



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

June 5, 2023

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764 and on the city’s website at ontarioca.gov/Agendas/DAB**

**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. MINUTES APPROVAL

Development Advisory Board Minutes of May 15, 2023, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-045: A public hearing to consider a Development Plan to construct a 1,796-square-foot commercial building on 0.37-acre of land located at 2575 South Archibald Avenue, within the CC (Community Commercial) 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; (APN: 1083-071-25) **submitted by Michael Heinemeyer.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV21-045 (Development Plan)

Motion to Approve / Deny

C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-017: A public hearing to consider a Tentative Tract Map (TTM 20452) to subdivide 19.1 acres of land into 145 lots, located approximately 1,300 feet south of the intersection of Riverside Drive and Haven Avenue, within the Planning Area 3 of the West Haven Specific Plan. An Addendum to West Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 200471095), which was certified by the City Council on July 7, 2007, 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; (APNs: 0218-151-10) **submitted by HCW Lathrop Investors, LLC & JH Bray, LLC. Planning Commission action is required.**

1. Continuation – It is being requested to continue this item, to the June 19th, 2023 Development Advisory Board meeting.

D. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT22-006 AND PDEV22-009: A public hearing to consider a Tentative Parcel Map No. 20526 (File No. PMTT22-006) to subdivide 4.44 acres of land into 2 parcels in conjunction with a Development Plan (File No. PDEV22-009) to construct two industrial buildings totaling 79,323 square feet located at the southeast corner of

Sultana Avenue and Mission Boulevard, within the IL (Light 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(s): 1049-353-09, 1049-353-10, 1049-353-11, 1049-353-12 & 1049-353-14) **submitted by Clark Neuhoff. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File Nos. PMTT22-006 (TPM 20526) and PDEV22-006 (Tentative Parcel Map and Development Plan)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT22-014 AND PDEV22-023:

A public hearing to consider Tentative Parcel Map No. 20576 (File No. PMTT22-014), consolidating 2 lots into one lot in conjunction with a Development Plan (File No. PDEV22-023) to construct 28 townhome apartment units on approximately 0.79 acres of land located at the northeast corner of Laurel Avenue and D Street within the LUA-1 (Euclid Avenue Entertainment District) land use district of the MU-1 (Downtown Mixed-use) 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; (APNs: 1048-363-05, 1048-363-04, 1048-363-03 and 1048-363-02) **submitted by Tipping Development. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File Nos. PMTT22-014 (TPM 20576) and PDEV22-023 (Tentative Parcel Map and Development Plan)

Motion to recommend Approval/Denial

F. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN, AND VARIANCE FOR FILE NOS. PMTT22-027, PDEV22-047, & PVAR23-001:

A public hearing to consider Tentative Tract Map No. 20599 (File No. PMTT22-027) subdividing 3.47 acres of land for common interest subdivision purposes to create two lots for condominium purposes to facilitate a Development Plan (File No. PDEV22-047) to construct 16 multiple-family buildings with a total of 84 units, in conjunction with a Variance (File No. PVAR23-001) to reduce the building setback from Concours Street from 15 feet to 10 feet, located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Piemonte Overlay of the Ontario Center Specific Plan, for which an Addendum to the Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 198941009) was adopted by the City Council on April 19, 2022. 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; (APNs: 0210-531-20 and 0210-531-16); **submitted by Shea Homes Limited Partnership. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File Nos. PMTT22-027 (TTM 20599), PDEV22-047 and PVAR23-001** (Tentative Tract Map, Development Plan and Variance)

Motion to recommend Approval/Denial

- G. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT23-003**: A public hearing to consider a Tentative Parcel Map No. 20465 to subdivide 17.09 acres of land into 10 parcels located at the southwest corner of Hamner Avenue and Ontario Ranch Road within Planning Area 8A (Regional Commercial) of the Rich Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Rich Haven Specific Plan (File No. PSP05-004) Environmental Impact Report (State Clearinghouse No. 2006051081), certified by the City Council, on December 4, 2007. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 218-211-37) **submitted by The Ranch at Model Colony, LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File Nos PMTT23-003 (TPM 20465)** (Tentative Parcel Map)


Motion to recommend Approval/Denial

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 **June 19, 2023**.

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 **June 1, 2023**, 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

May 15, 2023

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
James Caro, Building Department
Elda Zavala, Community Improvement
Khoi Do, Engineering Department
Paul Ehrman, Fire Department
Christy Stevens, Municipal Utilities Company

BOARD MEMBERS ABSENT

Charity Hernandez, Economic Development Agency
Heather Lugo, Police Department

STAFF MEMBERS PRESENT

Gwen Berendsen, Planning Department
Kim Ruddins, Planning Department
Jocelyn Torres, Planning Department
Trevor Rivero, Engineering Department
David Zurita, Engineering Department

Robert Morales, Planning Department
Lorena Mejia, Planning Department
Pablo Castilla, Planning Department
Jeff Tang, Engineering Department
Angela Truong, 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 May 1, 2023 meeting of the Development Advisory Board was made by Ms. Stevens; seconded by Mr. Caro; and approved unanimously by those present (4-0). Mr. Ehrman and Ms. Zavala recused themselves as they were not at the meeting.

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-044:** A public hearing to consider a Development Plan to construct a commercial restaurant building (Panera) with a drive-thru facility totaling 4,290 square feet on 1.26 acres of land located at the southwest corner of Fourth Street and Ontario Mills Drive within Commercial/Office land use designation of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties (Ontario Mills) Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to

Section 15332 (Class 32, In-Fill Development 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. (APN: 238-014-05) **submitted by Panera LLC.**

Mr. Zeledon opened the public hearing.

Nina Raey representing Panera Bread, was present, spoke regarding the project and stated they agreed with the Conditions of Approval.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to approve **File No. PDEV21-044**, was made by Mr. Ehrman; seconded by Ms. Stevens; and approved unanimously by those present (6-0).

- C. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT22-020:** A public hearing to consider Tentative Parcel Map No. 20587, subdividing 0.423 acres of land into two lots located at 121 East 6th Street within the LDR-5 (Low-Density - 2.1 to 5.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1011-521-30) **submitted by Samson Mulugeta. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Louis Rodriguez, representing Samson Mulugeta, was present and had some questions regarding COA's, the existing gas utility easements would be quit claimed and landscape regarding the tree count.

Mr. Do stated usually the relocation of the dry utilities are the responsibility of the applicant to relocate, or work with the owner of the easement to relocate and then quit claim the easement.

Mr. Rivero, project engineer, stated that it is a PUE, a sewer easement.

Mr. Do wanted to know if the sewer was going to be relocated.

Mr. Rivero stated no they are just making some lateral cuts.

Mr. Do clarified that the easement can remain in place if it doesn't interfere with building improvements.

Mr. Rodriguez stated he understood and if he had any further questions he would talk with the project engineer.

Mr. Zeledon asked regarding Landscape item #3 and the number of trees.

Mr. Rodriguez wanted clarification regarding the specific number of trees or is it based on particular diameter number.

Mr. Zeledon stated Mr. Morales, project planner, would work with the landscape division regarding this item and any changes would be made before it was presented to the Planning Commission.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File No. PMTT22-020**, was made by Mr. Ehrman; seconded by Mr. Do; and approved unanimously by those present (6-0).

- D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-038:** A public hearing to consider a Development Plan to construct 36 single-family 4-pack dwellings units with related on-site improvements for a subdivision previously approved with Tentative Tract Map No. 18916 (File No. PMTT21-011), on approximately 11.05 acres of land located on the west side of Archibald Avenue and approximately 575 feet south of Chino Avenue within Planning Area 2 (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; (APN: 0218-131-34); **submitted by KB Homes Coastal Inc. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Jordan Mastroianni, was present and agreed to all the Conditions of Approval.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File No. PDEV22-038**, was made by Mr. Caro; seconded by Ms. Stevens; and approved unanimously by those present (6-0).

There being no further business, the meeting was adjourned to the next meeting on June 5, 2023.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



DEVELOPMENT ADVISORY BOARD DECISION

June 5, 2023

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

DECISION NO.: [insert #]

FILE NO.: PDEV21-045

DESCRIPTION: A hearing to consider a Development Plan to construct a 1,796-square-foot fast food restaurant (Winchell's Donut House) on 0.37-acre of land located at 2575 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN: 1083-071-25); **submitted by Michael Heinemeyer.**

PART 1: BACKGROUND & ANALYSIS

MICHAEL HEINEMEYER, (herein after referred to as "Applicant") has filed an application requesting approval of a Development Plan, File No. PDEV21-045, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 0.37 acres of land located at 2575 South Archibald Avenue, which is depicted in Exhibit A: Project Location Map, attached. Existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land designations on and surrounding the project site are as follows:

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use Designation
Site:	Vacant	General Commercial (GC): 0.40 FAR	CC (Community Commercial—0.4 Maximum FAR)	Not Applicable
North:	Eating Place	General Commercial (GC): 0.40 FAR	CC (Community Commercial—0.4 Maximum FAR)	Not Applicable
South:	Public School/ Administration	Public School (PS)	CIV (Civic)	Not Applicable
East:	Residential	Medium Density Residential	MDR-18 (Medium Density Residential -11.1 to 18.0 du/ac)	Not Applicable
West:	Commercial/ Eating Places	General Commercial (GC): 0.40 FAR	CC (Community Commercial—0.4 Maximum FAR)	Not Applicable

(1) Project Description — On December 8, 2021, the Applicant submitted a Development Plan (File No. PDEV21-045) to facilitate the construction of a 1,796 square foot commercial building for Fast Food Restaurant purposes. The Project site is comprised of a vacant lot with vegetation consisting of native grass and weeds. Neighboring the Project site are retail and food establishments to the north and west, public school to the south, and multi-family development to the east.

(2) Site Design/Building Layout — The restaurant building is located within the northwest corner of the project site, with the building entrance facing south. The building is setback 5'.75" from the north (interior street) property line, 70'.33" from the south property line, 76'.16" from the east (rear property line), and 20' from the west (front) property line. Parking is provided to the east and south of the building. The restaurant building floor plan includes a dining area, display area, cashier area, kitchen, deli prep, scullery area, walk-in coolers, storage area, office, and one restroom (see Exhibit C: Floor Plan, attached). A drive aisle, with adequate on-site truck maneuvering, is provided to accommodate standard vehicles and trash trucks. In addition, a trash enclosure is proposed and located southwest of the building.

(3) Site Access/Circulation — The Project has one point of access from Archibald Avenue, via a 30-foot-wide drive aisle, that runs west to east from Archibald Avenue. The project will have access from the drive aisle at the northeast corner of the Project Site. The drive aisle has a non-exclusive easement for ingress and egress purposes and provides street access from Archibald Avenue, to the service station and commercial uses to the north and the multi-family townhome development to the east. The drive aisle terminates at Oak Hill Drive, which circulates through the townhome development. Pursuant to the conditions of approval, the Project site will feature enhanced decorative pavement on the northeast drive approach, encompassing a decorative treatment extending from the rear of the driveway apron to the first parking stall intersecting the area.

(4) Parking — The Project has provided off-street parking pursuant to the Fast-Food Restaurant parking standards specified in the Development Code. The number of off-street parking spaces provided meets the minimum parking requirement for the Project. The off-street parking calculations for the Project are summarized in the table below:

Parking Summary

Type of Use	Building Area (in SF)	Parking Ratio	Spaces Required	Spaces Provided
Fast Food Restaurant	1,796	13.3 spaces for each 1000 SF of gross floor area (GFA).	24	24
TOTAL	1,796		24	24

(5) Architecture — The building has been designed in contemporary architectural style that features a simple box form design, accent elements at entries and corners, parapet roof design, tower entry element and color blocking. The building materials

proposed includes smooth cement plastered walls, El Dorado Stone veneer, cementitious exterior wood siding, cement plaster (split rails), aluminum awnings and blue tinted glazing for the windows storefronts. At the rear of the building (north elevation) metal trellises are provided with vine pockets to allow additional landscaping to accent the building exterior (see Exhibit D: Elevations).

The mechanical roof-mounted equipment will be obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the buildings' 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 materials finishes and fixtures.
- The incorporation of architectural treatments that are defined by changes in color, materials, and building proportion.
- Building massing and proportion, along with architectural detailing, color, and accent materials that are consistent on all four building elevations.

(6) Landscaping — The Project site provides landscaping adjacent to the building footprint, parking lot and along the perimeter of the project area. A total of 4,674 square feet (28 percent) of the Project site is landscaped, well above the Development Code minimum 10 percent landscape coverage. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the Project site. The landscape plan incorporates a combination of 36-inch, 24-inch, and 15-gallon trees along Archibald Avenue and perimeter area, which includes a mix of Golden Rain Tree, Sweet Bay, Arizona Sycamore, and Holly Oak trees. A variety of shrubs and groundcovers are also being provided, which are low water usage and drought tolerant (see Exhibit E: Landscape plan, attached).

(7) Signage — All project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval.

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

the use of Infiltration trenches. Any overflow drainage will be conveyed to Archibald Avenue by way of parkway drains and culverts.

PUBLIC NOTIFICATION: The subject application was advertised as a hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper).

CORRESPONDENCE: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

AGENCY/DEPARTMENT REVIEWS: Each City agency/department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are included with this Decision.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, 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 ONT ALUCP.

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU-1 Balance: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU-1.1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.
 - LU-1.6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.
 - LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.
- Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.
 - CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.
 - CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
 - CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.
 - S-1.1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

➤ CD-1.3 Existing Neighborhoods. We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.

▪ Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

➤ CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

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

➤ CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.

➤ CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.

➤ CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;

- Structured parking: facade articulation, screening, appropriate lighting, and landscaping; and
- Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.

➤ CD-2.11 Entry Statements. We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD-2.12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➤ CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

➤ CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

➤ CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➤ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

➤ CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

▪ Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: 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 (hereinafter referred to as "DAB") the responsibility and authority to review and act 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 "ONT ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 5, 2023, 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 3: THE DECISION

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

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the DAB has reviewed and considered the information contained in 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 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, In-fill Development Projects) of the CEQA Guidelines, and meets all the following conditions:

A. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as with applicable zoning designation and regulations. The proposed Project is located within the General Commercial (GC): 0.40 FAR land use district of the Policy Plan (general plan) Land Use Map, and the CC (Community Commercial—0.4 Maximum FAR) zoning district. The proposed Project is consistent with all applicable policies of the Policy Plan and meets or exceeds the minimum requirements of the CC (Community Commercial—0.4 Maximum FAR) zoning designation and all other applicable Development Code regulations.

B. The proposed development occurs within city limits on a Project site of no more than five acres and is substantially surrounded by urban uses. The Project is

proposed within the established boundaries of the City of Ontario, on approximately 0.37-acre of land, which is surrounded by residential land uses to the east, commercial to the north and west, and a public school to the south.

C. The Project site has no value as habitat for endangered, rare, or threatened species. The existing site is comprised of an individual lot. The site is predominantly vacant, with native grasses. Additionally, the property is appreciably void on any fauna.

D. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed commercial development project is similar to and of no greater impact than other allowed land uses and development projects within the CC (Community Commercial—0.4 Maximum FAR) zoning district.

E. The site can be adequately served by all required utilities and public services. All necessary wet and dry utilities are available to the Project site.

(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 decision-making 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 Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 3: 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 General Commercial (GC): 0.40 FAR land use district of the Policy Plan Land Use Map, and the CC (Community Commercial—0.4 Maximum FAR) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) *The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.* The Project has been designed consistent with the requirements of the City of Ontario Development Code and the CC (Community Commercial—0.4 Maximum FAR) zoning district, including standards relative to the particular land use proposed Fast Food 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

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

(4) *The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.* The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed Fast Food Restaurant. 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 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby APPROVES the Application subject to each and every condition set forth in the Conditions of Approval included as Attachment A of this Decision and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 5th day of June 2023.

Development Advisory Board Chairman

Exhibit A: PROJECT LOCATION MAP

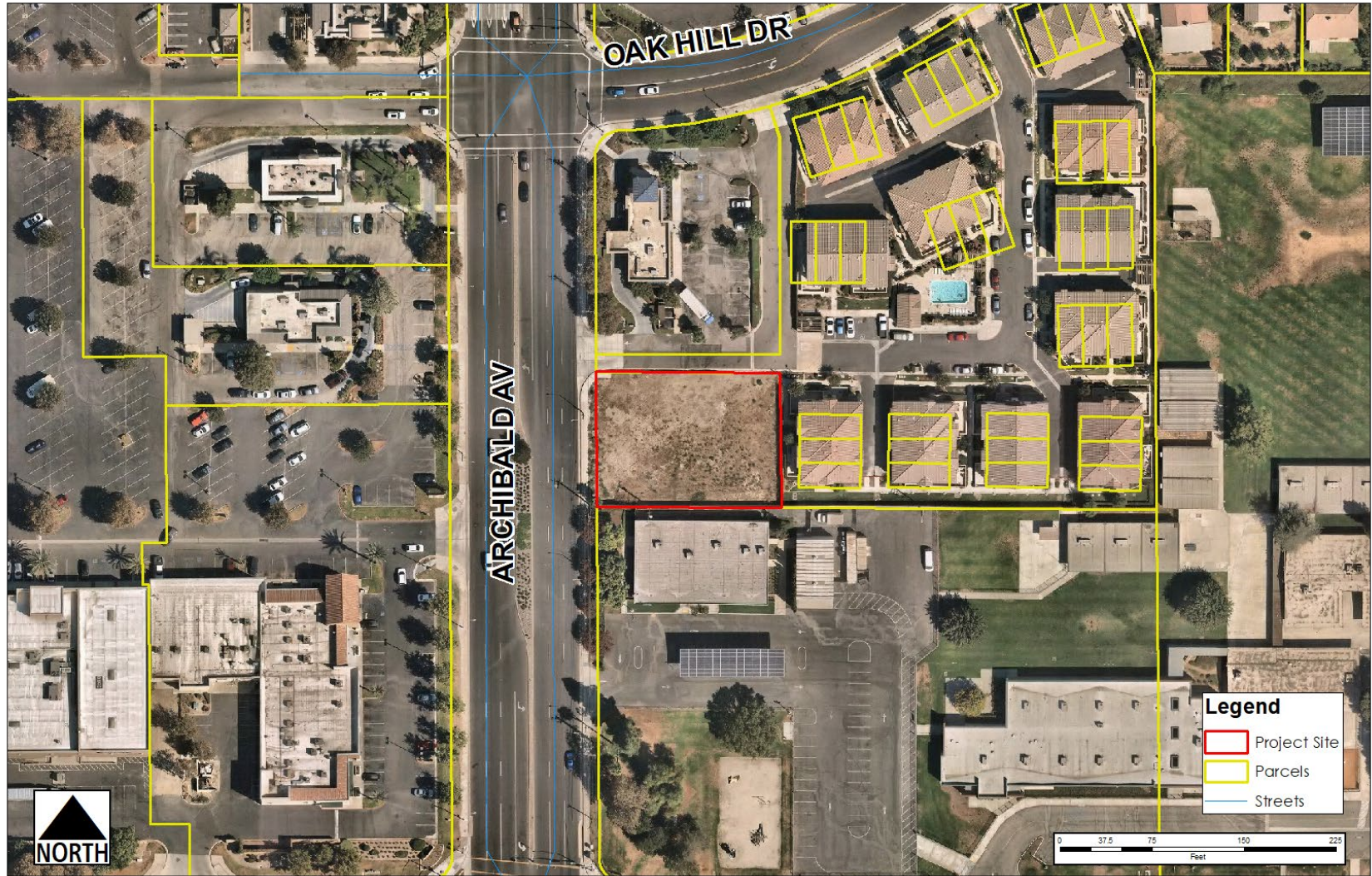


Exhibit B: SITE PLAN



Exhibit C: FLOOR PLAN

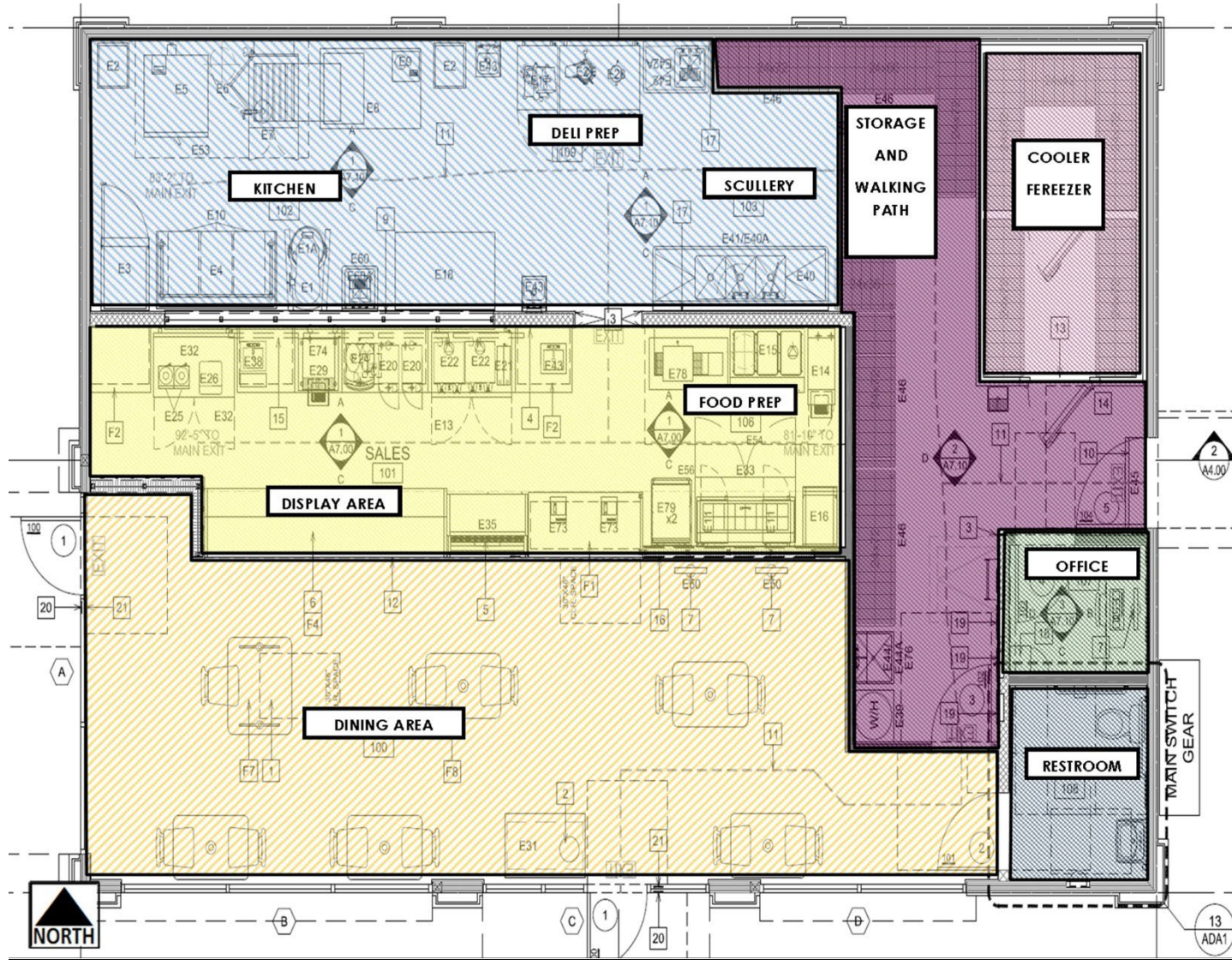


Exhibit D: ELEVATIONS



SOUTH ELEVATION



WEST ELEVATION



WINCHELL'S DONUTS
2575 S. ARCHIBALD AVE
ONTARIO, CALIFORNIA
APN: 1083-071-25



NORTH ELEVATION



EAST ELEVATION



WINCHELL'S DONUTS
2575 S. ARCHIBALD AVE
ONTARIO, CALIFORNIA
APN: 1083-071-25

Exhibit E: LANDSCAPE PLAN



SYMBOL	BOTANICAL NAME COMMON NAME	QTY.	CONTAINER SIZE MAINTAIN H X W	WATER USE COMMENTS
	TREES: LAURUS N. 'SARATOGA' SWIFT BAY	4	15 GALLON 20' x 20'	LOW 0.2
	PLATANUS R. 'WRIGHTII' ARIZONA SYCAMORE	3	36" BOX 40' x 30'	MOD. 0.5
	QUERCUS ILEX HOLLY OAK	3	24" BOX 40' x 40'	LOW 0.2
	SHRUBS: ANIGONANTHOS 'BIG RED' KANGAROO PAW	119	1 GALLON 2' x 2'	LOW 0.2
	DIETES G. 'VARIEGATA' VAREGATED FORTNIGHT LILY	9	5 GALLON 4' x 3'	MOD. 0.5
	AGAVE SHAWI SHAW'S AGAVE	15	5 GALLON 3' x 3'	LOW 0.2
	BOUGAINVILLEA 'ROSENKA' BOUGAINVILLEA	11	5 GALLON 3' x 3'	LOW 0.2
	ILEX VOMITORIA 'NANA' DWARF YALPON	105	5 GALLON 5' x 3'	LOW 0.2
	MUHLENBERGIA RIENS DEER GRASS	16	5 GALLON 4' x 4'	MOD. 0.5
	SALVIA GREGII AUTUMN SAGE	30	5 GALLON 3' x 3'	LOW 0.2
	VINES: DISTICTUS BUCCINATORIA BLOOD-RED TRUMPET VINE	5	5 GALLON	MOD. 0.5 TRAIN TO WALL
	BOUGAINVILLEA 'LA JOLLA' BOUGAINVILLEA	3	5 GALLON	LOW 0.2 TRAIN TO WALL
	GROUNDCOVER: LONICERA J. 'HALLIANA' HALL'S HONEYSUCKLE		FLATS @ 12" O.C. TRIANGULAR SPACING	LOW 0.2
	HYDROSEED MIX SEE SHEET L3.0			MOD. 0.5

NOTES:
 ALL SHRUB AND GROUND COVER AREAS TO RECEIVE A MIN. 3" DEEP LAYER OF MEDIUM GRIND BARK MULCH.
 ROOT BARRIERS ARE REQUIRED WHEN TREE IS WITHIN 5' OF HARDSCAPE.
 RECYCLED WATER WILL BE USED FOR IRRIGATION.
 ALL FINISH GRADES TO BE 1 1/2" BELOW FINISH SURFACE.
 SLOPES SHALL NOT EXCEED MAXIMUM 3:1.

TOTAL SITE AREA = 16,500 SQ. FT.
 TOTAL LANDSCAPE AREA = 3,350 SQ. FT.
 TOTAL LANDSCAPE AREA IN R.O.W. = 676 SQ. FT.
 TOTAL ON-SITE LANDSCAPE AREA = 4,674 SQ. FT. (28% OF TOT. SITE AREA)

Exhibit F: SITE PHOTOS



Figure 1: Southeast View



Figure 2: South View

Attachment A: Conditions of Approval

(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: 4/20/2023

File No: PDEV21-045

Project Description: A Development Plan to construct a 1,796-square-foot fast food restaurant (Winchell's Donut House) on 0.37-acre of land located at 2575 South Archibald Avenue, within the CC (Community Commercial) zoning district 1083-071-25; **submitted by Michael Heinemeyer.**

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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

2.9 Signs.

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

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

2.11 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.

2.12 Environmental Requirements.

(a) 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).

(b) 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 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"). The filing of a NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.15 Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner's Representative and Contractor shall be present.

2.16 Additional Regulations.

The Applicant will work with the Planning Department during the Building Plan Check process to ensure that vertical columns extend beyond the wall surface at a distance that meets the satisfaction of the Planning Director.



**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>PDEV21-045</u>	
RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>	

CITY PROJECT ENGINEER & PHONE NO: Leonard Lui (909) 395-2401

CITY PROJECT PLANNER & PHONE NO: Robert Morales (909) 395-2432

DAB MEETING DATE: 6/5/2023

PROJECT NAME / DESCRIPTION: **Winchell's – A Development Plan to construct a 1,797 sqft commercial building on 0.37-acres of land within the CC zoning district**

LOCATION: **2575 S. Archibald Avenue
(APN: 1083-071-25)**

APPLICANT: **Yum Yum Donut Shops, Inc.**

REVIEWED BY: Raymond Lee 4/20/23
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: Khoi Do 4-21-23
 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 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 Parcel Map 17469 Parcel 1 recorded in Book 221 Pages 95-95 in the County of San Bernardino's Recorded Office..**
- 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. A 5-foot sidewalk easement across the driveway location at 2575 S. Archibald Ave, north of the property line.**
- 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 \$6,731.01, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.**
 - 2.17 **Other conditions:**
 - A. **Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map (FUSM) as part of the precise grading plan submittal that meets all 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. See Utility Systems Map (USM) Requirements document for details.**
 - A. The proposed utilities, utility alignments, and Public Rights-of-Way/Public Utility Easements shown on the Conceptual Utilities Systems Map (CUSM) and other Entitlement documents are not considered final and shall be revised during Final Design to meet all City Design Guidelines, Standards, City Requirements, and all of the Conditions of Approval contained in this document.
 - B. **Design Utilities to comply Department of Drinking Water (DDW) Separation Requirements and California Code of Regulations (CCR) § 64572 Compliance: All DDW Separation Requirements under CCR § 64572 must be met. In order to assure compliance with CCR § 64572, on all design documents and plans: label the separation dimensions, measure from outside wall of the conveyances, between public potable water to any other public or private non-potable conveyance (sewer, storm drain, storm water, storm water infiltration, recycled water, recycled water irrigation, high pressure gas/petroleum, etc.) whether publicly or privately maintained; provide one label per sheet per conveyance and additional labels where separation dimensions and alignments change; and, for any facilities not currently meeting the separation requirements, revise plans/documents so that the facilities meet the separations requirements.**
 - C. **Unused Service Abandonment: All adjacent water services (along with connected appurtenances) and sewer laterals and main stubs along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.**



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

- 2.18 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	Archibald Ave.	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> 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"/> Replace any broken/uprooted 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 checked="" type="checkbox"/> Modify existing ramps (ADA compliant)	<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 type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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 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 checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input 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. 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 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 (See 2.22)	<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: _____
- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.20 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.



- 2.21 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.
- 2.22 **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 \$58,450, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code.**
- 2.23 Other conditions: _____

C. SEWER

- 2.24 **An 8-inch sewer main is available for connection by this project in Archibald Avenue. (Ref: Sewer Drawing Number: S13238)**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 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.
- 2.27 Other conditions:

A. Sanitary Sewer Mains Improvements:

a. N/A.

B. Sanitary Sewer Service:

- a. **The proposed building and its onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003. Proposed sewer laterals must be a minimum 10' from all domestic water services.**
- b. **For each Public Sewer Lateral Service to an existing sewer main: the existing sewer main being connected to shall be CCTV Inspected between the upstream and downstream manholes of the connection once before and once after the Sewer Lateral connections is made and any damage to the sewer main resulting from the installation of the Sewer Lateral shall be repaired to meet City Standards and Requirements prior to placing the Sewer Lateral in service.**
- c. **Public Sewer Laterals and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or with 5 feet of any Public Sewer Lateral.**

C. Private Onsite Sewer System and Plumbing: The Onsite Sewer System shall be privately maintained by the property owner and shall meet the following requirements:

- a. **For wastewater flows for non-residential uses:**
 - i. **The Onsite sewer system and building plumbing shall be designed in such a way that the sanitary domestic wastewater flows leave the building separately from non-sanitary wastewater flows (industrial, process, or kitchen, etc.) and the line for non-sanitary wastewater flows is to have a onsite grease interceptor and a sampling box, as required by a Wastewater Discharge Permit.**



- ii. **Waste Water Discharge Permit:** The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact: omucenvironmental@ontarioca.gov.

D. WATER

- 2.28 A 12-inch water main is available for connection by this project in Archibald Avenue. (Ref: Water Drawing Number: W12490)
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 Other conditions:
 - A. Potable Water Mains: N/A
 - B. Fire Hydrants:
 - i. Construct a new fire hydrant fronting the proposed project site along Archibald, per city's current standard.
 - ii. Any existing Fire Hydrants along the project frontages that do not meet current City Standards with a break away check valve shall be upgraded.
 - C. Backflow Prevention:
 - i. A Backflow Prevention Device is required for each Meter connected to the Public Potable Water System that: serves any residential use that is more than one (1) single family residential unit; or, any non-residential use; or, only irrigation use.

E. RECYCLED WATER

- 2.31 A 42-inch recycled water main is available for connection by this project in Archibald Avenue. (Ref: Recycled Water Drawing Number: IEUA Line)
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.33 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.
- 2.34 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.

- 2.35 Other conditions:
 - A. Irrigation: This proposed project is required to use recycled water for irrigation. Show the proposed irrigation to be connected to recycled water. There is an existing IEUA regional recycled water fronting the project site so coordinate with IEUA for this connection. Plans will be prepared and submitted to the city and IEUA for reviewing during the plan checking phase.



B. RW Program Requirements: In order to receive RW service, the applicant shall comply with the following:

A. Prior to Precise Grading Plan Approval and Building Permits Issuance:

- i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
- ii. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
- iii. For details, contact Cynthia Heredia-Torres at (909) 395-2647 or ctorres@ontarioca.gov.

B. Prior to Occupancy Release/Finalizing:

- i. Pass start-up and cross-connection test successfully.
- ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER

F. TRAFFIC / TRANSPORTATION

- 2.36 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
- 2.37 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.38 **Other conditions:**
 - A. **Parking restrictions shall remain in place along the property frontage of Archibald Avenue.**

G. DRAINAGE / HYDROLOGY

- 2.39 **A 54-inch storm drain main is available to accept flows from this project in Archibald Avenue. (Ref: Storm Drain Drawing Number: D10662) Show connection to storm drain main. Refer to record plans D10662 and D10663.**
- 2.40 **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.**
- 2.41 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.
- 2.42 **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 (Previously recorded for PM-17469).**
- 2.43 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.
- 2.44 **Other conditions:**
 - A. **The proposed overflow device from the infiltration basin is shown to tie into a double 18" storm drain RCP system. Provide documentation from owner that allows for this tie in and documentation showing that there is capacity in the storm system that allows for additional flow from the additional drainage area.**



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

- 2.45 401 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.
- 2.46 **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>.**
- 2.47 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.
- 2.48 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.49 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.
- 2.50 Other conditions: _____

K. FIBER OPTIC

- 2.51 A _____ fiber optic line is available for connection by this project in _____.
 (Ref: Fiber Optic Drawing Number: _____)
- 2.52 **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 on the north side of driveway, see Fiber Optic Exhibit herein.**
- 2.53 **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.**



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: PDEV 21-045, and/or Parcel Map/Tract Map No. 17469

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 HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16. Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. 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)
18. 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.
19. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**

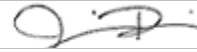


- 20. **One (1) copy of Hydrology/Drainage study**
- 21. **One (1) copy of Soils/Geology report**
- 22. Payment for Final Map/Parcel Map processing fee
- 23. Three (3) copies of Final Map/Parcel Map
- 24. One (1) copy of approved Tentative Map
- 25. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 26. One (1) copy of Traverse Closure Calculations
- 27. 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.
- 28. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 29. Other: _____

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

CONDITIONS OF APPROVAL

Sign Off



4/3/2023

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV21-045

Case Planner:

Robert Morales

Project Name and Location:

Donut Shops, Inc
 2575 South Archibald Avenue

Applicant/Representative:

Michael Heinemeyer michaelh@yumyumdonuts.com
 18830 San Jose Ave.
 City of Industry, CA 91748



Preliminary Plans (dated 3/16/2023) 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

Previous comments 08/16/2022

Civil/ Site Plans

1. 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.
2. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape plans. Show the location of the transformer set 5' back from paving on all sides to avoid bollards and allow for landscape screening.
3. Show and dimension backflow devices set back 4' from paving all sides. Locate on level grade.
4. Locate utilities including light standards, fire hydrants, water, drain, and sewer lines to not conflict with required tree locations—coordinate civil plans with landscape plans.
5. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide total *monolithic* concrete curb.
6. 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.

7. If the outlet structure is necessary, show it in the center of the swale rather than adjacent to the parking lot or show an emergency overflow pipe rather than the concrete structure.

Landscape Plans

8. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to omucwaterquality@ontarioca.gov. OMUC shall review and approve irrigation systems utilizing recycled water prior to final landscape approval. Submit an electronic approval letter or memo from OMUC with resubmittal of the landscape package.
9. Show and dimension 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
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
11. Overhead spray systems shall be designed for plant material less than the height of the spray head.
12. Replace invasive, high water use, short-lived, high maintenance, or poor performing plants: Macfadyena (difficult to maintain, gets large).
13. Plant material shall be 5-gallon containers for shrubs and 1 gallon for groundcovers; no flats.
14. Show 6' diameter of mulch only at new tree. Detail irrigation dripline outside of mulched root zone.
15. Provide an appropriate hydroseed plant mix for water quality basins and swales. Use City of Ontario Hydroseed Mix for basins. Side slopes of swales shall include container plants. The bottom of the swale OK to show hydroseed.
16. Provide agronomical soil testing and include a report on landscape construction plans. A new report is required for phased projects for each phase or a minimum of every six homes in residential developments.
17. Additional plant material is required. Show landscape material in a hierarchy with larger shrubs in the background, medium shrubs in middle ground and groundcover in the foreground. Plant material shall be spaced to fill in 100% at maturity. Do not show groundcover through shrubs. Cluster plant material together to create swatches of color, heights and/or textures.
18. Show concrete mow curbs to separate areas of maintenance.
19. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
20. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-045

Address: 2575 S Archibald Ave

APN: 1083-071-025

Existing Land Use: Vacant

Proposed Land Use: 1,797 SF commercial building

Site Acreage: 0.37 Proposed Structure Height: 20 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Robert Morales

Date: 6/7/2022

CD No.: 2021-071

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: <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: _____



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner

FROM: Officer Tony Galban, Police Department

DATE: February 7, 2022

SUBJECT: PDEV21-045 – A DEVELOPMENT PLAN TO CONSTRUCT A 1,797-SQUARE-FOOT COMMERCIAL BUILDING LOCATED AT 2575 SOUTH ARCHIBALD AVENUE.

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.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- 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 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.
- 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.

- Trash enclosure shall be fully secured by locks and screens/grates to reduce crime and encampment opportunities for homeless persons.

The Applicant is invited to contact Officer Tony 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: Paul Ehrman, Sr. Deputy Fire Chief/Fire Marshal
Fire Department

DATE: February 7, 2022

SUBJECT: PDEV21-045 - A Development Plan to construct a 1,797-square-foot commercial building on 0.37-acre of land located at 2575 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN: 1083-071-25).

-
- 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
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 1,797 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 1,797 Sq. Ft
- F. 2019 CBC Occupancy Classification(s): B

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

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

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 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.

6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.



CITY OF ONTARIO

MEMORANDUM

TO: Development Advisory Board

FROM: Rudy Zeledon, Community Development Assistant Director

DATE: June 5, 2023

SUBJECT: **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-017:** A public hearing to consider a Tentative Tract Map (TTM 20452) to subdivide 19.1 acres of land into 145 lots, located approximately 1,300 feet south of the intersection of Riverside Drive and Haven Avenue, within the Planning Area 3 of the West Haven Specific Plan. An Addendum to West Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 200471095), which was certified by the City Council on July 7, 2007, 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; (APNs: 0218-151-10) **submitted by HCW Lathrop Investors, LLC & JH Bray, LLC. Planning Commission action is required.**

City staff is requesting that this item be continued to the June 19, 2023 Development Advisory Board meeting, to give staff time to finalize the Addendum.



DEVELOPMENT ADVISORY BOARD DECISION

June 5, 2023

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

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NO'S.: PMTT22-006 and PDEV22-009

DESCRIPTION: A public hearing to consider a Tentative Parcel Map No. 20526 (File No. PMTT22-006) to subdivide 4.44 acres of land into 2 parcels in conjunction with a Development Plan (File No. PDEV22-009) to construct two industrial buildings totaling 79,323 square feet located at the southeast corner of Sultana Avenue and Mission Boulevard, within the IL (Light Industrial) zoning district. (APN(s): 1049-353-09, 1049-353-10, 1049-353-11, 1049-353-12 & 1049-353-14); **submitted by Clark Neuhoff. Planning Commission action is required.**

PART 1: BACKGROUND & ANALYSIS

CLARK NEUHOFF, (herein after referred to as "Applicant") has filed an application requesting approval of a Tentative Parcel Map and Development Plan, File Nos. PMTT22-006 and PDEV22-009, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 4.44 acres of land located at southeast corner of Sultana Avenue and Mission Boulevard, which is depicted in Exhibit A: Project Location Map, attached. Land uses surrounding the Project site include: an industrial warehouse and storage use (Patton's) to the north; wholesale and manufacturing uses to the east; an automobile storage, warehouse, and single family residential to the south; and single-family residential to the west. The Project site was previously utilized as a contractor's storage yard and is presently flat and paved with asphalt, sloping from the northwest corner towards the southeast corner of the Project site with an approximate 2-foot differential in grade. The Project site includes a vacated street (Carlton Street) approximately 616 feet in length along the northern portion of the parcel with existing curb, sidewalk, parkway, underground utilities, and overhead utilities that will be removed or relocated. Existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land designations on and surrounding the Project site are as follows:

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use Designation
Site:	Vacant	IND - Industrial (0.55 FAR)	IL – Light Industrial	N/A
North:	Industrial	BP - Business Park (0.60 FAR)	IL – Light Industrial	N/A
South:	Auto Storage/ Warehouse/Single Family Residential	IND - Industrial (0.55 FAR)	IL – Light Industrial	N/A
East:	Wholesale/ Manufacturing	IND - Industrial (0.55 FAR)	IL – Light Industrial	N/A
West:	Single Family Residential	LMDR - Low Medium Density Residential (5.1 – 11.0 du/ac)	MDR-11 (Medium Density Residential)	N/A

(1) Background — On February 22, 2022, the Applicant submitted a Tentative Parcel Map No. 20526 (File No. PMTT22-006) to subdivide 4.44 acres of land into 2 parcels in conjunction with a Development Plan (File No. PDEV22-009) to construct two industrial buildings totaling 79,323 square feet on the Project site.

(2) Tentative Parcel Map No. 20526 (File No. PMTT22-006) — The proposed Tentative Parcel Map will subdivide the Project site into 2 numbered lots (see Exhibit B—Tentative Parcel Map, attached) to facilitate the construction of two industrial buildings. Parcel 1 (2.68 ac) and Parcel 2 (1.75 ac) both exceed the 10,000-square-foot (0.23 ac) minimum lot size established for the IL zoning district. The two parcels also exceed the 100-foot minimum lot width and depth requirement.

(3) Site Design/Building Layout — The proposed Project includes the construction of two industrial buildings totaling 79,323 square feet on two lots totaling 4.43 acres in area (see Exhibit C—Site Plan, attached). The building sizes are 43,919 and 35,404 square feet in size with an overall Floor Area Ratio ("FAR") of 0.41.

- Building 1 (Parcel 1) is centrally located on the western half of the overall Project site and consists of a 43,919-square-foot warehouse building, having an FAR of 0.38 (see Exhibit C — Building 1 Site Plan, attached). The L-shaped building is oriented east-west, with dock-high loading doors facing north towards Mission Boulevard. The office entry is located at the southwest corner of the proposed building.

The building is setback approximately 20 to 30 feet from the west property line (facing Sultana Avenue), approximately 80 feet from the south property line (facing Maitland Street), approximately 100 to 160 feet from the north property line (facing Mission Boulevard), and approximately 0 to 36 feet from the east interior property line. The parking lots are located south of the building and within the northwest corner of the parcel.

The yard area will be screened from view of public streets by a 14-foot-high screen wall with view-obstructing gates. In addition, the north-facing portion of the building was designed in a L-shaped configuration to screen the tractor-trailer loading areas. The building wall containing the dock-high doors is recessed approximately 60 feet behind the main building line, abating views of any loading activities from Sultana Avenue.

- Building 2 (Parcel 2) is located on the eastern half of the overall Project site and consists of a 35,404-square-foot warehouse building, having an FAR of 0.46 (see Exhibit C — Building 2 Site Plan, attached). The L-shaped building is oriented east-west, with dock-high loading doors facing west towards Building 1. The office entry is located at the northeast corner of the proposed building.

The building is setback approximately 60 to 145 feet from the west property line (facing Building 1), a zero-lot line from the south property line, approximately 74 feet from the north property line (facing Mission Boulevard), and approximately 10 to 20 feet from the east interior property line (facing Monterey Avenue). The parking lots are located north of the building and along the western property line. The yard area will be screened from view of public streets by a 14-foot-high screen wall with view-obstructing gates.

(4) Site Access/Circulation — The Project site will have one shared access point along Mission Boulevard via 50-foot-wide driveway centrally located between both parcels (see Exhibit C – Site Plan, attached). Building 1 will have a secondary access point from Maitland Street via a 26-foot-wide driveway that is located approximately 175 feet from the intersection of Sultana Avenue and Maitland Street.

(5) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The number of off-street parking spaces provided exceeds the minimum parking requirement for the Project. The off-street parking calculations for the Project are summarized in the table below:

Parking Summary						
Bldg. No.	Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
			Required	Provided	Required	Provided
1	Warehouse / Distribution	43,919 SF	2	2	32	57
2	Warehouse / Distribution	35,404 SF	1	1	28	30
TOTAL:					60	87

(6) Architecture — The proposed buildings are of concrete tilt-up construction and integrates a contemporary architectural design theme that is consistent throughout the development, incorporating enhanced elements and treatments at office entries and along street facing elevations (see Exhibit D — Elevations, attached). Architectural

elements for all buildings include smooth-painted concrete in white and grey tones, walnut-stained horizontal wood siding, horizontal and vertical reveals, storefronts with black anodized aluminum mullions and blue glazing, metal canopies, 2nd story windows with canopies, and recessed panel sections with contrasting colors. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls. 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;
- Variations in building massing; and
- Incorporation of base and top treatments defined by changes in color and horizontal/vertical reveals.

(7) Landscaping — The Project provides an overall landscape coverage of 18.3 percent, consisting of 19.3 percent for Building 1 and 16.7 percent for Building 2. The Project provides substantial landscaping along Mission Boulevard, Sultana Street, Maitland Street, at each office element, and throughout the parking areas (see Exhibit E—Landscape Plan, attached). The Project includes right-of-way improvements (curb, gutter, sidewalk, street trees, streetlights and landscaped parkway) along Mission Avenue, Sultana Street and Maitland Street. The proposed on-site and off-site landscape improvements will assist in creating a walkable safe area for pedestrians to access the Project site. A combination of 48-inch, 36-inch, 24-inch box, and 15-gallon accent and shade trees will be provided on the Project site, including a variety of shrubs, grasses, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, each building will incorporate an employee break area, with benches, tables, and shade trees.

(8) Signage — All project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval.

(9) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground 96 inch perforated corrugated metal pipes (CMP) located within the truck courtyard areas and southern parking lot of Building 1. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

(10) Community Meeting — The Planning Department held a community meeting on Thursday, April 27, 2023 between 6:00 P.M. to 7:00 P.M. at the Ontario Senior Center to discuss the proposed development. Planning staff, Community Improvement staff, Engineering staff and the applicant were in attendance during the community meeting. Two residents attended the community meeting and had questions regarding the proposed project and site improvements and generally spoke in favor of the proposed project. Staff also received one phone call from a local property owner inquiring about the proposed project and site improvements and requested to be notified of any future meetings. To date, the Planning Department has not received any further inquiries or correspondence regarding the proposed project.

PUBLIC NOTIFICATION: Public notification is not required, as the Development Advisory Board is acting in its capacity as the recommending body to the Planning Commission. Public notification is required prior to the Planning Commission hearing on the Project.

AGENCY/DEPARTMENT REVIEWS: Each City agency/department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are included with this Decision.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, 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 ONT ALUCP.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (general plan), and City Council Priorities components of The Ontario Plan ("TOP"). More

specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

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

(2) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(3) Policy Plan (General Plan)

Land Use Element:

- Goal LU-1 Balance: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU-1.6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.
- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.
 - LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

➤ CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

➤ CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S-1.1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD-1.3 Existing Neighborhoods. We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.

▪ Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

➤ CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

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

- A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting; and
 - Exterior building materials that are articulated, high quality, durable, and appropriate for the architectural style.
- CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.
- CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.
- CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:
- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;
- CD-2.11 Entry Statements. We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.
- CD-2.12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.
- CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

- Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.
 - CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.
 - CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: 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 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 (hereinafter referred to as "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 "ONT ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 5, 2023, 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 3: THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED 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, including all written and oral evidence provided during the comment period. 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, In-fill Development Projects) of the CEQA Guidelines, which consists of:

(a) *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.* The proposed Project is located within the Industrial land use designation of the Policy Plan (general plan) Land Use Map, and the IL (Light Industrial) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the IL (Light Industrial) zoning district.

(b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.* The Project is proposed within the established boundaries of the City of Ontario, on a Project site totaling 4.44-acres of land, which is surrounded by established development on all sides and consists of a mix of industrial and residential and uses.

(c) *The project site has no value as habitat for endangered, rare, or threatened species.* The site is located in an urbanized area, is devoid of any flora or fauna, and is currently paved, and as such not suitable habitat for any endangered, rare, or threatened species.

(d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.* The proposed industrial development is similar to, and of no greater impact than other allowed uses and development projects within the IL (Light Industrial) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development, and performance standards, and as demonstrated in the Air Quality Impact Analysis, Energy Analysis, Greenhouse Gas Analysis, Noise Impact Analysis, Trip Generation Assessment, VMT screening, and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project.

(e) *The site can be adequately served by all required utilities and public services.* All necessary wet and dry utilities are within the public street and are readily available for connection.

(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 Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 3: 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:

Tentative Parcel Map

(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 Tract/Parcel Map is located within the

Industrial land use district of the Policy Plan Land Use Map, and the IL (Light Industrial) 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 and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses" (Goal CD-1). 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, enhancing, and preserving the character of our existing viable neighborhoods" (Policy CD-1.1 *City Identity*).

(2) *The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.* The proposed Tentative Tract/Parcel Map is located within the Industrial land use district of the Policy Plan Land Use Map, and the IL (Light Industrial) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will provide "[a] high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct" (Goal CD-2). 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 CD-2.7 *Sustainability*).

(3) *The site is physically suitable for the type of development proposed.* The Project site meets the minimum lot area and dimensions of the IL (Light Industrial) zoning district 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.

(4) *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 0.41. The Project site meets the minimum lot area and dimensions of the IL (Light Industrial) zoning district and is physically suitable for this proposed intensity of development.

(5) *The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.* The 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 right-of-way 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.

Development Plan

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

(2) *The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.* The Project has been designed consistent with the requirements of the City of Ontario Development Code and the IL (Light Industrial) zoning district, 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 impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Development Code; 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). 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 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Conditions of Approval included as Attachment A of this Decision and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 5th day of June 2023.

Development Advisory Board Chairman

Exhibit A: PROJECT LOCATION MAP



Exhibit B: TENTATIVE PARCEL MAP

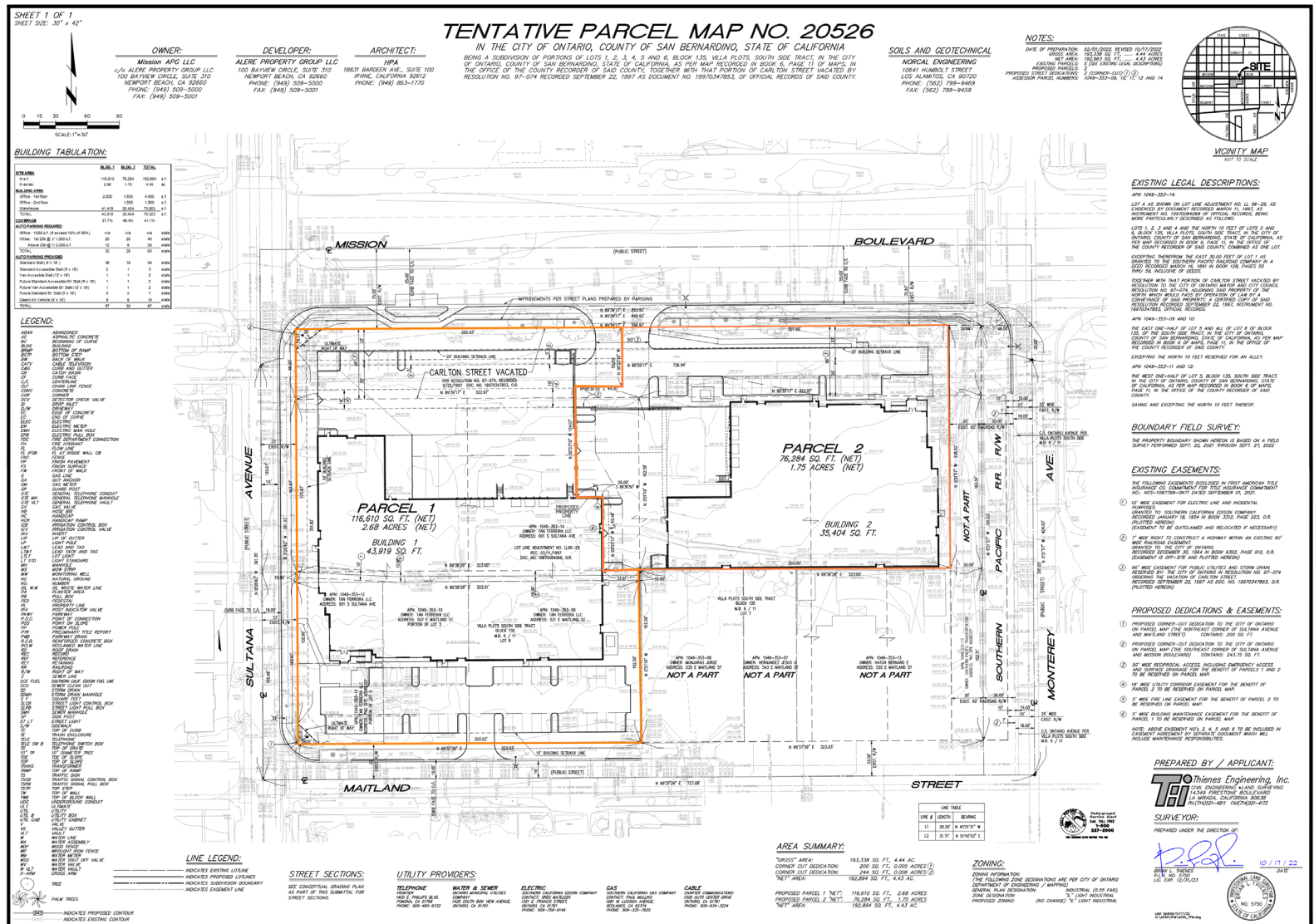


Exhibit C: SITE PLAN

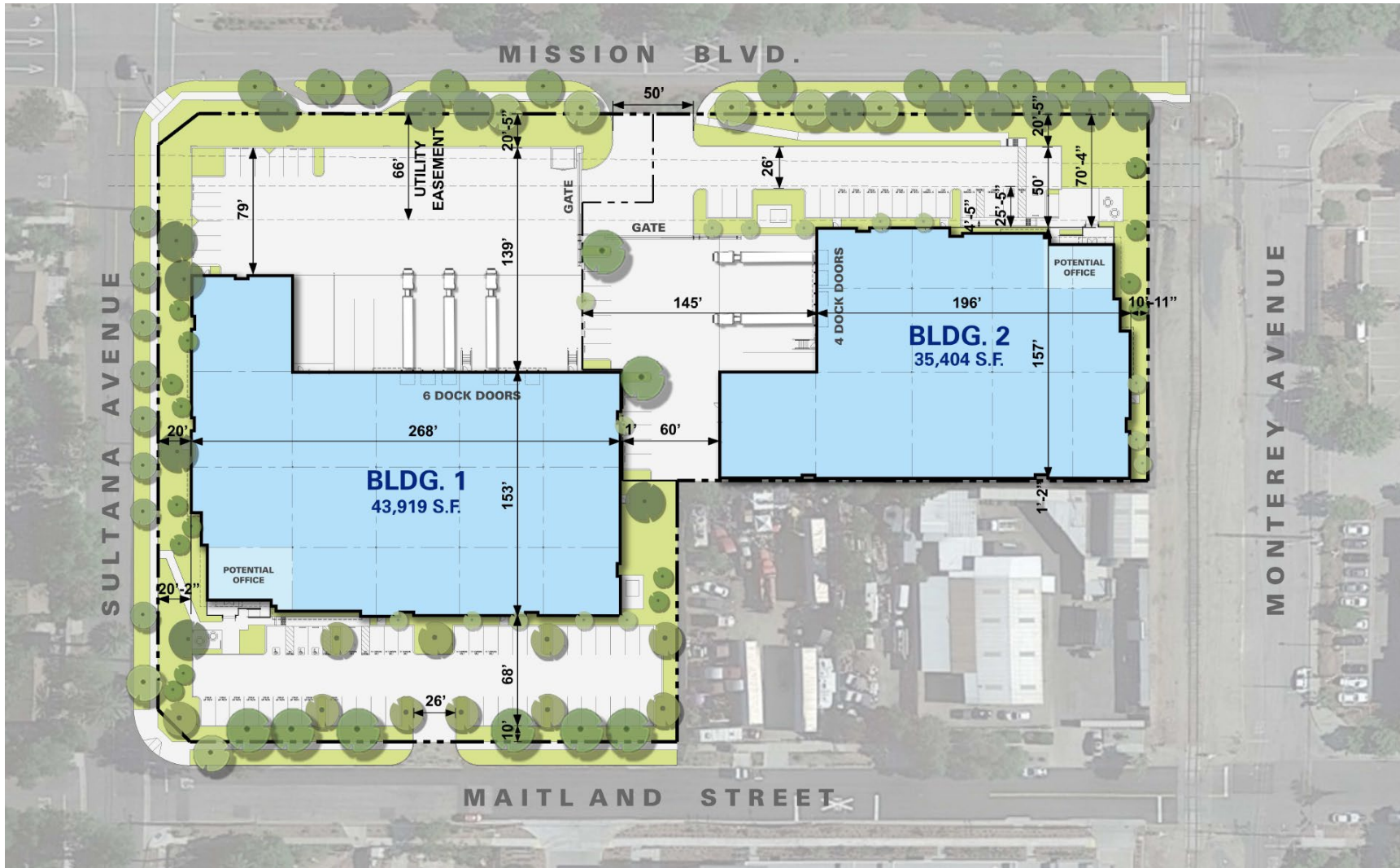


Exhibit D: ELEVATIONS – BUILDING 1



Exhibit D: ELEVATIONS – BUILDING 1 CONTINUED

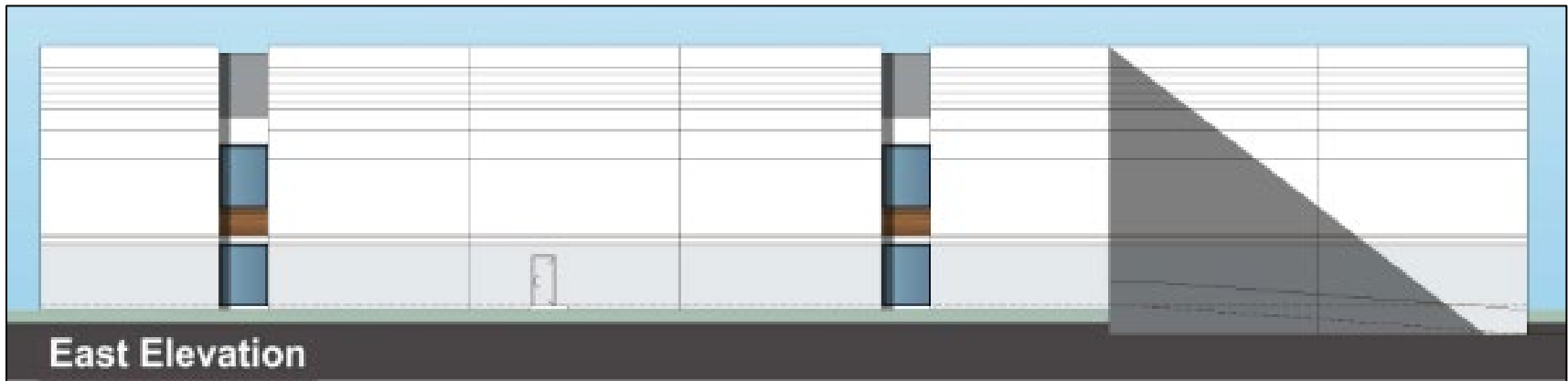


Exhibit D: ELEVATIONS – BUILDING 2

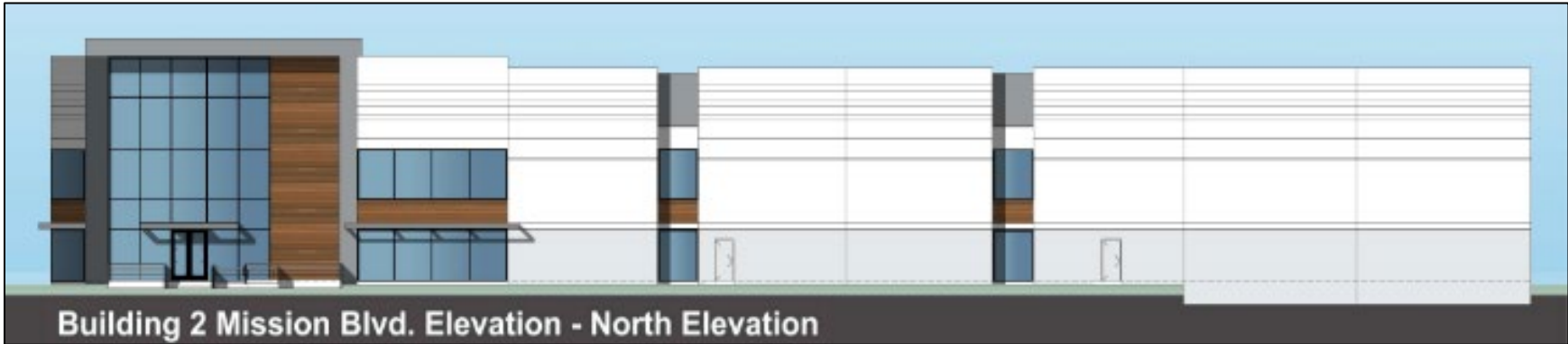


Exhibit D: ELEVATIONS – BUILDING 2 CONTINUED

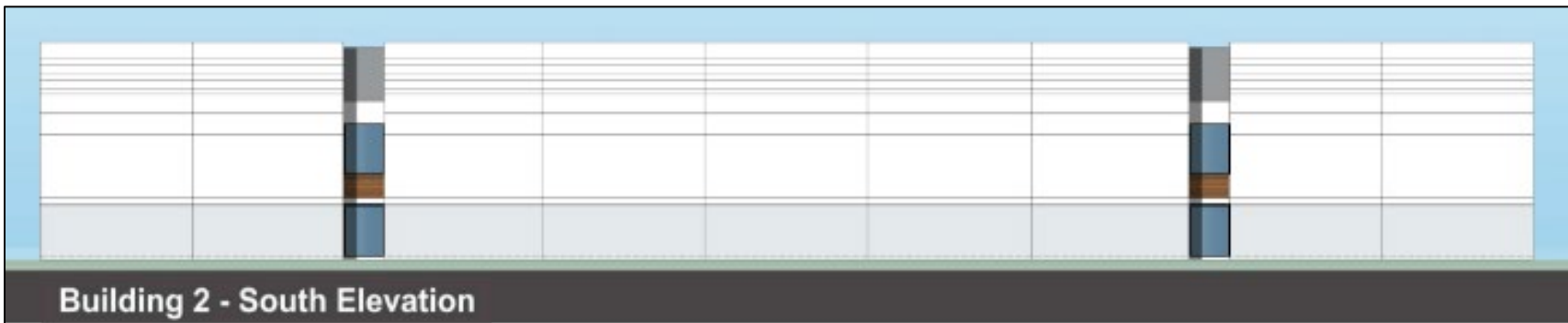


Exhibit E: LANDSCAPE PLAN



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

Date Prepared: 6/5/2023

File No: PMTT22-006 and PDEV22-009

Project Description: Tentative Parcel Map No. 20526 (File No. PMTT22-006) to subdivide 4.44 acres of land into 2 parcels in conjunction with a Development Plan (File No. PDEV22-009) to construct two industrial buildings totaling 79,323 square feet located at the southeast corner of Sultana Avenue and Mission Boulevard, within the IL (Light Industrial) zoning district; (APN(s): 049-353-09, 1049-353-10, 1049-353-11, 1049-353-12 & 1049-353-14); **submitted by Clark Neuhoff.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

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

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

2.4 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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

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.

(a) 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 noise 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 Requirements.

(a) 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).

(b) 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 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"). The filing of a NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.17 Additional Requirements.

(a) The City's 2022 CCAP includes performance standards that will reduce GHG emissions from new development. CEQA requires the assessment of environmental impacts for proposed projects including the impacts of GHG emissions. The levels of GHG emissions reductions in the Screening Tables are consistent with the City's adopted targets in the 2022 CCAP. New Development can use the Screening Tables to ensure that the specific reduction strategies in the 2022 CCAP are implemented as part of the CEQA process. The applicant shall utilize the Screening Tables and garner a minimum of 100 points to be consistent with the reduction quantities outlined in the 2022 CCAP. The applicant shall identify on the construction drawings the items identified in the Screening Tables.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Land Development Division, 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. PM-20526 RELATED FILE NO(S). PMTT22-006, PDEV22-009	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: David Zurita (909) 395-2155

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: June 5, 2023

PROJECT NAME / DESCRIPTION: PM-20526; A parcel map to subdivide 4.43 acres of land into 2 parcels located within the IL (Light Industrial) zoning district. A development plan to construct 2 industrial buildings totaling 81,000 square feet.

LOCATION: SEC of Mission Boulevard and Sultana Avenue
(APNs: 1049-353-09, 1049-353-10, 1049-353-11, 1049-353-12, 1049-353-14)

APPLICANT: Tan Ferreira LLC

REVIEWED BY: 9/19/23.
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: 5-19-23
 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 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:**
 - A. **Property line corner 'cut-back' required at the southeast corner of Sultana Avenue and Mission Boulevard.**
 - B. **Property line corner 'cut-back' required at the northeast corner of Sultana Avenue and Maitland Street.**
- 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 No. 20526 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:**
 - A. Union Pacific Railroad**

- 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 \$89,793.64, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.**
- 2.17 Other conditions: _____



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

2.18 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	Sultana Avenue	Mission Boulevard	Maitland Street	Monterey Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 18-ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 55-ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 18-ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 20-ft. from C/L ^{2.39.A} <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (See Sec 2.19)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input checked="" 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 ^{2.18.A}	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp ^{2.18.B}	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <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"/> Laterals	<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"/> Services	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing ^{2.39.D}	<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 <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Relocate Outlet ^{2.45.B}	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Under driveway drain ^{2.45.C}	<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 checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate ^{2.18.C}	<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. 2.18, above:

- A. In-fill existing driveway approaches no longer to be used with full height curb/gutter, parkway landscaping and sidewalk per the latest City Standard.**
- B. Construct new ADA access ramps at the following intersections:**
 - a. Southeast corner of Sultana and Mission
 - b. Northeast corner of Sultana and Maitland
 - c. Southwest corner of Monterey and Mission.
- C. The applicant/developer has proposed to underground the power poles along Sultana Avenue. If the poles are not undergrounded, they must be relocated to accommodate**



the new street improvements.

D. All frontage improvements along Mission Boulevard shall be in accordance with the City's TCC Active Transportation Project Plans prepared by Parsons.

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay along entire project frontage from centerline to curb face on the following street(s):**
 - A. Sultana Avenue**
 - B. Mission Boulevard**
 - C. Maitland Street**
- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 Other conditions: _____

C. SEWER

- 2.24 A 12-inch sewer main is available for connection by this project in Sultana Avenue. (Ref: Sewer Atlas Sheets L13 and L14)**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 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.
- 2.27 Other conditions:**
 - A. See Exhibit B for additional Sewer Conditions of Approval from OMUC.**

D. WATER

- 2.28 An 8-inch water main is available for connection by this project in Sultana Avenue. (Ref: Water Atlas Sheets L13 and L14)**
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 Other conditions:**
 - A. See Exhibit B for additional Water Conditions of Approval from OMUC.**

E. RECYCLED WATER

- 2.31 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water Drawing Number: _____)
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.



- 2.33 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.
- 2.34 **Submit one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and subsequent submittal to the California State Water Board (Division of Drinking Water) for final approval.**

Note: Review and approval process may take up to three (3) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement.
- 2.35 **Submit one (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and approval.**
- 2.36 **Other conditions:**
 - A. See Exhibit B for additional Water Conditions of Approval from OMUC**

F. TRAFFIC / TRANSPORTATION

- 2.37 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
- 2.38 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.39 **Other conditions:**
 - A. The Applicant/Developer shall be responsible to remove the existing access (formerly Carlton Street) onto Monterey Avenue and design and construct any necessary improvements to close the access. Said improvements may require UPRR coordination and approval.**
 - B. The Applicant/Developer shall be responsible to remove the existing access (formerly Carlton Street) onto Sultana Avenue and design and construct any necessary improvements to the southeast corner of Mission Blvd and Sultana Avenue, including, but not limited to, drainage, curb and gutter, sidewalk, and landscaping improvements.**
 - C. The Applicant/Developer shall be responsible to design and construct street improvements along property frontage streets of Sultana Avenue, Maitland Street and Monterey Avenue in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping. The required street improvements along Sultana Avenue, Maitland Street, and Monterey Avenue shall match the existing street widths.**
 - D. The Applicant/Developer shall be responsible to design and construct modifications to the existing traffic signal on Mission Boulevard and Sultana Avenue. The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, CCTV, interconnect/fiber optic communication equipment, cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.**
 - E. Design and construct all proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveways.**



- F. **Property frontage along Mission Boulevard, Sultana Avenue, Maitland Street and Monterey Avenue shall be signed “No Parking Anytime”.**
- G. **The Applicant/Developer shall be responsible to design and construct in-fill public street lights and a potential new service along its project frontage on Mission Boulevard, Sultana Avenue, Maitland Street and Monterey Avenue. Street lighting shall be LED-type and in accordance with City’s Approved Material List LED Luminaires. The Applicant/Developer shall also install smart nodes on all new street light fixtures along project frontage.**
- H. **The Applicant/Developer’s engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the traffic signal, signing/stripping and street lighting design plans to define limits of improvements.**

G. DRAINAGE / HYDROLOGY

- 2.40 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain Drawing Number: _____)
- 2.41 **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.**
- 2.42 **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.**
- 2.43 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.
- 2.44 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.
- 2.45 **Other conditions:**
 - A. **The applicant/developer shall pay a fee (approximately \$236,829.39) in-lieu of constructing the 54-inch storm drain line in Sultana Avenue between Mission Boulevard and Maitland Street. The final in-lieu fee shall be determined by the City Engineer.**
 - B. **The applicant shall relocate the exiting storm drain outlet at the southeast corner of Sultana Avenue and Mission Boulevard to its ultimate location along the new curb.**
 - C. **The applicant shall construct a new storm drain line along Mission Boulevard within the public right-of-way. The storm drain line shall connect the proposed swales along the project frontage on Mission Boulevard.**



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

- 2.46 401 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.
- 2.47 **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>.**
- 2.48 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.
- 2.49 **Other conditions:**
 - A. **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 within the project area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit. Certified Trash Treatment/Pretreatment Devices shall be included in the BMP Design and Construction.**
https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf

J. SPECIAL DISTRICTS

- 2.50 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.
- 2.51 Other conditions: _____

K. FIBER OPTIC

- 2.52 **A fiber optic line is available for connection by this project in Maitland Street. (Ref: Fiber Optic Drawing Number: O-10677-O10678)**
- 2.53 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on the south side of Maitland Street**



approximately 250 feet east of the Sultana-Maitland intersection.

- 2.54 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.

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: PDEV22-009, and Parcel Map No. 20526 (PMTT22-006)

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 HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16. Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. **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)**
18. **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.**
19. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**



- 20. **One (1) copy of Hydrology/Drainage study**
- 21. **One (1) copy of Soils/Geology report**
- 22. **Payment for Final Map/Parcel Map processing fee**
- 23. **Three (3) copies of Final Map/Parcel Map**
- 24. **One (1) copy of approved Tentative Map**
- 25. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 26. **One (1) copy of Traverse Closure Calculations**
- 27. **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.**
- 28. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 29. Other: _____



Exhibit B
CITY OF ONTARIO
MEMORANDUM



DATE: May 19, 2023
TO: David Zurita, Engineering Department
CC: Lorena Mejia, Planning Department
FROM: Heather Young, Utilities Engineering Division
Christy Stevens, Utilities Engineering Division
SUBJECT: DPR#4 - Utilities Conditions of Approval (COA) (#9141, 9142)
PROJECT NO.: PM-20526 (PMTT22-006), PDEV22-009

BRIEF DESCRIPTION:

A Development Plan to construct 2 industrial buildings totaling 81,000 square feet on 4.43 acres of land located at the southeast corner of Mission Boulevard and Sultana Avenue, within the IL (Light Industrial) zoning district (APN(s): 1049-353-09; 1049-353-10; 1049-353-11; 1049-353-12; 1049-353-14).

A Parcel Map to subdivide 4.43 acres of land into 2 parcels located at the southeast corner of Mission Boulevard and Sultana Avenue, within the IL (Light Industrial) zoning district. (APN(s): 1049-353-09; 1049-353-10; 1049-353-11; 1049-353-12; 1049-353-14).

**OMUC UTILITIES ENGINEERING DIVISION
CONDITIONS OF APPROVAL**

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City’s Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City’s Design Development Guidelines, Specifications Design Criteria, and City Standards:*

General Conditions:

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

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:

2. Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all 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. See Utility Systems Map (USM) Requirements document for details.
3. Precise Grading Plans: The precise grading plans shall include the construction of the utility improvements required from the conditions below. The precise grading plans shall be submitted separate from the architectural and plumbing plans and be reviewed under a separate building permit application/record number. Immediately after formally resubmitting the plan set for Plan Check to the Building Department, email flatten PDF copies of the plans to: utilityengplanchecks@ontarioca.gov (if files are larger than 20MB, then send a link to download the files). Be sure to include the Project Number (such as Tract or Parcel Map, or PDEV), Building Permit Number (B#####), and the Encroachment Permit Number (E#####).

4. Note the following definitions and concepts for Public Utility Improvements and Private Utility Improvements: Public Improvements shall be designed per City Public Design Guidelines and City Standards and constructed through a City Encroachment Permit; and Private Onsite Improvements shall be designed per Building Code and Plumbing Code and constructed through a City Building Permit.
- a. Public Utility Improvements include the following: water main pipelines and sewer main pipelines; sewer laterals connecting to a Public Sewer Main up to the Cleanout (or Manhole) at PL/RoW; water services and connected appurtenances (Meters/Meter Boxes, Fire Hydrants, Airvacs, Blowoffs, etc.) connecting to a Public Water Main per City Standards; and Fire Services connecting to a Public Water Main from the Main up to the DCDA. Public Water Improvements and Public Sewer Improvements are required to be designed and constructed through Public Improvement Plans with Plan View and Profile View per City Standards, Guidelines, and Requirements.
 - b. Private Utility Improvements include the following: onsite water plumbing lines after a Public Meter, or after the Fire DCDA and including the DCDA; Backflow Devices and other Cross-Connection Prevention; onsite sewer upstream of the Public Sewer Lateral, including the Cleanout (or Manhole) at PL/RoW/PUE Edge; Monitoring Manholes and other Wastewater Pretreatment Facilities. Private Onsite Utility Improvements are required to be designed and constructed per Building and Plumbing Plans with: the Backflows, DCDAs, Cleanout (or Manhole) at PL/RoW/PUE Edge, and Monitoring Manholes being designed and constructed through a Precise Grading Plan; and, the other Pretreatment Devices (Grease Interceptor, Sand, Oil Interceptors, etc.) and the connections to the buildings and structures through a building Plumbing Plan.

Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

5. Sanitary Sewer Service:
- a. Sewer Lateral:
 - i. Each Parcel and its onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003.
 - ii. The existing sewer main being connected to shall be CCTV inspected between the upstream and downstream manholes of the connection once before and once after the Sewer Lateral connections is made and any damage to the sewer main resulting from the installation of the Sewer Lateral shall be repaired to meet City Standards and Requirements prior to placing the Sewer Lateral in service.
 - b. Onsite Sewer:
 - i. Onsite sewer shall be privately owned and maintained.
 - ii. Monitoring Manhole: The onsite private sewer system for each building shall have a monitoring manhole that captures all wastewater flow discharged from each building.
 - iii. Private Onsite Sewer and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or within 5 feet of any Private Onsite Sewer pipes.
 - c. Unused Service Abandonment: All adjacent sewer laterals along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.
 - i. This includes but is not limited to two existing unused sewer laterals south of Building 1 in Maitland Street.
6. Wastewater Discharge Requirements: Each Building's Occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit. (https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/1_commercial_and_industrial_wastewater_permit_application_fillable.pdf). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact:
 Michael Birmelin, Environmental Programs Manager
 omucenvironmental@ontarioca.gov
 Phone: (909) 395-2661

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

7. Potable Water Infrastructure:

- a. Install a new irrigation service connecting perpendicularly to the potable water main in Sultana Avenue to provide irrigation for the median in Mission Boulevard. Abandon the existing irrigation service.
- b. After the new irrigation service is active, abandon the following:
 - i. All 4-inch water mains and stubs in the former Carlton Street right-of-way and in Sultana Avenue.
 - ii. 12-inch water main stub in the former Carlton Street right-of-way back to the main in Sultana Avenue.
 - iii. For existing water mains and stubs (and connected services & appurtenances) to be abandoned, all existing appurtenances shall be removed and surrendered to the Utilities Department. Existing services & appurtenances (fire hydrants, blowoffs, airvacs, fire services, and meter/meter-box, etc) connected to the existing mains cannot be reused for connection to the 8-inch main; services and appurtenances (fire hydrants, blowoffs, airvacs, fire services, and meter/meter-box, etc) connecting to the 8-inch main must be installed new per the corresponding City Standard. The main and services shall be cut and capped on both ends for any removed segments.

8. Potable Water Service:

- a. Domestic Service: Each Parcel shall have its own domestic water service and meter with backflow prevention device connected to the City of Ontario Public Potable Water System.
- b. Irrigation Service: For landscape irrigation uses that are not served by Recycled Water, each Parcel's landscape irrigation uses shall have a separate irrigation water service and meter with backflow prevention device connected to the City of Ontario Public Potable Water System separate from the domestic water uses and the onsite plumbing systems shall be also separate from each other.
 - i. Purple Ready: A master planned recycled water main is going to be installed in Mission Boulevard in the future. Irrigation services and meters shall be installed closest to Mission Boulevard as feasible to make the future conversion to the future recycled water main easier. The irrigation system and all its appurtenances to be purple ready for future recycled water use.
- c. Fire Water Service: For onsite private Fire System uses:
 - i. If an onsite private fire system is required, then a separate Fire Service with Double Check Detector Assembly (DCDA) per City Standard #4208 connected to the City of Ontario Public Potable Water System is required, to serve the onsite private fire system. The onsite fire system and onsite domestic water plumbing system shall be separate.
- d. Unused Services Abandonment: All adjacent water services (along with connected apparatuses) along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.
 - i. This includes but is not limited to one existing unused potable water service south of Building 1 in Maitland Street.
- e. Fire Hydrants: Fire hydrants fronting the Project shall be upgraded to meet current City standards.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

9. Purple Ready: A master planned recycled water main is going to be installed in Mission Boulevard in the future. The irrigation system and all its appurtenances to be purple ready for future recycled water use. See Potable Water Condition 8.b.
10. RW Program Requirements: In order to receive future RW service, the applicant shall comply with each of the following:
 - a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
 - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.

- ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
- iii. For details, contact OMUCWQPlanCheck@ontarioca.gov.
- b. Prior to Occupancy Release/Finalizing:
 - i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
 Rudy Zeledon, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 James Caro, Building Department
 Raymond Lee, Engineering Department
 Jamie Richardson, Landscape Planning Division
 Dennis Mejia, Municipal Utility Company
 Gabriel Gutierrez, Police Department *Jeremy Phillips*
 Paul Erhman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Angela Magana, Community Improvement (Copy of memo only)
 Jimmy Chang, IPA Department
 Ben Mayorga, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-006 Finance Acct#:

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

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

PROJECT DESCRIPTION: A Parcel Map to subdivide 4.43 acres of land into 2 parcels located at the southeast corner of Mission Boulevard. and Sultana Avenue, within the IL (Light Industrial zoning district. (APN(s): 1049-353-09; 1049-353-10; 1049-353-11; 1049-353-12; 1049-353-14). Related File(s): PDEV22-009.

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

POLICE DEPARTMENT ANTONIO GALBAN POLICE OFFICER 7/9/22
 Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 15, 2022

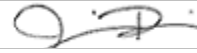
SUBJECT: PMTT22-006 - A Parcel Map to subdivide 4.43 acres of land into 2 parcels located at the southeast corner of Mission Boulevard. and Sultana Avenue, within the IL (Light Industrial zoning district. (APN(s): 1049-353-09; 1049-353-10; 1049-353-11; 1049-353-12; 1049-353-14). Related File(s): PDEV22-009.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments. See PDEV22-009.

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

4/11/2023

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV22-009 & PMTT22-006

Case Planner:

Lorena Mejia

Project Name and Location:

2 Industrial Buildings
 SW Corner of Mission Blvd. and Sultana Ave.

Applicant/Representative:

Clark Neuoff cneuhoff@alerelc.com (949) 701-2101
 26 Wildand
 Irvine, CA 92603



Preliminary Plans (dated 3/24/2023) 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. Reconfigure the accessible ramp to allow for landscape screening in front and along the side of the ramp; minimum landscape space shall be 3'. Ramps shall be designed to minimize length and avoid unnecessary switchbacks. Show grades on plans at accessible ramps. Reduce the length of the ramp.

4. 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.
5. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
6. Show backflow devices set back 4' from paving all sides. Locate on level grade.
7. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind corners. Remove the expanse of concrete behind the sidewalk, maximum 4' behind the ramp.
8. 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.
9. 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.
10. 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

11. Provide an arborist report and tree inventory as noted in #1.
12. Coordinate with the civil for the accessible ramp to allow for landscape screening in front and along the side of the ramp; minimum landscape space shall be 3'. Reconfigure the ramp to reduce the length.
13. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to omucwaterquality@ontarioca.gov. OMUC shall review and approve irrigation systems utilizing recycled water prior to final landscape approval. Submit an electronic approval letter or memo from OMUC with resubmittal of the landscape package.
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 at 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. Additional trees are required onsite within the landscape setback along Mission Blvd.
17. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
18. Provide confirmation that the conceptual landscape plan is approved by the Gas Company.
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. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

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

FROM: Lorena Mejia, Senior Planner

DATE: March 01, 2022

SUBJECT: FILE #: PDEV22-009

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Development Plan to construct 2 industrial buildings totaling 81,000 square feet on 4.43 acres of land located at the southeast corner of Mission Boulevard and Sultana Avenue, within the IL (Light Industrial) zoning district (APN(s): 1049-353-09; 1049-353-10; 1049-353-11; 1049-353-12; 1049-353-14). Related File(s): PMTT22-006.

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

Broadband Operations
Department

Cameron Chadwick
Signature

Title

03/14/2022
Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
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Jimmy Chang, IPA Department
Ben Mayorga, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-006

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Parcel Map to subdivide 4.43 acres of land into 2 parcels located at the southeast corner of Mission Boulevard. and Sultana Avenue, within the IL (Light Industrial zoning district. (APN(s): 1049-353-09; 1049-353-10; 1049-353-11; 1049-353-12; 1049-353-14). Related File(s): PDEV22-009.

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

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

The plan does not adequately address the departmental concerns.

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

Broadband Operations
Department

Cameron Chadwick
Signature

Title

03/14/2022
Date

MISSION BLVD.

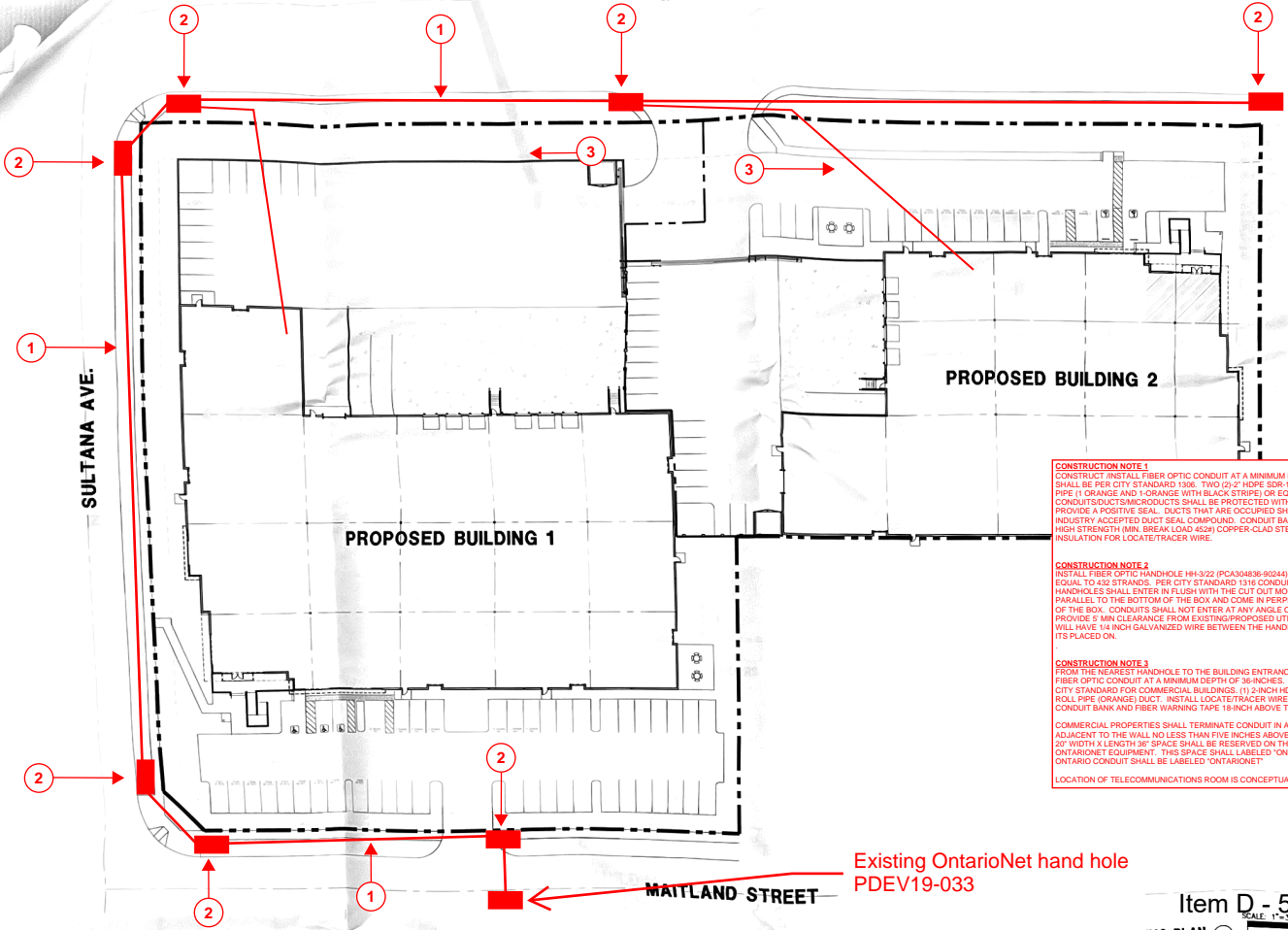
MONTEREY AVE.

MATLAND STREET

SULTANA AVE.

PROPOSED BUILDING 1

PROPOSED BUILDING 2



CONSTRUCTION NOTE 1
 CONSTRUCT AND INSTALL FIBER OPTIC CONDUIT AT A MINIMUM DEPTH OF 36". TRENCHING SHALL BE PER CITY STANDARD 1306. TWO (2) 2" HDPE SDR-11 (SMOOTHWALL) ROLL PIPE (1" ORANGE AND 1" ORANGE WITH BLACK STRIPE) OR EQUIVALENT. ALL UNUSED CONDUIT SOLID/SMOOTH PRODUCTS SHALL BE PROTECTED WITH DUCTS PLUGS THAT PROVIDE A POSITIVE SEAL. DUCTS THAT ARE OCCUPIED SHALL BE PROTECTED WITH INDUSTRY ACCEPTED DUCT SEAL COMPOUND. CONDUIT BANK REQUIRES (1) 12AWG HIGH STRENGTH (MIN. BREAK LOAD 452#) COPPER-CLAD STEEL W/30ML HDPE ORANGE INSULATION FOR LOCATE/TRACER WIRE.

CONSTRUCTION NOTE 2
 INSTALL FIBER OPTIC HANDHOLE #H-3/22 (PCA304836-90244) NEWBASIS, LESS THAN OR EQUAL TO 4/2 STRANDS. PER CITY STANDARD 1316 CONDUITS SWEEPING INTO HANDHOLES SHALL ENTER IN FLUSH WITH THE CUT OUT MOUSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE BOX AND COME PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN PARALLEL. PROVIDE 5" MIN CLEARANCE FROM EXISTING PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4" INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL ITS PLACED ON.

CONSTRUCTION NOTE 3
 FROM THE (NEAREST) HANDHOLE TO THE BUILDING ENTRANCE, DESIGN AND INSTALL FIBER OPTIC CONDUIT AT A MINIMUM DEPTH OF 36-INCHES. TRENCHING SHALL BE PER CITY STANDARD FOR COMMERCIAL BUILDINGS: (1) 2-INCH HOPE SDR-11 (SMOOTHWALL) ROLL PIPE (ORANGE) DUCT. INSTALL LOCATE/TRACER WIRE MINIMUM 12AWG WITHIN CONDUIT BANK AND FIBER WARNING TAPE 18-INCH ABOVE THE UPPERMOST DUCT.


COMMERCIAL PROPERTIES SHALL TERMINATE CONDUIT IN AN ELECTRICAL ROOM ADJACENT TO THE WALL NO LESS THAN FIVE INCHES ABOVE THE FINISHED FLOOR. A 20" WIDTH X LENGTH 36" SPACE SHALL BE RESERVED ON THE PLYWOOD WALL FOR ONTARIO NET EQUIPMENT. THIS SPACE SHALL BE LABELED "ONTARIO NET ONLY". ONTARIO CONDUIT SHALL BE LABELED "ONTARIO NET".

LOCATION OF TELECOMMUNICATIONS ROOM IS CONCEPTUAL.

Existing OntarioNet hand hole
 PDEV19-033

Item D - 55 of 67

CITY OF ONTARIO
BROADBAND OPERATIONS
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL	
Sign Off	
	
Broadband Operations	3/08/22

Reviewer's Name Cameron Chadwick	Phone 909-395-2090
File #	Project Engineer:
Project Name and Location:	
Sent to:	

<input type="checkbox"/>	Plan does adequately address the departmental concerns at this time. No Comments.
<input checked="" type="checkbox"/>	Plan does adequately address the departmental concerns at this time. Report below.
<input type="checkbox"/>	Plan does not adequately address the departmental concerns. The conditions contained below must be met prior to scheduling for Development Advisory Board.

Req'd for Project	CONDITIONS OF APPROVAL -	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Project shall be designed and constructed 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 in the Right-of-Way (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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties within a reasonable distance. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Where a joint telcom or street light street crossing is required, include (2) 2" hdpe sdr-11 conduits or (1) 4" schedule 80 conduit sleeve. Terminate the street crossing conduit(s) in a new HH-3/22 ontarionet hand hole in the right of way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. The City requires a public utility easement for fiber optics on all private aisles/alley ways.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Hand holes - Design and install OntarioNet fiber optic hand hole HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively Newbasis Part # PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5 foot minimum clearance from existing/proposed utilities. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
<input type="checkbox"/>	<input type="checkbox"/>	7. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct

Req'd for Project	CONDITIONS OF APPROVAL -	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
<input type="checkbox"/>	<input type="checkbox"/>	15. Developer to install 3 inch SCE conduit stub for future City fiber optic meter pedestal within an 8-foot wide, 5-foot deep reserved area for City fiber optic network cabinet. A 3-foot clearance must be maintained around the cabinet and the meter. HH4 shall be placed near the reserved area for cable entrance to network cabinet. The pedestal and network cabinet will be supplied and installed by the City. The service submittal to SCE will be coordinated by the City.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16. Multi-family dwellings are considered commercial property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18. Please contact City's Fiber Team at OntarioNet@ontarioca.gov for conduit design assistance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19. For additional information please refer to the City's Fiber Optic Master Plan.
<input type="checkbox"/>	<input type="checkbox"/>	20. Please see attached corrections.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21. Please provide plans in digital format (PDF) on future revisions.



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner

FROM: Officer Tony Galban, Police Department

DATE: November 10, 2021

SUBJECT: PDEV22-009 - A DEVELOPMENT PLAN TO CONSTRUCT TWO INDUSTRIAL BUILDINGS TOTALING 81,000 SQUARE FEET, LOCATED AT THE SOUTHEAST CORNER OF MISSION BOULEVARD AND SULTANA AVENUE.

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

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 15, 2022

SUBJECT: PDEV22-009 - A Development Plan to construct 2 industrial buildings totaling 81,000 square feet on 4.43 acres of land located at the southeast corner of Mission Boulevard and Sultana Avenue, within the IL (Light Industrial) zoning district (APN(s): 1049-353-09; 1049-353-10; 1049-353-11; 1049-353-12; 1049-353-14). Related File(s): PMTT22-006.

-
- 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: Assumed III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Varies (2 Buildings)
- D. Number of Stories: 1 w/ Mezzanine
- E. Total Square Footage: 44,076 Sq. Ft. & 35,581 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): S

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 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. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of

the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

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

7.0 PROJECT SPECIFIC CONDITIONS

Note: Due to proposed entrances, buildings will not have the same stress addresses.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: _____
 Address: SEC of Sultana Avenue and Mission Boulevard
 APN: 1049-353-09, 1049-353-10, 1049-353-11, 1049-353-12 & 1049-353-14
 Existing Land Use: Vacant
 Proposed Land Use: TPM to subdivide 4.44 acres of land into 2 parcels and Development Plan to construct 2 industrial buildings totaling 79,323 SF
 Site Acreage: 4.44 Proposed Structure Height: 42
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 5/30/2023
 CD No.: 2022-079
 PALU No.: N/A

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input checked="" 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="checkbox"/> 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 type="checkbox"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input checked="" type="checkbox"/> Zone 4		Allowable Height: <u>95 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) was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT provided the attached conditions are met.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2022-079
PALU No.: _____

PROJECT CONDITIONS

1. Project is located within Safety Zone 4, above ground storage of hazardous materials greater than 6,000 gallons is not allowed (ALUCP Policy S4b (Hazardous Material Storage)).
2. Attached are the land use intensity calculations for the proposed building. Future land uses that deviate from what is currently being approved must meet the policies and criteria of the Ontario ALUCP.
3. The maximum height limit for the project site is 95 feet and as such, any construction equipment such as cranes or any other equipment exceeding 95 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.
4. New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number of people on site. Land uses are required to meet the policies and criteria of the Ontario International Airport Land Use Compatibility Plan.

5. This project is located within Safety Zone 4 and is required to file and record an Avigation Easement with the OIAA prior to obtaining a Certificate of Occupancy.

Intensity Calculations for PMTT22-006 and PDEV22-009

CD No. 2022-079

Building 1 Parcel 1							
Proposed Land Use	Land Use SF	Acreage	Safety Zone	ALUCP Load Factor	ALUCP Load Factor	Land Use SF	ALUCP Load Factor
Warehouse	43,919		4	1,000	44	43,560	44
Totals	43,919	2.68			16		44
Sitewide Average Calculation				Single Acre Intensity Calculation			
16				44			
Site Wide Average Calculation is for Zone 4. ONT criteria for Zone 4 allows a maximum of 160 people. The proposed project would generate a site wide average of 16 people as indicated in the calculations above.							
Single Acre Intensity Calculation is for Zone 4. ONT single acre criteria for Zone 4 allows a maximum of 400 people. The proposed project would generate a single acre intensity of 44 people as indicated in the above calculations.							

**Intensity Calculations for
PMTT22-006 and PDEV22-009**

CD No. 2022-079

Building 2 Parcel 2							
				Load Factors	Sitewide Average Calculations (Zone 4 = 160 P/AC max)	Single Acre SF	Single Acre Intensity Calculations (Zone 4 = 400 P/AC max)
Proposed Land Use	Land Use SF	Acreage	Safety Zone	ALUCP Load Factor	ALUCP Load Factor	Land Use SF	ALUCP Load Factor
Warehouse	35,404		4	1,000	35	35,404	35
Totals	35,404	1.75			20		35
	Sitewide Average Calculation			Single Acre Intensity Calculation			
		20			35		
<p>Site Wide Average Calculation is for Zone 4. ONT criteria for Zone 4 allows a maximum of 160 people. The proposed project would generate a site wide average of 20 people as indicated in the calculations above.</p>							
<p>Single Acre Intensity Calculation is for Zone 4. ONT single acre criteria for Zone 4 allows a maximum of 400 people. The proposed project would generate a single acre intensity of 35 people as indicated in the above calculations.</p>							



DEVELOPMENT ADVISORY BOARD DECISION

June 5, 2023

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

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NOS.: PMTT22-014 and PDEV22-023

DESCRIPTION: A public hearing to consider Tentative Parcel Map No. 20576 (File No. PMTT22-014), consolidating 2 lots into one lot in conjunction with a Development Plan (File No. PDEV22-023) to construct 28 townhome apartment units on approximately 0.79 acres of land located at the northeast corner of Laurel Avenue and D Street within the LUA-1 (Euclid Avenue Entertainment District) land use district of the MU-1 (Downtown Mixed-use) zoning district. APNs: 1048-363-05, 1048-363-04, 1048-363-03 and 1048-363-02; **submitted by Tipping Development. Planning Commission action is required.**

PART 1: BACKGROUND & ANALYSIS

TIPPING DEVELOPMENT, (herein after referred to as "Applicant") has filed an application requesting approval of Tentative Parcel Map 20576, File No. PMTT22-014, and a Development Plan, File No. PDEV22-023, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 0.79 acres of land located within the historic downtown, at the northeast corner of D Street and Laurel Avenue, which is depicted in Exhibit A: Project Location Map, attached. The Project site is developed with a paved public parking lot.

On the same block, north of the Project site, are medical offices and a surface parking lot, and west of the Project site, is a mixture of retail, commercial, office and a restaurant that fronts onto Euclid Avenue. The block south of the Project site is developed with a vacant commercial building, paved surface parking lot, and undeveloped land. Other surrounding land uses include office, multiple-family residential and paved surface parking lots. Existing land uses and Policy Plan (general plan) land use and zoning designations on and surrounding the Project site are as follows:

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation
Site:	Paved parking lot	Mixed Use Downtown	MU-1 (Mixed Use Downtown/ Laurel Avenue Townhomes PUD)
North:	Medical offices and paved parking lot	Mixed Use Downtown	MU-1 (Mixed Use Downtown/ Laurel Avenue Townhomes PUD)

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation
South:	Paved parking lot, vacant commercial building and undeveloped land	Mixed Use Downtown	MU-1 (Mixed Use Downtown/ Laurel Avenue Townhomes PUD)
East:	Commercial and public alley	Mixed Use Downtown	MU-1 (Mixed Use Downtown/ Laurel Avenue Townhomes PUD)
West:	Multiple-family residential and paved parking lot	Mixed Use Downtown	MU-1 (Mixed Use Downtown/ Laurel Avenue Townhomes PUD)

(1) Background — On August 16, 2022, the City Council approved a Disposition and Development Agreement (“DDA”) with the Applicant for a mutual benefit that would further The Ontario Plan (TOP) Policy Plan (general plan) goals of an intensive mixture of retail, office, and residential uses in a pedestrian friendly atmosphere, while ensuring that the historic character of the Downtown is preserved. The DDA includes requirements for the Applicant to adhere to certain deadlines for project entitlement and construction completion for the disposition of the property.

The Project site is located within LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed-Use) zoning district, requiring the preparation and approval of a Planned Unit Development (“PUD”) to establish the development standards and design guidelines for the site. The Applicant filed a request for approval of the Laurel Avenue Townhomes PUD, File No. PUD22-002 concurrently with the subject Tentative Parcel Map and Development Plan applications. Final approval of the Tentative Parcel Map and Development Plan is contingent upon the City Council adoption of the PUD for the Project site.

(2) Tentative Parcel Map — Tentative Parcel Map No. 20576, which is depicted in Exhibit B; proposes to consolidate 2 parcels of land into a single lot and vacate the east-west running alley located within the Project site, creating a single 0.79-acre parcel for development. This will facilitate the construction of 28 townhome apartment units.

(3) Development Plan

(a) Site Design/Building Layout — The Project proposes the construction of 5 buildings consisting of one duplex (Type A), three 6-plex (Type B), and one 8-plex (Type C) for a total of 28 townhome apartment units, at a density of 35 dwelling units per acre, as depicted in Exhibit C: Site Plan, attached. The proposed walk-up row town style buildings will have 3-stories with an overall average height of 36 feet. The buildings are oriented east west with the front entries facing Laurel Avenue or a common paseo. Twelve units have front entries that face Laurel Avenue, 14 units have front entries along common pedestrian paseos located on the east side of the site, and 2 units located at the northeast corner of the site will have side-on entries.

The 6-plex buildings are generally located along Laurel Avenue, with an average 6-foot setback from Laurel Avenue, 9-feet, 6-inches from D Street, and a minimum distance

between buildings of 6-feet 4-inches which allows for a landscaped pedestrian path from Laurel Avenue to the site. The duplex building is located at the northeast corner of the site and is setback an average of 6-feet from the north property line and the public alley to the east. The 8-plex building is located on the east side of the site, setback approximately 5-feet from the public alley, 27-feet from the drive aisle, and a minimum distance of 22-feet from a 6-plex building, which provides a common landscaped pedestrian pathway that connects to entryways, D Street to the south, and to the common recreation area to the north.

The units will provide one and 2-bedroom townhome apartments with one and 2.5 bathrooms, respectively, as depicted in Exhibit D: Floor Plans. All residential units will have private balconies, ranging in size from 48 to 60 square feet and the 2-bedroom units will have roof deck patio areas that are approximately 200 square feet in size for a total of 4,704 square feet. Private open space meets the minimum requirement of 4,200 square feet, at a ratio of 150 square feet average per dwelling unit. Private garages are located at the rear of the units on the ground floor and will have direct access to upper levels of living area. Bedrooms are located on the second floor with the primary living space on the third level equipped with kitchen, dining and living areas. The dwelling unit summary by floor plan is as follows:

Residential Floor Plans

Plan No.	Area (in SF)	No. Bedrooms	No. Baths	Private Open Space	No. of Units
1	761	1 bedroom	1 bath	48	12
2	1,080	2 bedrooms	2.5 baths	258	11
2B	1,110	2 bedrooms	2.5 baths	258	3
3	1,176	2 bedrooms	2.5 baths	258	2
TOTAL RESIDENTIAL UNITS					28

(b) Site Access/Circulation —The Project will have pedestrian access points to site along Laurel Avenue and D Street through common landscape pedestrian pathways. The units that front onto Laurel Avenue will have direct access to the public sidewalk. Primary vehicular access to the site is from a 2-way driveway, located on D Street, that leads to a 24-foot-wide drive aisle which runs north and south through the site. The secondary vehicular access point is from the one-way public alley that connects to the drive aisles. Decorative tubular steel fences with brick veneer pilasters will be located on the north perimeter of the site to delineate the residential community from the adjacent off-site commercial parking lot. No other security fencing is proposed.

(c) Parking — The Project requires 50 vehicle parking spaces as specified in the proposed Laurel Avenue PUD and are shown in the table below. In order to achieve the preferred Project density, 44 residential parking spaces will be provided on-site within in private garages and 6 guest parking spaces are expected to be accommodated off-site on surrounding public streets and nearby parking lots.

Parking Summary

Type of Use	No. of units	Parking Ratio	Spaces Required	Spaces Provided
Residential Units	28 (44 bedrooms)	1 space per bedroom	44	44 (off-street)
Residential Guest	28 units	0.20 space per unit	6	6 (street and public parking lots)
TOTAL			50	50 (off-street, on-street, and public parking lots)

The Project site is currently developed with a surface parking lot that provides 80 parking spaces for public use. Development of the Project will result in relocation of the public parking spaces to curb adjacent street parking and in nearby public parking lots, including 3 blocks south of the Project site where there are 116 parking spaces on-site and approximately 77 on-street (curb adjacent) parking spaces available for a total of 193 parking spaces, as depicted in Exhibit H: Public Parking Availability. Additionally, the City has acquired nearby properties, located within 4 blocks of the Project site, that include parking lots with up to 194 parking spaces that could be utilized as public parking if determined necessary. Furthermore, the City is considering investment on the west side of downtown by developing a public parking structure in the near future. While a new parking structure would exceed the parking demand for the existing uses and the Project, the current parking supply, along with the ability to deliver additional parking spaces as needed, makes the proposed parking design for the Project feasible.

(d) Architecture —The Project will be designed in a contemporary architectural style, as depicted in Exhibit E: Exterior Elevations and Exhibit F: Project Renderings, attached. The 3-story buildings will feature front stoop entries, parapet roofs accentuated with decorative cornices, smooth stucco exterior finishes, and traditional brick veneer applied strategically at the ground and second levels creating visual relief. The Project illustrates the type of high-quality residential architecture promoted by the proposed Laurel Avenue Townhomes PUD, Downtown Design Guidelines, and the Development Code. This is exemplified through the use of:

- Articulation in the building footprints, incorporating vertical and horizontal changes in the exterior building walls (combination of recessed or projected wall areas and cantilevered upper stories above garages);
- Articulation in the building roof lines and placement of second and third story balconies, which serve to break up large expanses of building wall; and
- Recessed windows and trim; and
- Architectural details, such as the use of decorative trim to compliment the transitions from brick veneer to stucco finishes, awning or trim above the front entries and windows to enhance openings, and decorative garage doors with windows.

(e) Landscaping, Common Open Space, and Amenities — Landscaping is provided for the full length of the Project street frontages, side yards and alley, recreation area, and pedestrian walkways for a total of 10,949 square feet (30 percent landscape coverage), which meets the minimum 15 percent landscape coverage requirement for the Project. A variety of accent and shade trees in 24-inch, 36-inch, and 48-inch box and 15-gallon sizes, as well as 1, 5, and 15-gallon size shrubs, groundcover, and vines will be planted in a variety of species throughout the site to create landscape areas that are aesthetically pleasing while having low or moderate water usage. Decorative paving and lighting will be provided at entries, pedestrian walkways, and other key locations throughout the Project, as depicted in Exhibit C: Site Plan, attached.

Approximately 5,600 square feet of common open space and recreation area are provided throughout the site, which includes an outdoor lounge area covered under a wood pergola equipped with barbeque and granite counter tops, table, chairs, and sofa which is centrally located on the site providing easy access to residents and their guests. Site amenity features are detailed in Exhibit G: Amenity Plan. Common open space and amenities meet the minimum requirement of 5,460 square feet, at a ratio of 195 square feet per dwelling unit.

A total of 9,660 square feet of private and common open space is required for the Project and a total of 10,295 square feet has been provided, exceeding the minimum standard as shown in the Open Space Summary below.

OPEN SPACE SUMMARY		
Open Space	Total Area Required (in SF)	Total Area Provided (in SF)
Common Open Space	5,460	5,591
Private Open Space	4,200	4,704
TOTAL	9,660	10,295

(f) Signage — All Project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval.

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

site. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

PUBLIC NOTIFICATION: Public notification is not required, as the Development Advisory Board is acting in its capacity as the recommending body to the Planning Commission. Public notification is required prior to the Planning Commission hearing on the Project.

CORRESPONDENCE: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

AGENCY/DEPARTMENT REVIEWS: Each City agency/department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are included with this Decision.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, 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 ONT ALUCP.

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

(1) City Council Goals.

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

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU-1 Balance: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU-1.1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.
 - LU-1.6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.
- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.

➤ LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

▪ Goal H-2 Housing Supply & Diversity: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H-2.5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.

▪ Goal H-5 Special Needs: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age, or other status.

Community Economics Element:

▪ Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.

➤ CE-1.6 Diversity of Housing. We collaborate with residents, housing providers, and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to encourage the development of housing supportive of our efforts to attract business in growing sectors of the community while being respectful of existing viable uses.

▪ Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

➤ CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

➤ CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

- S-1.1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

- CD-1.2 Place Types. We establish Place Types in urban, mixed use, and transit-oriented areas to foster the City's identity as a premier community and require new development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.

- CD-1.3 Existing Neighborhoods. We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.

- Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

- CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

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

- CD-2.2 Neighborhood Design. We create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:

- A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services;
 - Varied parcel sizes and lot configurations to accommodate a diversity of housing types;
 - Traffic calming measures to slow traffic and promote walkability while maintaining acceptable traffic flows and emergency evacuation access;
 - 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 and designed to maximize safety, comfort, and aesthetics for all users.
- CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.
- CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.
- CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD-2.12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.
- CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- Goal CD-3 Urban, Mixed Use, and Transit-Oriented Place Types: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be

designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

➤ CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➤ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

➤ CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

▪ Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: RECITALS

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "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 "ONT ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 5, 2023, 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 3: THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED 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, including all written and oral evidence provided during the comment period. 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, In-fill Development Projects) of the CEQA Guidelines, and meets all the following conditions:

(a) *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 Project is located within the Downtown Mixed Use land use designation of the Policy Plan (general plan) Land Use Map, and the MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment) zoning district and the related proposed Laurel Avenue Townhomes Planned Unit Development, which, at the Project location, intends to accommodate housing units at a density of 25 to 75 du/ac.

(b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.* The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 0.79-acres of land, which is surrounded by established development on all sides and consists of a mix of multiple-family, civic, retail, and commercial land uses.

(c) *The Project site has no value as habitat for endangered, rare, or threatened species.* The site is located in an urbanized area, is devoid of any flora or fauna, is regularly used for passenger vehicle parking by neighboring residents, and as such not suitable habitat for any endangered, rare, or threatened species.

(d) *Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.* The residential development is similar to, and of no greater impact than other allowed uses and development projects within the MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development and performance standards, and as demonstrated in the Air Quality and GHG and Traffic analysis and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project.

(e) *The site is adequately served by all required utilities and public services. All necessary wet and dry utilities are within the public street and are readily available for connection.*

(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: 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 Section 1 above, the DAB hereby concludes as follows:

(1) Development Plan (File No. PDEV22-023)

(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 Downtown Mixed Use land use district of the Policy Plan Land Use Map, and the MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and*

(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 MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment) zoning district, including standards relative to the particular land use proposed (commercial and residential mixed-use), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and*

(c) *The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the Project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed Project. The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code and proposed Laurel Avenue Townhomes Planned Unit Development are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant*

environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the proposed Laurel Avenue Townhomes Planned Unit Development; and

(d) *The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.* The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code and proposed Laurel Avenue Townhomes Planned Unit Development that are applicable to the proposed Project, including building intensity, setbacks, building height, amount of off-street parking spaces, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the residential 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 Development Code and proposed Laurel Avenue Townhomes Planned Unit Development.

(2) Tentative Parcel Map No. 20576 (File No. PMTT22-014)

(a) *The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.* The proposed Tentative Tract/Parcel Map is located within the Downtown Mixed Use land use district of the Policy Plan Land Use Map, and the MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment) 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:

(i) 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 LU-1). Furthermore, the Project will promote the City's policy to "incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario" (Policy LU-1.6 *Complete Community*); and

(ii) Contribute to the establishment of "[a] dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses" (Goal CD-1). 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, enhancing, and

preserving the character of our existing viable neighborhoods" (Policy CD-1.1 *City Identity*).

(b) *The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.* The proposed Tentative Tract/Parcel Map is located within the Downtown Mixed Use land use district of the Policy Plan Land Use Map, and the MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will:

(i) Contribute to providing "[a] high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct" (Goal CD-2). Furthermore, the Project will promote the City's policy to "create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:

- Parcel size and lot configuration to accommodate a diversity of housing types;
 - Floor plans that encourage views onto the street; and
 - Private recreation and amenities provided on-site to residential tenant's areas;
- and
- Landscaped parkways, with sidewalks separated from the curb and designed to maximize safety, comfort, and aesthetics for all users." (Policy CD-2.2 *Neighborhood Design*); and provide

(ii) Provide "a high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct" (Goal CD-2). 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 CD-2.7 *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 MU-1/LUA-1 (Downtown Mixed Use/Euclid Avenue Entertainment) zoning district, and is physically suitable for the type of commercial and residential mixed-use 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 commercial and residential mixed-use development at [a density of 45.8 DUs/acre and a floor area ratio of 1.19. The Project site

meets the minimum lot area and dimensions of the MU-1 (Downtown Mixed Use) zoning district and is physically suitable for this proposed density / 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 right-of-way 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.

SECTION 3: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 and 2, above, the DAB hereby recommends the Planning Commission APPROVES the Applications subject to each and every condition set forth in the Conditions of Approval included as Attachment A of this Decision and incorporated herein by this reference.

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

promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 5th day of June 2023.

Development Advisory Board Chairman

Exhibit A: PROJECT LOCATION MAP

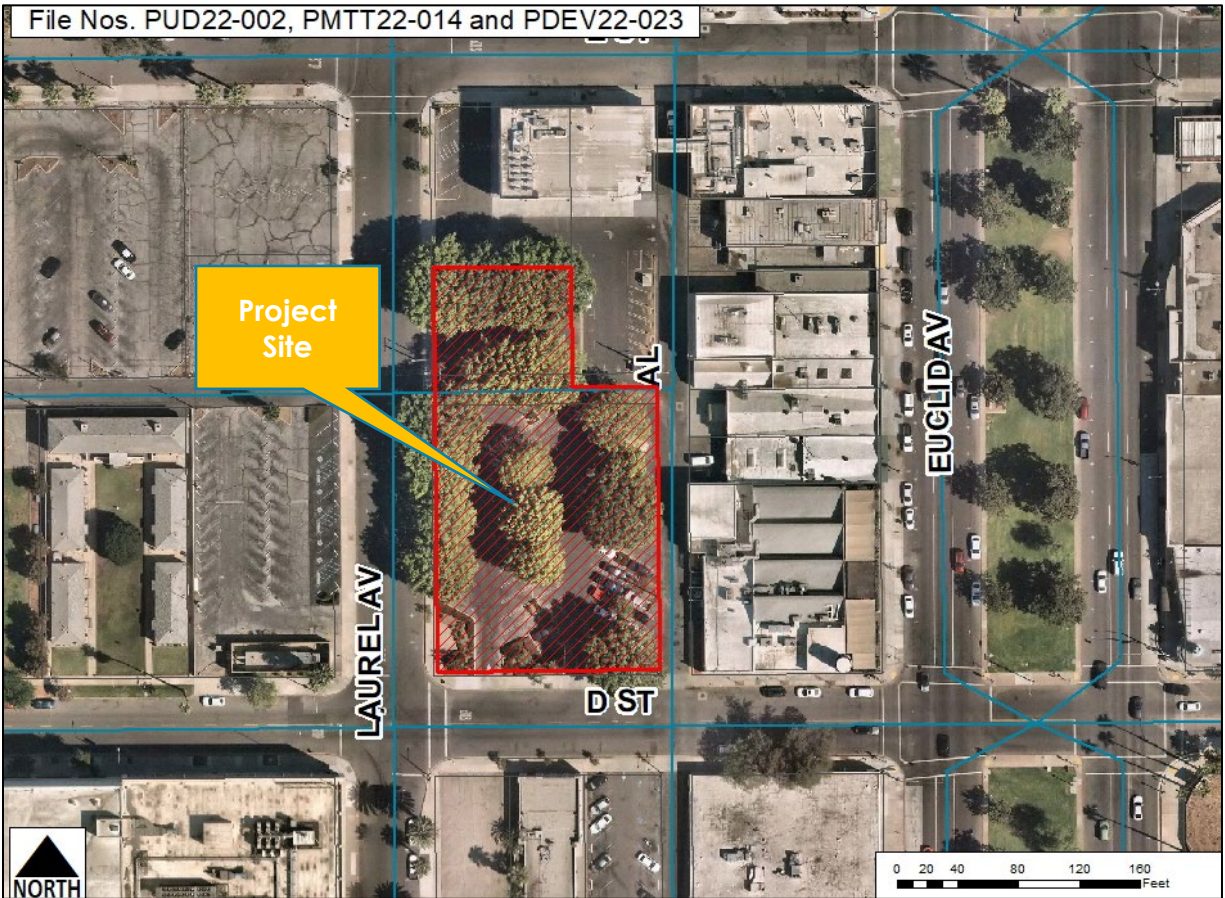


Exhibit B: Tentative Parcel Map No. 20576

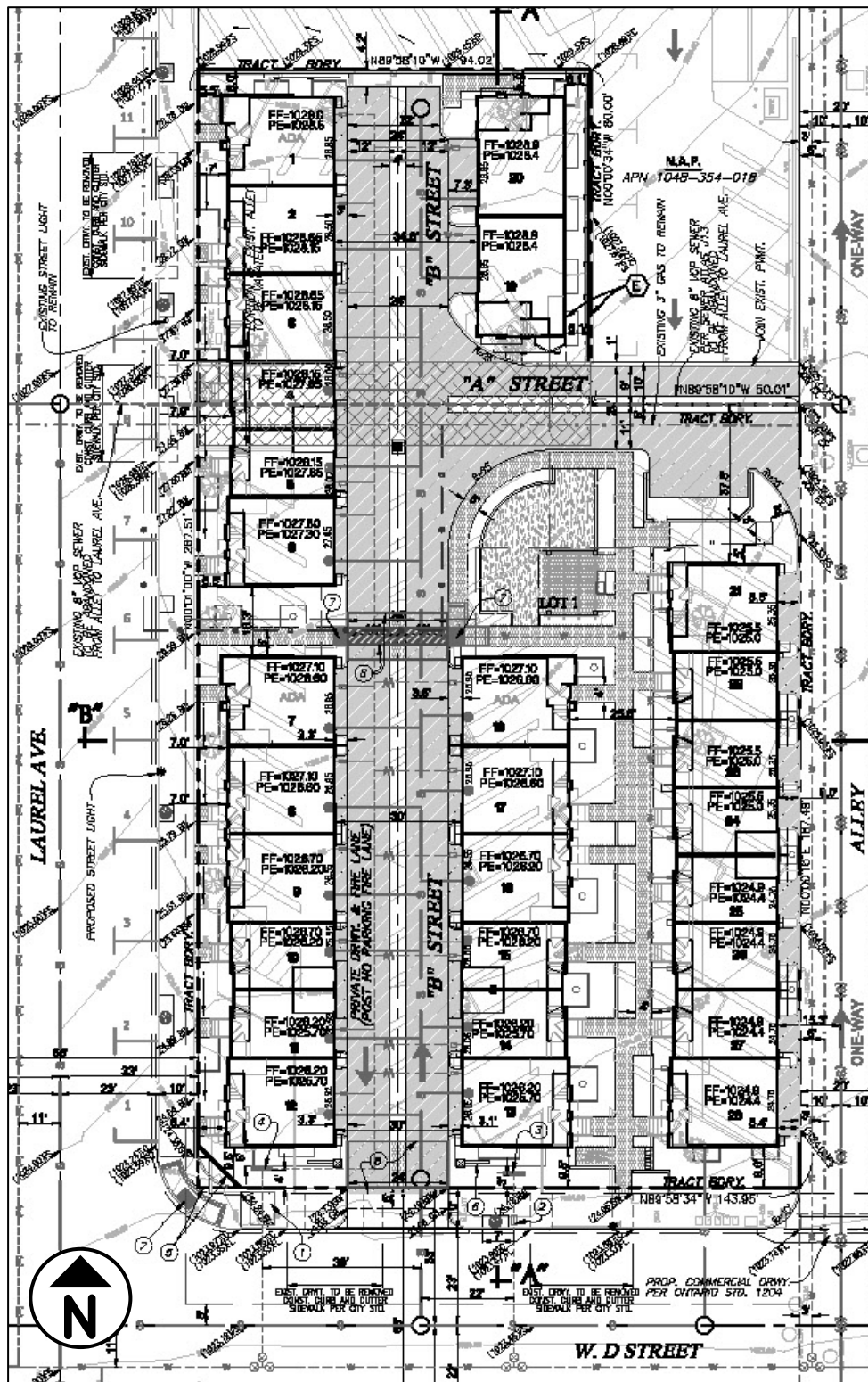


Exhibit C: SITE PLAN



Exhibit D: FLOOR PLANS

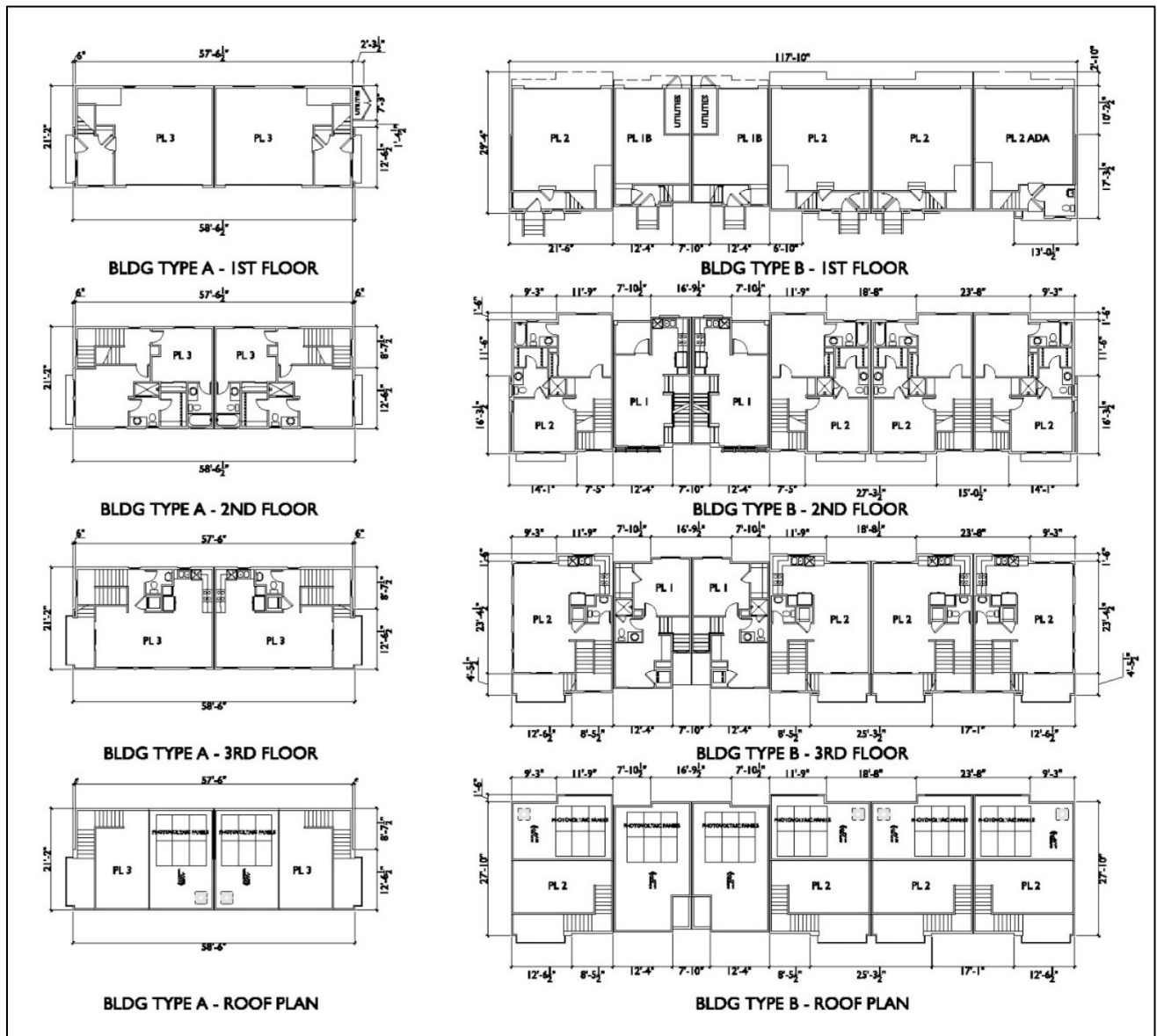


Exhibit D: FLOOR PLANS (CONTINUED)

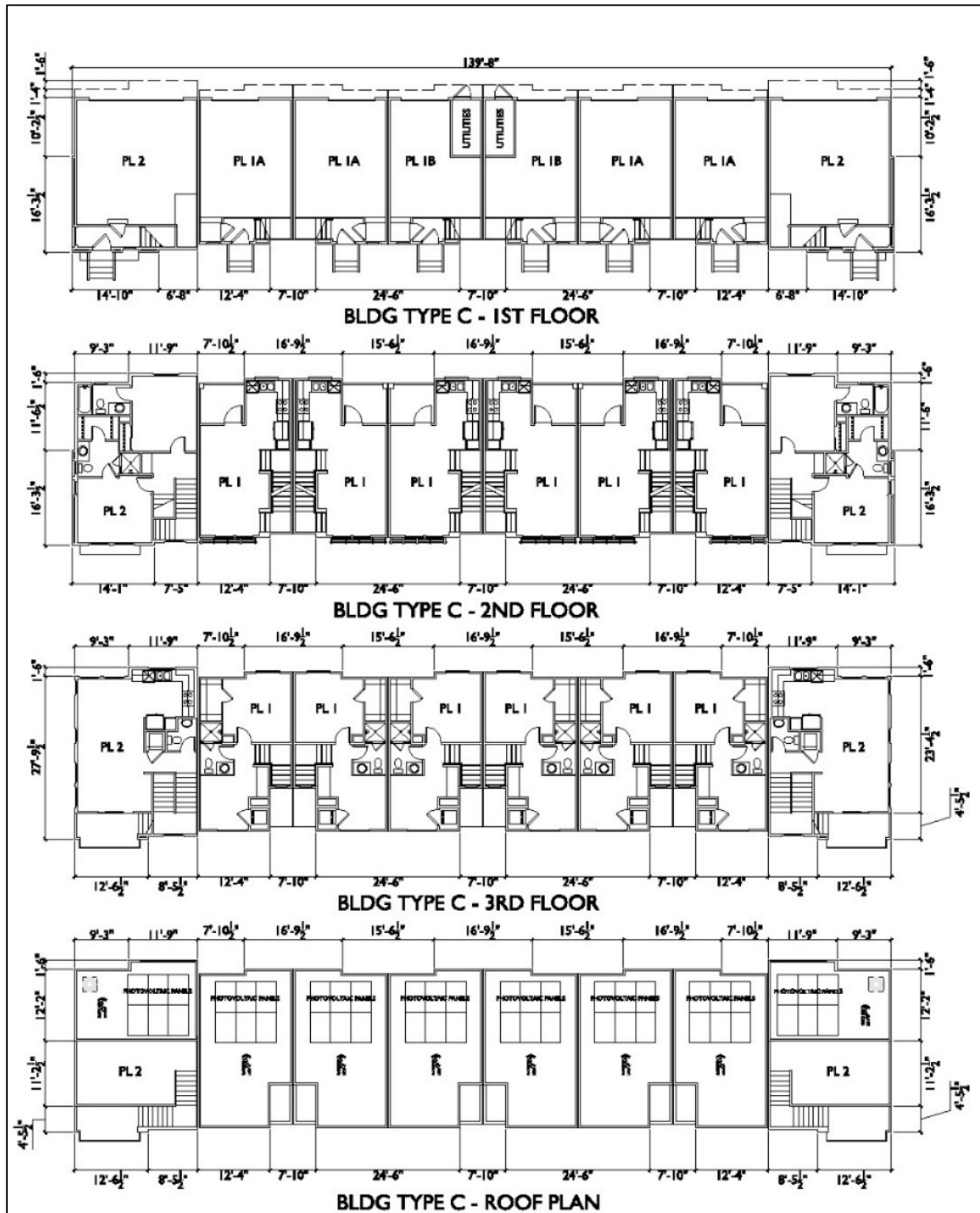


Exhibit E: EXTERIOR ELEVATIONS



BUILDING A (SCHEME I SHOWN)

Exhibit E: EXTERIOR ELEVATIONS (CONTINUED)



REAR ELEVATION



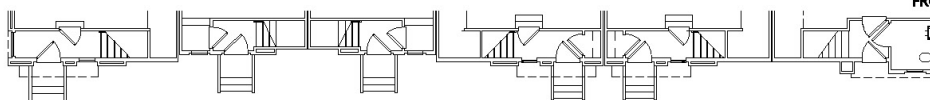
LEFT ELEVATION



RIGHT ELEVATION



FRONT ELEVATION



BUILDING B (SCHEME 2 SHOWN)

Exhibit E: EXTERIOR ELEVATIONS (CONTINUED)



Exhibit F: PROJECT RENDERINGS



VIEW OF PROJECT ENTRY FROM D STREET



VIEW FROM LAUREL AVENUE

Exhibit F: PROJECT RENDERINGS (CONTINUED)



VIEW TO NORTHEAST FROM LAUREL AND D



VIEW OF MAIN INTERNAL PASEO FROM D STREET

Exhibit G: AMENITY PLAN

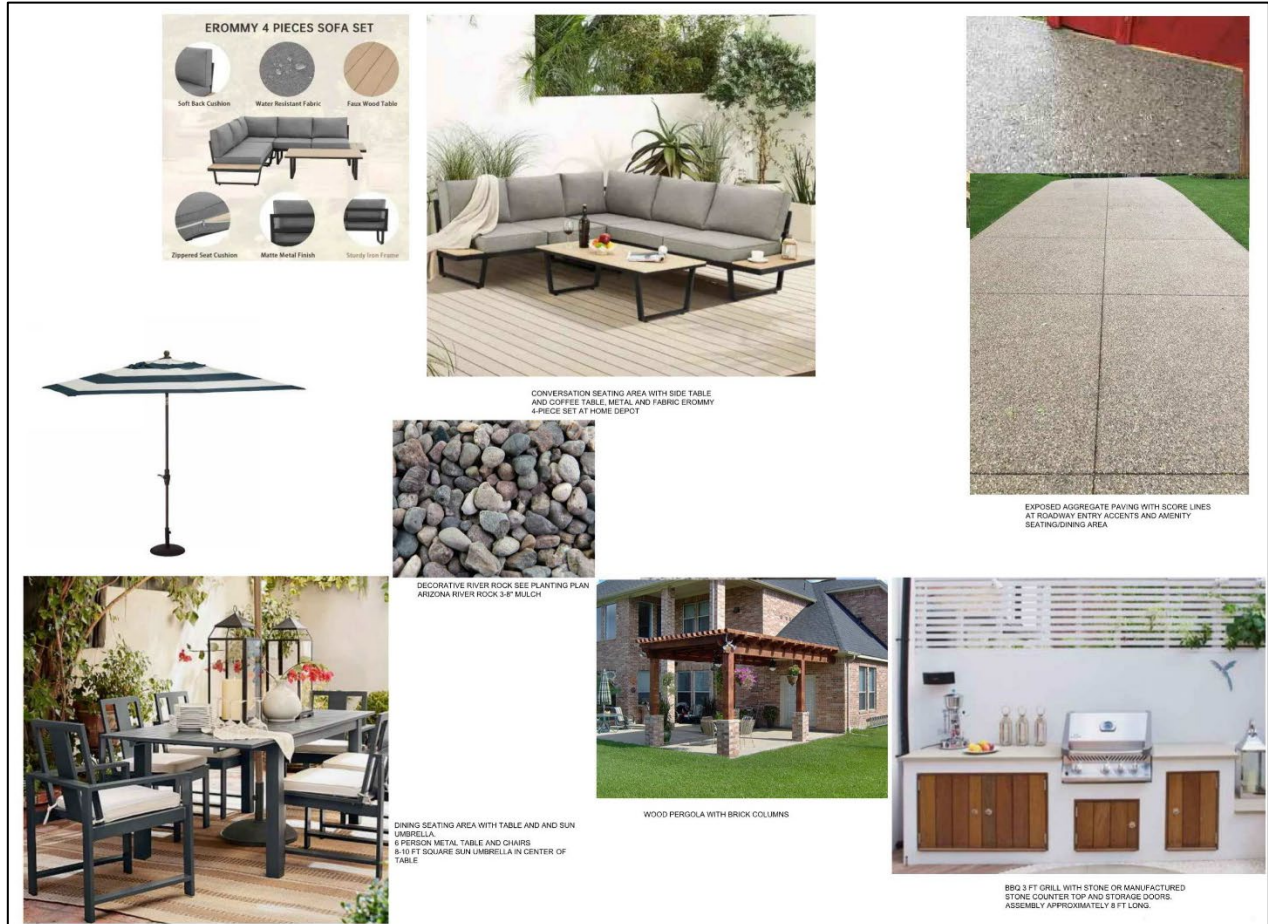
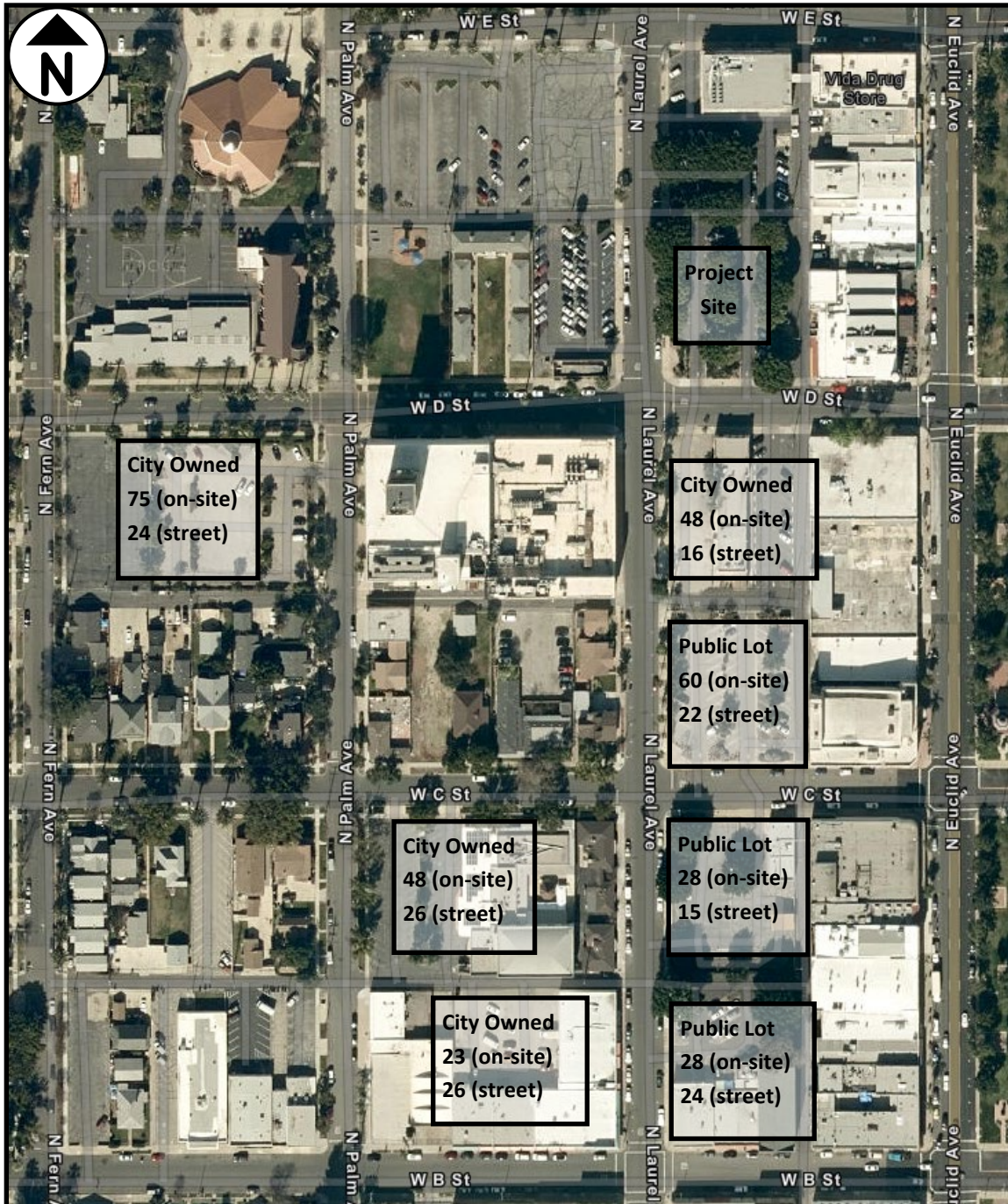


EXHIBIT H: PUBLIC PARKING AVAILABILITY



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

Date Prepared: 6/5/2023
File No: PMTT22-014 and PDEV22-023
Related Files: PUD22-002

Project Description: A public hearing to consider Tentative Parcel Map No. 20576 (File No. PMTT22-014), consolidating 2 lots into one lot in conjunction with a Development Plan (File No. PDEV22-023) to construct 28 townhome apartment units on approximately 0.79 acres of land located at the northeast corner of Laurel Avenue and D Street within the LUA-1 (Euclid Avenue Entertainment District) land use district of the MU-1 (Downtown Mixed-use) zoning district. APNs: 1048-363-05, 1048-363-04, 1048-363-03 and 1048-363-02; **submitted by Tipping Development.**

Prepared By: Diane Ayala, Senior Planner
Phone: 909.395.2428 (direct)
Email: dayala@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/Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

(b) 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 Subdivision Map.

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

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

(c) 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) and the Laurel Avenue Townhomes PUD.

(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.

(a) All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions) and the Laurel Avenue Townhomes PUD.

(b) Decorative tubular steel fence, no more than 6 feet in height, shall include decorative brick veneer pilasters at corner locations and every 35 feet apart, shall be constructed along the north and northeast property line adjacent to existing parking lot.

(c) Screen walls, no more than 4 feet in height, and monument walls to identify entrance to the site and no more than 4 feet in height, may be located along the D Street frontage within the landscaped yard setback. A landscape area shall be planted between the wall and back of sidewalk.

2.6 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of and the Laurel Avenue Townhomes PUD. A total of 44 off-street parking spaces within an enclosed garage shall be provided to resident tenants. Resident guests are expected to park on the surrounding project frontage streets, nearby public parking lots and parking structure.

(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. Enhancement paving should also be placed on the drive aisle where pedestrian crossings are located to provide a clear path.

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

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

(e) 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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

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.

(c) Vents (i.e. water heaters, dryers, fans, etc.) shall not be located on street facing building elevations or on primary facades.

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

2.10 Signs.

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

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

2.12 Disclosure Statements.

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

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

2.13 Environmental Requirements.

(a) 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).

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

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

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of 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"). The filing of a NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.16 Related Applications. Subject applications approval shall not be final and complete until such time that related File No. PUD22-002, Laurel Avenue Townhomes has been approved by the City Council.

2.17 Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner's Representative and Contractor shall be present.

2.18 Architectural Treatment.

(a) At building corners, where conditions exist that would allow the public to view the back (interior) side of parapet walls resulting from changes in parapet heights, the raised

parapet area shall be constructed so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director.

(b) Windows located shall be recessed a minimum of 2 inches from building wall face to provide a relief.

(c) Provide a minimum 1 foot 6- inch off-sets in building footprint and cantilever upper stories above garages to create articulation.

(d) Change in material from brick material to stucco material shall include a decorative cap, sill, or cornice that projects from the face of the building. Stucco finishes shall be 20/30 or have a finer sand or smooth finish.

(e) Decorative garage doors with windows shall be installed with a minimum 5.5-inch recess.

(f) Metal awnings which compliment the architectural style shall be installed over front door entries. All metal awning, stairs handrails, and railing shall be a finished with a factory coat or anodized. Paint over metal shall be avoided.

(g) Replacement of sidewalk within the public right- of-way shall be designed to match the historic scored pattern. Additionally, within the right-of-way, light fixtures and post shall be the King Standard to match the existing located within the Civic Center right-of-way area.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Land Development Division, 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 checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
PROJECT FILE NO. <u>PMTT22-014, PDEV22-023, PUD22-002</u>		
RELATED FILE NO(S). _____		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Jeffrey Tang, P.E. (909) 395-2128 *JT*

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

DAB MEETING DATE: June 5, 2023

PROJECT NAME / DESCRIPTION: A Tentative Parcel Map (TPM 20576) to consolidate 2 existing parcels of land into a single 0.79-acre parcel for condominium purposes, A Development Plan to construct 28 multiple-family dwelling units and A Planned Unit Development to establish development standards on 0.79-acres of land located at the northeast corner of Laurel Avenue and D Street, as 120 West D Street (and 420 N. Laurel Ave.), within the LUA-1 (Euclid Avenue Entertainment District) land use district of the MU-1 (Downtown Mixed-Use) zoning district.

LOCATION: Northeast corner of Laurel Avenue and D Street

APPLICANT: Tipping Development

REVIEWED BY: *Raymond Lee* 5/25/23
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY: *Khoi Do* 5/25/23
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 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
<input checked="" type="checkbox"/>	1.01 Dedicate to the City of Ontario, the right-of-way, described below: 1. Property line corner 'cut-back' required at the northeast corner of Laurel Avenue and D Street.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.02 Dedicate to the City of Ontario, the following easement(s): 1. An easement over "A" Street and "B" Street for Emergency Vehicle Access.	<input type="checkbox"/>
<input type="checkbox"/>	1.03 Restrict vehicular access to the site as follows:	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.04 Vacate the following street(s) and/or easement(s): 1. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from the affected owner/utility company. 2. A portion of the existing 20' east/west alley easement located within project boundary.	<input type="checkbox"/>
<input type="checkbox"/>	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.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	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.	<input type="checkbox"/>
<input type="checkbox"/>	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 .	<input type="checkbox"/>
<input type="checkbox"/>	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) _____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	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	<input type="checkbox"/>



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 No. 20576 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 Potable Water Connection in Euclid Avenue)
 - 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:
- 2.11 Dedicate to the City of Ontario the following easement(s):
- 2.12 Vacate the following street(s) and/or easement(s):
- 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 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.
- 2.17 Other conditions:
 - A. This project shall comply with all conditions and requirements of the associated Planned Unit Development plan.

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

- 2.18 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	Laurel Ave	D Street	Easterly Alley (North-South)	-
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" 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 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 checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace broken panels	<input checked="" 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
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 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 checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" 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 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
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input 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. 2.18, above:



- 2.19 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
 - A. **D Street, along project frontage from the centerline intersection of D Street and Laurel Avenue to end of the proposed driveway for the Easterly Alley, full width of street from edge of gutter to edge of gutter.**
 - B. **Easterly Alley, along project frontage, full width of alley.**
- 2.20 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.
- 2.21 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service to the site. 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.
- 2.22 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.
- 2.23 Other conditions:

C. SEWER

- 2.24 A _____-inch sewer main is available for connection by this project in _____ (Ref: Sewer facility id number: _____)
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 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.
- 2.27 **Other conditions:**
 1. **Abandon by cutting and capping the existing 8-inch sewer main located in the east-west alley between Laurel Avenue and the adjacent north-south alley.**
 2. **Design and construct an 8-inch public sewer main in D Street per City of Ontario Standards. The sewer main in D Street shall extend from the easterly point of connection required for the property to the intersection of Laurel Avenue and D Street.**
 3. **Design and construct a 10-inch public sewer main in Laurel Avenue per City of Ontario Standards. The sewer main in Laurel Avenue shall extend from the point of connection in the intersection of Laurel Avenue and the east-west alley between D Street and E Street, to the intersection of Laurel Avenue and east-west alley between D Street and C Street. Coordinate the design of said improvements with the Utilities Engineering Division of the Ontario Municipal Utilities Company (OMUC) as the Laurel Avenue Sewer Main is a CIP Project (UT1067) currently under design. The Applicant/Developer is eligible for reimbursement subject to the terms of a separate reimbursement agreement.**
 4. **Install sewer laterals, as needed for this development, connected to the new 8-inch sewer main in D Street per City of Ontario Standard Drawing No. 2003**
 5. **See included OMUC Utilities Engineering Division Conditions of Approval for additional conditions.**

D. WATER

- 2.28 A _____-inch water main is available for connection by this project in _____ (Ref: Water facility id number: _____)



- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 **Other conditions:**
1. **Abandon in place the existing 8-inch water main located in D Street between Laurel Avenue and Euclid Avenue following the construction, activation, and operation of the new 8-inch water main.**
 2. **Abandon in place the existing 2-inch water main located in the adjacent north-south alley between D Street and E Street following the construction, activation, and operation of the new 8-inch water main.**
 3. **Design and construct an 8-inch potable water main in D Street between Laurel Avenue and Euclid Avenue. The new potable water main shall be connected to the existing 16-inch potable water main in Euclid Avenue and the existing 8-inch potable water main in Laurel Avenue. Coordinate the design of said improvements with the Utilities Engineering Division of the Ontario Municipal Utilities Company (OMUC) as the Laurel Avenue Sewer Main is a CIP Project (UT1066) currently under design. The Applicant/Developer is eligible for reimbursement subject to the terms of a separate reimbursement agreement.**
 4. **Design and construct an 8-inch potable water main in the adjacent north-south alley between D Street and E Street. The new potable water main shall be connected to the existing 8-inch potable water main in E Street and to the new 8-inch potable water main in D Street. Coordinate the design of said improvements with the Utilities Engineering Division of the Ontario Municipal Utilities Company (OMUC) as the Laurel Avenue Sewer Main is a CIP Project (UT1065) currently under design. The Applicant/Developer is eligible for reimbursement subject to the terms of a separate reimbursement agreement.**
 5. **The existing fire hydrants located along the south side of D Street between Laurel Avenue and Euclid Avenue connected to the existing 8-inch water main shall be connected to the new 8-inch water main. The existing fire hydrant services shall be removed back to the water main connections and new services shall be installed per City of Ontario Standard Drawing No. 4101.**
 6. **The fire hydrant located at the southeast corner of Laurel Avenue and D Street shall be upgraded in accordance with the City of Ontario Standard Drawing No. 4101.**
 7. **All existing water service connections to remain active shall be connected to the respective new water main in accordance with the City of Ontario Standards.**
 8. **Abandon all unused existing water service connections to the water main.**
 9. **Install a water service and master meter connected to the new 8-inch water in D Street per City of Ontario Standards. The water service shall be equipped with a backflow prevention assembly reduced pressure device. The water meter shall be located within the ROW.**
 10. **Install a separate irrigation water service and meter connected to the new 8-inch water main in D Street per City of Ontario Standards. The irrigation water service shall be equipped with a backflow prevention assembly reduced pressure device. The irrigation water meter shall be located with in the ROW.**
 11. **See included OMUC Utilities Engineering Division Conditions of Approval for additional conditions.**

E. RECYCLED WATER

- 2.31 A _____-inch recycled water main is available for connection by this project in _____.
 (Ref: Recycled Water plan bar code: _____)
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.33 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 in Sultana Avenue. 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.



- 2.34 Submit one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and subsequent submittal to the California State Water Board (Division of Drinking Water) for final approval.

Note: Review and approval process may take up to three (3) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement.

- 2.35 Submit one (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at (OMUCWQPlanCheck@ontarioca.gov) for review and approval.
- 2.36 Other conditions:

F. TRAFFIC / TRANSPORTATION

- 2.37 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

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

- 2.39 Other conditions:
 - 1. **D Street currently has 2-Hour parking restrictions which are to remain in place. Both D Street and Laurel Avenue within 20 feet of project driveway shall have painted red curb to restrict on-street parking to facilitate site ingress/egress.**
 - 2. **The Applicant/Developer shall be responsible to remove the existing driveway onto Laurel Avenue and construct curb, gutter, and sidewalk per City of Ontario Standards.**
 - 3. **The Applicant/Developer shall be responsible to design and reconstruct alley driveway that intersects with D Street to provide radiused curb returns.**
 - 4. **The Applicant/Developer shall be responsible to construct curb, gutter, and sidewalk where existing driveways are being removed along project frontage streets.**
 - 5. **The Applicant/Developer shall be responsible to design and construct street improvements along property frontage in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.**
 - 6. **The Applicant/Developer shall be responsible to replace any existing standard concrete street light poles along its property frontage of Laurel Avenue with King Street Light Standard per City of Ontario Standard Drawing No. 5103. Street lighting shall be LED-type and in accordance with City's Approval Material List LED Luminaires. The Applicant/Developer shall also install smart nodes on all existing street light fixtures along project frontage.**
 - 7. **The Applicant/Developer shall be responsible to design and construct in-fill public street lights and new service along its project frontage on Laurel Avenue and D Street. Street lights on D Street and Laurel Avenue shall be the King street lights standard per City of Ontario Standard Drawing No. 5103. Street lighting shall be LED-type and in accordance with City's Approved Material List LED Luminaires. The Applicant/Developer shall also install smart nodes on all new street light fixtures along project frontage.**
 - 8. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**
 - 9. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the signing/striping and street lighting design plans to define limits of improvements.**



G. DRAINAGE / HYDROLOGY

- 2.40 A ____ storm drain main is available to accept flows from this project in ____.
- 2.40 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.
- 2.41 **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.**
- 2.42 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.
- 2.43 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.
- 2.44 Other conditions:

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

- 2.46 401 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.
- 2.47 **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>.**
- 2.48 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.
- 2.49 **Other conditions:**
 1. **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/SwSmartsLoginxhtml>**
 2. **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).

J. SPECIAL DISTRICTS

- 2.50 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.
- 2.51 Other conditions:

K. FIBER OPTIC

- 2.52 A _____ fiber optic line is available for connection by this project in D Street and Sultana Avenue. (Ref: Fiber Optic facility id: _____)
- 2.53 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole, generally located at the southeast corner of the proposed project site.**
- 2.53 **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.**
- 2.54 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: PMTT22-014 (PM-20576), PDEV22-023, PUD22-002

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 HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.**
16. Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. **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)**
18. 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.
19. **Two (2) copies of Water Quality Management Plan (WQMP)**
20. **One (1) copy of Hydrology/Drainage study**



- 21. **One (1) copy of Soils/Geology report**
- 22. **Payment for Final Map/Parcel Map processing fee**
- 23. **Three (3) copies of Final Map/Parcel Map**
- 24. **One (1) copy of approved Tentative Map**
- 25. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 26. **One (1) copy of Traverse Closure Calculations**
- 27. **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.**
- 28. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 29. Other:



CITY OF ONTARIO MEMORANDUM



DATE: May 19, 2023
TO: Jeffrey Tang, Engineering Department
CC: Diane Ayala, Planning Department
FROM: Eric Woosley, Utilities Engineering
SUBJECT: DPR#4- Utilities Engineering Conditions of Approval (#9249,9250,&9251)
PROJECT NO.: PM-20576 (PMTT22-014),PDEV22-023, & PUD22-002

BRIEF DESCRIPTION

A Tentative Parcel Map (PM-20576) to consolidate 2 existing parcels of land into a single 0.79-acre parcel of land located at the northeast corner of Laurel Avenue and D Street at 120 West D Street (and 420 N. Laurel Ave.), within the LUA-1 (Euclid Avenue Entertainment District) land use district of the MU-1 (Downtown Mixed- Use) zoning district (APN(s): 1048-354-012 & 1048-354-013).

A Development Plan to construct 26 multiple-family dwelling units.

A Planned Unit Development to establish development standards.

OMUC UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

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

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:

2. **Final Utilities Systems Map (USM):** Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all 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. See *Utility Systems Map (USM) Requirements* document for details.
 - a. The proposed utilities, utility alignments, and Public Rights-of-Way (ROW)/Public Utility Easements (PUE) shown on the Conceptual Utilities Systems Map (CUSM) and other Entitlement documents are not considered final and shall be revised during Final Design to meet all City Design Guidelines, Standards, City Requirements, and all the Conditions of Approval contained in this document.
3. **Note the following definitions and concepts for Public Utility Improvements and Private Utility Improvements:** Public Improvements shall be designed per City Public Design Guidelines and City Standards and constructed through a City Encroachment Permit; and Private Onsite Improvements shall be designed per Building Code and Plumbing Code and constructed through a City Building Permit.

- a. Public Utility Improvements include the following: water main pipelines and sewer main pipelines; sewer laterals connecting to a Public Sewer Main up to the Cleanout (or Manhole) at PL/ROW; water services and connected appurtenances (Meters/Meter Boxes, Fire Hydrants, Airvacs, Blowoffs, etc.) connecting to a Public Water Main per City Standards; and Fire Services connecting to a Public Water Main from the Main up to the DCDA. Public Water Improvements and Public Sewer Improvements are required to be designed and constructed through Public Improvement Plans with Plan View and Profile View per City Standards, Guidelines, and Requirements.
- b. Private Utility Improvements include the following: onsite water plumbing lines after a Public Meter, or after the Fire DCDA and including the DCDA; Backflow Devices and other Cross-Connection Prevention; onsite sewer upstream of the Public Sewer Lateral, including the Cleanout (or Manhole) at PL/ROW/PUE Edge; Monitoring Manholes and other Wastewater Pretreatment Facilities. Private Onsite Utility Improvements are required to be designed and constructed per Building and Plumbing Plans with: the Backflows, DCDAs, Cleanout (or Manhole) at PL/ROW/PUE Edge, and Monitoring Manholes being designed and constructed through a Precise Grading Plan; and, the other Pretreatment Devices (Grease Interceptor, Sand, Oil Interceptors, etc.) and the connections to the buildings and structures through a building Plumbing Plan.

Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

4. Existing Public Sewer Mains: Abandon by cutting and capping the existing 8-inch sewer main located in the east-west alley between Laurel Avenue and the adjacent north-south alley. The existing sewer main shall only be abandoned following the completion and approval of the new public sewer main in Laurel Avenue. The existing sewer main shall remain active until the required the new sewer main is constructed and operational.
5. Public Sewer Mains:
 - a. Design and construct an 8-inch public sewer main in D Street per City of Ontario Standards. The sewer main in D Street shall extend from the easterly point of connection required for the property to the intersection of Laurel Avenue and D Street.
 - b. Design and construct a 10-inch public sewer main in Laurel Avenue per City of Ontario Standards. The sewer main in Laurel Avenue shall extend from the point of connection in the intersection of Laurel Avenue and the east-west alley between D Street and E Street, to the intersection of Laurel Avenue and east-west alley between D Street and C Street. Coordinate the design of said improvements with the Utilities Engineering Division of the Ontario Municipal Utilities Company (OMUC) as the Laurel Avenue Sewer Main is a CIP Project (UT1067) currently under design. The Applicant/Developer is eligible for reimbursement subject to the terms of a separate reimbursement agreement.
6. Sewer Laterals: Install sewer laterals, as needed for this development, connected to the new 8-inch sewer main in D Street per City of Ontario Standard Drawing No. 2003.

Water Conditions (Section 2.D): The Applicant shall comply with the following:

7. Existing Potable Water Mains:
 - a. Abandon in place the existing 8-inch water main located in D Street between Laurel Avenue and Euclid Avenue following the construction, activation, and operation of the new 8-inch water main.
 - b. Abandon in place the existing 2-inch water main located in the adjacent north-south alley between D Street and E Street following the construction, activation, and operation of the new 8-inch water main.
8. Public Potable Water Mains:
 - a. Design and construct an 8-inch potable water main in D Street between Laurel Avenue and Euclid Avenue. The new potable water main shall be connected to the existing 16-inch potable water main in Euclid Avenue and to the existing 8-inch potable water main in Laurel Avenue. Coordinate the design of said improvements with the Utilities Engineering Division of the Ontario Municipal Utilities Company (OMUC) as the Laurel Avenue Sewer Main is a CIP Project (UT1066) currently under design. The Applicant/Developer is eligible for reimbursement subject to the terms of a separate reimbursement agreement.
 - b. Design and construct an 8-inch potable water main in the adjacent north-south alley between D Street and E Street. The new potable water main shall be connected to the existing 8-inch potable water main in E Street and to the new 8-inch potable water main in D Street. Coordinate the design of said improvements with the Utilities Engineering Division of the Ontario Municipal Utilities Company (OMUC) as the Laurel Avenue Sewer Main is a CIP Project (UT1065) currently under design. The Applicant/Developer is eligible for reimbursement subject to the terms of a separate reimbursement agreement.

9. Existing Fire Hydrants:

- a. The existing fire hydrants located along the south side of D Street between Laurel Avenue and Euclid Avenue connected to the existing 8-inch water main shall be connected to the new 8-inch water main. The existing fire hydrant services shall be abandoned back to the water main connections and new services shall be installed per City of Ontario Standard Drawing No. 4101.
- b. The fire hydrant located at the southeast corner of Laurel Avenue and D Street shall be upgraded in accordance with City of Ontario Standard Drawing No. 4101.

10. Existing Water Services:

- a. All existing water service connections to remain active shall be connected to the respective new water main in accordance with City of Ontario Standards.
- b. Abandon all unused existing water service connections to the water main.

11. Water Service with Master Meter and Backflow Device: Install a water service and master meter connected to the new 8-inch water main in D Street per City of Ontario Standards. The water service shall be equipped with a backflow prevention assembly reduced pressure device. The water meter shall be located within the ROW.

12. Irrigation Service with Meter and Backflow Device: Install a separate irrigation water service and meter connected to the new 8-inch water main in D Street per City of Ontario Standards. The irrigation water service shall be equipped with a backflow prevention assembly reduced pressure device. The irrigation water meter shall be located within the ROW.



UTILITIES SYSTEMS MAP (USM) REQUIREMENTS:

The USM shall meet, at a minimum, the following requirements:

1. **USM Content and Format:** The Utilities Systems Maps shall show all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems. This plan should include:
 - a. **Format:** The Utilities Systems plan at a minimum 1:100 scale (or large engineering scale as appropriate to show needed details) that clearly shows each existing and proposed utility and its relative location. This includes property lines, right-of-way, public utility easements, but should not include underlying existing topography, just proposed general grades. Use appropriate colors for each Utility type: blue for Potable Water; purple for Recycled Water; green for Sanitary Sewer; yellow-brown for storm Drain.
 - b. **Services and Laterals:** All Proposed Utility Service laterals for each parcel (potable water domestic, recycled water irrigation, potable/recycled water for process water, and sewer) and any associated appurtenances.
 - i. **Meter and Backflow Device Locations:** Show all proposed meters and required backflow devices located per City Standards (Water Services and Meters; Backflow Devices). Meters should be located in public rights-of-way or PUEs; either at the R/W (or PUE) line for curb adjacent sidewalks or at back of curb for all other cases. All water connections that serve more than one residential unit are required to have a backflow device installed behind the meter.
 - c. **Cross Sections (if applicable, for project construction new public mains):** Scaled cross sections showing the utility layout on the Utility Systems Map (Utility Plan) for each public street, private street and Public Utility Easement (PUE). The cross sections shall show the location and size of each utility and annotate the property/ROW lines, the type of finished surface material, the distance of each utility from centerline, the depth from finished surface to top of pipe, and the distance between utilities (outside wall to outside wall).
 - d. **Points of Connections:** The locations of the points of connections to the existing utility systems, which can include breaks between the map area and the connection points with descriptions of the pipe size, type, use (pressure zone for water), and distance. An inset map can be used in addition to this to help provide clarity.
 - e. **Water Demand Table (if applicable, for projects within Ontario Ranch/NMC):** Add a Water Demand Table to the Utility Systems Map (Utility Plan) that calculates the project's domestic water use based on land use category (residential, commercial, and OS-R/Parks) and the number of units. The table shall state demand in terms of Average Daily Demand (ADD from Table 4-8 of the Water Master Plan) and Water Demand Equivalent (WDE / Net MDD from Exhibit C-2R of the NMC Construction Agreement; WDEs only if NMC). It should also identify the quantity of units in each category and the specific lots that are included in that category. Please Note that master planned lines are designed using gross acreage densities for all projected water use from residential categories.
 - i. See Attached Sheet for WDT Example.
 - f. **Phasing Plan (if applicable):** As separate exhibits, provide a proposed phasing plan showing the phasing of the infrastructure and the number and type (TOP land use category) of units in each phase.
 - i. All phases must have: a connection to public sewer; a two separate looped connections to the potable water system, where no one closing of a main segment results in any part of any of any phase being without potable water.



- ii. For public water mains in all phases, dead-end water lines (temporary or permanent) are limited to serving 28 dwelling units or a maximum of 600 linear feet, whichever comes first. Otherwise a looped water system with at least two (2) points of connection to the primary public system is required.
- g. Private Onsite Systems versus Public Systems within PUEs for Residential Tract Map Project *(if applicable)*: the following requirements apply when to delineating between Private and Public Systems:
- i. Current Standard Drawing No. 1304 remains applicable and minimum health separation must be met.
 - ii. Public water mains will be accepted in longer alleys when it serves more than 6 meters.
 - iii. Public sewer mains will be accepted in alleys where the water is public.
 - iv. Public dead-end water mains will require a blow-off at the end and the alley should be designed to accommodate runoff from required water main flushing operations.
 - v. Public sewer mains in alleys will require a manhole at both ends of the main.
 - vi. Public meters serving more than one single family residential unit are considered as multifamily service with master meter and require: a backflow device after the meter, private HOA sub-metering for each unit, and a separate Fire Service with DCDA to provide private onsite fire service.



CITY OF ONTARIO

MEMORANDUM

TO: Diana Ayala, Senior Planner
Planning Department

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

DATE: September 22, 2022

SUBJECT: PDEV22-023 - A Development Plan to construct 26 multiple-family dwelling units on 0.79-acre of land located at the northeast corner of Laurel Avenue and D Street, at 120 West D Street (and 420 N. Laurel Ave.), within the LUA-1 (Euclid Avenue Entertainment District) land use district of the MU-1 (Downtown Mixed- Use) zoning district (APNs: 1048-354-012 and 1048-354-013). Related Files: PMTT22-014 (TPM 20534) and PUD-22-002. (*Revision 1*).

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies, 1,383 Sq. Ft. to 1,404 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): R-3/ Townhouse

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 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and 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 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.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-

tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

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

CONDITIONS OF APPROVAL

Sign Off



5/18/2023

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV22-023, PMTT22-014, PUD-22-002

Case Planner:

Diane Ayala

Project Name and Location:

26 Multiple-Family Dwelling Units
 NW Corner of Laurel Avenue and D Street

Applicant/Representative:

Richard Tipping, Tipping Development richard@tippingdevelopment.com (626) 239-7900
 911 S Primrose Ave., Unit P
 Monrovia, CA 91016

Preliminary Plans (dated) 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 5/9/2023) 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. 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 landscape areas shall not displace street trees.
2. Note decorative paving for all motor courts. Manholes located in decorative pavers shall be designed to consider the surrounding enhanced paving; locate outside of enhanced paving areas or incorporate manhole covers that allow for pavers such as WunderCovers.
3. Locate utilities, including light standards, fire hydrants, water, drain, and sewer lines to not conflict with required tree locations—coordinate civil plans with landscape plans.

Landscape Plans

4. Show and dimension transformer with a 4'-5' high evergreen hedge screening on 3 sides with 18" groundcover in front. Show cabinet doors facing the groundcover area on plan.
5. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
6. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
7. Add a note for decorative gravel/cobble to be installed a minimum of 12" away from tree trunks.
8. Detail irrigation dripline outside of mulched root zone.
9. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans.
10. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
11. 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. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV22-023, PUD-22-002 & PMTT22-014

Address: NEC of Laurel and D Street

APN: 1048-354-12 & 13

Existing Land Use: Parking lot

Proposed Land Use: PUD to establish development standards, Development Plan to construct 26 multi-family units & Tentative Parcel Map to consolidate two parcels into one parcel

Site Acreage: 0.79 Proposed Structure Height: 42 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Diane Ayala

Date: 6/9/2022

CD No.: 2022-021

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 type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 80 FT	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2022-021
PALU No.: _____

PROJECT CONDITIONS

New Residential land uses are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

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



DEVELOPMENT ADVISORY BOARD DECISION

June 5, 2023

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

DECISION NO.: [insert #]

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NO.: PMTT22-027 (TTM No. 20599), PDEV22-047, & PVAR23-001

DESCRIPTION: A public hearing to consider Tentative Tract Map No. 20599 (File No. PMTT22-027) subdividing 3.47 acres of land for common interest subdivision purposes to create two lots for condominium purposes to facilitate a Development Plan (File No. PDEV22-047) to construct 16 multiple-family buildings with a total of 84 units, in conjunction with a Variance (File No. PVAR23-001) to reduce the building setback from Concours Street from 15 feet to 10 feet, located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan (APNs: 0210-531-20 and 0210-531-16); **submitted by Shea Homes Limited Partnership. Planning Commission action is required.**

PART 1: BACKGROUND & ANALYSIS

SHEA HOMES LIMITED PARTNERSHIP, (herein after referred to as "Applicant") has filed an application requesting approval of a Tentative Tract Map, Development Plan, and Variance, File Nos. PMTT22-027, PDEV22-047, and PVAR23-001, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of two parcels of land, with a combined total of 3.47 acres, located at the northwest and northeast corners of Duesenberg Drive and Concours Street and is depicted in Exhibit A: Project Location Map, attached. Existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

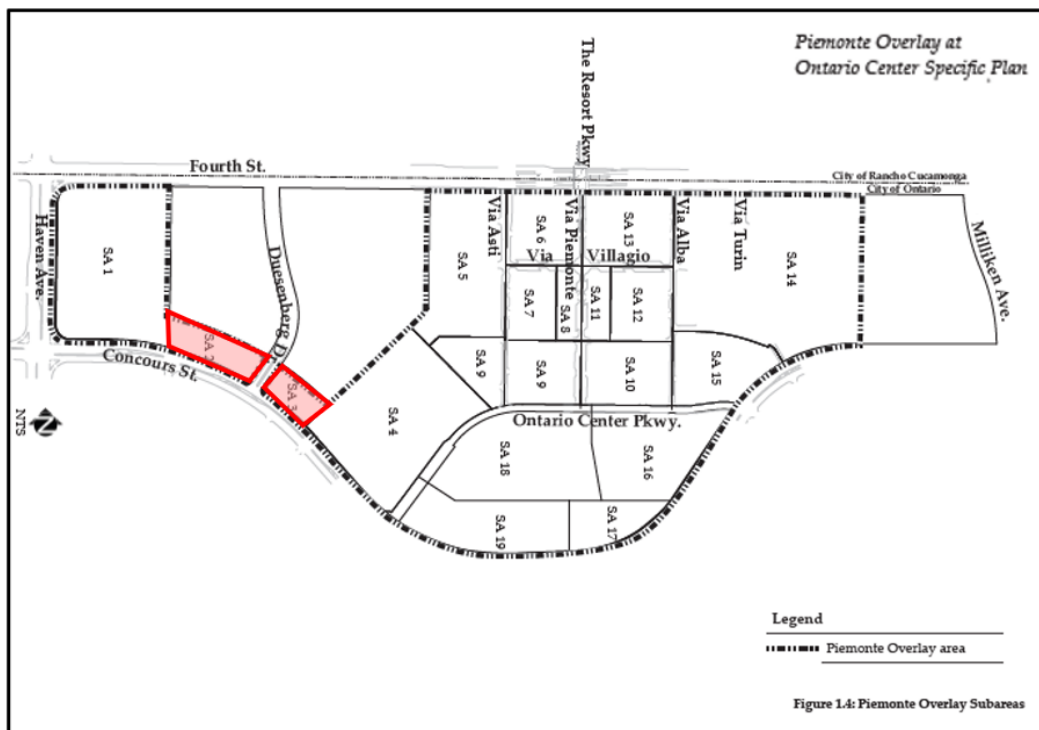
	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use Designation
Site:	Vacant	Ontario Center Mixed Use (20.0 to 125.0 DU/AC)	Piemonte Overlay at the Ontario Center Specific Plan	Office/Residential

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use Designation
North:	Multi-family Residential	Ontario Center Mixed Use (20.0 to 125.0 DU/AC)	Ontario Center Specific Plan	Urban Residential
South:	Office buildings & Vacant	Ontario Center Mixed Use (20.0 to 125.0 DU/AC)	Ontario Center Specific Plan	Urban Commercial
East:	Toyota Arena parking lot	Ontario Center Mixed Use (20.0 to 125.0 DU/AC)	Piemonte Overlay at the Ontario Center SP	Office
West:	Commercial shopping center (under construction)	Ontario Center Mixed Use (20.0 to 125.0 DU/AC)	Piemonte Overlay at the Ontario Center SP	Commercial

PROJECT ANALYSIS:

(1) Background — On March 23, 2006, the City Council approved the creation of the Piemonte Overlay at the Ontario Center Specific Plan within the Urban Commercial land use district of the Ontario Center Specific Plan. Several Specific Plan Amendments have been approved for the Piemonte Overlay since 2006, modifying development intensities, parking requirements, architectural guidelines, and land use designations. The Piemonte Overlay consists of a total of nineteen subareas and the Project proposes to develop Subareas 2 and 3, as shown on Figure 1 below.

Figure 1: Piemonte Overlay Subareas



On October 17, 2022, the Applicant submitted a Tentative Tract Map No. 20599 (File No. PMTT22-027) to subdivide 3.47 acres of land for common interest subdivision purposes to create two lots for condominium purposes and a Development Plan (File No. PDEV22-047) to construct a total of 84 multi-family residential units (townhomes). In conjunction with the Tentative Tract Map and Development Plan, the Applicant also filed a Variance (File No. PVAR23-001) application to reduce the building setback from Concours Street from 15 feet to 10 feet.

(2) Tentative Tract Map No. 20599 (File No. PMTT22-027) — The Project site is currently comprised of two parcels, the boundaries of which will remain largely unchanged. The proposed Tentative Tract Map will subdivide the 3.47 acres of land for common interest subdivision purposes to create two numbered lots for condominium purposes. As such, the Tentative Tract Map is consistent with the lot areas identified for Subareas 2 and 3 of the Piemonte Overlay (see Exhibit B: Tentative Tract Map, attached). The proposed subdivision will facilitate the construction of 9 multiple-family buildings on Lot 1 and 7 multiple-family buildings on Lot 2, with a total of 84 units along with associated recreation, landscape, and common interest amenities.

(3) Development Plan (File No. PDEV22-047) —

(a) Site Design/Building Layout — The Project site consists of two parcels (Lot 1 and Lot 2). Lot 1, located at the northwest corner of Duesenberg Drive and Concours Street, is 85,757 square feet (1.97 acres) in size with a width of approximately 387 feet and a depth of 160 feet. Lot 2 located at the northeast corner of Duesenberg Drive and Concours Street is 59,167 square feet (1.36 acres) in size with a width of approximately 292 feet and a depth of 160 feet. A total of 16 multi-family buildings are proposed with four 3-PLEX, six 4-PLEX, and six 8-PLEX building configurations. The Project proposes the development of 84 units at a density of 25.2 dwelling units per acre.

Front entry access to the units will be provided from Concours Street, via walkways, or from the private alleys (see Exhibit C: Site Plan, attached). Each unit will have a 2-car garage and 18 guest parking spaces will be provided throughout the Project site. An additional 4 parallel parking spaces are located on the east and west sides of Duesenberg Drive for a total of 22 guest parking spaces.

Each building is 3 stories with a maximum height of 39-feet 10-inches. A dwelling unit summary, based on the building type, is provided in Table 1 below:

Table 1: Dwelling Unit Summary

Plan Type	No. of Bedrooms / Bathrooms	Total Living Area (SF)	Garage (SF)	Private Open Space (SF)	No. of Units
3-Plex					
Plan 2	2 BD + Loft / 2.5 BA + OPT ½ Bath	1,510 SF	444 SF	77 SF	4
Plan 4	3 BD / 2.5 BA + OPT ½ Bath	1,566 SF	456 SF	67 SF	8

Subtotal					12
4-Plex					
Plan 2	2 BD + Loft / 2.5 BA + OPT ½ Bath	1,510 SF	444 SF	77 SF	12
Plan 4	3 BD / 2.5 BA + OPT ½ Bath	1,566 SF	456 SF	67 SF	12
Subtotal					24
8-Plex					
Plan 1	2 BD + Loft / 2.5 BA	1,370 SF	538 SF	77 SF	24
Plan 3	3 BD / 2.5 BA + OPT ½ Bath	1,566 SF	456 SF	67 SF	24
Subtotal					48
Total					84

(b) Site Access/Circulation — Project vehicular access for Lot 1 is provided by a 24-foot-wide driveway from Duesenberg Drive on the east and Concours Street towards the west. The driveway from Concours Street is a shared driveway with the neighborhood shopping center (under construction). The driveways lead to a central 24-foot-wide two-way alley providing access to garages, off-street parking, and interior alleys of the units. Lot 2 is accessed from the west by one driveway on Duesenberg Drive, providing ingress and egress for the dwelling units on that lot. Decorative pavers are proposed at the entrance of the alleys with a course band to enhance the entryways. The proposed pocket park will be located at the northeast corner of Duesenberg Drive and Concours Street and will be accessible to the community via walkways and sidewalks to create a walkable area for the residents.

(c) Parking — The Project has provided off-street parking pursuant to the residential parking standards specified within the Piemonte Overlay at Ontario Center Specific Plan. Each dwelling unit provides a 2-car garage with interior access to the units. The number of off-street parking spaces meets the minimum parking requirement for the Project. The off-street parking calculations for the Project are summarized in the table below:

Table 2: Parking Summary

Type of Use	No. of Units	Parking Ratio	Spaces Required	Spaces Provided
2-Bedroom Units	40	1.75 spaces per unit	70	80 (2 garage spaces/unit)
3-Bedroom Units	44	2.0 spaces per unit	88	88 (2 garage spaces/unit)
Guest	84	0.2 spaces per unit	17	22 (17 on-site parking spaces & 4 parallel spaces on Duesenberg Drive)
TOTAL			175	190

Guest vehicle parking spaces are located within the alleys and will be enforced only at night. The Applicant has indicated that the future Homeowners Association will be

responsible for parking enforcement and educating future residents on parking restrictions (see Exhibit D – Parking Plan, attached).

(d) Architecture — A modern prairie architectural style has been proposed, incorporating stone veneer at the base of the building, stucco, cementitious panels, cementitious siding, concrete roof tile, decorative accent lights, balconies with metal railings, and metal roofs for balconies and front entry doors (see Exhibit E: Elevations/Floor Plans). The proposed development embodies similar design characteristics, such as building height, massing and scale, as the existing residential multi-family development located north of the Project site (see Exhibit F: Building Illustrations and Exhibit G: Material & Color Sample Board). The proposed development incorporates the following architectural characteristics:

- Articulation in the building footprints, incorporating vertical and horizontal changes in the exterior building walls (combination of recessed walls and pop outs);
- Articulation in the building roof lines and the placement of second story balconies, which break up large expanses of building wall;
- Architectural details such as metal roofs above the front entry areas and balconies to enhance the dwelling entry and provide shade;
- Varied building mass compatible with the surrounding architecture and neighborhood; and
- Architectural treatment on all elevations that are visible from public or private vantage points.

(e) Landscaping —Perimeter landscaping is proposed throughout the Project site for a total of 22.6 percent (or 32,806 square feet). The Landscaping Plan includes a combination of 15 gallon and 24-inch box trees. The proposed trees include the Shoestring Acacia, Compact Italian Cypress, Narrow-Leaved Ash, Australian Willow, Jacaranda, Keith Davey Chinese Pistache, Maki Podocarpus, Holly Oak, and the Brisbane Box. A variety of shrubs and ground cover will be planted throughout the site to create a walkable area (see Exhibit H: Landscaping Plans, attached).

A 6-foot-high split face block wall is proposed along the eastern portion of Lot 2 which abuts the excess parking lot for the Toyota Arena (see Exhibit I: Wall and Fence Plan, attached). Given the constraints borne of the lot dimensions, retaining walls are proposed throughout the Project site, as follows:

- A 2-foot-high split face retaining wall along Project parking lot adjacent to Concoors Street and west driveway;
- A 1.5-foot-high split face retaining wall along Concoors Street;
- A 3-foot-high split face retaining wall on the rear portion of Lot 1; and
- A 4-foot-high split face retaining wall on the rear portion of Lot 2.

The Project proposes a pocket park in Lot 2 along the east portion of the parcel, which will provide a minor recreational area for both parcels. Given the site configuration of the

lots and the minimum number of required dwelling units the Project site is only able to accommodate one recreation area (see Exhibit J: Open Space Areas, attached). The pocket park is approximately 3,250 square feet in size of active open space that provides a turf area, corn hole area with synthetic turf, two outdoor dining areas with seating, shade structures, and a BBQ grill. The Project meets the minimum residential open space requirements for the Piemonte Overlay at the Ontario Center Specific Plan, as summarized in Table 3 below.

Table 3: Open Space Summary

Open Space Type	Piemonte Open Space Standards	Total Area Provided (SF)
<i>Common Active</i>	10' min. dimension, 10' from residential units; 0' from recreation facilities	Pocket Park: 39.89' × 81.77'
<i>Common Passive</i>	5' min. dimension	5' min. dimension Level Landscape: 12,481 SF Sloped Landscape: 7,114 SF
<i>Subtotal Common Open Space (Common Active & Common Passive)</i>	215 SF / dwelling unit Required: 18,060 SF	271 SF/ dwelling unit Proposed: 22,845 SF
<i>Private Open Space</i>	50 SF; 6' min. dimension	67 SF minimum (6'-9" min. dimension)
<i>Total Open Space</i>	265 SF / dwelling unit Required: 22,260 SF	338 SF / dwelling unit Total: 22,845 SF

(f) Signage — All project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval.

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes infiltration dry wells and settlement chambers for water quality treatment. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

(h) Covenants, Conditions, and Restrictions — Covenants, Conditions and Restrictions ("CC&Rs") will be required for the proposed subdivision as a condition of project approval. The CC&Rs will outline maintenance responsibilities to ensure that the

ongoing maintenance of driveways, reciprocal access, parking lot maintenance, common landscape areas, and common drainage/easement areas. Pursuant to the Conditions of Approval for Tentative Tract Map No. 20599, the CC&Rs must be submitted, reviewed, and approved by the City, and are required to be recorded with the Final Tract Map.

(4) Variance (File No. PVAR23-001) — The Applicant is requesting approval of a Variance to reduce the building setback from Concoors Street from 15 feet to 10 feet. The Project site consists of two parcels separated by an intersection which impacts the layout and placement of the buildings. The parcels have a depth of approximately 160 feet which makes the 15-foot setback along Concoors Street impractical while still meeting the development standards for residential development within the Piemonte Overlay. The Project site's dimensions and configuration of the parcels impose substantial limitations on the development that would preclude the Project from meeting the minimum required density of 25 units per acre, while still conforming to the minimum setback requirements for parking lots, interior setbacks, building separation, drive aisle dimensions, guest parking spaces, parking requirements, and common and private open space requirements. Without variance approval, the fifteen dwellings abutting Concoors Street will have to be removed to accommodate the 15-foot required setback and the Project will only have a density of 20.7 dwelling units per acre. As proposed, the Project will not have a determinantal impact on the surrounding residential development to the north, which consists of three-story multi-family residential developments consistent with the building height of the proposed Project.

Staff believes that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision. The Variance request will allow the subject property to be developed and achieve the following:

- Allow the project to meet the development standards for residential projects within the Piemonte Overlay at the Ontario Center Specific Plan.
- Allow the project to conform to the minimum residential open space requirements.
- Allow for the required landscape improvements to be provided.
- Allow the project to be consistent with the existing residential development to the north in terms of size and scale.

The Development Advisory Board is required to consider and clearly establish certain findings of fact that are prescribed within State law and the City's Development Code, which are then included in a recommendation to the Planning Commission. The facts and findings have been provided below in *Part III – The Decision*, below, as basis for approval of the requested Variance.

PUBLIC NOTIFICATION: Public notification is not required, as the Development Advisory Board is acting in its capacity as the recommending body to the Planning Commission. Public notification is required prior to the Planning Commission hearing on the Project.

CORRESPONDENCE: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

AGENCY/DEPARTMENT REVIEWS: Each City agency/department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are included with this Decision.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, 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 ONT ALUCP.

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

- (1) City Council Goals.
 - Invest in the Growth and Evolution of the City's Economy
 - Operate in a Businesslike Manner
 - Focus Resources in Ontario's Commercial and Residential Neighborhoods

- (2) Vision.

Distinctive Development:

- Commercial and Residential Development

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

(3) Governance.

Decision Making:

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

- G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU-1 Balance: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU-1.1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.

- LU-1.6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.

- LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H-2 Housing Supply & Diversity: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H-2.3 Ontario Airport Metro Center. We foster a vibrant, urban, intense, and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail, and office-oriented uses.

➤ H-2.5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.

▪ Goal H-3 Regulatory Environment: A City regulatory environment that balances the need for creativity and excellence in residential design, flexibility and predictability in the project approval process, and the provision of an adequate supply and prices of housing.

➤ H-3.2 Flexible Standards. We allow flexibility in the application of residential and mixed-use development standards in order to gain benefits such as exceptional design quality, economic advantages, sustainability, or other benefits that would otherwise be unrealized.

➤ H-3.3 Development Review. We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review of facilitate quality housing development.

▪ Goal H-5 Special Needs: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age, or other status.

➤ H-5.2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation, and other amenities.

Community Economics Element:

▪ Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.

➤ CE-1.6 Diversity of Housing. We collaborate with residents, housing providers, and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to encourage the development of housing supportive of our efforts to attract business in growing sectors of the community while being respectful of existing viable uses.

▪ Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

➤ CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

➤ CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S-1.1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

➤ CD-1.2 Place Types. We establish Place Types in urban, mixed use, and transit-oriented areas to foster the City's identity as a premier community and require new development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.

➤ CD-1.3 Existing Neighborhoods. We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.

▪ Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

➤ CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

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

➤ CD-2.2 Neighborhood Design. We create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:

- A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services;
- Varied parcel sizes and lot configurations to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable traffic flows and emergency evacuation access;
- 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 and designed to maximize safety, comfort, and aesthetics for all users.

➤ CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.

➤ CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.

➤ CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas

visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;
- Structured parking: facade articulation, screening, appropriate lighting, and landscaping; and
- Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.

➤ CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD-3 Urban, Mixed Use, and Transit-Oriented Place Types: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➤ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

▪ Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The Project site is listed in the Housing Element Sites Inventory contained in Table B-1 of the Housing Element Technical Report, with a total capacity of 109 units (including 55 units within the Lower Income category and 54 units

within the Moderate-Income category). A General Plan Amendment (PADV23-003) was submitted to remove the subject property from the Housing Element Sites Inventory. As removal of the subject property from the Inventory will impact the City's Regional Housing Needs Assessment ("RHNA") obligations, however, the following sites below will be added in order to provide total capacity of 126 Lower Income units (including 63 units within the Lower Income category and 63 units within the Moderate-Income category) will be added to the Housing Element Sites Inventory:

APNs: 1048-481-27, 1048-481-08, & 1048-481-07 for Vista Verde II

Parcel Size: 3.39 acres

	<u>Housing Element Sites Inventory</u>	<u>Proposed Project</u>
Number of Units:	76	76
Assumed Density:	22.4	22.4

APNs: 1049-054-06, 1049-054-02, 1049-054-03, & 1049-054-04 for Emporia II

Parcel Size: 1.41 acres

	<u>Housing Element Sites Inventory</u>	<u>Proposed Project</u>
Number of Units:	50	50
Assumed Density:	35.5	35.5

Additionally, due to the identified capacity deficiency of the Housing Element Sites Inventory Above Moderate-Income category, the 84 units to be built on the Project site will be allocated to the Above Moderate-Income category to increase the identified capacity of the Housing Element Sites Inventory.

Housing Element Sites Inventory Capacity

Housing Element Available Land Inventory	Lower Income	Moderate-Income	Above Moderate-Income	Total Capacity
Existing Land Inventory	9,073	3,916	8,441	21,430
Proposed Land Inventory Reduction	(55)*	(54)*	0	(109)
Proposed Land Inventory Increase	63**	63**	84***	210
Proposed Land Inventory	9,081	3,925	8,525	21,531
RHNA Allocation	8,926	3,329	8,599	20,854
Land Inventory in excess of RHNA	155	596	(74)	677

* Unit capacity removed from Project site

** Unit capacity at Vista Verde II and Emporia II

*** Unit capacity added to Project site

PART 2: 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 EIR Addendum to the Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 198941009) was certified by the City Council on April 19, 2022 ("Certified EIR") in conjunction with File No. PSPA21-001, in which development and use of the Project site was discussed; and

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

WHEREAS, the 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 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 "ONT ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 5, 2023, 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 3: THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED 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 previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

- (1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSPA21-001, a Specific Plan Amendment to the Piemonte Overlay at the Ontario Center Specific Plan, for which an Addendum to the Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 198941009) ("Certified EIR") was adopted by the City Council on April 19, 2022; and
- (2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and
- (4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and
- (5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the 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. The Project site is one of the properties in the Housing Element Sites Inventory contained in Tables B-1 of the Housing Element Technical Report. The Project site has a capacity of 109 units (including 55 units within the Lower Income category and 54 units within the Moderate-Income category). As removal of the subject property from the Inventory will impact the City's Regional Housing Needs Assessment ("RHNA") obligations, additional sites that provide an additional capacity of 126 units (including 63 units within the Lower Income category and 63 units within the Moderate-Income category) will be added to the Housing Element Sites Inventory. Increasing the capacity of the Housing Element Sites Inventory is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan.

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 determinations set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

Tentative Tract Map 20599 (File No. PMTT22-027)

(1) *The proposed Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.* The proposed Tentative Tract Map is located within the Ontario Center Mixed Use (20.0 to 125.0 DU/AC) land use district of the Policy Plan Land Use Map, and the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project 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 LU-1). Furthermore, the Project will promote the City's policy to "incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario" (Policy LU-1.6 *Complete Community*).

(2) *The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.* The proposed Tentative Tract Map is located within the Ontario Center Mixed Use (20.0 to 125.0 DU/AC) land use district of the Policy Plan Land Use Map, and the Office/Residential land use district of the Piemonte Overlay at the Ontario Center 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 contribute to providing "[a] high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct" (Goal CD-2). Furthermore, the Project will promote the City's policy to "create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:

- A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services;
- Varied parcel sizes and lot configurations to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining

acceptable traffic flows and emergency evacuation access;

- 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 and designed to maximize safety, comfort, and aesthetics for all users." (Policy CD-2.2 *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 Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) *The site is physically suitable for the density/intensity of development proposed.* The Project site is proposed for residential development at a density of 25.22 DUs/acre. The Project site meets the minimum lot area and dimensions of the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan and is physically suitable for this proposed density / intensity of development.

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

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

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

been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable 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.

Development Plan (File No. PDEV22-047)

(1) *The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed Project is located within the Ontario Center Mixed Use (20.0 to 125.0 DU/AC) land use district of the Policy Plan Land Use Map, and the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) *The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.* With approval of the related Variance, the Project has been designed consistent with the requirements of the City of Ontario Development Code and the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan, including standards relative to the particular land use proposed (residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

(4) *The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.* The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Piemonte Overlay at the Ontario Center Specific Plan that are applicable to the proposed Project, including

building intensity, building and parking setbacks, building height, amount of off-street parking, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval and related Variance, will be consistent with the development standards and guidelines described in the Piemonte Overlay at the Ontario Center Specific Plan.

Variance (File No. PVAR23-001)

(1) *The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.* The shape of the parcels imposes physical constraints on the property due to the narrow depth and the significantly smaller square footage of the lots. The subject properties consist of two parcels that are divide by Duesenberg Drive, which further limits the options for site layout configurations. Due to the shape of the property, the parcels have a depth of approximately 160 feet, which makes the required 15-foot setback along Concours Street effectively infeasible, while still conforming to the residential development standards outlined within the Piemonte Overlay at the Ontario Center Specific Plan.

(2) *There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.* Due to the constrained dimensions and shape of the parcels, a variance to the building setback to Concours Street is necessary to allow the development of multi-family residential. The subject properties are unique in terms of size, depth, and configuration compared to the existing multi-family residential development in the vicinity. Residential development within the Piemonte Overlay at the Ontario Center Specific Plan requires a minimum density of at least 25 dwellings units per acre. As proposed, the subject property will be developed at a density of 25.2 dwelling units per acre. However, without the subject variance, the Project site will only be able to be developed with 69 units at a density of 20.7 dwellings per acre and will not meet the minimum density for residential development within the Piemonte Overlay.

(3) *The strict or literal interpretation and enforcement of the specified regulation would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zoning district.* The requested relief to reduce the building setback from 15 feet to 10 feet along Concours Street will allow for greater design flexibility and will serve to equalize development rights between the Applicant and owners of property in the same land use district within the vicinity of the Project site. The requested variance will allow the Applicant to comply with other Development Code regulations, such as open space requirements, guest parking, building setbacks, and drive aisle dimensions.

(4) *The granting of the Variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.* A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. The Project is residential in nature and will create additional housing while being consistent with the residential type of development located within the Piemonte Overlay. The Project will be required to construct the necessary frontage improvements such as sidewalk and parkway landscaping, which will be an overall public benefit to the properties and surrounding area. The Variance will not be detrimental or injurious to the public or other properties in the vicinity.

(5) *The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.* The proposed Project is located within the Ontario Center Mixed Use (20.0 to 125.0 DU/AC) land use district of the Policy Plan Land Use Map, and the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, with approval of the related Variance, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

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 Conditions of Approval 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 5th day of June 2023.

Development Advisory Board Chairman

Exhibit A: PROJECT LOCATION MAP



Exhibit B: TENTATIVE TRACT MAP

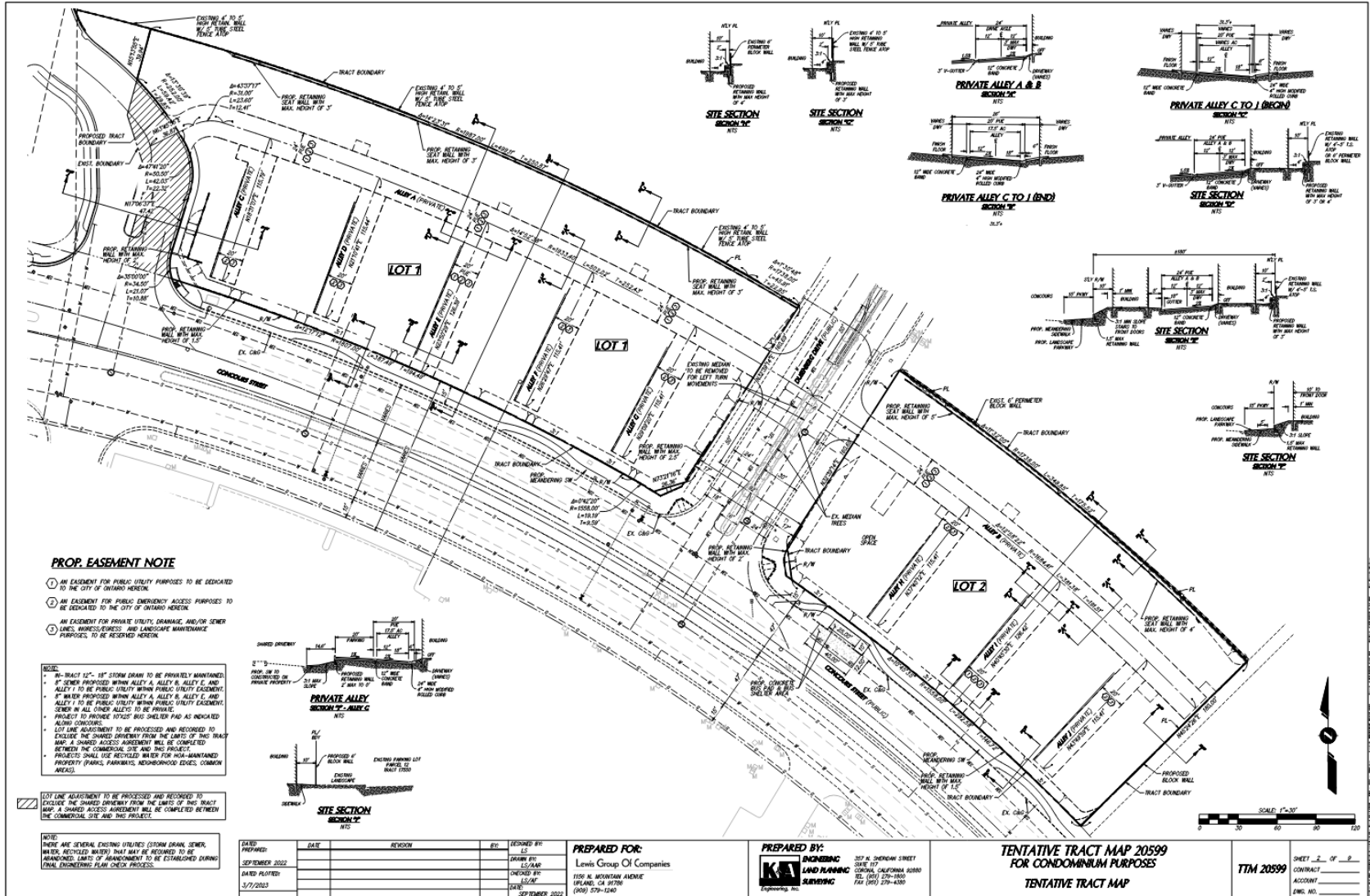


Exhibit C: SITE PLAN

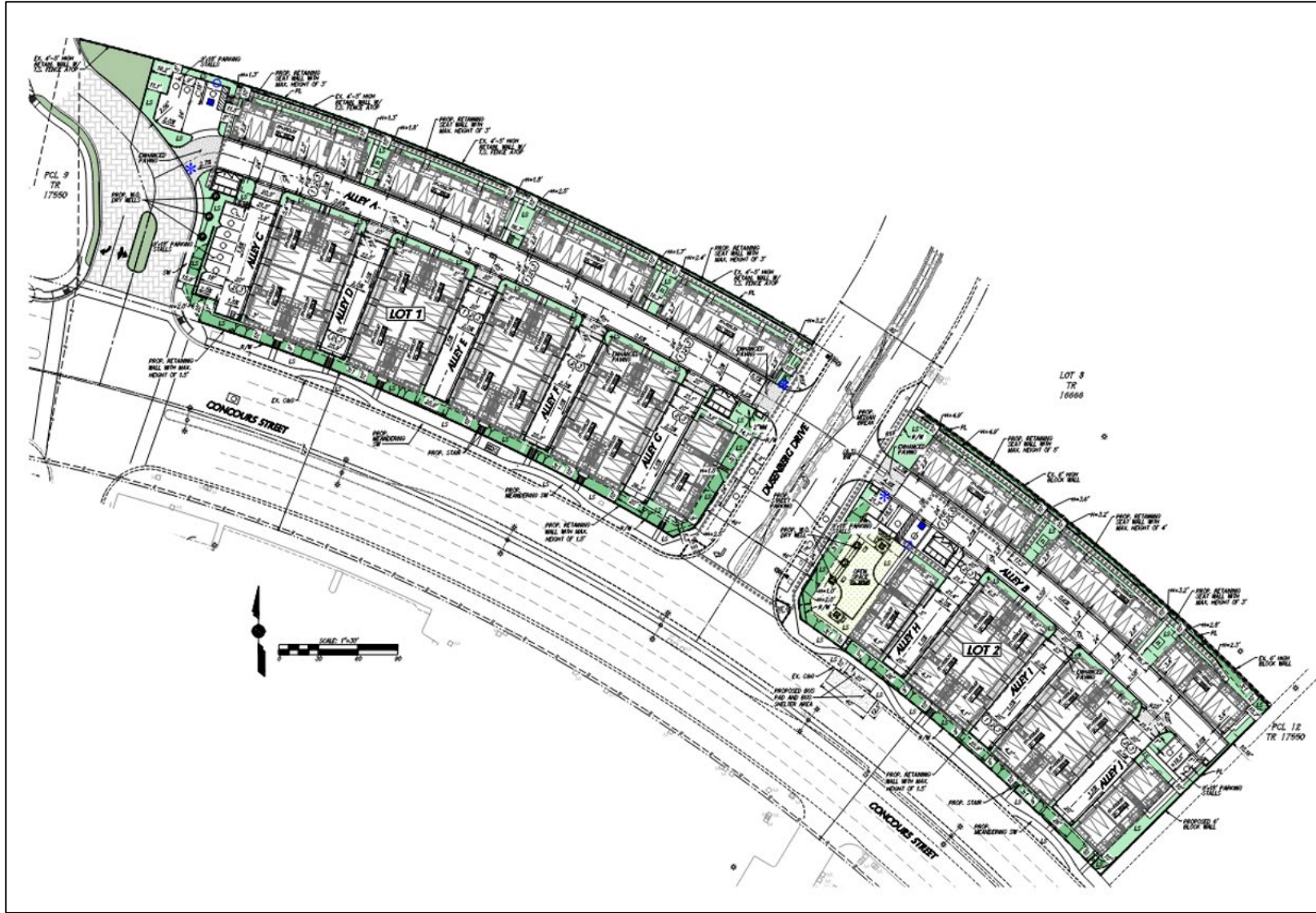


Exhibit D: PARKING PLAN

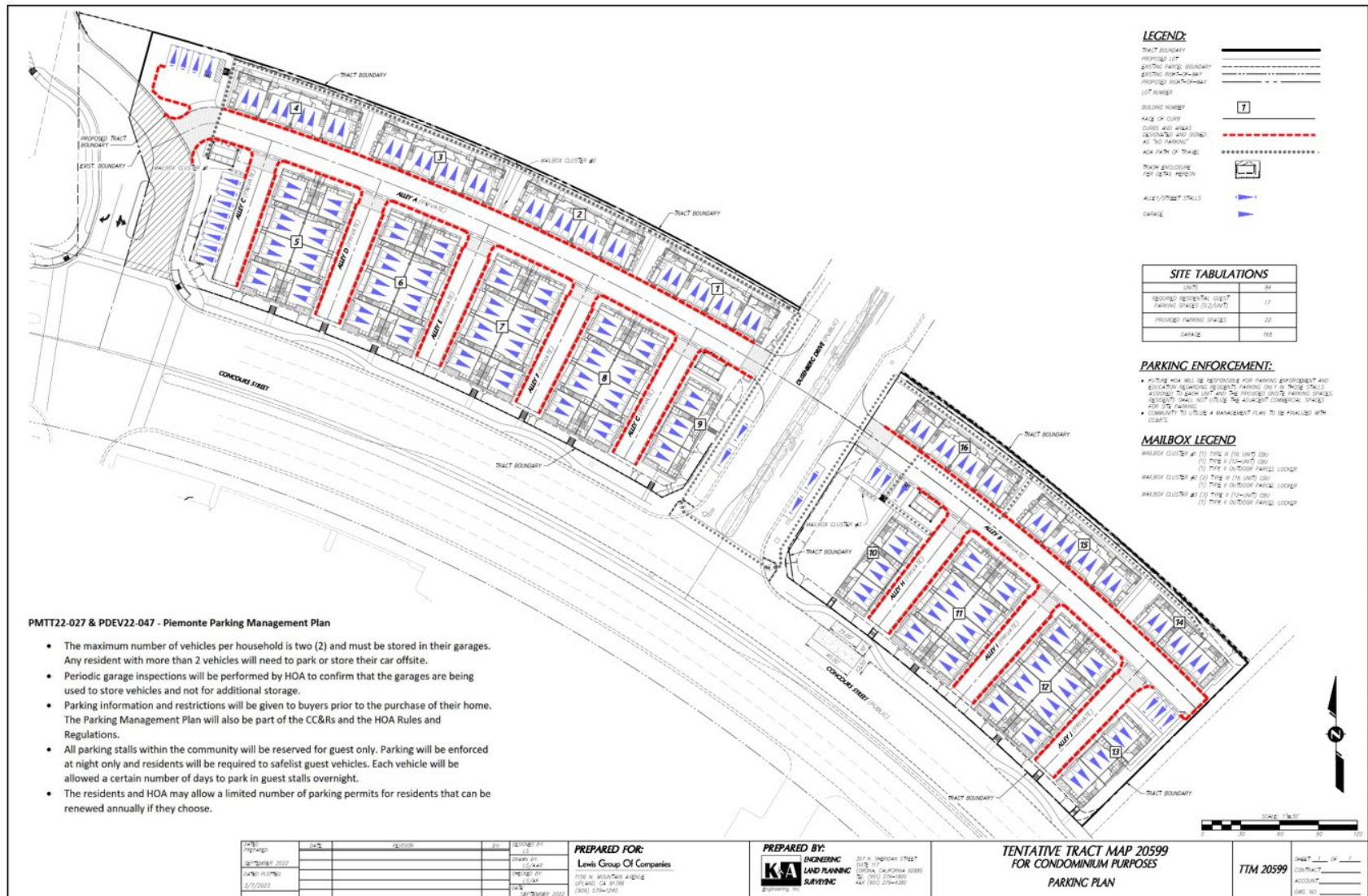


Exhibit E: ELEVATIONS – 3-PLEX (COLOR SCHEME 2)



Exhibit E: ELEVATIONS – 3-PLEX (COLOR SCHEME 3)



Exhibit E: FLOOR PLAN – 3-PLEX

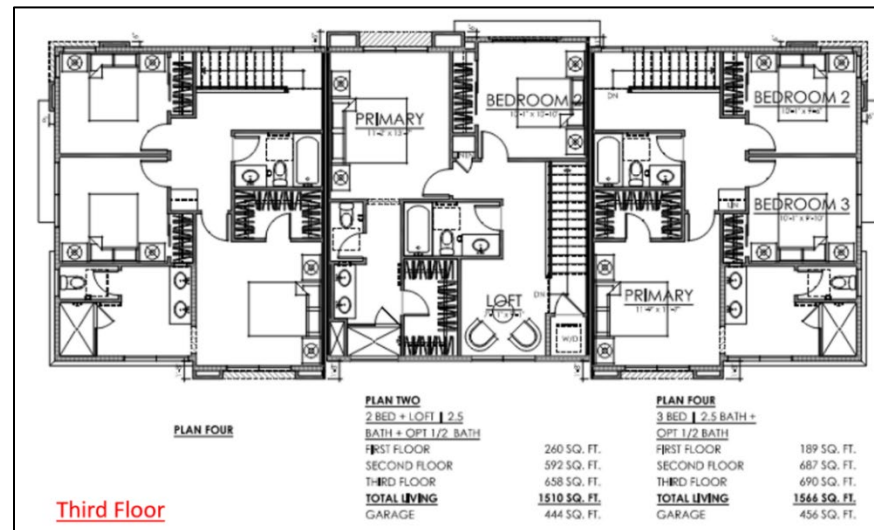
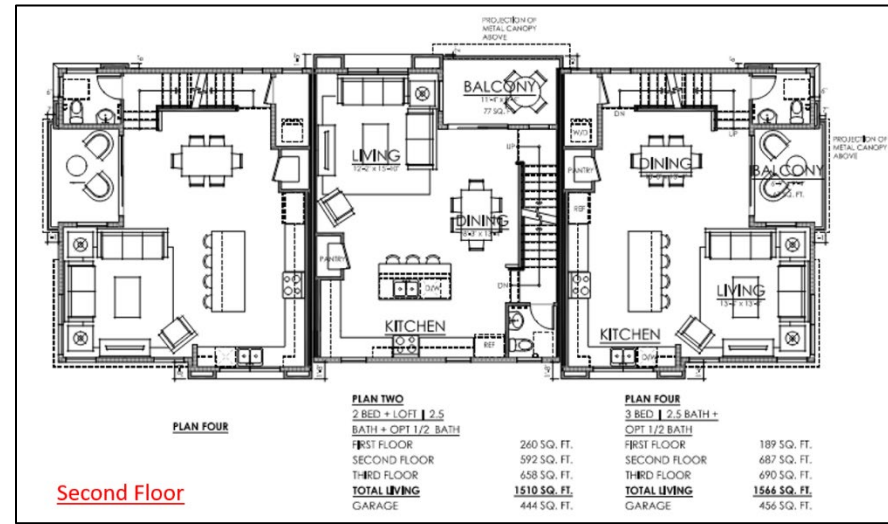
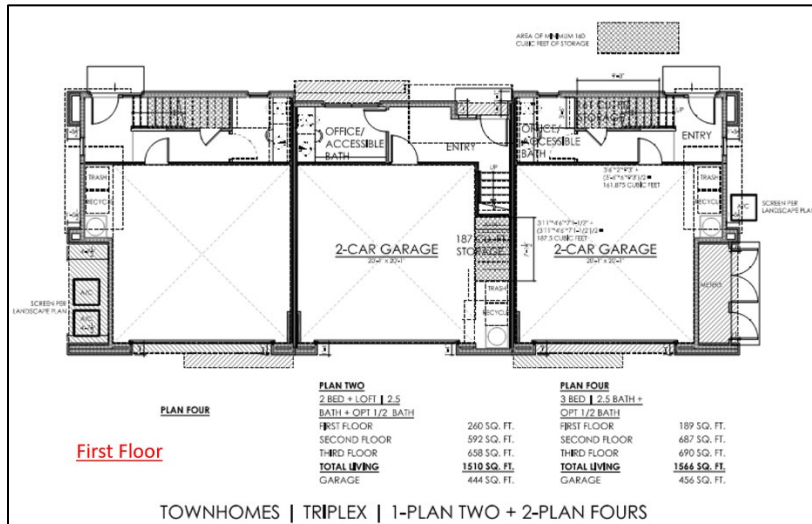


Exhibit E: ELEVATIONS – 4-PLEX (COLOR SCHEME 4)



Exhibit E: FLOOR PLAN – 4-PLEX

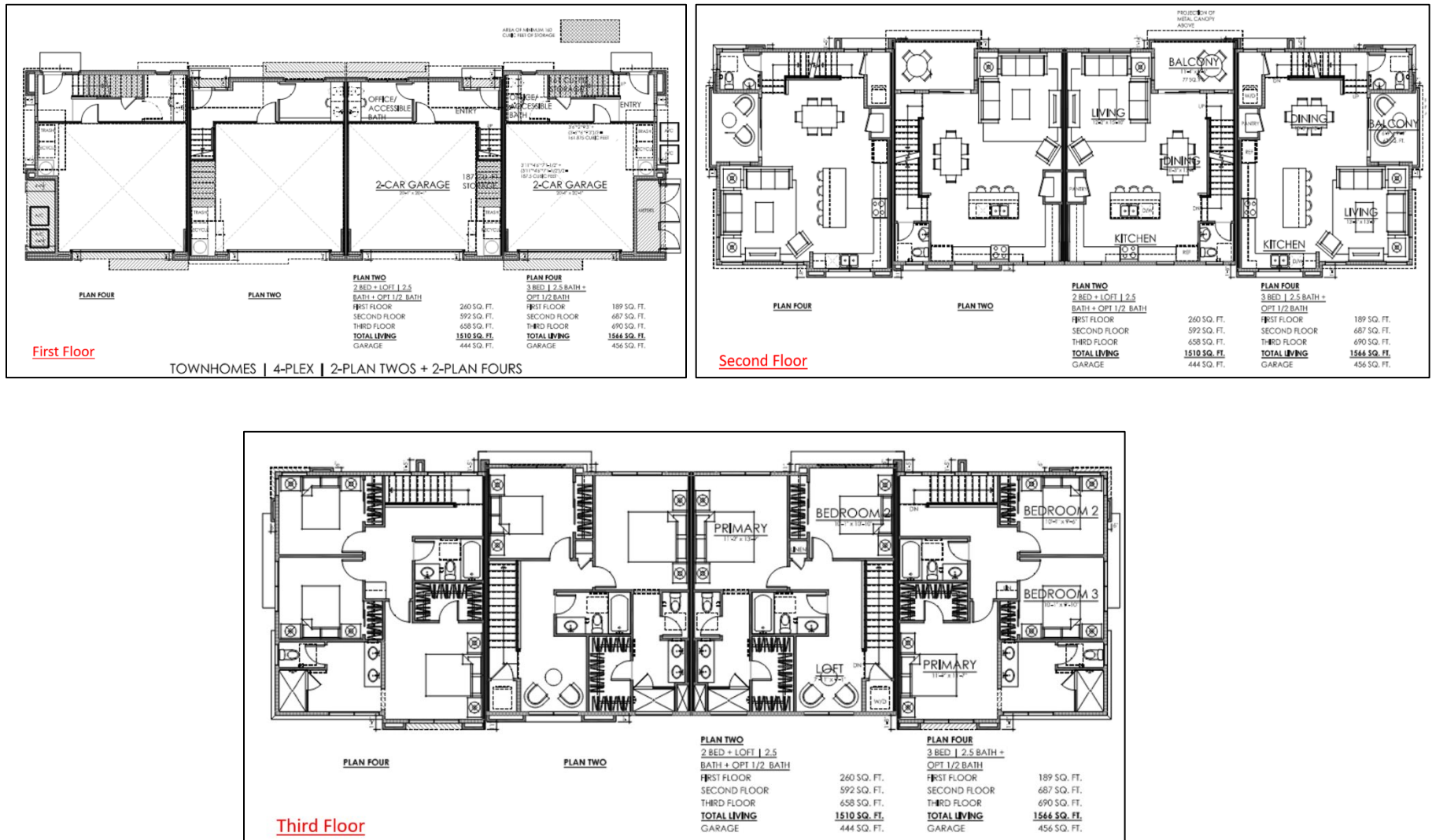


Exhibit E: ELEVATIONS – 8-PLEX (COLOR SCHEME 1)



Exhibit E: FLOOR PLAN – 8-PLEX

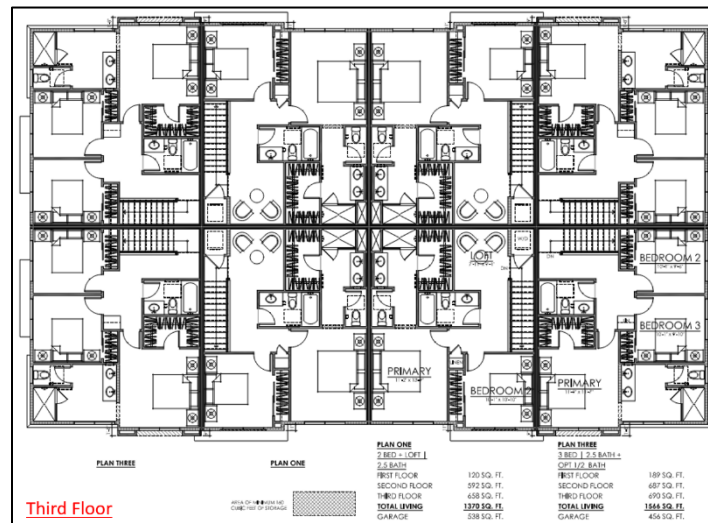
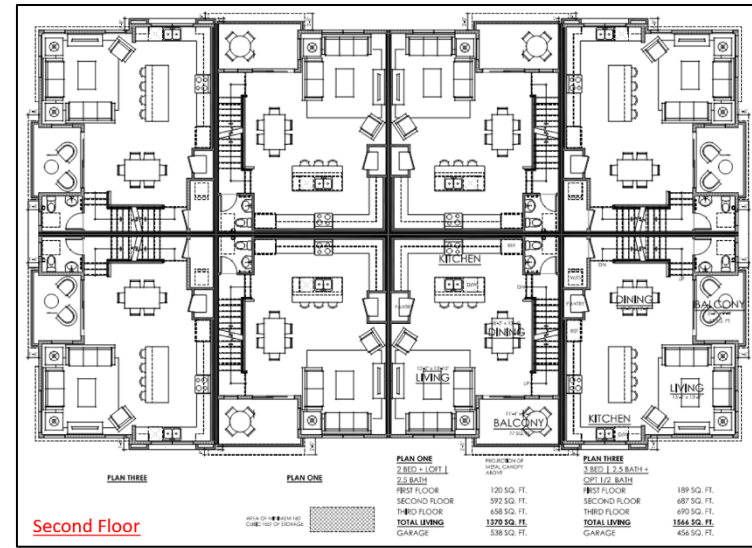
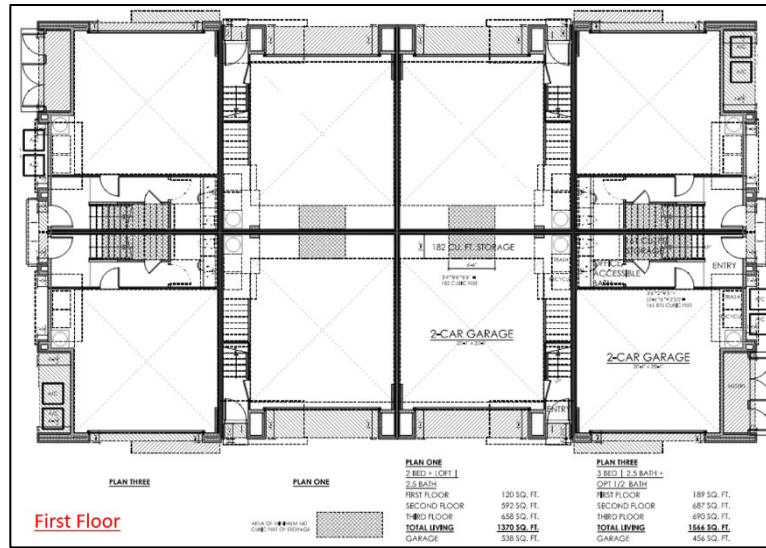


Exhibit F: BUILDING ILLUSTRATIONS



Exhibit F: BUILDING ILLUSTRATIONS



Exhibit F: BUILDING ILLUSTRATIONS



Exhibit G: MATERIAL & COLOR SAMPLE BOARD

PIEMONTE
SCHEME 1

ROOF | SAXONY 900 SLATE
WESTLAKE ROOFING SOLUTIONS
CHARCOAL BLEND SKU:1FAC51430

STUCCO I
SW 7066 EXTRA WHITE

STUCCO II
SW 7672 KNITTING NEEDLES

SIDING | TRIM
SW 7644 STEELY GRAY

FASCIA
SW 7069 IRON ORE

GARAGE DOOR
SW 7069 IRON ORE

ENTRY DOOR
SW 7069 IRON ORE

IRON RAILING | METAL CANOPIES AT RAILING
SW 7069 IRON ORE
NOTE: METAL CANOPIES ARE CLOSED

STONE | DRYSTACK
EL DORADO STONE
CUMMULUS | VANTAGE 30

SHEA HOMES
ONTARIO, CALIFORNIA

PIEMONTE
SCHEME 2

ROOF | SAXONY 900 SLATE
WESTLAKE ROOFING SOLUTIONS
CHARCOAL BLEND SKU:1FAC51430

STUCCO I
SW 7013 WHITETAIL

STUCCO II
SW 9165 GOSSAMER VEIL

SIDING | TRIM
SW 7018 DOVETAIL

FASCIA
SW 7008 ALABASTER

GARAGE DOOR
SW 7047 PORPOISE

ENTRY DOOR
SW 4207 RETREAT

IRON RAILING | METAL CANOPIES AT RAILING
SW 7069 IRON ORE
NOTE: METAL CANOPIES ARE CLOSED

STONE | DRYSTACK
EL DORADO STONE
WHITE ELM | VANTAGE 30

SHEA HOMES
ONTARIO, CALIFORNIA

PIEMONTE
SCHEME 3

ROOF | SAXONY 900 SLATE
WESTLAKE ROOFING SOLUTIONS
APPALACHIAN BLEND SKU:1FAC50390

STUCCO I
SW 7636 ORIGAMI WHITE

STUCCO II
SW 1015 SKYLINE STEEL

SIDING | TRIM
SW 9170 ACIER

FASCIA
SW 7066 EXTRA WHITE

GARAGE DOOR
SW 7046 ANONYMOUS

ENTRY DOOR
SW 7075 WEB GRAY

IRON RAILING | METAL CANOPIES AT RAILING
SW 7069 IRON ORE
NOTE: METAL CANOPIES ARE CLOSED

STONE | DRYSTACK
EL DORADO STONE
BIRCH | LEDGECUT33

SHEA HOMES
ONTARIO, CALIFORNIA

PIEMONTE
SCHEME 4

ROOF | SAXONY 900 SLATE
WESTLAKE ROOFING SOLUTIONS
SERIA SKU:1FAC53370

STUCCO I
SW 7029 AGREEABLE GRAY

STUCCO II
SW 6073 PERFECT GREIGE

SIDING | TRIM
SW 7510 CHATEAU BROWN

FASCIA
SW 7009 PEARLY WHITE

GARAGE DOOR
SW 7515 HOMESTEAD BROWN

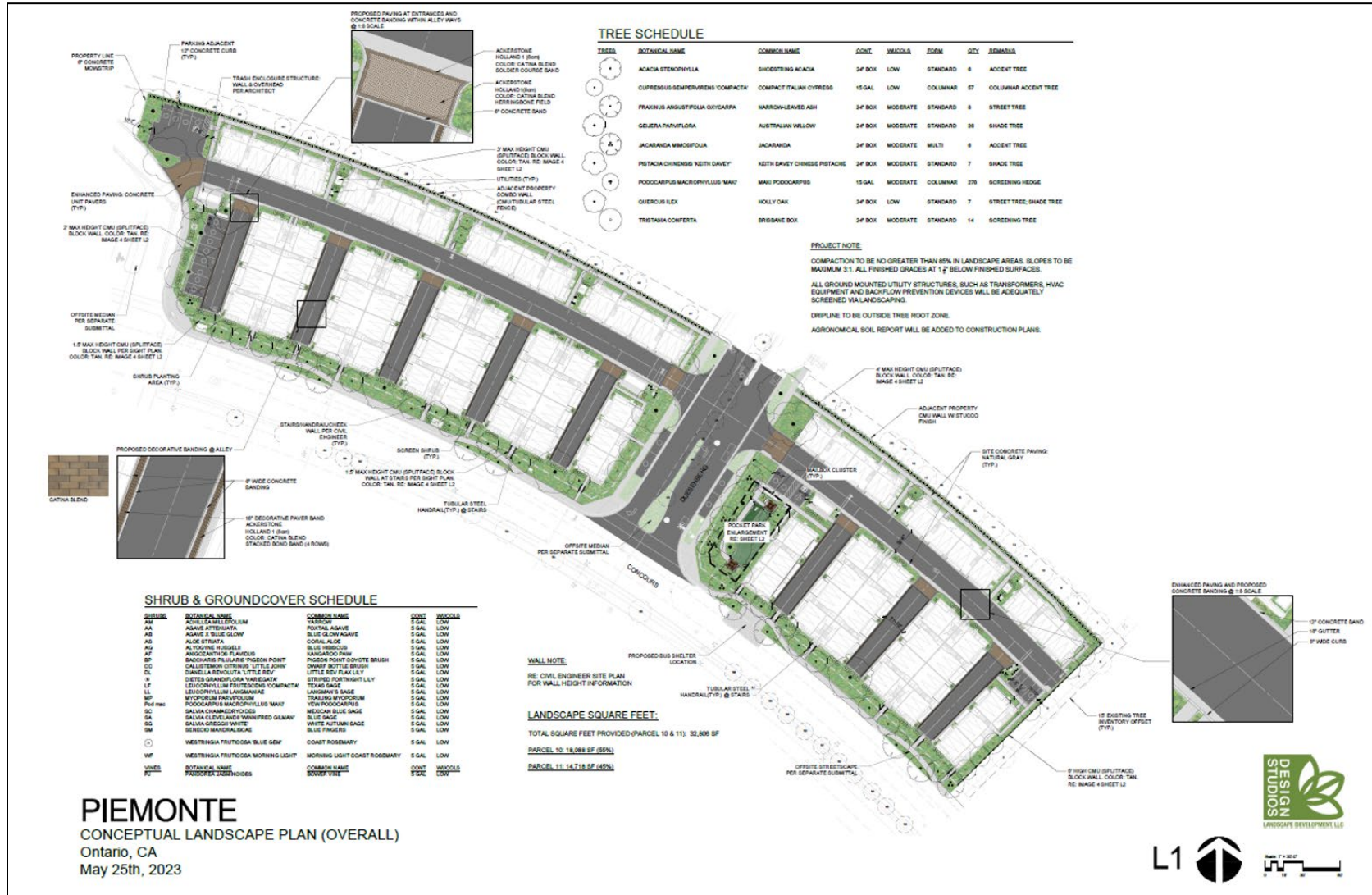
ENTRY DOOR
SW 6076 TURKISH COFFEE

IRON RAILING | METAL CANOPIES AT RAILING
SW 7069 IRON ORE
NOTE: METAL CANOPIES ARE CLOSED

STONE | DRYSTACK
EL DORADO STONE
BIRCH | LEDGECUT33

SHEA HOMES
ONTARIO, CALIFORNIA

Exhibit H: LANDSCAPING PLANS



TREE SCHEDULE

TREE	BOTANICAL NAME	COMMON NAME	CONT.	HEIGHT	FORM	QTY	REMARKS
	ACACIA STENOXYLLIA	SHEDDING ACACIA	24 BOX	LOW	STANDARD	8	ACCENT TREE
	CUPRESSUS SEMPERVIRENS 'COMPACT'	COMPACT ITALIAN CYPRESS	15 GAL	LOW	COLUMNAR	27	COLUMNAR ACCENT TREE
	FRAXINUS ANGUSTIFOLIA OXYCARPA	NARROW-LEAVED ASH	24 BOX	MODERATE	STANDARD	8	STREET TREE
	GEUKIA PARVIFLORA	AUSTRALIAN WILLOW	24 BOX	MODERATE	STANDARD	28	SHADE TREE
	JACARANDA MIMOSIFOLIA	JACARANDA	24 BOX	MODERATE	MULTI	8	ACCENT TREE
	PISTACIA CHINEENSIS 'KEITH DAVEY'	KEITH DAVEY CHINESE PISTACHE	24 BOX	MODERATE	STANDARD	7	SHADE TREE
	PODOCARPUS MACROPHYLLUS 'MAH'	MAH PODOCARPUS	15 GAL	MODERATE	COLUMNAR	270	SCREENING HEDGE
	QUERCUS ILEX	HOLLY OAK	24 BOX	LOW	STANDARD	7	STREET TREE, SHADE TREE
	TRISTANIA CONFERTA	BRISBANE BOX	24 BOX	MODERATE	STANDARD	14	SCREENING TREE

PROJECT NOTE

COMPACTION TO BE NO GREATER THAN 85% IN LANDSCAPE AREAS. SLOPES TO BE MAXIMUM 5:1. ALL FINISHED GRADES AT 12" BELOW FINISHED SURFACES.

ALL GROUND MOUNTED UTILITY STRUCTURES, SUCH AS TRANSFORMERS, HVAC EQUIPMENT AND BACKFLOW PREVENTION DEVICES WILL BE ADEQUATELY SCREENED VIA LANDSCAPING.

DRIPLINE TO BE OUTSIDE TREE ROOT ZONE.

AGRONOMICAL SOIL REPORT WILL BE ADDED TO CONSTRUCTION PLANS.

SHRUB & GROUNDCOVER SCHEDULE

SHRUB	BOTANICAL NAME	COMMON NAME	CONT.	HEIGHT
AM	ADONIS MILLEROLM	YARROW	5 GAL	LOW
AA	ADONIS PTERISATA	PORTULAC ADONIS	5 GAL	LOW
AB	ADONIS F. BLUE GLOW	BLUE GLOW ADONIS	5 GAL	LOW
AD	ALICE STEVIA	CORAL ALICE	5 GAL	LOW
AG	ALYOGNE HESSELE	BLUE HESSELE	5 GAL	LOW
AF	ANACARDIUM FRANGULUS	KANGAROO BARK	5 GAL	LOW
AC	BACCHARIS FRUTICOSA PIGEON POINT	PIGEON POINT CHOCOTE BRUSH	5 GAL	LOW
CP	CALLISTEMON CITRINUS LITTLE JOHN	ORANGE BOTTLE BRUSH	5 GAL	LOW
DL	DANIELLA REVOLUTA LITTLE REV	LITTLE REV FLAX LILY	5 GAL	LOW
H	HEBE SANDERSONIA VANDERKAM	STREPTO PONTICANTILLY	5 GAL	LOW
LP	LEUCOPHYLLUM FRUTICOSUM 'COMPACT'	TEXAS SAGE	5 GAL	LOW
LL	LEUCOPHYLLUM LANGSHIRE	LANGSHIRE SAGE	5 GAL	LOW
MP	MYOPORUM PARVIFOLIUM	TRAILING MYOPORUM	5 GAL	LOW
POD	PODOCARPUS MACROPHYLLUS 'MAH'	YES PODOCARPUS	5 GAL	LOW
SC	SALVIA CHAMAZEDRIFOLIOS	MEXICAN BLUE SAGE	5 GAL	LOW
SA	SALVIA GLENDENAE 'WINTERED GEMMA'	BLUE SAGE	5 GAL	LOW
SG	SALVIA GREGGII 'WHITE'	WHITE AUTUMN SAGE	5 GAL	LOW
SM	SENECIO MANGROBIACAE	BLUE FRINGER	5 GAL	LOW
CO	WESTRINGIA FRUITICOSA BLUE GEM	COAST ROSEMARY	5 GAL	LOW
WF	WESTRINGIA FRUITICOSA MORNING LIGHT	MORNING LIGHT COAST ROSEMARY	5 GAL	LOW
VINES				
VI	PAIRODIA JABBERHOSES	BONNER VINE	5 GAL	LOW

WALL NOTE

RE: CIVIL ENGINEER SITE PLAN FOR WALL HEIGHT INFORMATION

LANDSCAPE SQUARE FEET:

TOTAL SQUARE FEET PROVIDED (PARCEL 10 & 11): 32,806 SF

PARCEL 10: 18,088 SF (55%)

PARCEL 11: 14,718 SF (45%)

Exhibit H: LANDSCAPING PLANS

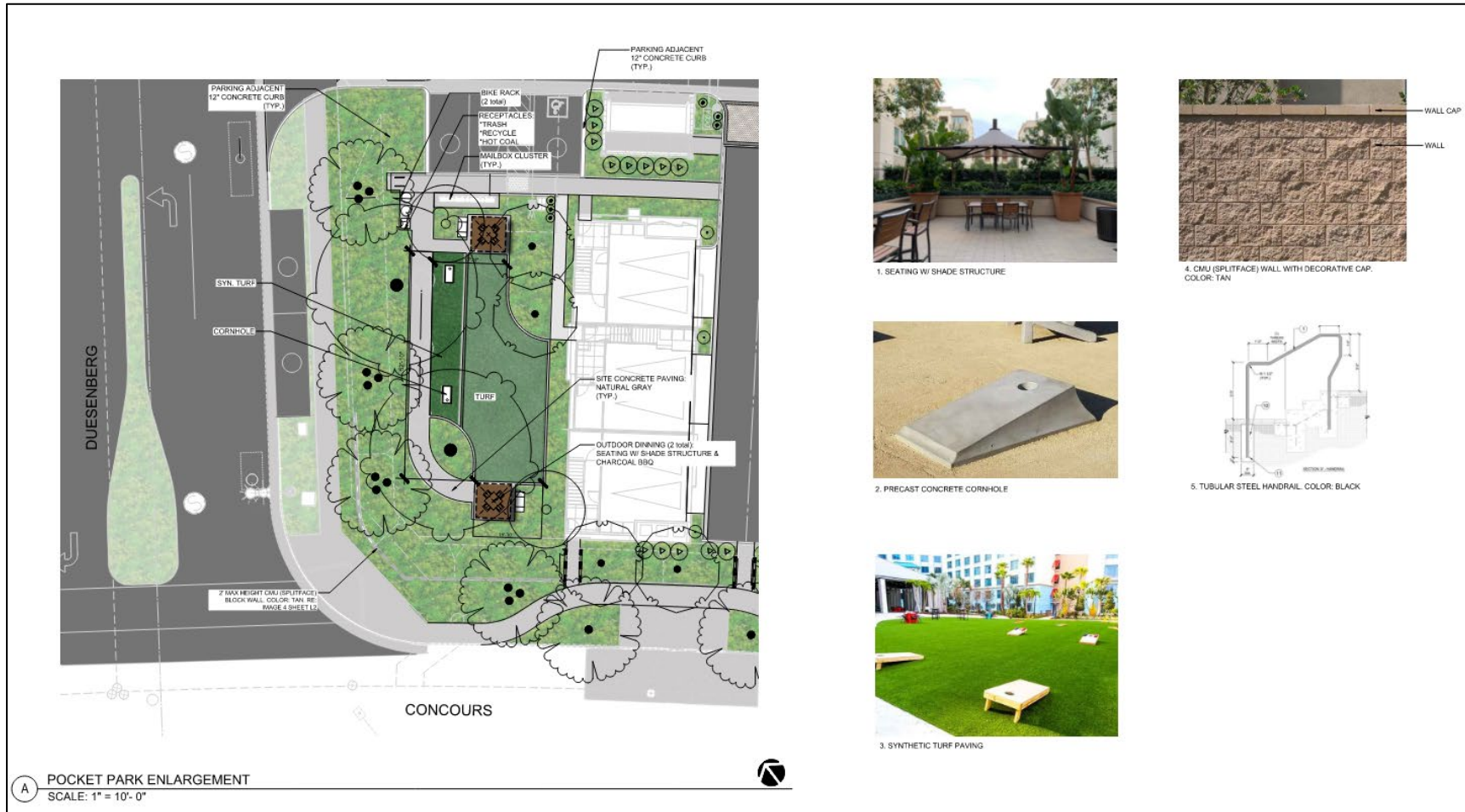
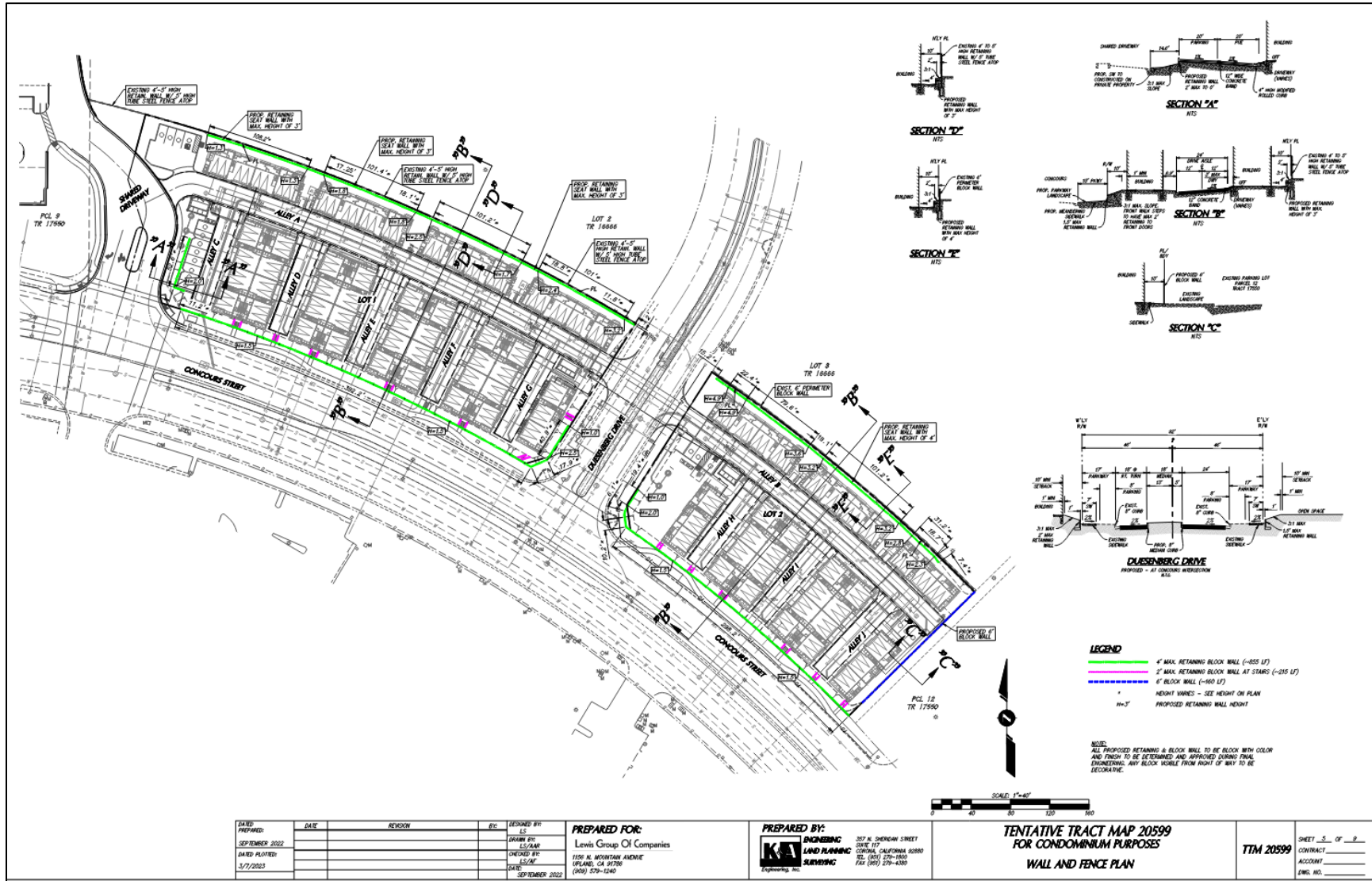


Exhibit H: LANDSCAPING PLANS



Exhibit I: WALL AND FENCE PLAN



DATE PREPARED:	DATE:	REVISION:	BY:	REVISION BY:
SEPTEMBER 2022				
BOARD PLOTTED:	3/7/2023			

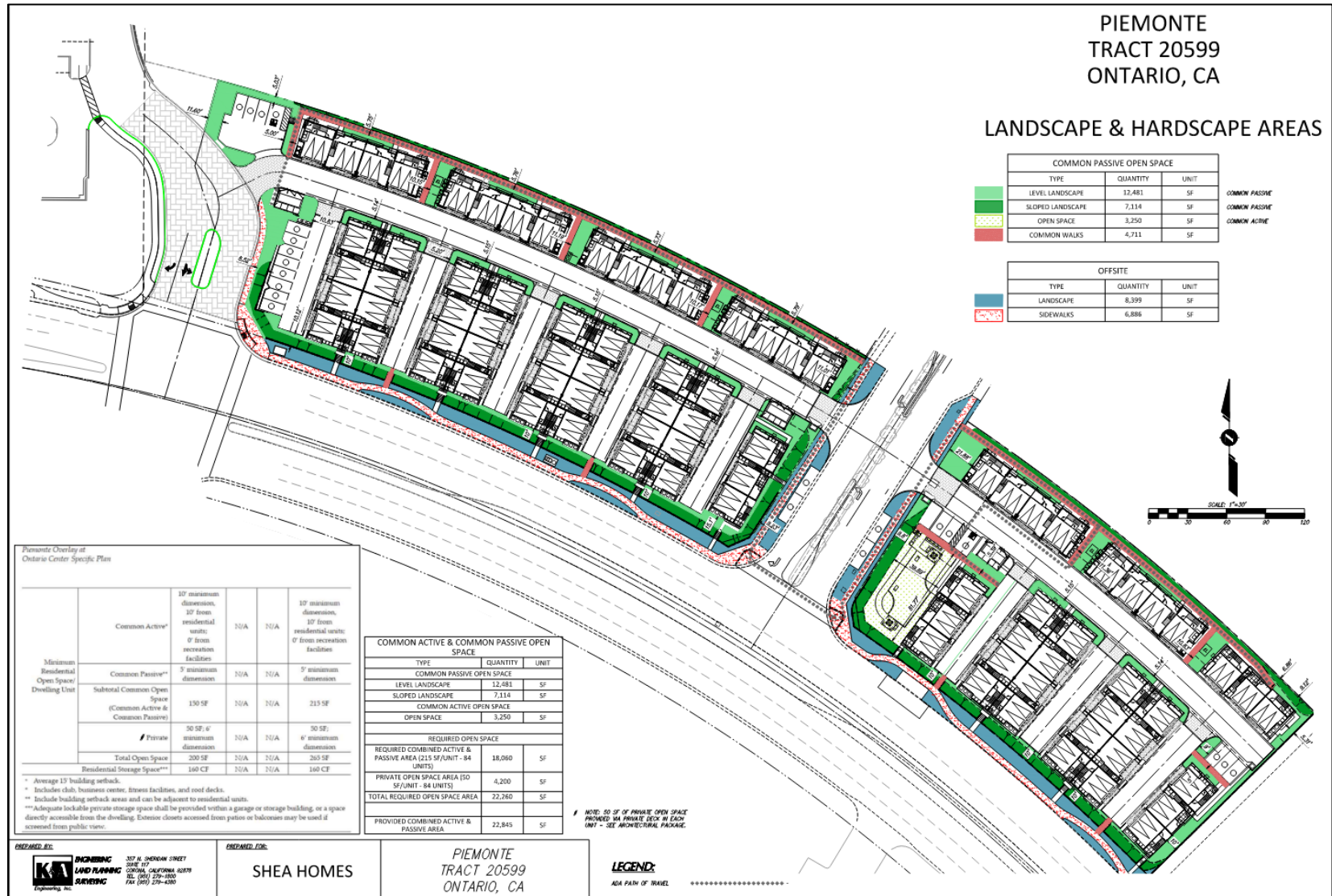
PREPARED FOR:
 Lewis Group Of Companies
 1150 N. MOUNTAIN AVENUE
 UPLAND, CA 91786
 (951) 579-1240

PREPARED BY:
ENGINEERING
LAND PLANNING
SURVEYING
 337 N. SHENAW STREET
 SUITE 117
 CORONA, CALIFORNIA 92620
 TEL: (951) 279-1650
 FAX: (951) 279-4350

TENTATIVE TRACT MAP 20599
FOR CONDOMINIUM PURPOSES
WALL AND FENCE PLAN

TTM 20599 SHEET 5 OF 9
 CONTRACT: _____
 ACCOUNT: _____
 ENG. NO.: _____

Exhibit J: OPEN SPACE AREAS



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

Date Prepared: 5/19/2023
File No: PMTT22-027
Related Files: PDEV22-047, & PVAR23-001

Project Description: A Tentative Tract Map No. 20599 (File No. PMTT22-027) subdividing 3.47 acres of land for common interest subdivision purposes to create two lots for condominium purposes to facilitate a Development Plan (File No. PDEV22-047) to construct 16 multi-family buildings with a total of 84 units, in conjunction with a Variance (File No. PVAR23-001) to reduce the building setback from Concours Street from 15 feet to 10 feet, located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan; (APN(s): 0210-531-20 and 0210-531-16); **submitted by Shea Homes Limited Partnership.**

Prepared By: Jocelyn Torres, Associate Planner
Phone: 909.395.2424 (direct)
Email: jocelyntorres@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. Tentative Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract Map on file with the City. Variations from the approved Tentative Tract Map may be reviewed and approved by the Planning Department. A substantial variation from the approved

Tentative Tract Map may require review and approval by the Planning Commission, as determined by the Planning Director.

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

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

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

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

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

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

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

2.4 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 approach entries shall be provided with enhanced pavement treatment. The enhanced paving shall extend from the back of the approach/alley to the first intersecting landscape planter to the satisfaction of the Planning Director. Final design and materials shall be subject to Planning Department review and approval during plan check.

(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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

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

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

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

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

(i) Landscaping and irrigation systems within common areas;
(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and
(iv) Utility and drainage easements.

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

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

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

2.6 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 this tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

2.7 Environmental Requirements.

(a) The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Piemonte Overlay of the Ontario Center Specific Plan, for which an Addendum to the Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 198941009) was adopted by the City Council on April 19, 2022. This application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of approval and are incorporated herein by this reference.

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

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

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

2.9 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

(c) The Applicant shall pay applicable fees upon submittal of a CC&R application.

2.10 Additional Requirements.

(a) Tentative Tract Map approval shall not be final and complete until the related Development Plan (File No. PDEV22-047) and Variance (File No. PVAR 23-001) are approved by the required Approving Authority.

(b) Prior to issuance of any permits, recordation of the Lot Line Adjustment is required to correct the lot lines on the western property boundaries of the Project site.

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

Date Prepared: 5/19/2023
File No: PVAR23-001
Related Files: PMTT22-027, PDEV22-047

Project Description: A Tentative Tract Map No. 20599 (File No. PMTT22-027) subdividing 3.47 acres of land for common interest subdivision purposes to create two lots for condominium purposes to facilitate a Development Plan (File No. PDEV22-047) to construct 16 multi-family buildings with a total of 84 units, in conjunction with a Variance (File No. PVAR23-001) to reduce the building setback from Concours Street from 15 feet to 10 feet, located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan; (APN(s): 0210-531-20 and 0210-531-16); **submitted by Shea Homes Limited Partnership.**

Prepared By: Jocelyn Torres, Associate Planner
Phone: 909.395.2424 (direct)
Email: jocelyntorres@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. Variance approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 Variance. Variance approval shall be limited to allow a minimum 10 FT building setback from the property line along Concours Street.

2.3 Environmental Requirements.

(a) The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Piemonte Overlay of the Ontario Center Specific Plan, for which an Addendum to the Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 198941009) was adopted by the City Council on April 19, 2022. This application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of approval and are incorporated herein by this reference.

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

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

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

2.5 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.6 Additional Requirements.

(a) Variance approval shall not be final and complete until the related Tentative Tract Map (File No. PMTT22-027) and Development Plan (File No. PDEV22-047) are approved by the required Approving Authority.



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 5/19/2023

File No: PDEV22-047

Related Files: PMTT22-027 & PVAR23-001

Project Description: A Tentative Tract Map No. 20599 (File No. PMTT22-027) subdividing 3.47 acres of land for common interest subdivision purposes to create two lots for condominium purposes to facilitate a Development Plan (File No. PDEV22-047) to construct 16 multi-family buildings with a total of 84 units, in conjunction with a Variance (File No. PVAR23-001) to reduce the building setback from Concours Street from 15 feet to 10 feet, located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office/Residential land use district of the Piemonte Overlay at the Ontario Center Specific Plan; (APN(s): 0210-531-20 and 0210-531-16); **submitted by Shea Homes Limited Partnership.**

Prepared By: Jocelyn Torres, Associate Planner
Phone: 909.395.2424 (direct)
Email: jocelyntorres@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) and the Piemonte Overlay at the Ontario Center Specific Plan.

2.5 Parking, Circulation and Access.

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

(b) All drive approach entries shall be provided with enhanced pavement treatment. The enhanced paving shall extend from the back of the approach/alley to the first intersecting landscape planter to the satisfaction of the Planning Director.

(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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;
(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and
(iv) Utility and drainage easements.

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

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

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

2.12 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that this tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

2.13 Environmental Requirements.

(a) The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Piemonte Overlay of the Ontario Center Specific Plan, for which an Addendum to the Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 198941009) was adopted by the City Council on April 19, 2022. This application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of approval and are incorporated herein by this reference.

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

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

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

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

(c) The Applicant shall pay applicable fees upon submittal of a CC&R application.

2.16 Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner's Representative and Contractor shall be present.

2.17 Additional Requirements.

(a) All required guest parking shall be clearly labeled as "guest parking" spaces. The CC&Rs shall clearly indicate that guest parking spaces shall not be used as permanent long-term parking by residents.

(b) All downspouts shall be strategically located to minimize their appearance and shall be painted to match the wall color in which they are located. The construction plans shall include a note.

(c) Prior to occupancy, the Parking Management Plan shall be submitted for review and approval by the Planning Department.

(d) A 28-inch-wide concrete band with decorative pavers shall be provided within the internal private alleys (Alleys C, D, E, F, G, H, I and J) consisting of 16-inches of decorative pavers with 6-inches of concrete on both sides to the satisfaction of the Planning Director.

(e) The stucco finish on the exterior walls shall be to the satisfaction of the Planning Director during construction.

(f) Once the construction plans have been approved by the City and permits have been issued, the Applicant/Developer shall submit two reduced copies (11" x 17") of the approved plans to the Planning Department.

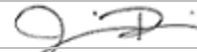
(g) Prior to issuance of any permits, recordation of the Lot Line Adjustment is required to correct the lot lines on the western property boundaries of the Project site.

(h) The Development Plan shall not be final and complete until the related Tentative Tract Map (File No. PMTT22-027) and Variance (File No. PVAR23-001) are approved by the required Approving Authority.

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Architect

4/11/2023

Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Architect		Phone: (909) 395-2615
D.A.B. File No.: PDEV22-047, PMTT22-027 & PVAR23-001		Case Planner: Jocelyn Torres
Project Name and Location: Lewis Piemonte NWC & NEC of Duesenberg Drive & Concours Street		
Applicant/Representative: Shea Homes Limited Partnership - Danielle Prigmore Danielle.Prigmore@sheahomes.com 2 Ada, Suite 200 Irvine, CA 92618		
<input checked="" type="checkbox"/>	Preliminary Plans (dated 3/14/2023) meet the Standard Conditions for New Development and have been approved considering that the following conditions below are met upon the landscape construction documents submittal.	
<input type="checkbox"/>	Preliminary Plans () 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. New residential projects shall use recycled water for HOA-maintained property (parks, parkways, neighborhood edges, common areas). Potable water with a backflow shall only be used on single-family detached properties, even if HOA maintained.
2. Before permit issuance, the Landscape Planning Division shall review stormwater infiltration devices located in landscape areas and approve plans. Any stormwater devices in parkway areas shall not displace trees.
3. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape plans.
4. Locate utilities, including light standards, fire hydrants, water, drain, and sewer lines to not conflict with required tree locations—coordinate civil plans with landscape plans.
5. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb.

Landscape Plans

6. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to omucwaterquality@ontarioca.gov. OMUC shall review and approve irrigation systems utilizing recycled water before final landscape approval. Submit an electronic approval letter or memo from OMUC with the resubmittal of the landscape package.
7. Provide details for the retaining wall at Duesenberg and Concours.
8. Show backflow devices with 36" high strappy leaf shrub screening, trash enclosures and transformers, and a 4'-5' high evergreen hedge screening. Do not encircle utility; show as masses and duplicate masses in other locations at regular intervals.

9. Limit synthetic turf areas, and consider living plant material and broad canopy trees. Inland summers reach 110 degrees, and synthetic turf increases these temps by 20 degrees making these spaces unusable. Show the artificial turf in the cornhole section of the park and propose a living water turf in the open space area.
10. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations—coordinate civil plans with landscape plans.
11. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
12. Note on landscape plans: Compaction to be no greater than 85% in landscape areas. Slopes to be maximum 3:1. All finished grades at 1 ½" below finished surfaces.
13. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
14. Show an 8' diameter of mulch only at new trees—detail irrigation dripline outside of mulched root zone.
15. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans. A new report is required for phased projects for each phase or a minimum of every six homes in residential developments.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. Provide phasing map for multi-phase projects.
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. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Jocelyn Torres, Associate Planner
Planning Department

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

DATE: November 28, 2022

SUBJECT: PDEV22-047 - A Development Plan to construct 16 multiple-family dwellings with a total of 84 units on approximately 3.47 acres of land located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office / Residential land use district of the Piemonte Overlay of the Ontario Center Specific Plan (APN(s): 0210-531-20-0000; 0210-531-16-0000). Related File(s): PMTT22-027

-
- 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
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies
- F. 2019 CBC Occupancy Classification(s): R2

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 1750 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 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 finalized) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV22-047 & PMTT22-027

Address: NEC Dusenber Drive & Concoars Street

APN: 0210-531-20 & 16

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct 84 multiple family units and Tentative Tract Map for condominium purposes to subdivide 3.47 acres into two lots

Site Acreage: 3.47 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: Jocelyn Torres

Date: 3/27/2023

CD No.: 2022-074

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: <u>75 FT</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure Required

Airport Planner Signature: _____



CITY OF ONTARIO MEMORANDUM



DATE: November 30, 2022
TO: Jocelyn Torres, Planning Department
FROM: Blaine Ishii, Integrated Waste Department
SUBJECT: DPR #1 – Integrated Waste Comments
PROJECT NO.: PMTT22-027 & PDEV22-047
ATTACHMENTS:

BRIEF DESCRIPTION – 16 multi-family dwellings at Dusenberg Dr. and Concours St.

THIS SUBMITTAL IS COMPLETE.

CORRECTION ITEMS: *In order to be considered for approval by the Integrated Waste Department the applicant shall address all the correction items below and resubmit the application for further review. Please note that all design shall meet the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

Integrated Waste Comments:

No comments.



CITY OF ONTARIO

MEMORANDUM

TO: Jocelyn Torres, Associate Planner

FROM: Tony Galban, Police Officer
Heather Lugo, CSO

DATE: November 23, 2022

SUBJECT: PDEV22-047- A DEVELOPMENT PLAN TO CONSTRUCT 16 MULTIPLE-FAMILY DWELLING WITH A TOTAL OF 84 UNITS ON APPROXIMATLEY 3.47 ACRES OF LAND LOCATED AT THE NORTHWEST AND NORTHEAST CORNERS OF DUESENBERG DRVIE AND CONCOURS ST.

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

- Required lighting for all walkways, paseos, driveways, doorways, parking areas, parks, park walkways, playgrounds, recreation areas and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall install illuminated address numbers, powered by photocell, on each individual unit and shall not be controlled by the building occupants.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- Trash enclosure shall be fully secured with screens/grates to reduce crime and encampment opportunities for homeless persons.

The Applicant is invited to contact Heather Lugo at (909) 408-1074 with any questions or concerns regarding these conditions.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(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 checked="" type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-20599</u> RELATED FILE NO(S). <u>PMTT22-027, PDEV22-047</u>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>		

CITY PROJECT ENGINEER & PHONE NO: Angela Truong (909) 395-2134

CITY PROJECT PLANNER & PHONE NO: Joceyln Torres (909) 395-2424

DAB MEETING DATE: June 5th, 2023

PROJECT NAME / DESCRIPTION: TM-20599, a Tentative Tract Map for Common Interest Subdivision purposes to subdivide 3.47 acres of land into two lots within the Office / Residential land use district of the Piemonte Overlay of the Ontario Center Specific Plan

LOCATION: NWC and NEC of Duesenberg Drive and Concours Street

APPLICANT: Lewis Retail Centers

REVIEWED BY: 5/18/23
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: 5-19-23
 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 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):
 - a. For sewer, water, and fiber optic purposes
 - i. Private Alleys A and B: 26 feet wide easement
 - b. For sewer and water purposes
 - i. Private Alleys E and I: 20 feet wide easement
 - c. For emergency access purposes
 - i. Private Alleys A and B: 24 feet wide easement
 - ii. Private Alleys C through J: 20 feet wide easement
- 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:
 - 1. The Tract Map shall comply with all the requirements of the Piemonte Overlay of the Ontario Center Specific Plan and its amendments.

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

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

- 2.01 Record Tract Map No. 20599 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 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.**
- 2.17 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

- 2.18 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	Concours Street	Duesenberg Drive	Alleys A and B (private)	Alleys E and I (private)
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New, along proposed parking* <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
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen, along proposed parking*	<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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input checked="" type="checkbox"/> Replace damaged	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input 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 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 checked="" type="checkbox"/> Modify, see Sec. 2.F	<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 checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" 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 checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input 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 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
Storm Drain (see Sec. 2.G)	<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
Fiber Optics (see Sec. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" 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:

***Along the proposed parking stalls on Duesenberg Drive:**

1. On the west side of Duesenberg Drive, construct new curb and gutter; 39 ft. from CL.
2. On the east side of Duesenberg Drive, construction new curb and gutter; 37 ft. from CL.
3. On the west and east side of Duesenberg Drive, widen 8 additional feet, including pavement transitions.

Alleys C, D, F through H, and J (private) do not have any proposed public improvements.

2.19 Construct a 2" asphalt concrete (AC) grind and overlay along project frontage on Duesenberg Drive.



- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 Other conditions: _____

C. SEWER

- 2.24 **A 10-inch sewer main is available for connection by this project in Duesenberg Drive (Ref: Sewer Drawing Number: S13647). A 10-inch sewer main is available for connection by this project in Concours Street west of Duesenberg Drive (Ref: Sewer Drawing Number: S10090). An 8-inch sewer main is available for connection by this project in Concours Street east of Duesenberg Drive (Ref: Sewer Drawing Number: S10093).**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 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.
- 2.27 **Other conditions:**
 - 1. **See Exhibit B for additional Sewer Conditions of Approval from OMUC.**

D. WATER

- 2.28 **A 12-inch water main is available for connection by this project in Duesenberg Drive (Ref: Water Drawing Number: W12910). A 16-inch water main is available for connection by this project in Concours Street (Ref: Water Drawing Number: W10388, W10389).**
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 **Other conditions:**
 - 1. **See Exhibit B for additional Water Conditions of Approval from OMUC.**

E. RECYCLED WATER

- 2.31 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water Drawing Number: _____)
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.33 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.
- 2.34 Submit one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and subsequent submittal to the California State Water Board (Division of Drinking Water) for final approval.

Note: Review and approval process may take up to three (3) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement.



2.35 Submit one (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and approval.

2.36 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

2.36 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

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

2.38 Other conditions:

1. If the traffic signal at Concours Street and existing driveway intersection located west of Lot 1 has not been constructed at the time of the development of PDEV22-047, then the Applicant/Developer shall be responsible design and construct the traffic signal. The traffic signal installation shall include poles, video detection, CCTV, interconnect/fiber optic communication equipment, cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer.
2. Design and construct street improvements along property frontage in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, sidewalk, LED street lights, signing and striping, and parkway landscaping.
3. Design and construct bus stop concrete improvements between the stairways to Lot 2 and Alley H to accommodate a future tubular steel bus shelter (10' x 25' concrete area) to be installed by Omnitrans. The bus stop concrete improvements shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
4. Replace any existing street light fixtures along its project frontage on Duesenberg Drive and Concours Street with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines. Also install smart nodes on all existing street light fixtures along project frontage on Duesenberg Drive and the median street lights on Concours Street.
5. Modify the existing raised median on Duesenberg Drive to accommodate northbound and southbound 10-foot wide left turn pockets with a minimum of 50 feet length.
6. Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway.
7. Existing parking restrictions along project frontage shall remain in place on Concours Street.
8. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the traffic signal, signing/striping and street lighting design plans to define limits of improvements.

G. DRAINAGE / HYDROLOGY

2.39 A 48-inch storm drain main is available to accept flows from this project in Duesenberg Drive (Ref: Storm Drain Drawing Number: D11758). A 48-inch storm drain main is available to accept flows from this project in Concours Street west of Duesenberg Drive (Ref: Storm Drain Drawing Number: D10313). A 72-inch storm drain main is available to accept flows from this project in



Concours Street east of Duesenberg Drive (Ref: Storm Drain Drawing Number: D10314).

- 2.40 **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.**
- 2.41 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.
- 2.42 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.
- 2.43 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.
- 2.44 Other conditions: _____

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

- 2.45 401 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.
- 2.46 **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>.**
- 2.47 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.
- 2.48 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.49 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.
- 2.50 Other conditions: _____



K. FIBER OPTIC

- 2.51 A _____ fiber optic line is available for connection by this project in _____.
(Ref: Fiber Optic Drawing Number: _____)
- 2.52 **Design and construct fiber optic system to provide access to the City’s conduit and fiber optic system per the City’s Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on Duesenberg Drive in NWC of Lot 2.**
- 2.53 **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.**

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: PDEV22-047 and Tract Map No. 20599

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 HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.**
16. **Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.**
17. **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)**
18. **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.**
19. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**



- 20. One (1) copy of Hydrology/Drainage study
- 21. One (1) copy of Soils/Geology report
- 22. Payment for Final Map/Parcel Map processing fee
- 23. Three (3) copies of Final Map/Parcel Map
- 24. One (1) copy of approved Tentative Map
- 25. One (1) copy of Preliminary Title Report (current within 30 days)
- 26. One (1) copy of Traverse Closure Calculations
- 27. 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.
- 28. One (1) copy of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 29. One (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and approval
- 30. Other: _____



CITY OF ONTARIO MEMORANDUM



DATE: May 17, 2023
TO: Angela Truong, Engineering Department
CC: Jocelyn Torres, Planning Department

FROM: Jeff Krizek, Utilities Engineering Division
SUBJECT: DPR4 & Utilities Engineering Conditions of Approval (COA) (#9199 #9200)
PROJECT NO.: TM-20599 (PMTT22-027) & PDEV22-047 & PVAR23-001

BRIEF DESCRIPTION:

TM-20599 (PMTT22-027): A Tentative Tract Map for Common Interest Subdivision purposes, to subdivide 3.47 acres of land into two lots located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office / Residential land use district of the Piemonte Overlay of the Ontario Center Specific Plan (APN(s): 0210-531-20-0000; 0210-531-16-0000).

PDEV22-047: A Development Plan to construct 16 multiple-family dwellings with a total of 84 units on approximately 3.47 acres of land located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office / Residential land use district of the Piemonte Overlay of the Ontario Center Specific Plan (APN(s): 0210-531-20-0000; 0210-531-16-0000).

PVAR23-001: A Variance to reduce the front yard setback from Concours Street from 15 feet to 10 feet related to a request to construct 16 multiple-family dwellings with a total of 84 units on approximately 3.47 acres of land located at the northwest and northeast corners of Duesenberg Drive and Concours Street, within the Office / Residential land use district of the Piemonte Overlay of the Ontario Center Specific Plan (APN(s): 0210-531-20-0000; 0210-531-16-0000). Related File(s): PMTT22-027 & PDEV22-047

OMUC UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:

General Conditions:

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

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:

2. **Inherited Requirements and Conditions of Approval:** This project is subject to all the Requirements and Conditions of Approval of related entitlements: Ontario Center Specific Plan, as amended; and, Ontario Center Specific Plan Piemonte Overlay, as amended. Any conflict in Conditions of Approval and requirements, the Conditions of Approval below for this Project will supersede previous Conditions of Approval.

3. **Final Utilities Systems Map (USM):** Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all 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. See Utility Systems Map (USM) Requirements document for details.
4. **Note the following definitions and concepts for Public Utility Improvements and Private Utility Improvements:** Public Improvements shall be designed per City Public Design Guidelines and City Standards and constructed through a City Encroachment Permit; and Private Onsite Improvements shall be designed per Building Code and Plumbing Code and constructed through a City Building Permit.
 - a. Public Utility Improvements include the following: water main pipelines and sewer main pipelines; sewer laterals connecting to a Public Sewer Main up to the Cleanout (or Manhole) at PL/RoW; water services and connected appurtenances (Meters/Meter Boxes, Fire Hydrants, Airvacs, Blowoffs, etc.) connecting to a Public Water Main per City Standards; and Fire Services connecting to a Public Water Main from the Main up to the DCDA. Public Water Improvements and Public Sewer Improvements are required to be designed and constructed through Public Improvement Plans with Plan View and Profile View per City Standards, Guidelines, and Requirements.
 - b. Private Utility Improvements include the following: onsite water plumbing lines after a Public Meter, or after the Fire DCDA and including the DCDA; Backflow Devices and other Cross-Connection Prevention; onsite sewer upstream of the Public Sewer Lateral, including the Cleanout (or Manhole) at PL/RoW/PUE Edge; Monitoring Manholes and other Wastewater Pretreatment Facilities. Private Onsite Utility Improvements are required to be designed and constructed per Building and Plumbing Plans with: the Backflows, DCDAs, Cleanout (or Manhole) at PL/RoW/PUE Edge, and Monitoring Manholes being designed and constructed through a Precise Grading Plan; and, the other Pretreatment Devices (Grease Interceptor, Sand, Oil Interceptors, etc.) and the connections to the buildings and structures through a building Plumbing Plan.
5. **Public Utilities and Public Right-of-Way including Public Utility Easements (PUE):** All City of Ontario Public Utilities shall be installed within a Public Right-of-Way (RoW), or within a Public Utility Easements (PUE), or within a combination of RoW and PUE. In this case, Public Utilities is referring to the mains and connected appurtenances of the following City of Ontario/OMUC Utilities: Public Potable Water; Public Recycled Water; and Public Sanitary Sewer. Public Utilities shall be subject to the Minimum RoW/PUE Area Requirements and PUE Restrictions:
 - a. **Minimum RoW Area Requirements:** Public Utilities shall be installed within in existing RoW/PUE in alignments/locations that meet the following minimum RoW/PUE areas surrounding the Public Utilities, and/or additional RoW/PUE shall be dedicated/granted to the City to provide the following minimum RoW/PUE areas surrounding the Public Utilities:
 - i. For each main, the RoW/PUE Area shall be a minimum of 20 feet wide, centered on the utility main with a minimum of 10 feet of RoW/PUE on each side of the main and this minimum area shall extend a minimum for 10 feet past the end of a main;
 - ii. For each Service/Lateral, the RoW/PUE Area shall be a minimum of 10 feet wide, centered on the service/lateral with a minimum of 5 feet of PRow on each side of each service/lateral;
 - iii. For each water meter box, the RoW/PUE Area shall be a minimum of 5 feet behind and 5 feet on each side of a water meter box;
 - iv. For each water appurtenances (fire hydrants, blowoffs, airvacs, etc), the RoW/PUE Area shall be a minimum of 5 feet on each side surrounding the water appurtenances (fire hydrants, blowoffs, airvacs, etc);
 - v. The RoW/PUE minimum areas for separate Public Utilities may overlap, provide that all minimum separations and PUE Restrictions are met.
 - b. **PUE Restrictions:** The Minimum PUE Area required surrounding Public Utilities shall be subject to the following restrictions:
 - i. The Minimum PUE Area required surrounding Public Utilities shall not contain:
 - A. Any storm water quality improvements (infiltration, detention, retention, bioswale, etc);
 - B. Landscaping with thick or intrusive root structures,
 - C. Any trees;
 - D. Any private utilities, plumbing lines, private fire system, or irrigation lines; or,
 - E. Any permanent structures or overhangs of permanent structures.
 - ii. The PUE surface shall be designed to allow vehicle access over and along the full length of the utility main by any City maintenance vehicle.

- iii. Minimum Separations: Within a PUE, all Department of Drinking Water (DDW) Water Main Separations per California Code of Regulations (CCR) §64572 shall be met for all Public Potable Water Mains and Services between: all Public City Utilities; Non-City Utilities; and Private Utilities. Additionally, the following Minimum Separations shall be met:
 - A. At minimum there shall be a 4 feet horizontal separation between each utility as measured between the outside walls of the utility pipelines, or in the case of a Joint Utility Trench, between the outside edge of the Joint Utility Trench and the outside wall of the Utility Pipeline.
 - B. Public Utility mains shall not be located behind curb or under curb & gutter and shall be located at minimum of 5 feet from curbface.

Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

- 6. Sewer Sub-Area Master Plans (SSAMP): Convert the Conceptual Sewer Sub-Area Master Plan to a Final SSAMP pursuant to Section 4-8 of the Sewer Master Plan (SMP) and submit it to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.
- 7. Sanitary Sewer Infrastructure: The Project is limited to the following Public Sewer Mains:
 - a. An 8-inch main in "Alley E" connecting between the existing public sewer main in Concours Street and the proposed 8-inch public sewer main in "Alley A".
 - b. An 8-inch main in "Alley A" connecting to the proposed 8-inch public sewer main in "Alley E" and extending westerly towards western property line of Lot 1 and easterly to the eastern property line of Lot 1.
 - c. An 8-inch main in "Alley I" connecting between the existing public sewer main in Concours Street and the proposed 8-inch public sewer main in "Alley B".
 - d. An 8-inch main in "Alley B" connecting to the proposed 8-inch public sewer main in "Alley I" and extending westerly towards western property line of Lot 2 and easterly to the eastern property line of Lot 2.
 - e. The Public Sewer Mains shall be sized per Final SSAMP. Public sewer mains installed in private drives and private alleys shall be within a Public Utility Easement.
 - f. If Public Sewer Mains cannot be designed to meet all City Design Guidelines, Standards and other regulatory requirements, then the Public Sewer Mains shall not be installed and Lot 1 and Lot 2 shall be served by separate sewer laterals connected to the existing Public Sewer system and the onsite system shall be private.
- 8. Sanitary Sewer Service:
 - a. Multifamily attached residential buildings and its onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003.

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

- 9. Potable Water Infrastructure: The Project is limited to the following Public Potable Water Mains:
 - a. An 8-inch main in "Alley A" connecting to the existing 12-inch public potable water main in Duesenberg Drive and extending westerly towards western tract boundary.
 - b. An 8-inch main in "Alley E" connecting between the existing 16-inch public potable water main in Concours Street and the proposed 8-inch public potable water main in "Alley A".
 - c. An 8-inch main in "Alley B" connecting to the existing 12-inch public potable water main in Duesenberg Drive and extending easterly towards eastern tract boundary.
 - d. An 8-inch main in "Alley I" connecting between the existing 16-inch public potable water main in Concours Street and the proposed 8-inch public potable water main in "Alley B".
 - e. If Public Potable Water Mains cannot be designed to meet all City Design Guidelines, Standards and other regulatory requirements, then the Public Potable Water Mains shall not be installed and Lot 1 and Lot 2 shall be served by separate master domestic meters connected to the existing Public Potable Water system and the onsite system shall be private.

10. Potable Water Service:

a. Domestic Service:

- i. Multifamily attached residential buildings shall have a domestic potable water service and public master meter connected to the Public Potable Water System with onsite private backflow prevention device and submetering.
- ii. Any Non-Residential Uses, needing a potable water service shall have its own potable water service and meter with backflow prevention device connected to the Public Potable Water System.

b. Backflow Prevention: Each Meter connected to the Public Potable Water System that serves any use that is more than one (1) single family residential unit or any non-residential use requires a backflow prevention device. A Meter connected to the Public Potable Water System that serves only one (1) single family residential unit (and an ADU and/or JADU) in most cases does not require a backflow device.

c. Fire Water Service: For onsite private Fire System uses:

- i. Where the domestic water service and meters connected to the Public Potable Water System that serves any use that is more than one (1) single family detached residential unit, or any non-residential use: if an onsite private fire system is required, then a separate Fire Service with Double Check Detector Assembly (DCDA) per City Standard #4208 connected to the Public Potable Water System is required, to serve the onsite private fire system. The onsite fire system and onsite domestic water plumbing system shall be separate.
 1. In certain residential cases where a separate fire service with DCDA connected to the Public Potable Water System is not required by above the requirement, and approved by the City Fire Department and the City Building Department, then the California Residential Code must be followed for the residential buildings; if the California Residential Code is not followed for the residential buildings; then a separate fire service with DCDA is required.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

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

12. Recycled Water Service: In order to comply with City Ordinance 2689:

- a. Install two (2) irrigation recycled water services with meters connecting to the existing 8-inch main Duesenberg Drive; with one service on the west side and one service on the east side of Duesenberg Drive.

13. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:

- a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
 - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
 - iii. For details, contact OMUCWQPlanCheck@ontarioca.gov.
- b. Prior to Occupancy Release/Finalizing:
 - i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.



DEVELOPMENT ADVISORY BOARD DECISION

June 5, 2023

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

DECISION NO.: [insert #]

FILE NO.: PMTT23-003

DESCRIPTION: A public hearing to consider a Tentative Parcel Map No. 20465 to subdivide 17.09 gross acres of land into 10 parcels located at the southwest corner of Hamner Avenue and Ontario Ranch Road within Planning Area 8A (Regional Commercial) of the Rich Haven Specific Plan. (APN: 218-211-37); **submitted by Ranch at Model Colony, LLC. Planning Commission action is required.**

PART 1: BACKGROUND & ANALYSIS

RANCH AT MODEL COLONY, LLC, (herein after referred to as "Applicant") has filed an application requesting approval of Tentative Parcel Map No. 20465, File No. PMTT23-003, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 17.09 acres of land located at southwest corner of Hamner Avenue and Ontario Ranch Road as depicted in Exhibit A: Project Location Map, attached. Existing land uses, Policy Plan (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>Policy Plan Land Use Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use Designation</i>
Site:	Vacant	Mixed Use - Rich-Haven (MU-Rich-Haven) - 14.0 to 50.0 du/ac; 0.7 FAR office/retail	Rich-Haven Specific Plan	Planning Area 8A (Regional Commercial)
North:	Vacant	General Commercial (GC) - 0.40 FAR	Rich-Haven Specific Plan	Planning Area 7B (Regional Commercial)
South:	Vacant	Mixed Use - Rich-Haven (MU-Rich-Haven) - 14.0 to 50.0 du/ac; 0.7 FAR office/retail	Rich-Haven Specific Plan	Planning Area 8B (Stand Alone Residential Overlay & Regional Commercial)
East:	Commercial Development City of Eastvale	Commercial Retail	Goodman Commerce Center Specific Plan	PA-1 (Commercial Retail)

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use Designation
West:	Vacant	Mixed Use - Rich-Haven (MU-Rich-Haven) - 14.0 to 50.0 du/ac; 0.7 FAR office/retail	Rich-Haven Specific Plan	Planning Area 8A (Mixed Use Overlay)

PROJECT ANALYSIS:

(1) Background — On December 4, 2007, the City Council adopted Ordinance No. 2884 approving the Rich-Haven Specific Plan (File No. PSP05-004) and certified the related Environmental Impact Report (State Clearinghouse No. 2006051081). The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office land uses.

On February 20, 2018, the City Council approved an Amendment to the Rich-Haven Specific Plan (File No. PSPA16-005) for the annexation of 72.3 acres of land located at the southeast corner of Haven Avenue and Ontario Ranch Road, into the Mixed-Use district of the Rich-Haven Specific Plan. The amendment included updates to the development standards, exhibits, and text changes to reflect the proposed annexation.

On May 18, 2021, the City Council approved a General Plan Amendment (File No. PGPA19-005), an Amendment to the Rich-Haven Specific Plan (File No. PSPA19-006), and an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140). The General Plan and Specific Plan amendments included several land use changes, including the rearrangement of residential land uses and densities, the reduction of commercial land use acreage, and the addition of approximately 49 acres of industrial land within Planning Area 7A (Light Industrial). The amendment included updates to the development standards, exhibits, and text changes to reflect the proposed land use changes and overall compliance with the General Plan Amendment.

On January 18, 2023, the Development Advisory Board approved a Development Plan, File No. PDEV21-025 (Decision No. DAB23-003) to construct a commercial shopping center located at the Project site. The approved commercial shopping center includes one large multi-tenant building with six major tenants, two small multi-tenant buildings (Shops 1 and 2), and five building pads totaling 205,216 square feet (see Exhibit B—Site Plan, attached).

On January 31, 2023, the Applicant submitted a Tentative Parcel Map No. 20465 to subdivide 17.09 acres of land into 10 parcels for the Project site.

(2) Tentative Parcel Map — Tentative Tract Map No. 20465 is being subdivided into 10 parcels to accommodate future tenant ownership within the commercial shopping

center (see Exhibit C —Tentative Parcel Map, attached). The Rich Haven Specific Plan does not establish a minimum lot size requirement for commercial land uses. The proposed lot sizes range from 19,457 to 169,147 square feet.

(3) Site Access/Circulation — The Project site will have two access points from Ontario Ranch Road and two access points from Hamner Avenue, that are further described below.

- Ontario Ranch Road — Access from Ontario Ranch Road includes a 30-foot-wide right-in and right-out driveway located approximately 450 feet from the intersection of Ontario Ranch Road and Hamner Avenue. The second is a 36-foot-wide signalized full access driveway located approximately 875 feet from the intersection of Ontario Ranch Road and Hamner Avenue.
- Hamner Avenue — Access from Hamner Avenue includes a 30-foot-wide right-in and right-out driveway located approximately 330 feet from the intersection of Ontario Ranch Road and Hamner Avenue. The second access is a 37-foot-wide signalized full access shared driveway located approximately 600 feet from the intersection of Ontario Ranch Road and Hamner Avenue that will also provide access to the future commercial development to the south.

(4) Parking — The previously approved Development Plan (File No. PDEV21-025) analyzed the parking requirements for the Project site. A shared parking analysis was prepared for the project by Linscott, Law and Greenspan (Dated: July 13, 2022) and concluded that the 775 parking spaces provided would be sufficient parking during peak parking demand times. The proposed Tentative Parcel Map is not proposing any changes that would adversely affect or alter the approved parking plan.

(5) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground storm water retention chambers to receive, retain, and treat storm water runoff located on the eastern half of the centrally located parking lot. Any overflow drainage will be conveyed by way of on-site storm drains that will connect to the proposed 48-inch storm drain within Hamner Avenue.

(6) Covenants, Conditions and Restrictions ("CC&Rs") — As a Condition of Approval, staff will require that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the buildings, plaza areas, parking lot, drive aisles, landscaping, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities.

PUBLIC NOTIFICATION: Public notification is not required, as the Development Advisory Board is acting in its capacity as the recommending body to the Planning Commission. Public notification is required prior to the Planning Commission hearing on the Project.

CORRESPONDENCE: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

AGENCY/DEPARTMENT REVIEWS: Each City agency/department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are included with this Decision.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the ONT ALUCP.

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety

- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU-1 Balance: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU-1.1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.
 - LU-1.6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.
- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.

➤ LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

▪ Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

➤ CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

➤ CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S-1.1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

➤ CD-1.2 Place Types. We establish Place Types in urban, mixed use, and transit-oriented areas to foster the City's identity as a premier community and require new

development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.

➤ CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.

➤ CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.

➤ CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD-2.11 Entry Statements. We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

➤ CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

➤ CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections

between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➤ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

➤ CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

▪ Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: 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 Rich-Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007 ("Certified EIR") in conjunction with File No. PSP05-004, in which development and use of the Project site was discussed; and

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

WHEREAS, the 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 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 "ONT ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 5, 2023, 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 3: THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED 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 previous "Certified EIR" and supporting documentation. Based upon the facts and information contained in the previous "Certified EIR" and supporting documentation, the DAB finds as follows:

- (1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSP05-004, a Specific Plan for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was adopted by the City Council on December 4, 2007; and
- (2) The previous "Certified EIR" contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous "Certified EIR" was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and
- (4) The previous "Certified EIR" reflects the independent judgment of the Planning Commission; and
- (5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous "Certified EIR", and all mitigation measures previously adopted with the "Certified EIR", are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the 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 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

(4) 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 Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

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 determinations 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 Mixed Use - Rich-Haven (MU Rich-Haven) land use district of the Policy Plan Land Use Map, and Planning Area 8A (Regional Commercial) of the Rich-Haven Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of "[a] dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses" (Goal CD-1). 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, enhancing, and preserving the character of our existing viable neighborhoods" (Policy CD-1.1 *City Identity*).

(2) *The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.* The proposed Tentative Parcel Map is located within the Mixed Use - Rich-Haven (MU Rich-Haven) land use district of the Policy Plan Land Use Map, and Planning Area 8A (Regional Commercial) of the Rich-Haven 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 neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct" (Goal CD-2). 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 CD-2.7 *Sustainability*).

(3) *The site is physically suitable for the type of development proposed.* The Project site meets the minimum lot area and dimensions of Planning Area 8A (Regional Commercial) of the Rich-Haven Specific Plan and is physically suitable for the type of commercial 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 intensity of development proposed.* The Project site is proposed for commercial development. The Project site meets the minimum lot area and dimensions of Planning Area 8A (Regional Commercial) of the Rich-Haven Specific Plan and is physically suitable for this proposed intensity of development.

(5) *The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.* The 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 right-of-way 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 Conditions of Approval 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 5th day of June 2023.

Development Advisory Board Chairman

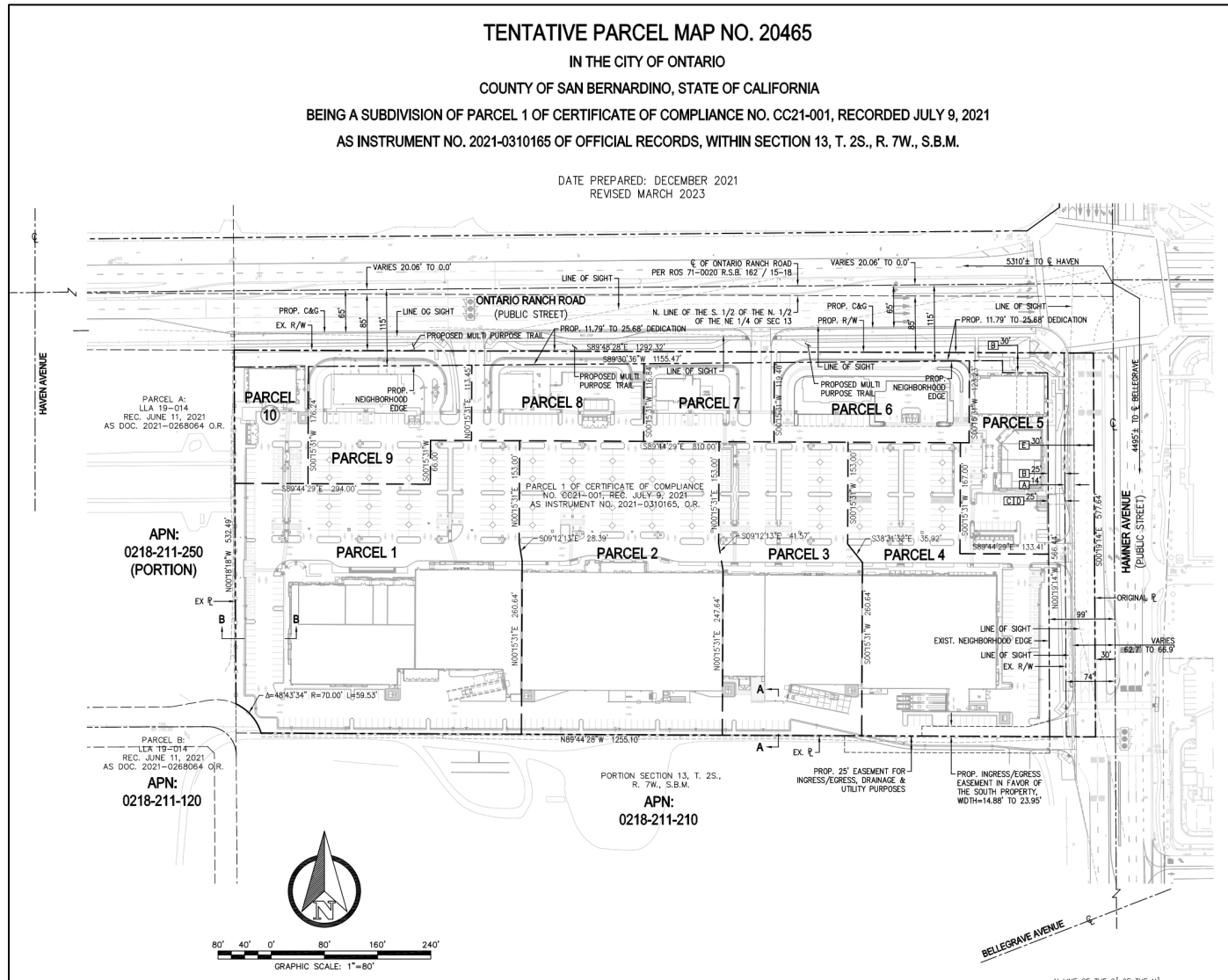
Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN



Exhibit C: TENTATIVE PARCEL MAP



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

Date Prepared: 6/5/2023

File No: PMTT23-003

Related Files: PDEV21-025

Project Description: A Tentative Parcel Map No. 20465 to subdivide 17.09 gross acres of land into 10 parcels located at the southwest corner of Hamner Avenue and Ontario Ranch Road within Planning Area 8A (Regional Commercial) of the Rich Haven Specific Plan. (APN: 218-211-37); **submitted by Ranch at Model Colony, LLC.**

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

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

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

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

2.1 Time Limits.

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

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative 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) The subject Tentative Parcel Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Parcel Map and CC&Rs.

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

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

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

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

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

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

(a) 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 Requirements.

(a) 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).

(b) 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 will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

PROJECT ENGINEER: Michael Bhatanawin, P.E., Associate Engineer
(909) 395-2130


PROJECT PLANNER: Lorena Mejia, Senior Planner
(909) 395-2276


DAB MEETING DATE: June 5, 2023

PROJECT NAME/DESCRIPTION: PM-20465 (PMTT23-003), a Tentative Parcel Map to subdivide 33.9 acres of land into 10 parcels within the Regional Commercial land use district of The Rich Haven Specific Plan

LOCATION: Southwest corner of Ontario Ranch Road and Hamner Avenue

APPLICANT: Wood Investments Companies

REVIEWED BY: 
Raymond Lee, P.E.
Assistant City Engineer
5/26/23
Date

APPROVED BY: 
Khoi Do, P.E.
City Engineer
5/30/23
Date

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 LISTED BELOW. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT. SEE ATTACHED EXHIBIT 'A' FOR PLAN CHECK SUBMITTAL REQUIREMENTS.

1. This Parcel Map shall comply with the approved Rich Haven Specific Plan, the approved Development Agreement (PDA16-003), the Conditions of Approval for this Tentative Parcel Map and the Conditions of Approval for the previously approved Development Plan (PDEV21-025).
2. See attached Exhibit 'B' for OMUC Conditions of Approval.
3. 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.
4. 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.
5. Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
 6. 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.
 7. Provide a preliminary title report current to within 30 days.
 8. 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.
 9. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).

EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT23-003, and/or Parcel Map No. 20465

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 HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16. Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. 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)
18. 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.
19. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
20. One (1) copy of Hydrology/Drainage study

Project File No. PM-20465 (PMTT23-003)
Project Engineer: Michael Bhatanawin, P.E.
DAB Date: June 5, 2023

21. One (1) copy of Soils/Geology report
22. **Payment for Final Map/Parcel Map processing fee**
23. **Three (3) copies of Final Map/Parcel Map**
24. **One (1) copy of approved Tentative Map**
25. **One (1) copy of Preliminary Title Report (current within 30 days)**
26. **One (1) copy of Traverse Closure Calculations**
27. **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.**
28. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
29. Other: _____



CITY OF ONTARIO MEMORANDUM



DATE: May 25, 2023
TO: Michael Bhatanawin, Engineering Department
CC: Lorena Mejia, Planning Department
FROM: Heather Young, Utilities Engineering Division
 Eric Woosley, Utilities Engineering Division
SUBJECT: DPR#2 - Utilities Engineering Conditions of Approval (COA) (#9239)
PROJECT NO.: PM-20465 (PMTT23-003)

BRIEF DESCRIPTION:

A Parcel Map to subdivide 33.9 acres of land into 10 parcels located at southwest corner of Ontario Ranch Road and Hamner Avenue, within the Regional Commercial land use district of the Rich Haven Specific Plan (APN(s): 0218-211-37-0000). Related File(s): PDEV21-025; PCUP21-012; PPA23-0027.

OMUC UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

General Conditions:

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

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:

2. **Inherited Requirements and Conditions of Approval:** The project is subject to all the requirements and conditions of approval from PMTT16-011 (TM-19741), PDA16-003, PSP05-004 Rich Haven Specific Plan, PDEV21-025, and PCUP21-012, as amended. For any conflict in Conditions of Approval and requirements, the Conditions of Approval below for this Project will supersede.

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

3. **Potable Water Service:**
 - a. **Fire Water Service:**
 - i. The Project shall have one fire service connected to the existing 12-inch potable water main in Ontario Ranch Road and one fire service maximum connected to the existing 24-inch potable water main in Hamner Avenue.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-025 & PMTT23-03

Address: SWC Hamner Avenue & Ontario Ranch Road

APN: 0218-211-25

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 8 commercial buildings totaling 204,500 SF

Site Acreage: 17.13 Proposed Structure Height: 45 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 8/17/2021

CD No.: 2021-040

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 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: <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: _____



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: February 08, 2023

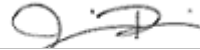
SUBJECT: PMTT23-003 - A Parcel Map to subdivide 33.9 acres of land into 10 parcels located at the Southwest corner of Ontario Ranch Road and Hamner Avenue, within the Regional Commercial land use district of the Rich Haven Specific Plan (APN(s): 0218-211-37-0000). Related File(s): PDEV21-025; PCUP21-012; PPA23-0027.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
-

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Architect

5/18/2023

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Architect

Phone:

(909) 395-2615

D.A.B. File No.:

PMTT23-003

Related Files:

Case Planner:

Lorena Mejia

Project Name and Location:

The Ranch at Model Colony
TM 20465

Applicant/Representative:

The Ranch at Model Colony, LLC aneff@woodinvco.com
14 Corporate Plaza, Suite 120
Newport Beach, CA



A Tentative Tract/Parcel Map (dated 5/4/2023) has been approved considering that the following conditions below be met upon submittal of the landscape construction documents.



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

CORRECTIONS REQUIRED

Previous Conditions of Approval dated 2/3/2023:

1. Stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division before permit issuance. Any stormwater devices in parkway areas shall not displace street trees.
2. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape plans. Pad 5 location is shown adjacent to a parking space; relocate or add a planter at parking end to allow for the required tree and screening.
3. Show and dimension backflow devices set back 4' from paving all sides. Locate on level grade. Backflows shall be located on private property and not within the right-of-ways.
4. 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.