021

CD No.: 2021-030

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="radio"/> Zone 2	<input checked="" 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 checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 FT +</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

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: _____



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 11/18/2021

File No: PDEV21-018

Related Files: PMTT21-010

Project Description: A Development Plan to construct two industrial buildings totaling 168,772 square feet on 13.07 acres of land located at 1425 South Toyota Way, on the southeast corner of Jurupa Street and Milliken Avenue, within the Industrial Mixed Use land use district of the Toyota Ontario Business Park Specific Plan; (APN: 0238-121-75) **submitted by MIG, Inc.**

Prepared By: Edmelynn V. Hutter, Senior Planner
Phone: 909.395.2429 (direct)
Email: ehutter@ontarioca.gov

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

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

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

2.1 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 Architecture Treatment and Building Design.

(a) At locations where changes in parapet wall height meet, the taller parapet must return into the building for a minimum distance of 6 FT, so that the actual thickness of the parapet wall cannot be observed or readily discerned.

(b) Roof access ladders shall be located on the inside of the building.

(c) All building drainage gutters, downspouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color.

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.

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.

(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).

2.7 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

2.8 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.

2.9 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.

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

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

2.12 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).

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;
(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and
(iv) Utility and drainage easements.

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

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

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

2.14 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report** (State Clearinghouse No. 2008101140). 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.

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

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

2.16 Additional Fees.

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

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



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Community Development Director
 Rudy Zeledon, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Matt Montieth, Building Department
 Raymond Lee, Engineering Department
 Jamie Richardson, Landscape Planning Division
 Dennis Mejia, Municipal Utility Company
 Gabriel Gutierrez, Police Department
 Mike Gerken, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Angela Magana, Community Improvement (Copy of memo only)
 Jimmy Chang, IPA Department

Revision #2

FROM: Edmelyne Hutter, Senior Planner

DATE: October 07, 2021

SUBJECT: FILE #: PDEV21-018

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 two (2) industrial buildings totaling 168,772 square feet on 13.07 acres of land located at southeast corner of Jurupa Street and Milliken Avenue, within the Office/R-D and Warehouse/Distribution land use districts of the Toyota Business Park Specific Plan (APN(s): 0238-121-75). Related File(s): PMTT21-010.

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

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

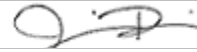
- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Department: Landscape Planning Division Signature: [Handwritten Signature] Title: Landscape Planner Date: 10/6/21

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

CONDITIONS OF APPROVAL

Sign Off



10/6/21

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV21-018

Case Planner:

Edmelynne Hutter

Project Name and Location:

Toyota Business Center – 2 Industrial Buildings
 S/W corner of Milliken Ave and Jurupa Street

Applicant/Representative:

MIG, Inc. – Pamela Steele
 1650 Spruce Street, Suite 106
 Riverside, CA 92614



Preliminary Plans (dated 6/12/21) meets the Standard Conditions for New Development and have been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



Preliminary Plans (dated) have not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Locate the employee break areas in an open area near the building rather than the parking lot.
3. Stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any stormwater devices in parkway areas shall not displace street trees.
4. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
5. Show backflow devices set back 4' from paving all sides. Locate on level grade
6. Civil Plans: 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.
7. Dimension all planters to have a minimum 5' wide inside dimension.
8. 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.
9. Show outdoor employee break area with table or bench and shade trees on the south and west sides.
10. Add Note to Grading Plans: Landscape areas where compaction has occurred due to grading

activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

11. Provide an arborist report and tree inventory as noted in #1.
12. Locate the employee break areas in an open area near the building rather than the parking lot.
13. *Quercus agrifolia* shall be planted in planter spaces greater than 8' wide; use *Quercus ilex* in planter 5' wide.
14. 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.
15. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
16. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
17. Detail irrigation dripline outside of mulched root zone.
18. 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.
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.
20. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplanchek@ontarioca.gov



**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 checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
PROJECT FILE NO. PMTT21-010 RELATED FILE NO(S). PDEV21-018		
<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: Edmelynn Hutter (909) 395-2429

DAB MEETING DATE: December 20, 2021

PROJECT NAME / DESCRIPTION: PM-20147, a Tentative Parcel Map to subdivide 13.07 acres of land into three (3) parcels within the Office/R-D and Warehouse/Distribution land use districts of The Toyota Business Park Specific Plan

LOCATION: Southeast corner of Jurupa Street and Milliken Avenue

APPLICANT: MIG, Inc.

REVIEWED BY: Raymond Lee 11/29/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 11-30-21
 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 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, 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):**
 A. **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 Ontario Ranch 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:
 - A. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
 - B. Provide a private access easement across Parcel 1/Toyota Way (private) in favor of Parcels 2 and 3 for ingress and access purposes.

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

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

- 2.01 Record Parcel Map No. 20147 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____ .
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six



months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);

- 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 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 2.13 Ontario Ranch 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).

- 2.14 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.
- 2.15 **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.**
- 2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$270,471, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.17 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	Jurupa Street	Milliken Avenue	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 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 type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main (A) <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 type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
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. For longitudinal trenches over 150' in length, a minimum 10' wide, 2" grind and overlay is required per City Std. No. 1306. See COA 2.18 below.
- B. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
- Milliken Ave from Jurupa Street to Toyota Way. See recycled water main construction listed in COA 2.17 above.



- 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 7-7.302.e of the City's Municipal Code.

- 2.22 Other conditions:

A. Pay an in-lieu fee for PCC pavement installation at the following signalized intersections:

- i. Jurupa Street & Toyota Way
- ii. Jurupa Street & Milliken Avenue
- iii. Toyota Way & Milliken Avenue

The fee will be based on an engineer's cost estimate that will be reviewed and approved by the City. The Applicant/Developer will be responsible for their fair share which is equivalent to 25% of the total cost.

C. SEWER

- 2.23 A 18 inch sewer main is available for connection by this project in Milliken Ave. (Ref: Sewer plan bar code: S10006)
- 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. Sewer Monitoring Manhole: Each building is to have its own monitoring manhole, on private property, immediately back of the property line.

D. WATER

- 2.27 A 16 inch water main is available for connection by this project in Jurupa St and Milliken Ave. (Ref: Water plan bar code: W11713, W10016)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A 8 inch recycled water main is available for connection by this project in Jurupa St. (Ref: Recycled Water plan bar code: P10294)
- 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. Recycled Water Main Extension: Extend by constructing a recycled water main from the intersection of Milliken Avenue and Jurupa Street, south to serve Building A and B, specifically Building B with recycled water.**

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. Replace any existing street light fixtures project frontages of Milliken Avenue and Jurupa Street with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines**
- B. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**
- C. Provide reciprocal access with the between the project site and all other adjacent properties.**
- D. Design and construct proposed driveway in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway along Milliken Avenue.**

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: _____

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 A _____ fiber optic line is available for connection by this project in _____.
(Ref: Fiber Optic plan bar code: _____)
- 2.51 **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 located at the southeast corner of Jurupa St and Milliken Ave. Limits of work are generally located along the project frontages of Jurupa St and Milliken Ave.**



- 2.52 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

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

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

- 2.54 Other conditions:

- A. Organics Separation and Collection: This development shall comply with the Requirements of State Assembly Bill AB341 and AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes. Additional information can be obtained at through the City website at <https://www.ontarioca.gov/IntegratedWaste>:
- B. Three 4-CY Bins Trash Enclosure: Each trash enclosure is to have three 4-cy bins with their respective gate, and a solid roof.
- C. 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 the Integrated Waste Department.
- D. Integrated Waste Management Report (IWMR): Prior to approval of the Precise Grading Plan, submit to OMUC for review and approval, an Integrated Waste Management Report (IWMR) that complies with the IWMR Requirements.

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

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



4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT21-010, PDEV21-018, and/or Parcel Map No. 20147

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Edmelynn Hutter, Senior Planner
Planning Department

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

DATE: May 24, 2021

SUBJECT: PMTT21-010 - A Parcel Map to subdivide 13.07 acres of land into three (3) parcels located at southeast corner of Jurupa Street and Milliken Avenue, within the Office/R-D and Warehouse/Distribution land use districts of the Toyota Business Park Specific Plan (APN(s): 0238-121-75).
Related File(s): PDEV21-018.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Building A = 113,067 Sq. Ft.
Building B = 48,205 Sq. Ft.
- D. Number of Stories: 1 with Mezzanine
- E. Total Square Footage: Building A = 118,067 Sq. Ft.
Building B = 50,705 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): B/S1/F1

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 website 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 3750 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 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. 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. 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.

- ☒ 5.6 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.



CITY OF ONTARIO

MEMORANDUM

TO: Edmelyne Hutter, Senior Planner

FROM: Officer Bill Lee, Police Department

DATE: May 19, 2021

SUBJECT: PMTT21-010- A DEVELOPMENT PLAN TO CONSTRUCT TWO (2) INDUSTRIAL BUILDINGS TOTALING 168,772 SQUARE FEET, LOCATED AT THE SOUTHEAST CORNER OF JURUPA STREET AND MILLIKEN AVENUE. RELATED FILE: PDEV21-018.

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.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-018& PMTT21-010

Address: SEC Jurupa Street & Milliken Avenue

APN: 0238-121-75

Existing Land Use: Vacant and Industrial Building

Proposed Land Use: Development Plan to construct 2 industrial buildings totaling 168,772 SF and Tentative Parcel Map to subdivide 13.07 acres into 3 parcels

Site Acreage: 13.07 Proposed Structure Height: 41 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Edmelynn Hutter

Date: July 6, 2021

CD No.: 2021-030

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="radio"/> Zone 2	<input checked="" 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 checked="" 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: _____

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: _____