

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

April 24, 2018

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

6:30 PM

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

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

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

ROLL CALL

DeDiemar __ Delman __ Downs __ Gage __ Gregorek __ Reyes __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

Presentation to Scott Murphy for service.

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of March 27, 2018, approved as written.

A.02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV18-005: A Development Plan (File No. PDEV18-005) to construct 60 single-family homes on 8.9 acres of land located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan EIR, for which an Environmental Impact Report (SCH# 2004011009) was adopted by the City Council on November 7, 2006. This project introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT; (APN: 0218-014-05) **submitted by KB Home Southern California.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV17-060: A Development Plan (File No. PDEV17-060) to

construct 62 single-family homes on 7.65 acres of land located within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. This project introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-412-02) **submitted by Brookfield Waverly, LLC.**

PLANNING COMMISSION PUBLIC HEARING ITEMS

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

- B. ENVIRONMENTAL ASSESSMENT AND REVIEW FOR GENERAL PLAN AMENDMENT FILE NO. PGPA16-002, SPECIFIC PLAN FILE NO. PSP16-002 AND WILLIAMSON ACT CANCELLATION FOR FILE NOS. PWIL17-009 (#73-406) AND PWIL18-004 (#70-219)**: A public hearing to consider certification of the Environmental Impact Report (SCH#2017041074), including the adoption of a Mitigation Monitoring and Reporting Plan and a Statement of Overriding Considerations, for the following: 1) A General Plan Amendment (File No. PGPA16-002) to modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for 47.06 acres of land from Business Park (0.60 FAR) to Industrial (0.55 FAR) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; 2) A Specific Plan (File No. PSP16-002 - West Ontario Commerce Center) request to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 119 acres of land, which includes the potential development of up to 2,905,510 square feet of industrial and business park development; and 3) A petition to cancel Williamson Act Contracts 73-406 and 70-219. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west. The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 and 0218-271-

18) submitted by REDA, OLV. City Council action is required.

1. CEQA Determination

Motion to recommend Approval/Denial of the Certification of an EIR, with a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan

2. File No. PGPA16-002 (General Plan Amendment)

Motion to recommend Approval/Denial

3. File No. PSP16-002 (Specific Plan)

Motion to recommend Approval/Denial

4. File No. PWIL17-009 (Williamson Act Cancellation)

Motion to recommend Approval/Denial

5. File No. PWIL18-004 (Williamson Act Cancellation)

Motion to recommend Approval/Denial

C. ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR17-008 AND PDEV17-055: A Variance (File No. PVAR17-008) to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet in conjunction with a Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and 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 (ONT), and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0110-202-46) **submitted by Atabak Youssefzadeh.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PVAR17-008 (Variance)

Motion to Approve/Deny

3. **File No. PDEV17-055** (Development Plan)

Motion to Approve/Deny

D. **ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA18-001 AND A SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO. PSPA18-002:**

A General Plan Amendment (**File No. PGPA18-001**) request to: 1) modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designation shown on the Land Use Plan Map (Exhibit LU-1) for one 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street from Office Commercial to Industrial; and 2) modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change; and a Specific Plan Amendment (**File No. PSPA18-002**) request to change the California Commerce Center Specific Plan land use designation of the property from Commercial/Food/Hotel to Rail Industrial. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (Related File PSPA18-002) (APN: 0211-281-56); **submitted by SRG Archibald, LLC. City Council action is required.**

1. **CEQA Determination**

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

2. **File No. PGPA18-001** (General Plan Amendment)

Motion to recommend Approval/Denial

3. **File No. PSPA18-002** (Specific Plan Amendment)

Motion to recommend Approval/Denial

E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA07-001:**

A Development Agreement Amendment (Second Amendment) between the City of Ontario and Western Pacific Housing, Inc., File No. PDA07-001, to extend the term of the agreement to serve Tract Map No. 18419. The project is located within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan, located at the southeast corner of Archibald Avenue and Schaefer Avenue. The environmental impacts of this project were previously analyzed in The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed

project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-201-15 and 0218-201-44) **submitted by Western Pacific Housing, Inc., DBA: D.R. Horton. City Council Action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDA07-001 (Development Agreement Amendment)

Motion to recommend Approval/Denial

F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA14-003: A Development Agreement Amendment (Second Amendment) between the City of Ontario, GDC Investments 6 L.P., and Lennar Homes of California to amend Development Agreement, File No. PDA14-003, to extend the term of the agreement to serve Tract Map No's. 17931, 17932 and 17933. The project is located on the northeast and southeast corners of Mill Creek Avenue and Eucalyptus Avenue, within Planning Areas 8, 9, and 10 of the Esperanza Specific Plan. The environmental impacts of this project were reviewed in conjunction with an Addendum to the Esperanza Specific Plan Environmental Impact Report (SCH# 2002061047) that was adopted by City Council on September 2, 2014. This application introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of the 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. (APNs: 0218-332-12 and 16); **submitted by GDC Investments 6, L.P. City Council Action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDA14-003 (Development Agreement Amendment)

Motion to recommend Approval/Denial

G. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA14-004: A Development Agreement Amendment (Second Amendment) between the City of Ontario, GDC-RCCD, L.P., and Lennar Homes of California to amend Development Agreement, File No. PDA14-004, to extend the term of the agreement to serve Tract Map No's. 17749, 17935, 17936, 18876 and 18878. The project is located on the northwest and southwest corners of Hamner Avenue and Eucalyptus Avenue, within Planning Areas 4, 5, 6, and 7 of the Esperanza Specific Plan. The environmental impacts of this project were reviewed in conjunction with an Addendum to

the Esperanza Specific Plan Environmental Impact Report (SCH# 2002061047) that was adopted by City Council on September 2, 2014. This application introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of the 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. (APNs: 0218-332-11 and 17); **submitted by GDC-RCCD, L.P. City Council Action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDA14-004 (Development Agreement Amendment)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Met on April 12, 2018
- 2) New Business
- 3) Election of New Officers
- 4) Nominations for Special Recognition

DIRECTOR'S REPORT

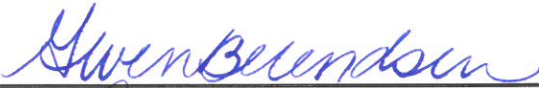
- 1) Monthly Activity Report

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

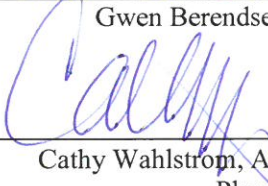
If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at,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



I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, April 20, 2018**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Gwen Berendsen, Secretary Pro Tempore



Cathy Wahlstrom, Assistant Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

March 27, 2018

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

MINUTES

March 27, 2018

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

COMMISSIONERS

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

Absent: Downs

OTHERS PRESENT: Development Director Murphy, City Attorney Rice, Assistant Planning Director Wahlstrom, Principal Planner Zeledon, Senior Planner D. Ayala, Senior Planner R. Ayala, Senior Planner Batres, Senior Planner Mercier, Senior Planner Noh, Assistant Planner Aguilo, Assistant Planner Antuna, Assistant Planner Vaughn, Assistant City Engineer Do, Assistant Building Official Rico, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

ANNOUNCEMENTS

Mr. Murphy stated that there are revisions to Item K in front of the Commissioners and that Item D would be continued.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of February 27, 2018, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV17-056: A Development Plan (File No. PDEV17-056) to construct 229 single-family homes on 59.8 acres of land within the Low Density

Residential district of Planning Area 6A of The Avenue Specific Plan, located at the southeast corner of Archibald Avenue and Schaefer Avenue. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-201-15 and 0218-201-44) **submitted by Western Pacific Housing, Inc., DBA: D.R. Horton.**

It was moved by DeDiemar, seconded by Willoughby, to approve the Consent Calendar Items: Planning Commission Minutes of February 27, 2018, as written and File No. PDEV17-056. The motion was carried 5 to 0.

PUBLIC HEARING ITEMS

HISTORIC PRESERVATION ITEMS

Mr. Gregorek arrived at 6:39 PM.

- B. EIGHTEENTH ANNUAL MODEL COLONY AWARDS FILE NO. PHP18-003:** A request for the Historic Preservation Commission to accept the nominations for the Eighteenth Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**

Assistant Planner, Elly Antuna, presented the staff report for the 18th Annual Model Colony Awards. She described the awards: Founder's Heritage Award to the Benton Ballou House; Award of Merit to the Henry C. Hamilton House; Rehabilitation Award to Gloria's Cocina Mexicana and 111 West J Street. The awards will be presented on May 1st by the City Council, to coincide with Historic Preservation Month. She presented the history, architecture and interior and exterior designs, and explained how each location deserved their award. She stated that staff is recommending the Planning Commission approve File No. PHP18-003, pursuant to the facts and reasons contained in the staff report.

PUBLIC TESTIMONY

No one responded.

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

Mr. Gregorek stated the Historic Preservation Subcommittee concurred with the nominations and that all are worthy of receiving the awards.

Mr. Reyes stated that as a city, he is glad that we are recognizing these historic buildings. He stated that having grown up in a historic home built in 1901 and having it destroyed by the city he grew up in was really sad. He stated he is glad to see the continuation of

preservation by the homeowners and recognition by the city, is exceptional. He stated he is glad to see a commercial building on the list this year, which really has a great impact to our downtown, Gloria's.

Mr. Willoughby thanked the staff for doing a phenomenal job working with our historic properties, and the great collection of homes and business, that we can highlight and award for maintaining that historical look of Ontario.

Mr. Gage stated he applauded these homes and the business. He stated the Founder's Heritage Award going to the Benton Ballou house, is appropriate as the family goes way back in the city and the original Chaffey irrigation runs in the back. He stated Gloria's was the old laundry mat and he applauds Gloria's for rehabilitating that building. He stated he appreciated the old building getting brought back to their original luster, which preserves the quality within our city. He stated the other homes had a lot of work put into them as well. He thanked staff too for all their work.

Mr. Delman stated he would like to echo the awe and respect of the other commissioners for these magnificent structures that represent Ontario's heritage.

PLANNING / HISTORIC PRESERVATION COMMISSION ACTION

It was moved by Gregorek, seconded by Gage, to approve the Model Colony Nominations, File No. PHP18-003. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

PLANNING COMMISSION ITEMS

- C. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PCUP17-021 AND PDEV17-046:** Development Plan (File No. PDEV17-046) to construct a 4,500 square-foot self-service carwash (Fast 5 Xpress) in conjunction with a Conditional Use Permit (File No. PCUP17-021) to establish and operate the drive-thru carwash, on 0.93 acres of land, within the Commercial land use designation of the Grove Avenue Specific Plan, located at 2345 S. Grove Avenue. 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: 0216-081-25) **submitted by Fast 5 Xpress Car Wash. Continued from February 27, 2018 meeting.**

Assistant Planner, Alexis Vaughn, presented the staff report. She described the location and the surrounding properties. She stated the layout and she went over the conditions of approval, architectural elements, noise evaluation and mitigated measures that are to be enforced. She stated a community meeting was held and described the concerns brought up at the meeting and how those issues were addressed. She stated that staff is recommending the Planning Commission approve File Nos. PCUP17-021 and PDEV17-046, pursuant to the facts and reasons contained in the staff report and attached

resolution, and subject to the conditions of approval.

Ms. DeDiemar wanted clarification regarding the community meeting, and if all of those concerns have been addressed to the satisfaction of those that attended the meeting.

Ms. Vaughn stated she took notes at the meeting and incorporated and addressed the concerns in her report.

Mr. Murphy stated that at this time we don't know if they are satisfied with the adjustments that were incorporated into the conditions of approval.

Mr. Willoughby wanted clarification regarding the two isles being used for different purposes: for entry and stack isles.

Mr. Murphy clarified that one was for those with a prepaid plan and the other was for those paying directly.

Mr. Willoughby asked if the northwest driveway will be enlarged or will it remain the same.

Mr. Murphy stated it is proposed to stay as is and be for entrance only.

Mr. Reyes wanted clarification regarding the wall along the east side being 8 ft and the landscaping to be used as additional buffer.

Mr. Murphy stated at this time it isn't determined but we can work with the applicant to get boxed trees to add instant screening and buffering.

Mr. Reyes stated that would be good.

Mr. Gage wanted clarification about the entry driveway and if there was any discussion about widening it.

Mr. Murphy explained they didn't want to have conflicting multiple points of access and there is already an existing signalized intersection for exiting and that helps to avoid additional conflicts from Grove Ave. traffic.

Mr. Willoughby wanted clarification regarding exiting out the south driveway and how do we prevent them from shooting across to do a u-turn at the Lowe's turn in, and if engineering has addressed this.

Mr. Do addressed the traffic issues and stated that there is adequate distance for them to make that turn.

Mr. Reyes wanted to know if back area as shown on the site plan is able to be closed off to keep people from wandering back there at night.

Mr. Murphy stated there are not any plans to limit vehicular access other than the tunnel will be closed off with metal roll-up doors and cones at the entry to the stacking lane.

Mr. Reyes stated the vacuum bay area stalls adjacent to the parking for the hotel are there enough definition for both businesses to avoid parking issues.

Mr. Murphy stated the driveway is sufficient to make sure there isn't any conflict, but as to a delineation of where the property line is no, but proximity wise you could infer its hotel property.

Mr. Willoughby wanted clarification if the area below the vacuum bay canopy was a planter.

Ms. Vaughn clarified that is a catch basin for water quality and is underground.

PUBLIC TESTIMONY

Applicant Tom Utman, owner of Fast 5 Express Car Wash, stated they have 11 facilities opened on popular streets throughout Southern California and located next to retail or residential. He stated that the Monrovia location is also adjacent to a mobile home park. He stated that after attending the community meeting they tried to be aware of all their concerns. He stated they did a noise study and agreed to the additional mitigation measures, like a higher 8 foot wall, moving the vacuums from the east side, putting a 10 foot wall at the end of the tunnel. He stated that they pride themselves on being a good neighbor. He explained that they don't usually bring additional traffic but most of it comes from existing traffic, which Grove Avenue is a busy street and they are trying to try to keep everything the same in regards to the ingress and egress. He explained regarding the issue of pollution they would have 16 cars that could be in the queuing area at any one time, and they don't have standing cars while vacuuming. He explained that everything they use is biodegradable and nothing goes into the storm drains. He stated that he would like to be a good neighbor. He explained that the Monrovia location has a mobile home next to them and have had no issues. He explained they offer a great service for \$6.00 in a short time and they are successful and offer a great service to the community and have no issues anywhere.

Mr. Willoughby wanted clarification regarding signage in the vacuum area to turn off their cars.

Mr. Utman described the operation, how staff works and stated that there is signage to turn off radios, but that cars are running in the queuing area, but very seldom while vacuuming.

Marlund Hale, the sound engineer of this project stated he is here to answer any noise questions and the mitigation measures that have been addressed with regards to vegetation and its ability to absorb sound, or reflect sound back.

Sylvia DeVries, at 1456 South Grove, from the mobile home park wanted clarification regarding the operating hours.

Ms. Vaughn stated the proposed times would be 7am – 7pm in winter and 7am-8pm in the summer, and a condition was established that no noise be aloud before 6:50 am.

Ms. DeVries stated the noise factor would be seven days a week and that the wall is only for the car wash area, but the mobile home park extends further. Her biggest concern is the noise factor and that they have residents that are elderly, ill and those that work during the evenings and sleep during the day that will be effected by it.

Mr. Utman stated regarding the hours of the operation, that they would be closing earlier than the existing tenant. He stated there will be 16 cameras to monitor but he can't say what will happen with the neighboring properties.

Mr. Willoughby wanted clarification regarding lighting for dark areas after 5 pm during day light savings and if reflecting light has it been addressed in regards to neighboring properties.

Mr. Utman stated lights have a shield and try not to reflect to neighboring properties.

Mr. Murphy stated the lighting in parking areas is for safety issues, and will be designed to avoid spilling over into the adjacent properties. He stated the standard conditions of approval address the photo metrics of the lighting.

Mr. Utman stated when it gets dark the traffic dies down.

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

Mr. Reyes stated his concerns regarding the noise and the neighbors and the easy access to the back area when they aren't suppose to be there and suggested a drive arm. He also stated he wasn't crazy about the trash location, but doesn't see another location without causing a hindrance when the trash is being picked up.

Ms. DeDiemar stated that her dilemma is that she has listened and read the concerns regarding the noise from the community, who have come with logical reasons for having this fear and the applicant who gives the reassurance from the other locations, that they would mitigate it.

Mr. Gage stated he has sympathy and understands the concerns of the residents, but is swayed by the professionalism of the company, which seems to be a responsible organization that has tried to accommodate the concerns and run a clean facility and that they want to be good neighbors. He stated the site will look cleaner and better and maybe it will change the neighboring businesses.

Mr. Willoughby stated he has seen one of their other facilities and it is very clean and that it appears they take pride in their business and property, and want to be a good neighbor. He stated his appreciation for the landscaping on the street, the security with the 8 foot wall and the staff for putting in the extra conditions of approval to help with the noise concerns. He stated he concurs with Mr. Gage that a clean car wash could be a positive for a neighborhood.

Mr. Reyes stated he is okay with the use of the sight but still has his before-stated concerns. He has also seen the Monrovia sight which appeared to be clean and well

placed.

Mr. Gregorek stated this is a tough site and hates to see the restaurant go, because south Ontario is in need of sit down restaurants. He explained that with the awkward nature of the sight, the carwash isn't the best use but being it's a self service carwash, it won't be as impactful to the residents as they are thinking. He stated he is not totally in support but that it is appropriate.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Gage, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP17-021, and the Development Plan, File No. PDEV17-046, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PDEV17-033 AND PCUP17-015:** A Development Plan (File No. PDEV17-033) and Conditional Use Permit (File No. PCUP17-015) to construct and establish a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 3,233 square feet on 0.81 acres of land, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1008-431-21); **submitted by Raising Cane's Chicken Fingers.**

This Item is being continued to the April 24, 2018 meeting.

PUBLIC TESTIMONY

No one responded.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Reyes, to continue File Nos. PCUP17-015 and PDEV17-033, to the April 24, 2018 Planning Commission meeting. The motion was carried 6 to 0.

- E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NO. PDEV17-061 AND FILE NO. PCUP18-007:** A Development Plan (File No. PDEV17-061) and Conditional Use Permit (File No. PCUP18-007) to construct and establish a non-stealth wireless telecommunications facility for T-Mobile (65 feet high), attached to an existing SCE tower, and equipment enclosure totaling 484 square feet on 10.17 acres of land, located at 13434 South Ontario Avenue, within the SP/AG (Specific Plan/Agriculture Overlay)

zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-122-06) **submitted by T-Mobile.**

Assistant Planner, Jeanie Aguilo, presented the staff report. She described the location and surrounding area. She stated that staff is recommending the Planning Commission approve File Nos. PCUP18-007 and PDEV17-061, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

Damien Pichardo, a representative of Coastal Business Group, on behalf of T-mobile appeared and stated he was available to answer any questions.

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

Mr. Gage stated that these are submitted to us regularly and mostly the height and stealthness of the equipment are what are being looked at, and this is pretty straight forward.

Mr. Gregorek stated that with the location, it is appropriate.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Reyes, to adopt a resolution to approve the Conditional Use Permit, File No. PCUP18-007, and the Development Plan, File No. PDEV17-033, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

F. ENVIRONMENTAL ASSESSMENT, SPECIFIC PLAN REVIEW FOR FILE NO. PSP16-003 AND WILLIAMSON ACT CANCELLATION FOR FILE NO. PWIL18-002:

A public hearing to consider certification of the Environmental Impact Report, (SCH#2017031048) including the adoption of a Statement of Overriding Considerations, for File No. PSP16-003 and a Specific Plan (Colony Commerce Center East) request (File No. PSP16-003) to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 94 acres of land, which includes the potential development of 2,362,215 square feet of industrial and business park development and a petition to cancel William Act Contract 70-159. The project site is bounded by Archibald Avenue to the east, the San Bernardino/Riverside County boundary to the south, the Cucamonga Creek Flood Control Channel to the west and Merrill Avenue to the north. The proposed project is

located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the ONT Airport and Chino Airport Land Use Compatibility Plans (ALUCP). (APNs: 218-311-02, 218-311-03, 218-311-07, 218-311-08, 218-311-10 & 218-311-13); **submitted by CapRock Partners Land & Development Fund I, L.P. City Council action is required.**

Senior Planner, Luis Batres, presented the staff report describing the location of the project sight and what is in the surrounding area. He stated this is the 12th specific plan approved in the South Ontario area. He described the standards, land uses, planning areas, potential uses and infrastructure for the area. He also described why it is necessary to cancel the existing Williamsons Act for the project area. He described the process of the EIR notification and the three items air quality, transportation and traffic, and agricultural resources, which are not able to be mitigated. He stated that staff is recommending the Planning Commission recommend approval of the Certification of a EIR with a Statement of Overriding Considerations and File Nos. PSP16-003 and PWIL18-002, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Reyes wanted clarification regarding area PA1 wants to know what kind of uses would be allowed here.

Mr. Batres stated appropriate uses would be educational facilities, public education, trade schools, industrial clinics, religious facilities, advertising agencies, copying, repairing services, to give a few from the list.

Mr. Murphy stated that industrial light uses or a combination of professional and light manufacturing or retail uses, not typical of noise or odors associated to them.

Mr. Reyes wanted to know if site plans were available for review.

Mr. Batres stated no, not at this time.

PUBLIC TESTIMONY

Patrick Daniels, CapRock Partners, appeared and stated he appreciates the opportunity to be here again. He stated that no site plans are available but that staff envision smaller buildings and mixed use, because of the residential and they working with staff to have more sensitivity and architectural enhancements, to have a product the city can be proud of.

Josh Bourgeois, of Golden State Environmental Justice Alliance, stated they provided a comment letter and that they stand by their letter and the items addressed in it and feel the EIR should be re-drafted and re-circulated, to address those issues.

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

Mr. Reyes stated he appreciated the applicant addressing the concerns of staff and that we need to be considerate of our neighbors. He stated that he sees this as an entrance to the

city and an important connection and we need to be mindful of the detail of architecture, and frontage as we move forward.

Mr. Willoughby also appreciated the applicant's comments regarding the frontage on Archibald, and that their thinking seems more in regards to the Goodman Center to the east, with huge buildings in the back and nice commercial business park buildings in the front.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Reyes, to recommend adoption of a resolution to approve the Certification of an EIR, with a Statement of Overriding Consideration. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Willoughby, seconded by DeDiemar, to recommend adoption of a resolution to approve the Specific Plan, File No. PSP16-003, and the cancellation of the Williamson Act, File No. PWIL18-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

G. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT CODE AMENDMENT AND ZONE CHANGE REVIEW FOR FILE NOS. PDCA18-001 & PZC18-001:

A Development Code Amendment (File No. PDCA18-001) to allow used vehicle automobile dealers in the CR (Regional Commercial) zoning district, subject to the approval of a Conditional Use Permit, and a Zone Change (File No. PZC18-001) from OH (High Intensity Office) to CR (Regional Commercial) on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140), certified by the City of Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-551-01) **submitted by Carvana, LLC. City Council action is required.**

H. ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND VARIANCE REVIEW FOR FILE NO. PDEV18-003, PCUP18-001 & PVAR18-002:

A Development Plan (File No. PDEV18-003) and Conditional Use Permit to construct and operate a 5,781-square foot, 70-foot high automotive sales facility (Carvana), and a Variance to deviate from the maximum number of allowed wall signs on a commercial building, from 3 signs to 4 signs, on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue, within the CR (Regional Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario

International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-551-01) **submitted by Carvana, LLC.**

Senior Planner, Chuck Mercier, presented the staff report. He described the location and the project being proposed, and the changes that need to be made to accommodate the project. He described the process of the business from the purchasing, delivery, and the vending machine type building. He explained the difference between this dealership and other auto dealers. He described the variance for the signage. He stated that staff is recommending the Planning Commission recommend approval of the Addendum to an EIR, and File Nos. PZC18-001, and PDCA18-001, that the Planning Commission approve File Nos. PCUP18-001 & PDEV18-003, and the Planning Commission deny the Variance, File No. PVAR18-002, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

Brett Sasaber, the applicant wanted to give a video presentation that describes the business. He stated Carvana is like the Amazon of car purchasing, as all of it is done online. He described purchasing process, delivery, and the vending machine looking building, and stated they are a low impact dealership with high impact sales. He stated they have 4.7 rating online, which they are very proud of. He described their position for the architectural reasons they want the signage on all four sides, because of the nature of the building.

Mr. Willoughby wanted to know if we have a California location now.

Mr. Sasaber stated the hubs are opened and they are working on a site in Westminster.

Mr. Willoughby wanted clarification on the percentage that come to the vending machine.

Mr. Sasaber stated across the platform and in all the markets it is consistently 50 / 50 use of vending machine.

Mr. Gage wanted to know the number of centers nationwide and are you going to accommodate California emission certification.

Brett stated that most of them are older models and already have the California emissions Certification, and if they don't then the vehicle wouldn't be available for California purchase.

Mr. Reyes wanted clarification on the vending machine building and how it works and how many cars are stored there.

Mr. Brett described the mechanics of the building and auto-parking display and the efficiency. He stated that ideally they would like to have all 27 vehicles rotating out,

because that means they are generating sales.

Mr. Reyes wanted clarification on when does the reload of the vending machine happen.

Mr. Brett stated it is usually the night before the pickup of a vehicle.

Mr. Reyes wanted to know if tracking of your car was available.

Mr. Brett stated yes customers have come to expect that in online purchasing.

Mr. Willoughby wanted to know how long before a car ready for pickup.

Mr. Brett stated typically 48 hours, depending on where the car is located and how busy the market is.

Ms. DeDiemar wanted clarification regarding the signs if you can't have four signs would rather have two signs for architectural balance, and would that be a detouring factor for Carvana.

Mr. Brett stated we are not trying to disrupt the community, but better to balance the building.

Ms. DeDiemar wanted to know why they chose Ontario for their business.

Mr. Brett stated California is a very big market and Ontario was welcoming and staff has been great. He stated they are happy to be here.

Mr. Gage wanted clarification regarding financing for the cars, and if it is done online.

Mr. Brett stated it is all done online and how the process works.

Mr. Gage wanted to know if all the registration is taken care of.

Mr. Brett stated the headquarters in Phoenix handles all the registration, from state to state and we do all we can within the state guidelines, before the pickup, to make it a quick and easy pickup.

Mr. Gage wanted clarification on the number of employees at this site.

Mr. Brett stated there would be no more than 25, but they would start with 7 or so.

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

Mr. Reyes stated that he knows the location well, and the proximity to Guasti to the south and the historical stuff that is going on there was an initial concern. He stated that he thinks this will fit the site because of the visibility of the iconic tower and the location off the 10 freeway and it isn't your normal car dealership.

Ms. DeDiemar stated she finds the idea intriguing and this seems to be a sign of how we

can do things in the future. She stated this will draw people to Ontario from a larger area and this is good use of the project site.

Mr. Gage stated he couldn't imagine supporting a building like this years ago, but this is an iconic idea and is happy to see this in the 10 freeway corridor in Ontario.

Mr. Willoughby echoed the other commissioner's statements and stated shopping and buying will continue to change and thinks this is ahead of the curve and he likes the concept. He stated that the 50/50 percentage of using the vending machine is a plus for the revenue for the city and the people it will bring. He stated he is not enthusiastic about the variance because of the door it opens for other businesses in the area. He stated it looks like a good business model and a good business to have in Ontario.

Mr. Delman stated this is a marvelous idea and great for consumers and he expressed his thanks to them for picking Ontario.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Gregorek, to recommend adoption of a resolution to approve the use of an Addendum to an EIR. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Willoughby, seconded by DeDiemar, to recommend adoption of a resolution to approve the Zone Change, File No., PZC18-001, and the Development Code Amendment, File No. PDCA18-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Gregorek, seconded by DeDiemar, to adopt a resolution to deny the Variance, File No. PVAR18-002. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Gage, seconded by Reyes, to adopt a resolution to approve the Conditional Use Permit, File No. PCUP18-001, and Development Plan, File No. PDEV18-003, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

I. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW

FOR FILE NO. PMTT16-003/TT 20012: A Tentative Tract Map (File No. PMTT16-003/TT 20012) to subdivide 37.47 acres of land into 176 numbered lots and 47 lettered lots for public streets, landscape neighborhood edge areas and common open space purposes, for property generally located north of Ontario Ranch Road and approximately 400 feet west of Turner Avenue, within the Low Density Residential (LDR) district of Planning Area 8A of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This

application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. (APNs: 0218-201-20, 0218-201-26 and 0218-201-27); **submitted by Ontario Avenida Associates, LLC.**

- J. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA17-007:** A Development Agreement between the City of Ontario and Ontario Avenida Property OWNER LLC, for the potential development of up to 176 residential units (File No. PMTT16-003/TT 20012) on 37.47 acres of land, for property generally located north of Ontario Ranch Road and approximately 400 feet west of Turner Avenue, within the Low Density Residential (LDR) district of Planning Area 8A of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. (APNs: 0218-201-20, 0218-201-26 and 0218-201-27); **submitted by Ontario Avenida Property Owner LLC. City Council Action is required**

Mr. Gregorek recused himself, as his firm is working on the projects.

Senior Planner, Henry Noh, presented the staff report. Mr. Noh described the location and the surrounding area. He described the proposed project to subdivide to 176 numbered lots, and four pocket parks. He stated they received a letter of opposition from the adjacent poultry farm, regarding the 100 foot separation. He described the development agreement and the financial commitment, the 10 year term with a 5 year option, infrastructure, parks and policies. He stated that staff is recommending the Planning Commission approve File No. PMTT16-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval. He stated that staff is recommending the Planning Commission recommend approval of File No. PDA17-007.

No one responded.

PUBLIC TESTIMONY

Jason Lee, with Ontario Avenida, appeared and thanked the staff for working with them to get the adequate setbacks from the existing poultry farm. He stated they have worked with Brookfield regarding connection points for the future, as well as did an overlay of the poultry farm in case that develops in the future.

Joyce Jong stated in November 2017 they came before the commission to express their

concerns with this project and since then they have met with staff and worked with them to give adequate setbacks. She wanted to thank the staff and commission for taking these concerns into consideration.

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

Mr. Gage thanked the family for staying all this time and making those comments. He stated he is glad that the city was able to work with them.

Ms. DeDiemar would like to comment that she was very impressed with their presentation in November and made it easy to grant the concerns of the family.

Mr. Reyes stated this is good example of city, developers and neighbors working together and he is glad that she came to share the concerns, because it helps us make a good decision.

Mr. Delman thanked everyone for working together.

Mr. Willoughby stated it is exciting to see what is happening in Ontario Ranch and as we move forward we are going to have these issues with existing usage. He stated that he appreciates Mr. Noh and the family working together to get a great project that works.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by DeDiemar, to adopt a resolution to approve the Tract Map, File No. PMTT16-003. Roll call vote: AYES, DeDiemar, Delman, Gage, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Downs. The motion was carried 5 to 0.

It was moved by Willoughby, seconded by Reyes, to recommend adoption of a resolution to approve the Development Agreement, File No., PDA17-007, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Downs. The motion was carried 5 to 0.

- K. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT FILE NO. PDCA18-002: A Development Code Amendment proposing various modifications, clarifications and updates to certain provisions of the Ontario Development Code, including Chapter 2.0, Table 2.02-1 (Review Matrix), Chapter 5.0 (Zoning and Land Use), Chapter 8.0 (Sign Regulations) as it relates to the ONT (Ontario International Airport) zoning designation, generally located north of Mission Boulevard, south of Airport Drive, east of Grove Avenue, and west of Haven Avenue; The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The 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 set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required.****

Development Director, Scott Murphy, presented the staff report. He described the changes that have been going on in the Ontario Airport area. He stated the City of Ontario has Land Use Authority over projects, but the Joint Powers Authority (OIAA) is the lead agency under CEQA and NEPA, and the need for a quick response to projects coming in. He stated the Amendment allows for new development/construction would go through a plan check submittal process, routing through Building and Planning departments and as long as it coincides with the development standards and design guidelines, it would be processed, and environmental review would be under OIAA. He stated the revised table in front of them, is a narrowed down list of usages that are appropriate for the ONT zone. He stated signage for the airport and the amendment to allow for a uniform sign program and issue approvals based on those guidelines. He stated also included are 6 billboards being proposed. He stated that staff is recommending the Planning Commission recommend approval of File No. PDCA18-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughby wanted clarification if 6 billboards is the limitation.

Mr. Murphy stated the last page of the revised handout, shows what will be allowed and the specifics, and a total square footage for all billboards combined, and states that all billboards shall be located in close proximity to the terminal and/or car rental area within the airport area.

Mr. Reyes wanted clarification regarding the table and the changes being made.

Mr. Murphy stated those clouded areas are changes from the original report they received.

Mr. Gage wanted to know if this takes the oversight of the planning commission away from the airport.

Mr. Murphy stated right now the way the process is now projects would go through the DAB hearing body and not go before the Planning Commission, but the way this is being crafted this wouldn't go to DAB and would go through a plan check process through the staff. He stated an appeal would go to the city council.

Mr. Gage wanted clarification if this includes historical aspects as well at the airport.

Mr. Murphy stated that because OIAA is the lead agency on environmental they would have to go through and review historic aspects of the project when they do their environmental work. He stated there was a recent study that identified the historic aspects, they will have to evaluate those.

Mr. Gage stated that planning commission has approved and reviewed many billboard signs in the past, so he wanted clarification that the commission would be approving 6 billboards with no design review.

Mr. Murphy described the difference between a billboard and freeway business signage, and stated there are only about three actual billboards that the planning commission has

approved.

Mr. Gage wanted clarification on the locations and that we don't have any input and are giving away our right to review it.

Mr. Willoughby wanted clarification if this was initiated by City Council.

Mr. Murphy stated that started with OIAA entering into a contract with Lamar Advertising to provide signage on Airport and part of the package included billboards, with our ordinance does not allow for that.

Mr. Gage wanted clarification that if we turn this down then it goes to the city council and they can vote any way they want.

Mr. Murphy stated that is correct.

PUBLIC TESTIMONY

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

Mr. Reyes stated he is in favor of airport growth and high quality project that allow for expansion and high quality signage for the airport. He stated by taking the commission out of the review process, he isn't sure how the city folks will look at it, either they will like it or say it's a bad idea. He stated one of the things was expediting projects and suggested if they could go to a subcommittee and be able to make a recommendation or comment. He stated those are the things he is struggling with to make a decision.

Ms. DeDiemar stated she shares the concerns of Mr. Gage and Mr. Reyes and it is a dangerous president and wanted to know if we can make another way to expedite approval rather than giving up our authority to OIAA.

Mr. Willoughby stated that he agrees with the commissioners, but we aren't really giving up anything because they would go to DAB anyway. He stated he trust the planning staff with design quality and elements and he will give the power to the city council and let them decide.

Mr. Gregorek stated he was disappointed from the historic aspect, but it seems similar to the arena and library, which they had no say in, so he just has to trust the process.

Mr. Delman stated he agrees with Mr. Willoughby and he trust the planning staff and the DAB to make those decisions.

Mr. Reyes stated his comments previously were not meant to diminish the planning staffs abilities, but more of how will people within the city perceive it. He wanted to know if OIAA could create an advisory board, so that they could comment.

Mr. Gage stated he is for growth of the airport and fast growth and he isn't against billboard signs, but he is against the Planning Commission being taken out of the process because they are the people living in the city. He stated the city council can still overturn

things and he has faith in the planning department but the city council hires and fires those people.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Willoughby, to recommend adoption of a resolution to approve the Development Code Amendment, File No. PDCA18-002, subject to conditions of approval. Roll call vote: AYES, Delman, Gregorek, Reyes, and Willoughby; NOES, DeDiemar and Gage; RECUSE, none; ABSENT, Downs. The motion was carried 4 to 2.

Mr. Murphy thanked the commissioners for their comments, especially the faith they put in the staff and he stated he understands the difficulty in coming to a decision.

Mr. Delman stated he also appreciated and understands the process with airports.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on March 8, 2018 and approved the Model Colony Award nominations.

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

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

New Business

Mr. Willoughby asked about the storage containers on Haven at the Holiday Express.

Mr. Murphy stated that this has been sent to code.

Ms. DeDiemar wanted to know if there was any news on semi-trucks parking in the downtown area.

Mr. Murphy stated that at the last meeting City Council did adopt a resolution requesting that Caltrans allows posting of no parking signs.

Mr. Gregorek wanted clarification as to what kind of parking.

Mr. Murphy stated semi-truck parking only.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated the monthly activities reports are in their packets.

ADJOURNMENT

Willoughby motioned to adjourn, seconded by Gregorek. The meeting was adjourned at 10:01 PM.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A Development Plan (File No. PDEV18-005) to construct 60 single-family homes on 8.9 acres of land located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. **Submitted by KB Home Southern California.**

PROPERTY OWNER: SL Ontario Development Company, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No. PDEV18-005, pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 8.9 acres of land generally located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (Single-Family Lane-Loaded) of the Subarea 29 Specific Plan, and is depicted in Figure 1: Project Location, below. The project site and its surroundings are located within the Subarea 29 Specific Plan, slope gently from north to south, and are currently vacant and rough graded. The property to the north is located within Planning Area 20 (Conventional Medium Lot). The property to the east is located within Planning Area 23 (Conventional Small Lot). The properties to the south are located within Planning Areas 17 (Conventional Small Lot) and 18 (School). The property to the west is located within Planning Area 3 (Conventional Medium Lot).

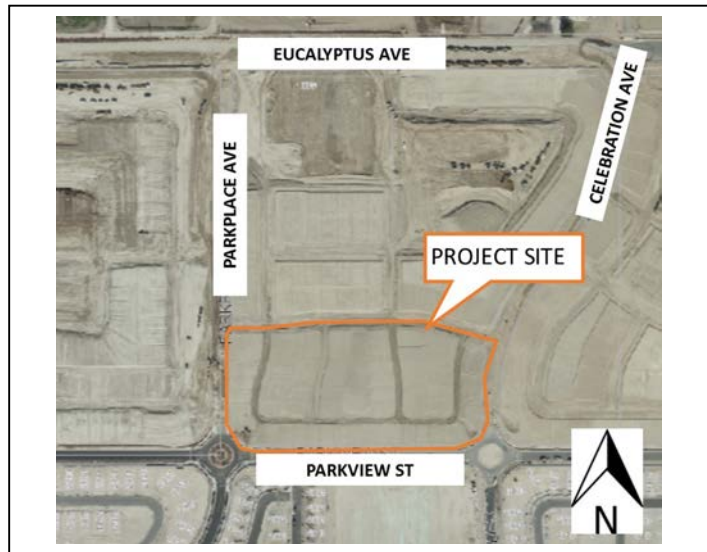



Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Subarea 29 Specific Plan (539 acres) and the Environmental Impact Report (EIR) were approved by the City Council on November 7, 2006. The Specific Plan established

Case Planner:	Alexis Vaughn	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	4/16/18	Approve	Recommend
Submittal Date:	01/23/18	PC	4/24/18		Final
Hearing Deadline:	N/A	CC			

the land use designations, development standards, and design guidelines for Subarea 29, which includes the potential development of 2,293 single-family units and 87,000 square feet of commercial space.

On January 23, 2007, the Planning Commission approved Tentative Tract Map 18081 (PMTT06-022) which subdivided 8.9 acres of Planning Area 19 (3,150 square-foot lots – Lane Loaded) into 60 numbered lots (single-family, lane-loaded) and six lettered lots (landscape buffers, paseos, private lanes, and public utility easements). The lots range in size from 3,145 square feet to 5,398 square feet, with an average lot size of 3,610 square feet.

On January 23, 2018, KB Homes Southern California submitted a Development Plan application for the construction of the 60 single-family units.

[2] Site Design/Building Layout — The project proposes the development of 60 single-family alley-loaded homes within Planning Area 19 of the Subarea 29 Specific Plan (see **Exhibit B: Site Plan**). The homes are all oriented toward the streets (architectural forward) or front onto the landscaped paseos or pocket park. Three, two-story floor plans are proposed, each with three elevations per plan (see **Figure 2: Typical Plotting**, below). The three plans include the following:

- Plan 1: 2,280 square feet, 3 bedrooms, loft/optional fourth bedroom, and 2.5 baths
- Plan 2: 2,335 square feet, 3 bedrooms, loft, and 2.5 baths
- Plan 3: 2,479 square feet, 4 bedrooms, loft, and 2.5 baths



All plans incorporate various design features, such as single- and second-story massing, varied entries, front porches, covered patios, 2nd-floor laundry facilities, and a great room. All homes will have a two-car garage that will be accessed from an alley. To minimize visual impacts of garages and avoid a “canyon-like” effect along the alleys, varied massing, second-story projections over garages, and varied rooflines are proposed.

[3] Site Access/Circulation — On August 27, 2013, the Planning Commission approved Tentative Tract 17821 (“A” Map) to facilitate the construction of the backbone streets within the Specific Plan, which included the primary access points to the Subarea 29 community from Archibald Avenue and Eucalyptus Avenue. The developer will construct the private lanes and interior neighborhood streets of Travertine Street, Parkplace Avenue, Parkview Street, and Celebration Avenue to serve the project.

[4] Parking — Each unit has a two-car garage, for a total of 120 enclosed parking spaces. Nine additional parking spaces will be provided at the south end of the pocket park (Lot B) for visitors and park users. On-street parking will be also be available along Parkplace Avenue, Parkview Street, and Celebration Avenue (approximately 63 parking spaces). A total of 3.2 parking spaces per unit will be provided.

[5] Architecture — The project proposes to utilize the same product styles from the previously-approved Hadleigh project (File No. PDEV13-027), which was constructed within Phase 1 of Park Place and was very successful. The only change from the Hadleigh Phase 1 to the proposed Phase 2 is the substitution of a cottage architectural style for the craftsman style. The proposed architectural design of the homes reflects function and tradition, simplicity in the massing plan and roof forms, and authenticity of homes found within Ontario’s historic neighborhoods. The architectural styles proposed include Spanish Colonial, Cottage, and Traditional. The styles complement one another through the overall scale, massing, proportions, and details. The proposed home designs are consistent with the design guidelines of the Specific Plan.

The three architectural styles proposed will include the following (See ***Exhibit C: Exterior Elevations*** for all plans proposed):

Spanish Colonial: Low- and shallow-pitched “S” tile roof, stucco exterior, arched entry openings, square windows with wood shutters or stucco trim, wrought-iron details below gables, decorative clay pipes below gables and second-story projections.

Cottage: Varying hipped roofs with intersecting gables, decorative gable end vents, recessed arched windows, decorative shutters, porches with braced columns, stone veneer, and stucco trim.

Traditional: Gable roofs with intersecting decorative vented gables, horizontal siding, stucco exterior, covered porch with square columns and wood railing, and

vertical multi-paned windows with stucco trim and key windows with wood trim and shutters.

[6] Landscaping/Park and Paseos — The Development Plan features sidewalks separated by landscaped parkways along the project's perimeter, which provide visual interest and promotes pedestrian mobility. All homes within will be provided with front lawn landscaping (lawn, shrubs, and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for front, side, and rear yard landscaping maintenance and for side and rear landscape improvements, and the homeowner's association will be responsible for the maintenance of landscaping and irrigation within all common areas and parkways of all local streets.

Decorative 6' split-face walls with pilasters are proposed for all public-facing front, side, and rear walls, and the interior property line privacy fencing will be 5'-6" colored masonry block material to match. The homes that will front onto the public park or paseo areas may include a low wall or hedge to provide a physical separation from the park or paseo.

The alleys will be designed to provide a comfortable sense of function and character within the neighborhood. To accomplish this, all alleys will be enhanced with landscaped pockets that encroach into the drive aisle between garages. Accent trees (24" box minimum) will be planted within the planting pockets to anchor the architecture along the alley. Entries into the alleys will be enhanced with accent trees and large planting areas, consistent with the overall streetscape feel of the neighborhood. Lighting will be provided to maintain visibility and greater security for the residents.

The Development Plan proposes to construct an approximately half-acre passive pocket park (Lot 8) for the neighborhood. The pocket park will contain passive open space and leisure areas, as well as a small tot lot. The residents will also have access to the public park (Celebration Park) to the south of the development. In addition, residents will have access to a private, 16,000 square-foot recreation facility, southwest of the neighborhood at the northeast corner of Parkplace Avenue and Merrill Avenue, featuring a clubhouse, pool and cabana, tennis courts, and playground area.

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

[1] City Council Goals.

- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

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

Housing Element:

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

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

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

- A pattern of smaller, walkable blocks that promote access, activity and safety;
 - Variable setbacks and parcel sizes to accommodate a diversity of housing types;
 - Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
 - Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
 - Landscaped parkways, with sidewalks separated from the curb.
- CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD2-13 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.

HOUSING ELEMENT COMPLIANCE:

The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (60) and density (6.7 DU/AC) specified in the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with a maximum overall density of 5 dwelling units per acre.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT),

and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSP03-003, the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCHO#2004011009) was adopted by the City Council on November 7, 2006. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 19 (Single-Family Lane-Loaded)
<i>North</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 20 (Conventional Medium Lot)
<i>South</i>	Vacant	Low Density and Public School	Subarea 29 Specific Plan	PA 17 (Conventional Small Lot) and PA 18 (School)
<i>East</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 23 (Conventional Small Lot)
<i>West</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 3 (Conventional Medium Lot)

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	N/A	8.9	Y
<i>Maximum project density (dwelling units/ac):</i>	5-8 DU/AC	6.7 DU/AC	Y
<i>Maximum coverage (in %):</i>	50%	28% - 51% (average is 43.2%)	Y
<i>Minimum lot size (in SF):</i>	3,150	3,150	Y
<i>Minimum lot depth (in FT):</i>	70'	70'	Y
<i>Minimum lot width (in FT):</i>	45'	45'	Y
<i>Front yard setback (in FT):</i>	10'	10'	Y
<i>Side yard setback (in FT):</i>	5'	5'	Y
<i>Drive aisle setback (in FT):</i>	8'	8'	Y
<i>Maximum height (in FT):</i>	35'	25'-6"	Y
<i>Parking – resident:</i>	120	120	Y
<i>Parking – guest:</i>	0	63	Y

Exhibit A—PROJECT LOCATION MAP

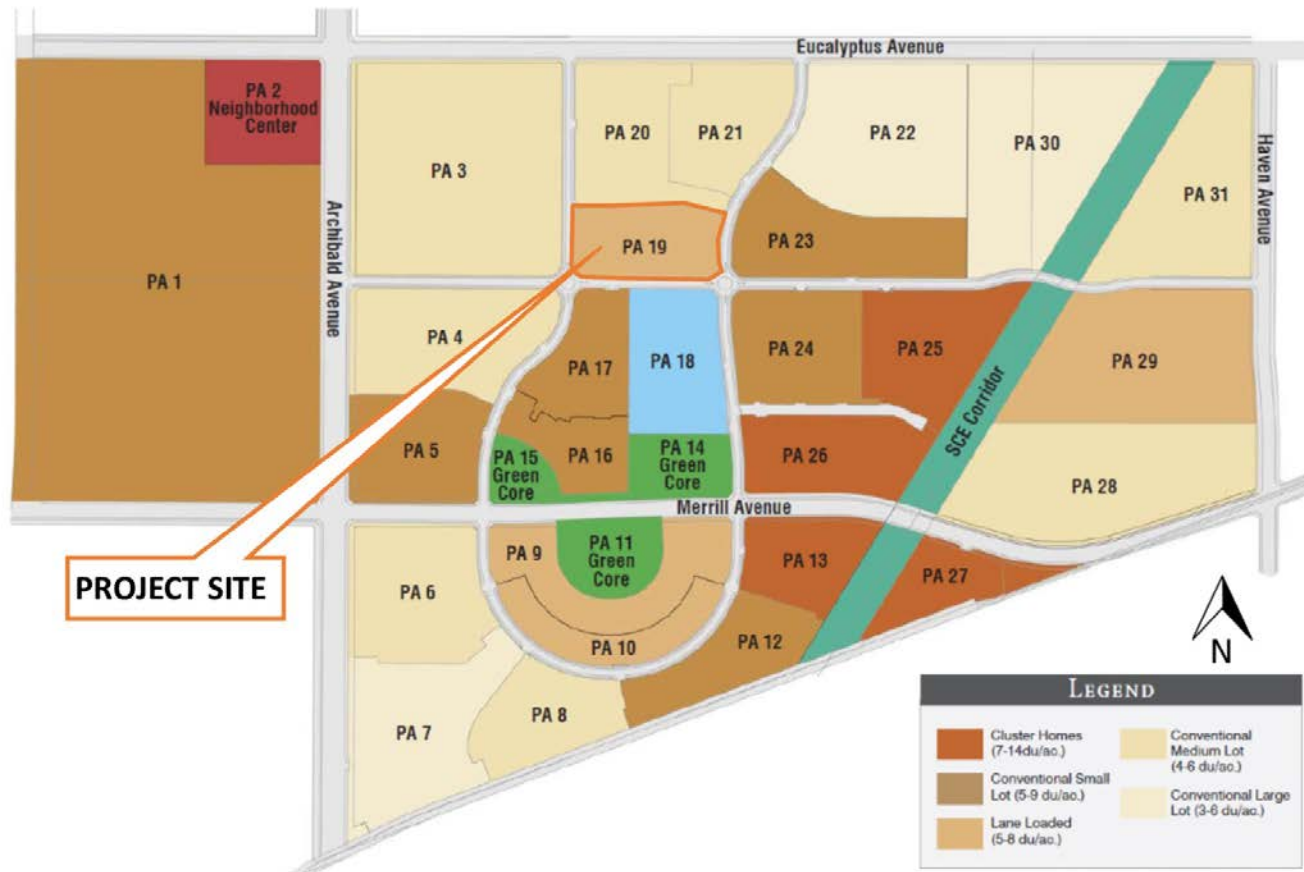


EXHIBIT 3—LAND USE PLAN

Exhibit B—SITE PLAN

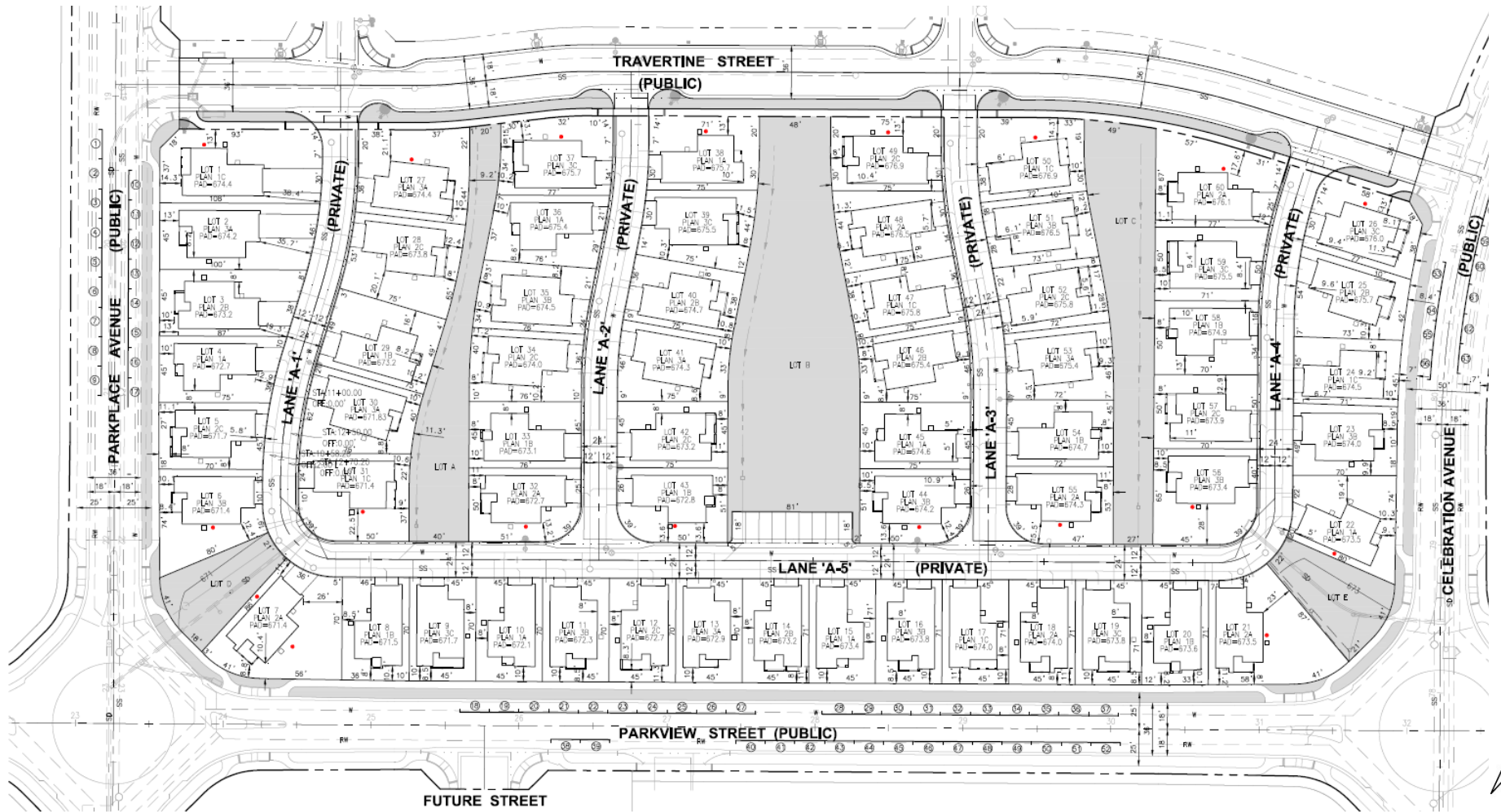


Exhibit C—EXTERIOR ELEVATIONS



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Cottage)



Elevation 'C' (Traditional)

PLAN 1



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Cottage)



Elevation 'C' (Traditional)

PLAN 2



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Cottage)



Elevation 'C' (Traditional)

PLAN 3

Exhibit D—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-005, A DEVELOPMENT PLAN TO CONSTRUCT 60 SINGLE-FAMILY HOMES ON 8.9 ACRES OF LAND WITHIN PLANNING AREA 19 (SINGLE-FAMILY LANE LOADED) OF THE SUBAREA 29 SPECIFIC PLAN, LOCATED AT THE NORTHEAST CORNER OF PARKPLACE AVENUE AND PARKVIEW STREET, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-014-05.

WHEREAS, KB Home Southern California ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 8.9 acres of land generally located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (Single-Family Lane Loaded) of the Subarea 29 Specific Plan, and is presently rough graded and vacant; and

WHEREAS, the properties surrounding the project site to the north, south, east, and west are located within the Subarea 29 Specific Plan and are presently rough graded and vacant; and

WHEREAS, the property to the north of the Project site is within Planning Area 20 (Conventional Medium Lot). The property to the east is within Planning Area 23 (Conventional Small Lot). The properties to the south are within Planning Areas 17 (Conventional Small Lot) and 18 (School). The property to the west is within Planning Area 3 (Conventional Medium Lot); and

WHEREAS, the application proposes the development of 60 single-family lane-loaded homes; and

WHEREAS, the Development Plan to construct 60 single-family homes is consistent with the PA 19 Design Guidelines and Development Standards of the Subarea 29 Specific Plan; and

WHEREAS, the application proposes three floor plans with three elevations per floor plan ranging in size from 2,280 square feet to 2,479 square feet; and

WHEREAS, the architectural design styles of Spanish, Cottage, and Traditional are consistent with the Design Guidelines and Development Standards of the Subarea 29 Specific Plan; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No PSP03-003, the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCH#2004011009) was adopted by the City Council on November 7, 2006, and this Application introduces no new significant environmental impacts; and

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

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

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

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

WHEREAS, on April 16, 2018, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB18-022, recommending the Planning Commission approve the Application; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were reviewed in conjunction with the previously adopted Subarea 29 Specific Plan Environmental Impact Report, certified by the City Council on November 7, 2006 (SCH#2004011009), in conjunction with File No. PSP03-003.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (60) and density (6.7 DU/AC) specified in the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with a maximum overall density of 5 dwelling units per acre.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the

Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Low Density land use district of the Policy Plan Land Use Map, and Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; 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 Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan, including standards relative to the particular land use proposed (single-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The site is physically suitable for the proposed development of 60 single-family homes. The related Tentative Tract Map 18079, which subdivided the land, was approved by the Planning Commission in November of 2006; 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 Subarea 29 Specific Plan are

maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Subarea 29 Specific Plan. The Development Plan will facilitate the construction of 60 single-family homes. The environmental impacts of this project were analyzed in the EIR (SCH#2004011009), prepared for the Subarea 29 Specific Plan (File No. PSP03-003). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference; 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 Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (single-family homes). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Subarea 29 Specific Plan.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV18-005
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: April 24, 2018

File No: PDEV18-005

Related Files: PMTT06-022 (Tentative Tract Map 18081)

Project Description: A Development Plan (File No. PDEV18-005) to construct 60 single-family homes on 8.9 acres of land located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. (APN: 0218-014-05); **submitted by KB Home Southern California.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

(d) The development of this project shall conform to the City's Development Code and the regulations of the Subarea 29 Specific Plan.

(e) All applicable conditions of approval of the Subarea 29 Specific Plan (File No. PSP03-003) shall apply to this Development Plan.

(f) All applicable conditions of approval of the related TT18081 (File No. PMTT06-022) shall apply.

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.

(e) Each single-family dwelling/lot shall be provided with front yard landscaping and a permanent automatic irrigation in the front yard of each lot. At a minimum, a seeded turf lawn, appropriate shrubs and trees, and an automatic irrigation system shall be provided. Furthermore, a variety of typical landscape designs shall be provided for use on each lot within the subdivision.

(f) The owner or assigns of the project site shall be responsible for the maintenance of the project site in good condition, so as to present a healthy, neat, and orderly landscape area.

(g) Any removal of mature landscaping shall require the replacement of such with landscaping of similar size and maturity.

(h) Irrigation systems shall be constantly maintained to eliminate wastewater due to loss of heads, broken pipes or misadjusted nozzles.

2.4 Walls and Fences.

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

(b) Decorative 6-foot high masonry block walls shall be constructed at the following locations (per approved site plan):

(i) Rear and interior side property lines (walls not exposed to public view may be constructed of tan precision block); and

(ii) Side property line wall returns to the dwelling unit, with appropriate gates.

(c) Walls located within a required front yard setback shall be reduced to 3 feet in height. On any lots that front onto the park/paseos, front yard walls or hedgerows may not exceed a height of 3 feet from finished grade.

(d) All new and existing walls shall be provided with a decorative cap. The use of a mortar and/or metal flashing cap shall not be permitted.

(e) The height of a wall or fence shall be measured from the highest point of the natural ground or finished grade at the base of the fence or wall to the top of the fence or wall above the same base point.

(f) Prior to the issuance of a building permit, a Wall Plan shall be reviewed and approved by the Planning and Building Departments. The plans shall indicate materials, colors and height of proposed and existing walls/fences and shall include a cross-section of walls/fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development and shall be constructed of tilt-up concrete, brick, or split-face or slump block.

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) Each single-family home shall maintain a minimum 20' x 20' (clear area) two-car garage.

(c) No recreational vehicle storage (RV's) in front or corner side yards. No RV street parking for more than 72 hours.

(d) Driveway (aprons) shall be designed and constructed per City of Ontario Standards.

2.6 Site Lighting.

(a) Site lighting shall be reviewed and approved by the Planning and Police Departments prior to the issuance of building permits.

(b) Along pedestrian movement corridors, the use of low-mounted bollard light standards, which reinforce pedestrian scale, shall be used. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures.

2.7 Mechanical and Rooftop Equipment.

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

2.8 Architectural Treatment.

(a) Exterior building elevations showing building wall materials, roof types, exterior colors, and appropriate vertical dimensions shall be included in the development construction drawings.

(b) Front elevation base (wainscot) materials shall wrap (where applicable) around to the left and right elevations and terminate at a logical point (return wall) or inside corner.

(c) Cultured, precast, or fabricated stone products shall be constructed of an integral color material.

2.9 Graffiti Removal.

(a) Owners to remove graffiti. Conditions, covenants and restrictions, or separate covenants recorded against individual lots, prior to resale of same, which covenants shall run with the land and shall be for the benefit of the City, in a form satisfactory to the City, that the owner of the lots shall remove any graffiti placed thereon within 7 days after notice thereof.

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

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

(a) Off-Site Subdivision Signs:

(i) The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signage is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.)

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

(h) Adequate safeguards shall be incorporated into the CC&Rs to guarantee the property owner's association maintains adequate cash reserves for long-term project maintenance, such as, but not limited to, requiring that reserve funding studies are performed at regular intervals by the homeowner's association and that the association's reserves do not fall below the level initially approved by the State of California Department of Real Estate.

2.14 Disclosure Statements.

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

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

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

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

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

2.15 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP03-003, the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCHO#2004011009) was previously adopted by the City Council on November 7, 2006. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

2.16 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.

2.17 Additional Fees.

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

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

2.18 Additional Requirements.

(a) The private parks and paseos (Lots A, B, C, D, and E) shall be constructed prior to the issuance of the certificate of occupancy of the 30th home.

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

(c) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(d) Final architecture for the proposed project shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

(e) Prior to the issuance of precise grading plans for the Private Park (Lot B), the applicant shall work with staff to provide a minor amenity within the park that will help to provide a variety of play experiences within the Ontario Ranch community.



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT

CONDITIONS OF APPROVAL

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

DATE: April 5, 2018

DAB MEETING DATE: April 16, 2018

PROJECT ENGINEER: Miguel Sotomayor, Associate Engineer *MS*
909-395-2108

PROJECT PLANNER: Alexis Vaughn, Assistant Planner
909-395-2416

PROJECT: PDEV18-005 - A Development Plan to construct 60 single-family dwellings on 8.9 acres of land within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).

APPLICANT: KB Home California, LLC.
LOCATION: NEC of Park Place Avenue and Parkview Street

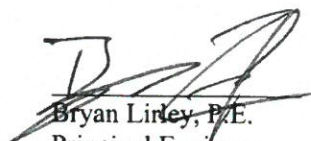
This project shall comply with the requirements set forth in the General Standard Conditions of Approval adopted by the City Council (Resolution No. 2017-027) and the Project Specific Conditions of Approval specified herein. The Applicant shall be responsible for the completion of all conditions prior to issuance of permits and/or occupancy clearance.


1. The applicant/developer shall be responsible for the completion of all conditions of approval for TM-18081 and the Development Agreement.
2. The applicant/developer shall 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>.
3. The applicant/developer shall file an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior



to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.

4. The applicant/developer shall 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.
5. The following are requirements because of immediate recycled water use:
 - a. Prior to Building Permits
 - i. Provide copies of both on-site and off-site utilities layout (both hard copies and digital files in PDF and AutoCAD format).
 - ii. Submittal of Engineering Report (ER) for recycled water usage for approval by the City and State. Review and approval process of ER is approximately 3 months.
 - b. Prior to Occupancy Release
 - i. State shall approve ER.
 - ii. Successfully pass start-up, cross connection and overspray test.
 - c. Provide Engineering Report (ER) for use of recycled water for review and approval by Ontario Municipal Utilities Company (If not already done so).
Please contact:
Cynthia Heredia-Torres
P (909) 395-2647
F (909) 395-2608
ctorres@ontarioca.gov
6. Please reference the City's "SOLID WASTE DEPARTMENT REFUSE AND RECYCLING PLANNING MANUAL".
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
7. Provide Solid Waste Handling Plan which includes trash truck turning template.


Bryan Lirley, P.E.
Principal Engineer
Date 4/5/18


Khoi Do, P. E.
Assistant City Engineer
Date 4-5-18

- c. Khoi Do, P.E., Engineering/Land Development
Bryan Lirley, P.E., Engineering/Land Development



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer *(Bryan)*
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Robin Lucera, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018 *(TM-18081)*

SUBJECT: FILE #: PDEV18-005 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 **Thursday, February 8, 2018**.

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

PROJECT DESCRIPTION: A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

- 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.

Engineering (Env.) *Stephen Wilson* *Env. Eng.* *2/20/18*
Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Miguel Sotomayor, ENGINEERING DEPARTMENT
FROM: Stephen Wilson
DATE: February 27, 2018
SUBJECT: File No. PDEV18-005 (TM-18081) ("Subarea 29" SP)

The Development plan for this project is not approved for DAB. Prior to approval, the following issues must be addressed to the satisfaction of the Engineering Department:

1. There is no approved Water Quality Management Plan on file with the City of Ontario, for TM-18081. Prior to approval of this Development Plan, the applicant shall submit a completed WQMP using the current County template, to the Engineering Department. The WQMP shall describe the Mill Creek Wetland as the regional bio-treatment BMP that will treat 85th percentile storm event runoff from this project in Section 1 of the document. Descriptions of all Source Control BMPs that will be implemented at the project site shall also be provided in Section 4.1-1 and 4.1-2, to meet the County-wide Stormwater Runoff Permit New Development requirements
2. A copy of the Certificate of Conditional Storm Water Treatment Capacity Availability for the Net Acreage of this project from the Ontario Development Company, LLC, is required to be attached to the WQMP and described in Section 1 of this document. The City has provided an attached scanned copy of the original, ink-signed Certificate which shall be attached to Section 1 of both copies of the WQMP
3. Please have the Engineer of work submit two printed copies of the draft WQMP document to the Engineering Department, at their earliest convenience.

EXHIBIT C-4

FORM OF CERTIFICATE OF STORM WATER TREATMENT CAPACITY AVAILABILITY

Pursuant to Section 3.8 of that certain First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to serve an Easterly Portion of the New Model Colony dated August 12, 2012 between the City of Ontario, a California municipal corporation, and NMC Builders, LLC, a California limited liability corporation, hereinafter called "Developer", the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called "Agreement", the City of Ontario hereby certifies based upon the completion of Improvements in the Phasing Plan, that Developer is entitled to the following Storm Water Treatment Capacity Availability.

Acres of Storm Water Treatment Capacity Availability

TM 18913-5	- 32.97 Acres	(TM-18067 + TM-18068)
TM 18913	- 30.51 Acres	(TM-18065 + 18066 + TM-18081)
Total	- 63.48 Acres	

1. City and Developer agree that this Certificate of Storm Water Treatment Capacity may be assigned to any Member within Phase I of the development "Project", as defined in that certain Development Agreement between the City and **SL Ontario Development Company, LLC a Delaware limited liability company**, in the same manner and subject to the same limitations as provided for in Sections 3.4 and Section 3.1.8 of the Construction Agreement and this Certificate. All such Certificate of Storm Water Treatment Capacity issued to members by Developer shall restate, and be subject to, the conditions contained herein.
2. As provided in Section 3.4 of the Construction Agreement City and Developer agree that possession of any Certificate of Storm Water Treatment Capacity is evidence only of stormwater treatment capacity and does not satisfy any other conditions applicable to a particular development project.

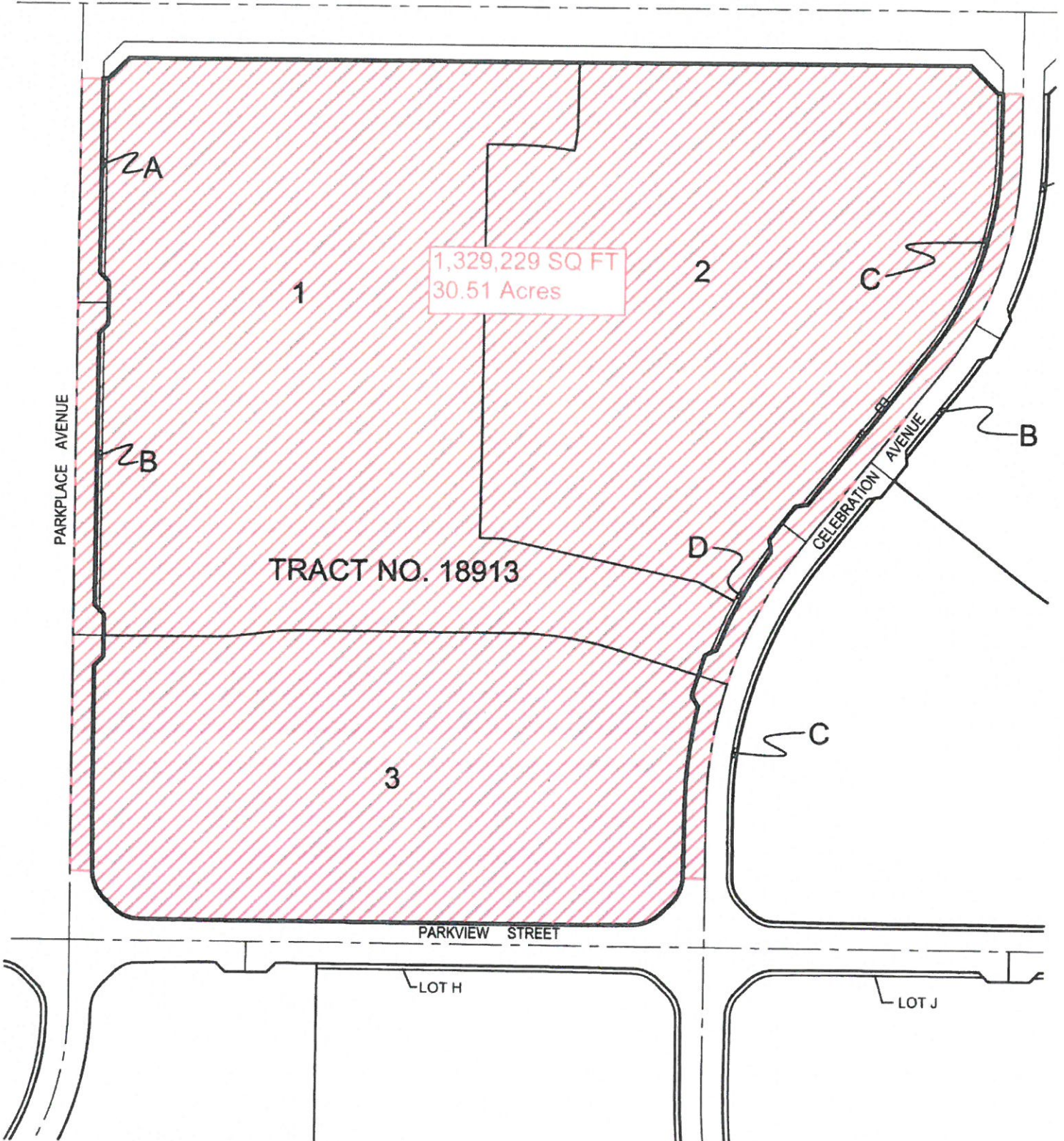


 Scott Ochoa, City Manager

Dated: 2/9/17

Tract No. 18913
SWQ Area Exhibit

EUCALYPTUS AVENUE





CITY OF ONTARIO MEMORANDUM

Date: February 12, 2018
To: Miguel Sotomayor, Engineering Dept.
Cc:
From: Peter Tran, Utilities
Subject: DAB #1 (#5219)
Project No.: PDEV18-005 (60 SFR for KB Homes on 8.9 acres within the Subarea 29 Specific Plan)

Project	Project Location: NEC Park Avenue & Parkview Street Project Description: Applicant: Note: All Utility design shall meet the City's Design Development Guidelines and Specifications Design Criteria.
Brief Description	<i>A Development Plan to construct 60 single-family dwellings on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).</i>
General Comments	<ol style="list-style-type: none">1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:2. Follow "A" Map conditions.3. Label all PUE on plans.
Solid Waste	<ol style="list-style-type: none">4. Please reference the City's "SOLID WASTE DEPARTMENT REFUSE AND RECYCLING PLANNING MANUAL". http://www.ontarioca.gov/municipal-utilities-company/solid-waste5. Provide Solid Waste Handling Plan which includes trash truck turning template and volumetric calculation for the number of trash bins.



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

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

DATE: February 1, 2018

SUBJECT: PDEV18-005 - A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 100 Sq. Ft.
- D. Number of Stories: Two
- E. Total Square Footage: 2300 Sq. Ft
- F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

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

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

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard ~~Choose an item.~~ All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Robin Lucera, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018

SUBJECT: FILE #: PDEV18-005

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 **Thursday, February 8, 2018**.

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

PROJECT DESCRIPTION: A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

- 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.

Building
Department

Signature

Title

Date

CITY OF ONTARIO MEMORANDUM

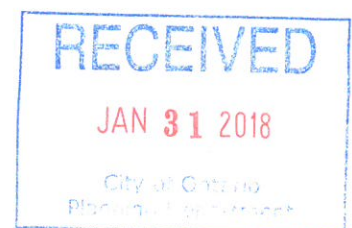
TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 29, 2018
SUBJECT: PDEV18-005

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: March 15, 2018

SUBJECT: FILE #: PDEV18-005

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, March 29, 2018**.

PROJECT DESCRIPTION: A Development Plan to construct 60 single-family dwellings on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).

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

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

The plan does not adequately address the departmental concerns.

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

3/22/18

Landscape Planning Carolyn Bell Sr landscape Architect
Department Signature Title Date

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

PRELIMINARY PLAN CORRECTIONS

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

3/22/18
 Date

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

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV18-005 Rev 1
 Project Name and Location:
 60 SF Homes TM 18061 – Hadleigh II
 NEC Park Place and Park View St
 Applicant/Representative:
 KB Homes- Heidi McBroom, Kim Lonigro (klonigro@w-d-g.com)
 36310 Inland Valley Drive
 Wildomar, CA 92525

Case Planner:
 Alexis Vaughn

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 3/15/18) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

CORRECTIONS REQUIRED

Civil/ Site Plans

1. Group utilities to the min. setback or side clearance to not conflict with required tree locations 8' space 30' oc. (light standards, fire hydrants, water meter, water lines and sewer lines). Coordinate civil plans with landscape plans.
2. Show transformers located in planter areas, set back 3' from paving.
3. Show backflow devices located in planter areas, set back min 3' from paving.
4. Show lot drains to include a catch basin with gravel sump below each before exiting property.
5. Note and show on construction plans: all AC units shall be located in residential side yards, near utility area and away from proposed patio space. **Identify 2 symbols shown on each lot, should be adjacent? both AC units or label other utility.**

Landscape Plans

6. Parkways and right of way areas shall be separated from private homeowner land with a 6" concrete mowstrip along the property line and irrigated with recycled water and maintained by the HOA. **Not corrected show to separate recycled water at Paseos from potable water private property.**
7. Show swales per grading plans sections GG, HH and II, incorporated into the landscape design and locate catch basins to not conflict with picnic tables, trees, benches and mow strips. **Show swales missing on landscape plans and sections A, B and C.**
8. Add a tot lot in to the park design per City Council recommendations. Coordinate with adjacent play areas to provide different play experiences. Provide large shade trees on the south and west sides. **Not corrected. Do not use the same play equipment as proposed for North Park. Play equipment layout is sparse. Add equipment or play features. Show ADA accessibility.**

9. Show backflows (for parks and common area) and transformers, located with setbacks noted above.
10. Show utilities: light standards, fire hydrants, water and sewer lines to not conflict with required tree locations 30' oc. Coordinate civil plans with landscape plans
11. Revise common area theme tree. Remove poor shade trees Cercidium and Geijera; replace with Gingko, Pistache, Tabebuia or similar.
12. Add shade plants for north/east sides of buildings and sun plants for south / west sides.
13. Note agronomical soil test report to be on construction plans and note contractor to take second test to verify amendments were installed prior to planting.
14. Note residential projects shall include a stub-out for future back yard irrigation systems.
15. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. Add to landscape and grading construction plans: Landscape areas where compacted has occurred due to grading activities and where trees area located, a 12x12' area shall be loosened by soil fracturing. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. A layer of Compost is spread over the soil before fracturing is begun and the Compost falls into the spaces between the soil chunks created by the effort. 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 will help create an A horizon soil and/or imported or reused Topsoil can be added on top of the fractured soil. 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.
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. Typical fees are:

Plan Check—5 or more acres	\$2,326.00
Inspection—Construction (up to 3 inspections per phase)	\$278.00

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



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
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 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Robin Lucera, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018

SUBJECT: FILE #: PDEV18-005 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 **Thursday, February 8, 2018**.

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

PROJECT DESCRIPTION: A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

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

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

The plan does not adequately address the departmental concerns.

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT
ANALYST
Title

2/14/18
Date



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
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Robin Lucera, Code Enforcement (Copy of memo only)
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David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018

SUBJECT: FILE #: PDEV18-005 Finance Acct#:

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 - No comments
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 - 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.

ENGINEERING/TRAFFIC
Department

Signature

Title

Date

02/06/2018



CITY OF ONTARIO MEMORANDUM

Development Plan Review

Project: PDEV18-005

Date: February 6, 2018

Location: NEC of Park Place Ave and Parkview St

By: Jay Bautista
Steve Latino

The following comments on the subject project are provided for the benefit of city engineering and planning staff and the applicant. These are not the conditions of approval which will be submitted under separate cover.

Comments:

1. Install chokers at the following locations:
 - a. On Travertine Street, west of Lane A-4, and
 - b. On Travertine Street, on the east and west side of Lane A-2.
2. Comply with the previously approved conditions of approval for Tract 18081 and 18913.

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

PLAN CHECK SHEET

Sign Off

Broadband Operations

02/27/2018

Reviewer's Name:

Anna Vaca, Senior Systems Analyst

Phone:

909-395-2349

D.A.B. File No.:

Plan check #:

PDEV18-005 (TM-18081-PA19)

Project Engineer:

Project Name and Location:

Parkview Street, Parkplace Avenue, Travertine Street, Celebration Avenue

Sent to:

Miguel Sotomayor, Associate Engineer

<input type="checkbox"/>	Plan does adequately address the departmental concerns at this time.
<input type="checkbox"/>	Plan does not adequately address the departmental concerns at this time.
<input checked="" type="checkbox"/>	It is recommended that the following conditions be incorporated into the Project's conditions of approval.

CONDITIONS OF APPROVAL – PDEV18-005 (TM-18081-PA19)

<input checked="" type="checkbox"/>	1.	The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
<input checked="" type="checkbox"/>	2.	Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
<input checked="" type="checkbox"/>	3.	Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
<input checked="" type="checkbox"/>	4.	Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include: <ul style="list-style-type: none"> • Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance • Allows for uniform receipt & distribution of technology services

CONDITIONS OF APPROVAL – PDEV18-005 (TM-18081-PA19)

		<ul style="list-style-type: none">• Ensures scalability of wiring for future technology advances• Provides consistent & identical wiring protocols throughout developments• Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity• Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
<input checked="" type="checkbox"/>	5.	Building Entrance (Multi-family) - 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.
<input checked="" type="checkbox"/>	6.	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"/>	7.	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.

TOP-Zoning Consistency Determination



File No.: PDEV18-005

Prepared By:
Clarice Burden

Location: NEC Park Place Ave. and Parkview St.

Date:
2/13/18

Project Description:

Signature:

A Development Plan to construct 60 single-family dwellings on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).

This project has been reviewed for consistency with The Ontario Plan Zoning Consistency project. The following was found:

- The existing TOP land use designation of the property is: **Low Density Residential**
The existing zoning of the property is: **PA19 Subarea 29 SP, Lane Loaded**

- A change to the TOP land use designation has been proposed which would change the land use designation of the property to:
This proposed TOP land use change will:
 - Make the existing zoning of the property consistent with the proposed General Plan Amendment;
 - Make the proposed project consistent with The Ontario Plan.

- The zoning of the property will need to be changed in order to be consistent with The Ontario Plan. Through the TOP-Zoning Consistency effort, the zoning of the property is proposed to be changed to:
This proposed zone change will:
 - Make the zoning of the property consistent with The Ontario Plan;
 - Without the Zone Change described above, the proposed project is not consistent with The Ontario Plan. A finding of consistency with The Ontario Plan is required in order to approve this project.

- Additional Comments:
The density of the project in conjunction with the balance of Subarea 29 Specific Plan, falls within the allowed density of the General Plan. No changes in Specific Plan land use or General Plan are required.



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
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 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Robin Lucera, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018

SUBJECT: FILE #: PDEV18-005 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 **Thursday, February 8, 2018**.

- Note:**
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
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PROJECT DESCRIPTION: A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

- 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.
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Airport Planning
 L. Mejia
 Senior Planner
 3/7/18
 Department Signature Title Date

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-005
 Address: NEC Park Place Ave & Parkview Street
 APN: 0218-014-05
 Existing Land Use: Vacant
 Proposed Land Use: 60 Single Family Residential Homes
 Site Acreage: 8.9 Proposed Structure Height: 28 FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Alexis Vaughn
 Date: 3/7/2018
 CD No.: 2018-006
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="checkbox"/> Zone 1	<input type="checkbox"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="checkbox"/> Zone 1A	<input type="checkbox"/> 70 - 75 dB CNEL	<input type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="checkbox"/> 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="checkbox"/> Zone 4		Allowable Height: 200 ft +	
<input type="checkbox"/> Zone 5			

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

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

CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure Required - See Attached

Airport Planner Signature:

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-006

PALU No.: _____

PROJECT CONDITIONS

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

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



PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A Development Plan (File No. PDEV17-060) to construct 62 single-family homes on 7.65 acres of land, located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road, within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan. **Submitted by Brookfield Waverly, LLC.**

PROPERTY OWNER: Brookcal Ontario, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No. PDEV17-060, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 7.65 acres of land located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road, within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, and is depicted in Figure 1: Project Location. The project site gently slopes from north to south and is currently mass graded. The property to the north of the project site is within the Retail District of Planning Area 10B of The Avenue Specific Plan and is vacant. The property to the east is within the Commercial and Residential district of Planning Areas 9A of the Rich Haven Specific Plan and is vacant. The property to the south is within the Low Density Residential district of Planning Area 2 of the Grand Park Specific Plan and is developed with a dairy/agricultural use and a single-family residential unit. The property to the west is within the Low Medium Density Residential district of Planning Area 11 of The Avenue Specific Plan and is developed with multi-family residential uses.



Figure 1: Project Location

Case Planner:	Henry K. Noh	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	4/16/18	Approval	Recommend
Submittal Date:	12/19/17	ZA			
Hearing Deadline:	N/A	PC	4/24/18		Final
		CC			

PROJECT ANALYSIS:

[1] Background — The Avenue Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on December 19, 2006. The Avenue Specific Plan established the land use designations, development standards, and design guidelines for 568 acres, which includes the potential development of 2,875 dwelling units and approximately 131,000 square feet of commercial.

On July 25, 2017, the Planning Commission approved Tentative Tract Map 20076, which subdivide the 7.65 acre project site into 62 numbered lots and 29 lettered lots, which laid out the residential neighborhood and internal street circulation (**Figure 2: The Avenue Specific Plan Land Use Map**). The lots range in size from 2,854 to 4,541 square feet, with an average lot size of 3,267 square feet. Brookfield Waverly, LLC has submitted a development plan application to construct 62 single-family homes (6-Pack Cluster product). On April 16, 2018, the Development Advisory Board recommended approval of the application to the Planning Commission.



[2] Site Design/Building Layout — The project proposes the development of 62 single-family homes (6-Pack Cluster Product) within Planning Area 11 of The Avenue Specific Plan (**Exhibit A – Site Plan**). The project includes three floor plans and three architectural styles per plan. The three floor plans include the following:

- Plan 1: 2,158 square feet, 4 bedrooms, great room and 3 baths.
- Plan 2: 2,275 square feet, 4 bedrooms, great room and 3 baths.
- Plan 3: 2,513 square feet, 4 bedrooms (option for 5th bedroom), great room and 3 baths.

All plans incorporate various design features, such as single and two-story massing, varied entries and a great room. The 6-pack cluster product is characterized by a decorative paved private lane that provides both garage and front entry access to each unit (**Figure 3: Typical Plotting**). Each unit will provide a two-car garage and a two-car driveway for a total of four parking spaces per unit.

The Plan 1 is oriented toward the public street (architecture forward), with the front entry and walkway fronting the street and garage access being provided from the private lane. The Plan 2 (center units) and Plan 3 (rear units) are marginally visible from the public street and both floor plans front onto the private lane. The Plan 2 and Plan 3 will provide front entry and garage access from the private lane. Additionally, use easements extend into the Plan 2 lots to provide a more useable yard area for the Plan 3 lots.

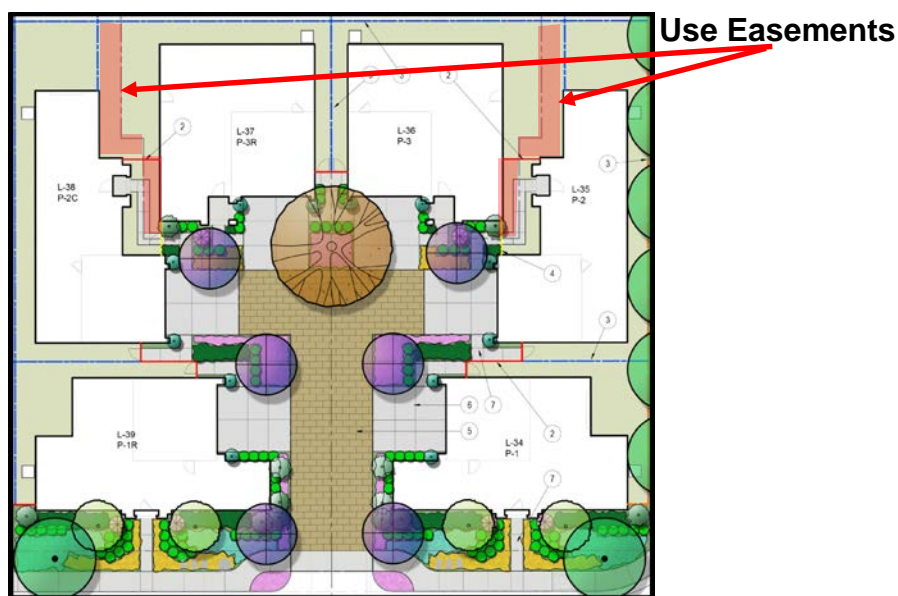


Figure 3: Typical 6-Pack Cluster Plotting

[3] Site Access/Circulation — The project street frontage improvements along New Haven Drive and Haven Avenue were constructed as part of the adjacent New Haven Community (Tract Map 18922 (“A” Map) and various “B” Maps). The project site will have access from New Haven Drive, which runs north and south along the western frontage of the project site and has direct access to Ontario Ranch Road. The applicant is required to construct the interior tract private drive (loop) that will provide access to the future single-family residential development. Additionally, an emergency access road will be constructed within the southeastern portion of the project site that will connect to Haven Avenue.

[4] Parking – The proposed 6-pack cluster single-family homes will provide a two-car garage and a standard two-car driveway, the proposed development meets The Avenue Specific Plan and Development Code requirements. Additionally, the project provides 30

on-street parking spaces for visitors. As demonstrated within Table 1 below, the parking analysis concluded that there will be an average of 4.5 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking.

Summary of Parking Analysis							
Product	Number of Units	Garages	Driveways Parking	On-Street Parking	Total Provided	Req. Per Unit	+/- Parking
Parking Per Unit							
SF 6-Pack Cluster	62	2	2	30	278	124	
Total	62			30	278	124	+154
4.5 spaces per unit							

[5] Architecture — The architectural styles proposed include Spanish Colonial, California Ranch and American Farmhouse. The styles complement one another through the overall scale, massing, proportions and details. The proposed home designs are consistent with the design guidelines of the Specific Plan. Each architectural style will include the following details (***Exhibit B – Floor Plans and Elevations***):

Spanish Colonial: Varying gable and shed roofs with “S” concrete roof tiles; stucco finish; arched entries; cantilevered elements with corbels; decorative foam eaves; decorative barrel tile elements below gable ends; decorative shutters and window framing.

California Ranch: Varying gable roofs with flat concrete roof tiles, wooden knee braces and vertical siding below gable ends, a combination of horizontal siding, stone veneer and stucco exterior, cantilevered elements with corbels; gable front entries treated with horizontal siding and stone veneer bases; decorative shutters and window framing.

American Farmhouse: Varying gable and shed roofs with flat concrete roof tiles, vertical siding below gable ends, a combination of vertical siding, brick veneer and stucco exterior; cantilevered elements with corbels; gable front entries with either vertical siding and brick veneer bases or square columns; decorative shutters and window framing.

[6] Open Space — The related Tentative Tract Map (File No. PMTT17-001/TT 20076) will facilitate the construction of sidewalks, parkways, and open space areas within the project site. TOP Policy Plan (Policy PR1-1) requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 0.47 acre park to meet the minimum Policy Plan private park requirement. To satisfy the park requirement, the applicant is constructing a 1.75 acre neighborhood

park that is centrally located within the adjacent tract (TT 20061) to the west (**Exhibit C – Park Renderings**). In total, TT 20061 and TT 20076 are required to construct a 1.71 acre park to meet the minimum Policy Plan private park requirement, therefore the 1.75 acre park would satisfy the minimum Policy Plan private park requirement. The park will include various amenities such as, a pool, restroom and shower facilities, two tot lots (Age 2-5 and 5-12), BBQ's, picnic tables, picnic table shade structures and open turf play areas. In addition, residents of the proposed community will have access to a 6.8 acre park, amenities, and clubhouse located north of Ontario Ranch Road within the center of the Bew Haven Community (Planning Area 10).

Additionally, the parkways and development entries within the tract incorporates various street trees that includes 15-gallon, 24-inch and 36-inch box Pink Trumpet Tree, London Plane Tree and Alta Southern Magnolia. Also, a combination of 15-gallon and 36-inch box accent and shade trees will be provided within the typical front yard and lane landscaping that includes Crape Myrtle, Bonsai Blue Jacaranda, and London Plane Tree (**Exhibit D – Conceptual Landscape Plan**). The development also includes a variety of shrubs and groundcovers that are low water usage and drought tolerant to be planted throughout the project site.

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

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[1] 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.

[2] Governance.

Decision Making:

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

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

[3] Policy Plan (General Plan)

Land Use Element:

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

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

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

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

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

Housing Element:

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

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

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

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

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
 - CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
 - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
 - CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
 - CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
 - S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

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

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

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

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

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

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

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

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

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

- A pattern of smaller, walkable blocks that promote access, activity and safety;

- Variable setbacks and parcel sizes to accommodate a diversity of housing types;

- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;

- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and

- Landscaped parkways, with sidewalks separated from the curb.

- CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural

daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

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

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

➤ CD2-13 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.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, the proposed project is consistent with the maximum number of dwelling units (62) and density (8.10 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,552 dwelling units with an overall density range of 2-12 DU/AC.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Mass Graded	Low Density Residential	The Avenue Specific Plan	Planning Area 11 - LDR
<i>North</i>	Vacant	Neighborhood Commercial	The Avenue Specific Plan	Planning Area 10B – Retail
<i>South</i>	Agricultural/Dairy and SFR Uses	Medium Density Residential	Grand Park Specific Plan	Planning Area 2 – LDR
<i>East</i>	Vacant	Mixed Use – NMC East	Rich Haven Specific Plan	Planning Area 9A – Commercial and Residential
<i>West</i>	Multi-Family Residential	Medium Density Residential	The Avenue Specific Plan	Planning Area 11 – LMDR

General Site & Building Statistics – 6-Pack Cluster

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	65%	34%-54%	Y
<i>Minimum lot size (in SF):</i>	2,000 SF	3,807 SF	Y
<i>Front yard setback (in FT):</i>	10'	10'	Y
<i>Side yard setback (in FT):</i>	4'	4'	Y
<i>Rear yard setback (in FT):</i>	5'	5'	Y
<i>Maximum height (in FT):</i>	35'	33'	Y
<i>Parking:</i>	2-car garage	2-car garage	Y

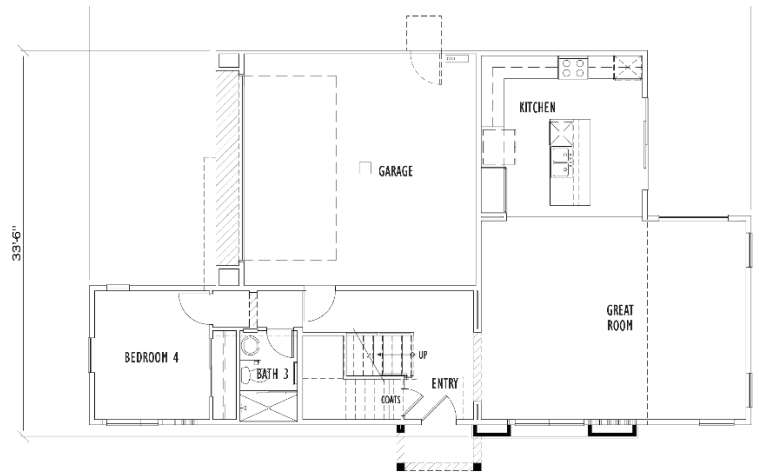
Exhibit A — SITE PLAN



Exhibit B — FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 1



UPPER LEVEL



LOWER LEVEL

Exhibit B — FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 1



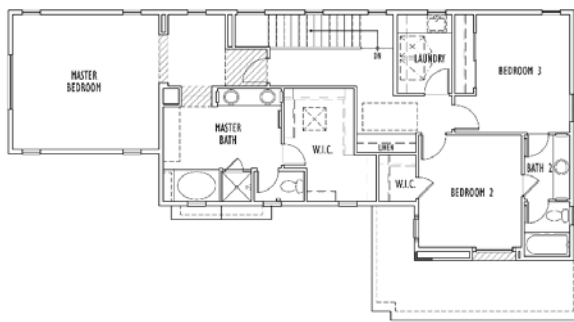
ELEVATION 1A - CALIFORNIA RANCH



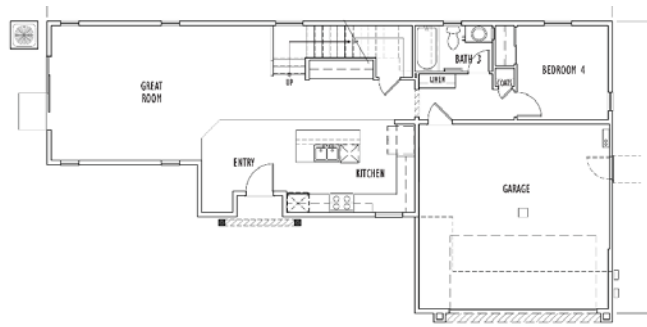
ELEVATION 1B - AMERICAN FARMHOUSE

ELEVATION 1C - SPANISH COLONIAL

Exhibit B — FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 2



UPPER LEVEL



LOWER LEVEL

Exhibit B — FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 2



ELEVATION 2A - CALIFORNIA RANCH



ELEVATION 2B - AMERICAN FARMHOUSE

ELEVATION 2C - SPANISH COLONIAL

Exhibit B — FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 3

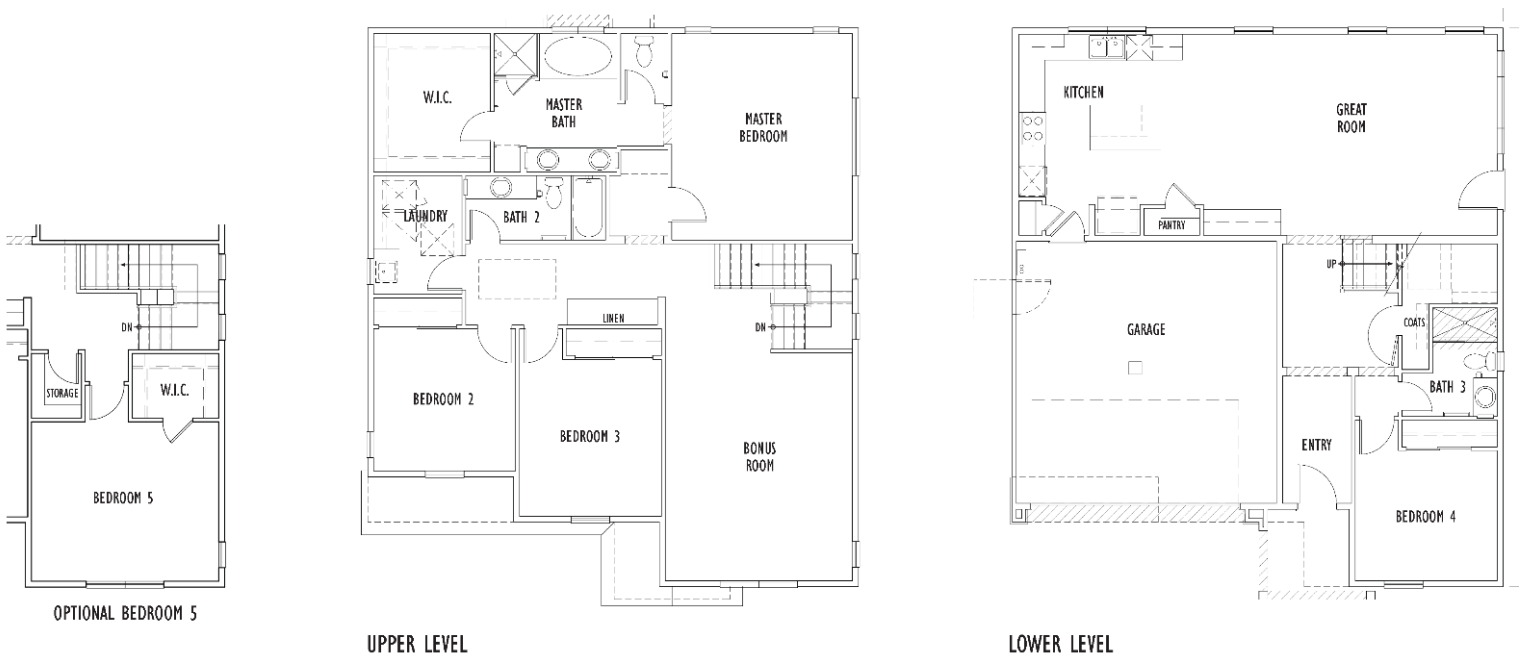


Exhibit B — FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 3



ELEVATION 3A - CALIFORNIA RANCH



ELEVATION 3B - AMERICAN FARMHOUSE

ELEVATION 3C - SPANISH COLONIAL

Exhibit C — PARK RENDERINGS



Exhibit C — PARK RENDERINGS



Exhibit C — PARK RENDERINGS



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-060, A DEVELOPMENT PLAN TO CONSTRUCT 62 SINGLE-FAMILY HOMES ON 7.65 ACRES OF LAND LOCATED ON THE WEST SIDE OF HAVEN AVENUE AND APPROXIMATELY 700 FEET SOUTH OF ONTARIO RANCH ROAD WITHIN THE LOW DENSITY RESIDENTIAL (LDR) DISTRICT OF PLANNING AREA 11 OF THE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-412-02.

WHEREAS, Brookfield Waverly, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-060, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 7.65 acres of land generally located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road, within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, and is presently mass graded; and

WHEREAS, the property to the north of the project site is within the Retail district of Planning Area 10B of The Avenue Specific Plan and is vacant. The property to the east is within the Commercial and Residential district of Planning Areas 9A of the Rich Haven Specific Plan and is vacant. The property to the south is within the Low Density Residential district of Planning Area 2 of the Grand Park Specific Plan and is developed with a dairy/agricultural use and a single-family residential unit. The property to the west is within the Low Medium Density Residential district of Planning Area 11 of The Avenue Specific Plan and is developed with multi-family residential uses; and

WHEREAS, the Development Plan proposes to construct 62 single-family homes (6-Pack Cluster product). The lots range in size from 2,854 to 4,541 square feet, with an average lot size of 3,267 square feet, which meets the minimum lot size of 2,000 square feet (6-Pack Cluster) with the Product Types 3e Development Standards of The Avenue Specific Plan; and

WHEREAS, three floor plans are proposed with three elevations per plan; and

WHEREAS, the architectural styles of the proposed single-family homes include Spanish, Bungalow and California Ranch styles; and

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

WHEREAS, the environmental impacts of this project were analyzed in a previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) certified by the City Council on June 17, 2014, in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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

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

WHEREAS, on April 16, 2018, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB18-021, recommending the Planning Commission approve the Application; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation. Based upon the facts and information contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Avenue Specific Plan EIR (SCH# 2005071109) certified by the City Council on June 17, 2014, in conjunction with File No. PSPA13-003.

(2) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109), and all mitigation measures previously adopted with the addendum to The Avenue Specific Plan EIR (SCH# 2005071109), are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental addendum to The Avenue Specific Plan EIR (SCH# 2005071109) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was prepared, that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, the proposed project is consistent with the maximum number of dwelling units (62) and density (8.10 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory,

The Avenue Specific Plan is required to provide 2,552 dwelling units with an overall density range of 2-12 DU/AC.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the Low Density Residential (Planning Area 11) land use district of The Avenue 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. The Development Plan has been required to comply with all provisions of Product Type 3e Residential Development Standards of The Avenue Specific Plan. Future neighborhoods within The Avenue Specific Plan and surrounding area will provide for diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development.

(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 Low Density Residential (Planning Area 11 - Product Type 3e) land use district of The Avenue Specific Plan, 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 Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of The Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and The Avenue Specific Plan. Additionally, the environmental impacts of this project were previously reviewed in conjunction with an addendum to The Avenue Specific Plan Environmental Impact Report (SCH#2005071109). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(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 Avenue Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (6-Pack Cluster single-family residential). As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in The Avenue Specific Plan. Additionally, the Development Plan complies with all provisions of Product Type 3e Residential Development Standards of The Avenue Specific Plan.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby

APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV17-060
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: April 16, 2018
File No: PDEV17-060
Related Files: PMTT17-001/TT20076

Project Description: A Development Plan (File No. PDEV17-060) to construct 62 single-family homes on 7.65 acres of land located within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road. (APNs: 0218-412-02); **submitted by Brookfield Waverly, LLC.**

Prepared By: Henry K. Noh, Senior Planner
Phone: 909.395.2429 (direct)
Email: hnoh@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) 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.

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

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

2.8 Disclosure Statements.

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

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

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

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

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

2.9 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, a(n) Amendment to The Avenue Specific Plan for which a(n) addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

2.11 Additional Fees.

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

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

2.12 Additional Requirements.

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

(b) Off-Site Subdivision Signs.

The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program

uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

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

(d) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(e) Dairy Separation Requirement for Residential Development.

The following separation requirements from existing dairies/feed lots shall apply to new residential development or structures used for public assembly purposes from existing dairies/feed lots.

A minimum 100' separation shall be required between a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map.

(f) Final architecture for the proposed project shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

(g) All applicable conditions of approval of Development Agreement (File No. PDA10-002) shall apply to this tract.

(h) All applicable conditions of approval of The Avenue Specific Plan shall apply to this tract.

(i) All applicable conditions of approval of the "A" Map TT 18922 (File No. PMTT13-010) and "B" Map (File No. PMTT17-001/TT20076) shall apply to this development.

(j) Prior to the issuance of the 30th home certificate of occupancy within TT 20076, the Open Space Lot Z (Emergency Access) shall be fully constructed.

(k) The street entry into the development shall be constructed with enhanced pavement and shall be reviewed and approved by the Planning Department prior to the issuance of grading permits.



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DATE: **(Revised) April 18, 2018**

DAB MEETING DATE: **April 16, 2018**

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

PROJECT PLANNER: **Henry Noh, Senior Planner
909.395.2429**

PROJECT: **PDEV17-060; a development project to build 52 SFR (alley loaded) by Brookfield Residential within Planning Area PA-11 of The Avenue SP. Related Files; Tract Map Nos. TM18922-4/PMTT13-010 (A-Map) and TM20076/PMTT17-001 (B-Map).**

APPLICANT: **BrookCal Ontario, LLC – Brookfield Residential**

LOCATION: **Northwest corner of Haven Avenue and Edison Avenue**

This project shall comply with the requirements set forth in the General Standard Conditions of Approval adopted by the City Council (Resolution No. 2017-027) and the Project Specific Conditions of Approval specified herein. The Applicant shall be responsible for the completion of all conditions prior to issuance of permits and/or occupancy clearance.

- 1) The applicant/developer shall responsible for completing all the requirements per the Conditions of Approval for TM18922-4 and TM20076, and the Development Agreement by and between City of Ontario and BrookCal Ontario, LLC.
- 2) The applicant/developer shall dedicate a public utility easement for fiber optic purposes within the private alleys.
- 3) Proposed retaining walls shall 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).
- 4) The Applicant/Developer shall be responsible to install a marked pedestrian crosswalk across the south leg of the intersection of New Haven Drive and the residential/commercial driveways



immediately south of Ontario Ranch Road. The installation shall include pedestrian crossing signs at the crosswalk and in advance of the crosswalk.

- 5) This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation.
- 6) The applicant shall comply with each of the following requirements in order to receive recycled water service:

Prior to 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.

Prior to Occupancy Release/Finalizing:

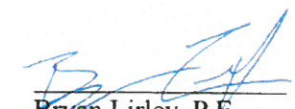
- i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.
- 7) Solid Waste Collections: The Developer shall provide all residential unit buyers an informational disclosure with map exhibit showing the designated can placement locations for solid waste collections of that residential unit, based upon the designated collections locations on the Residential Refuse & Recycling Plan, to be revised. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
- 8) Solid Waste Handling Plan (SWHP): The Trash Truck Turning Study, revision dated 3/22/2018, shall be updated and revised in to a SWHP and be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company. The SWHP shall follow the SWHP Guidance Document available from OMUC and shall have at minimum all the following elements:
- a. SWHP Content and Format: The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>) and shall contain, at a minimum, the following elements:
 - i. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/ Commercial with bins, etc.) and describing the solid waste handling operation (*for instance, will there be scouting services, etc.*)
 - ii. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.).
 - iii. An Engineering Site Plan drawn to scale that shows :

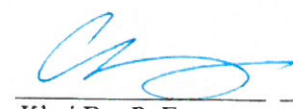


- A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
- The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
- All parking stalls and parallel parking spaces along all streets, alleys, or aisles.
- All proposed curbs and areas designated and striped/signed as "No Parking".
- All designated solid waste collection locations:
 1. A minimum of two collection locations (one for refuse and one for recycling) for each residential unit;
 2. The collection location shall be represented as a 26-inch by 26-inch square;
 3. The collection locations shall be spaced 20-inches from other collection location squares and that is spaced a minimum of 40-inches from parking, group mailboxes, and other potential obstructions that could prevent the solid waste vehicle from accessing the can; and,
 4. Each collection location shall be placed along the solid waste vehicles accessible path of travel.

9) Tract map shall provide a CC&R document that includes the following provisions:

- a. Common Use and Private Utilities: Identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance responsibilities of the HOA of these facilities.
- b. Solid Waste Collections: The Residential Refuse & Recycling Plan, revision 2-28-18, shall be included in the CC&R's with a provision that the HOA will enforce the can collections placement requirements of this Plan.
- c. Repair of Private Pavement: In the event that private pavement replacement is needed due to the repair of any public utilities within PUEs, the replacement will only include AC paving and no other type of hardscape or paving (e.g. decorative, etc.). The applicant/developer shall submit an exhibit illustrating the decorative pavement locations within the PUE areas for review and approval which will be included in the CC&R document.


Bryan Lirley, P.E. 4/18/18
Principal Engineer Date


Khoi Do, P. E. 4-18-18
Assistant City Engineer Date

- c: Khoi Do, P.E., Engineering/Land Development
Stephen Wilson, Engineering/Environmental
Steve Latino, Engineering/Transportation
Jeff Krizek, Ontario Municipal Utility Company



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

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

DATE: January 15, 2018

SUBJECT: PDEV17-060 - A Development Plan to construct 62 single-family dwellings (court yard style home sites) on 7.65 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the The Avenue Specific Plan (APN: 0218-211-03). Related File: PMTT17-003 (TM 20076).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 1,000 Sq. Ft.
- D. Number of Stories: Two
- E. Total Square Footage: 1,500 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

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

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

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

1/25/18
 Date

Reviewer's Name:
Carolyn Bell, Sr. Landscape Planner Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV17-060 Rev 1 Case Planner:
 Henry Noh

Project Name and Location:
 New Haven Waverly II
 NEC Haven and Ontario Ranch Road

Applicant/Representative:
 Brookfield Waverly LLC
 3200 Park Center Drive ste 1000 Danielle Reppen
 Costa Mesa, CA 92626

A Preliminary Landscape Plan (dated 12/20/17) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.

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

CORRECTIONS REQUIRED

Civil/ Site Plans

1. Coordinate with city staff to extend landscape planter island on Caymus privado during the plan check process.
2. Show transformers located in planter areas, and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Located on level grade. Coordinate with landscape plans.
3. Show and dimension backflow devices located in planter areas, and set back min 3' from paving on level grade. Coordinate with landscape plans.
4. Locate utilities including light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans. Move storm drain out of landscape planters on south side of Paraduxx privado.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension with 12" wide curbs, or 6" curbs with 12" wide pavers or DG paving with edging at parking spaces adjacent to planters.
7. Show lot drainage to include a catch basin with gravel sump below each before exiting property.

Landscape Plans

8. Match civil plans. Base is different; see less parking spaces and a larger planter area on Paraduxx privado.
9. Add a concrete mow strip to separate HOA landscape areas from private landscape areas
10. Show backflows and transformers, with a 4' set back from paving with landscape screening.
11. Show all utilities (sewer, storm drain, water, etc) on the landscape plans. Coordinate so

utilities are clear of required tree locations.

12. Show appropriate parking lot shade tree with min 30' canopy at maturity and evergreen screen tree. Change dwarf Magnolia Alta to Magnolia Samuel Sommers, Podocarpus gracilior or Quercus virginiana. Change Platanus acerifolia (damaged by borers) to another large accent tree such as Quercus agrifolia, Olea wilsonii, etc. Show ¾ mature size of all trees: **Tabebuia at 23'** (30 at maturity, **shown at 15'**) or change to a narrow tree where located near buildings. Space **Tristanias min 20' oc instead of 6** or change to a tall evergreen shrub 10-15' height.
13. Show, and note or dimension trees to be located no closer than 50% the mature width. Add mature width to construction plans.
14. Change grasspave at lot Z to turf grass instead of DG, or low water turf substitute, Orchard grass (*Agrostis pallens*) or Kurapia
15. Call out type of proposed irrigation system and include preliminary MAWA calculation.
16. Show landscape hydrozones to separate low water from moderate water landscape or add low, med, high, to plant legend call out.
17. Note to provide separate irrigation systems for trees with stream bubblers with pc screens.
18. Replace short lived, high maintenance or poor performing plants: Hemerocallis, *Arctostaphylos*, *Hibiscus Sinensis*, *Phormium*, *Escallonia*, Fescue, Lantana, Lavendula,
19. Note for agronomical soil testing and include report on landscape plans. For phased projects, a new report is required for each phase or a min every 6 homes in residential developments.
20. Note to include a stub-out for future back yard irrigation systems with anti-siphon valves.
21. Show 25% of trees as California native (*Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* (small accent), *Sambucus Mexicana*, *Heteromeles* (Lg shrub) etc.) in appropriate locations.
22. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
23. Provide phasing map for multi-phase projects prior to inspection.
24. **After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:**

Plan Check—5 or more acres	\$2,326.00
Inspection—Construction (up to 3 inspections per phase)	\$278.00
Total.....	\$2,604.00

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.: PDEV17-060
 Address: NWC of Haven Avenue & Edison Avenue
 APN: 0218-412-03
 Existing Land Use: Vacant
 Proposed Land Use: 62 Single Residential Family Homes
 Site Acreage: 7.65 ac Proposed Structure Height: 26 FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Henry Noh
 Date: 2/20/18
 CD No.: 2017-089
 PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

See Attached Condition.

Airport Planner Signature: 

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-089
PALU No.: _____

PROJECT CONDITIONS

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

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 8, 2018
SUBJECT: PDEV17-060

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Joe De Sousa, Supervising code Enforcement Officer
 Jimmy Chang , IT Department
 David Simpson, IT Department (Copy of memo only)

FROM: Henry Noh, Senior Planner

DATE: December 20, 2017

SUBJECT: FILE #: PDEV17-060 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, January 3, 2018**.

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

PROJECT DESCRIPTION: A Development Plan to construct 62 single-family dwellings (court yard style home sites) on 7.65 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the The Avenue Specific Plan (APN: 0218-211-03).
 Related File: PMTT17-003 (TM 20076).

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT
ANALYST
Title

1/22/18
Date



PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A General Plan Amendment (File No. PGPA16-002) to modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for 47.06 acres of land from Business Park (0.60 FAR) to Industrial (0.55 FAR) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; 2) A Specific Plan (File No. PSP16-002 - West Ontario Commerce Center) request to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 119 acres of land, which includes the potential development of up to 2,905,510 square feet of industrial and business park development; and 3) A petition to cancel Williamson Act Contracts 73-406 and 70-219. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west. **Submitted by REDA, OLV. City Council action is required.**

PROPERTY OWNERS: Ontario Land Ventures, LLC, Inland Harbor.com, LLC, Farm Fresh Commodities, LLC and G H Dairy.

RECOMMENDED ACTION: That the Planning Commission recommends to the City Council: 1) Adoption and certification of an Environmental Impact Report (EIR) (SCH#2017041074) including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration; 2) Approve the General Plan Amendment (File No. PGPA16-002), 3) Approve the West Ontario Commerce Center Specific Plan (File No. PSP16-002), and 4) Tentative Cancellations of Williamson Act Contracts 73-406 (File No. PWIL17-009) and 70-219 (File No. PWIL18-004), pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval

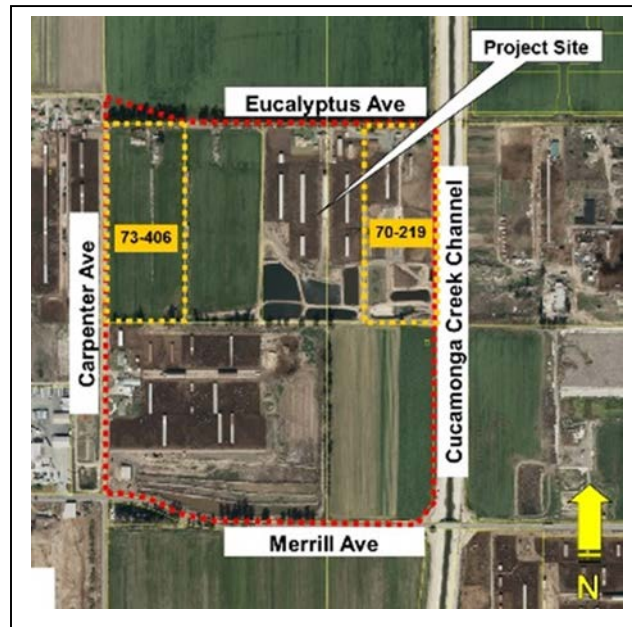


Figure 1: Project Location

Case Planner:	Henry K. Noh	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	3/16/16	ZA			
Hearing Deadline:	N/A	PC	4/24/18		Recommend
		CC			

contained in the attached departmental reports.

PROJECT SETTING: The site is located within the Ontario Ranch area annexed into the City of Ontario on November 30, 1999. The project site is made up of nine separate parcels comprising of approximately 119 acres of land. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west and is depicted in Figure 1: Project Location. The project site gently slopes from north to south and is currently developed with agricultural, dairy and single-family residential uses. The majority of the site is currently in agricultural use, including two active dairy farms, row crops, and a hay and alfalfa wholesaler. The remainder of the site is vacant land that was previously used for agriculture. The site is relatively level with the exception of isolated areas where soil and debris from demolished structures have been mounded and an earthen drainage channel that extends along Merrill Avenue on the southern boundary of the site. There are two existing Williamson Act Land Conservation Contracts (LLC# 70-219 and 73-406) located on the northwest and northeast areas of the project site.

PROJECT ANALYSIS:

[1] Background — The Ontario Plan (TOP) Policy Plan (General Plan) provides the basic framework for development within the 8,200-acre area commonly referred to as Ontario Ranch. The Policy Plan requires City Council approval of a Specific Plan for new developments within Ontario Ranch. A Specific Plan is required to ensure that sufficient land area is included to achieve cohesive, unified districts and neighborhoods. Additionally, a Specific Plan is required to incorporate a development framework for detailed land use, circulation, infrastructure improvements (such as drainage, sewer, and water facilities), provision for public services (including parks and schools), and urban design and landscape standards.

[2] General Plan Amendment – The West Ontario Commerce Center Specific Plan serves to implement the City's Policy Plan for the project site and provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure requirements, and implementation requirements for the development of approximately 119 acres within the Specific Plan boundaries. In order to implement the Specific Plan land use plan as shown in Figure 3, the project includes a General Plan Amendment (GPA) to decrease the land use designated Business Park area by 40-acres to a total of 21.09-acres and increase the land use designated Industrial land use area by 40-acres to a total of 98.09-acres. The General Plan Amendment, if approve, will facilitate the potential development of up to 2,905,510 square feet of industrial and business park development. The amendment includes changes to The Ontario Plan – Policy Plan Exhibit: LU-01 Official Land Use Plan (**Figure 2: General Plan Land Use Plan Amendment**) and Exhibit: LU-03 Future Buildout to reflect the proposed land use designation changes (**Exhibit A - Amended LU-03: Future Buildout Table**).

The proposed GPA to decrease the land use designated Business Park area by 40-acres and increase the designated Industrial land use by 40-acres will allow for a larger industrial developable area consistent with the current industrial market demands, while maintaining a business park buffer, along the Eucalyptus Avenue frontage between the future residential uses to the north within the Parkside Specific Plan. The business park development is intended to accommodate very light industrial, commercial and office uses that will assist in transitioning to the future residential uses located north of Eucalyptus Avenue. The larger industrial area will be a continuation of the larger industrial uses south of the Specific Plan located within the recently approved Colony Commerce Center West Specific Plan.

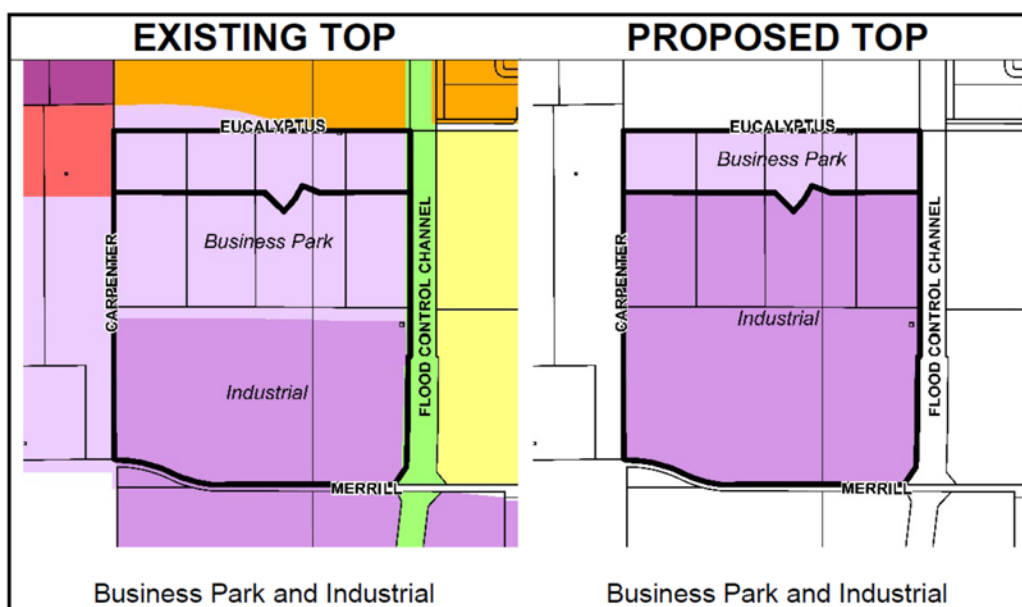


Figure 2: General Plan Land Use Plan Amendment

[3] Specific Plan — The West Ontario Commerce Center Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that excellence in community design is achieved during project development. The West Ontario Commerce Center Specific Plan establishes the procedures and requirements to approve new development within the project site to ensure that TOP Policy Plan goals and policies are achieved.

Land Use Plan — The West Ontario Commerce Center Specific Plan consists of two Planning Areas that will accommodate a variety of commercial, office, technology, light manufacturing, and warehouse/distribution uses. The Land Use Plan implements the vision of TOP by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions.

The Specific Plan identifies the land use intensity anticipated in two proposed planning areas (**Figure 3: Land Use Plan**). The Specific Plan is proposing a maximum 0.60 Floor Area Ratio (FAR) within the Business Park land use designation (Planning Area 1) and 0.55 FAR within the General Industrial land use designation (Planning Area 2). The proposed FAR's for each of the Planning Areas is consistent with the Policy Plan Land Use designations for Business Park and Industrial.

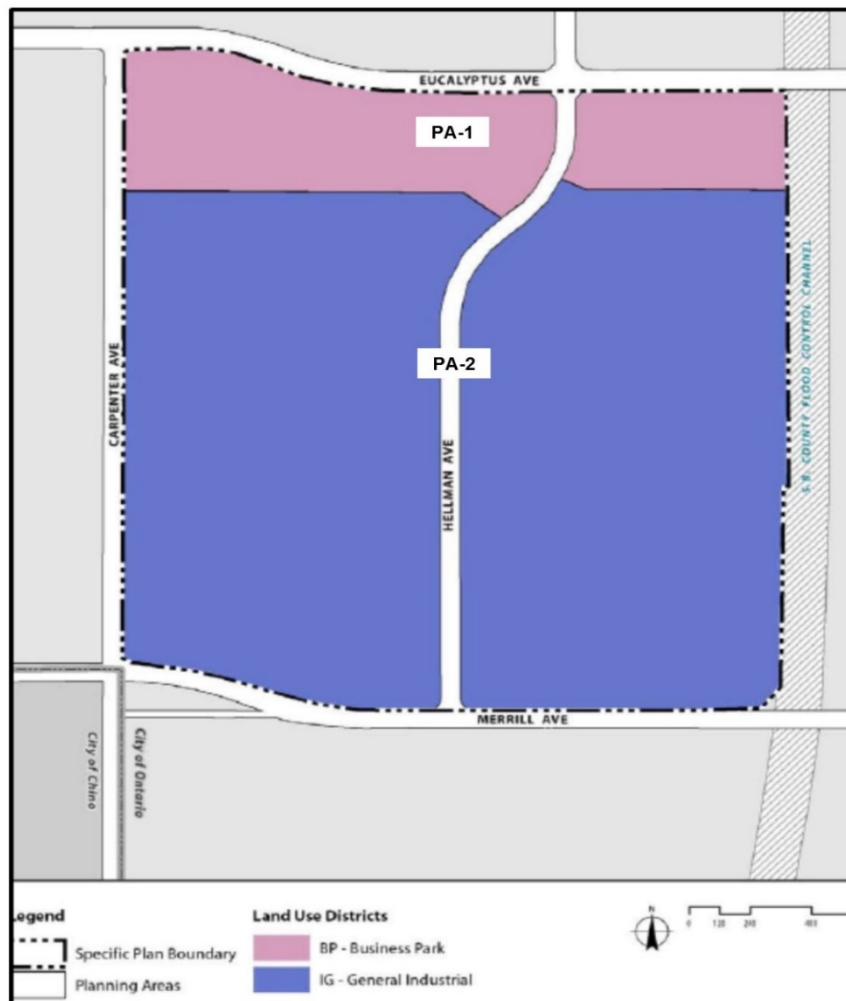


Figure 3: Land Use Plan

The Specific Plan proposes the potential development of up to 2,905,510 square feet of industrial and business park development. Planning Area 1, located along the northern portion of the Specific Plan area, is 21 acres in size and can potentially be developed with 555,505 square feet of business park development. In addition, buildings within the Business Park land use area that front onto a public right-of-way shall not exceed 100,000 square feet in size. Planning Area 2, located along the southern portion of the Specific Plan is 98 acres in size and can potentially be developed with 2,350,005 square feet of industrial development (**Figures 4 and 5: Land Use Summary Table and Conceptual Site Plan**).

Planning Area	Zoning District	Ontario Plan Land Use Designation	Existing Acreage (Net)	Maximum SF per Existing TOP (The Ontario Plan)	Proposed Acreage	Maximum SF per Proposed
1	AG Specific Plan	Business Park (0.6 FAR)	61	1,600,933	21	555,505
2	AG Specific Plan	Industrial (0.55 FAR)	58	1,391,641	98	2,350,005
TOTAL			119	2,992,634	119	2,905,510

Figure 4: Land Use Summary Table

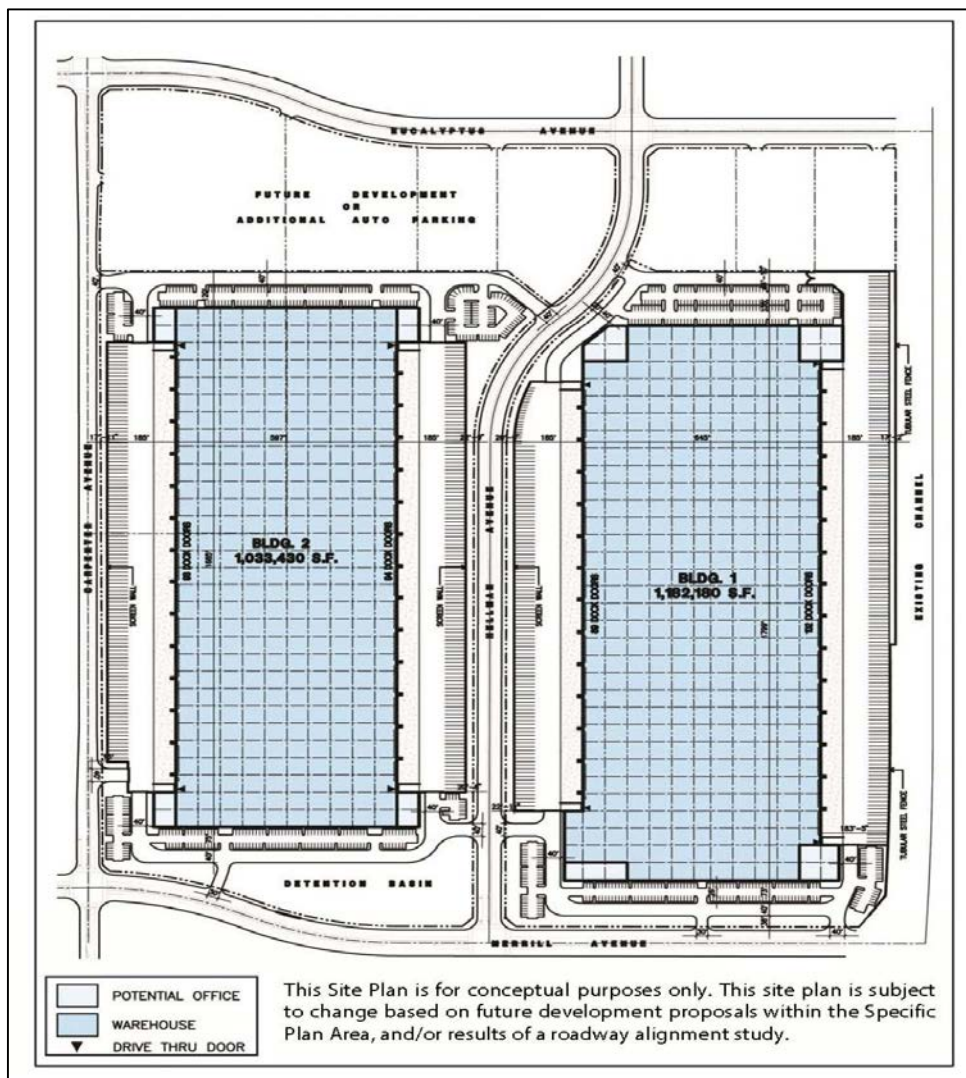


Figure 5: Conceptual Site Plan

Design Guidelines — The design theme and concept for the West Ontario Commerce Center Specific Plan was created to ensure a high quality and cohesive design structure for the Specific Plan. The guidelines, within the Specific Plan, are intended to ensure a cohesive and attractive development that meets the following objectives:

- Demonstrates that the West Ontario Commercial Center is a high quality development that complements and integrates into the community and adds value to the City.
- Creates a functional and sustainable place that ensures that the West Ontario Commerce Center is competitive regionally and appropriate for the Ontario Ranch community.
- Illustrates through site planning the distinctive characteristics of the two districts of the land use plan: Business Park District (Planning Area 1) and General Industrial District (Planning Area 2).
- Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, builders, architects, landscape architects, and other professionals preparing plans for construction.
- Provides guidance to City staff and the Planning Commission in the review and evaluation of future development projects in the West Ontario Commerce Center.
- Incorporates construction and landscape design standards that promote energy and water conservation strategies.
- Implements the goals and policies of The Ontario Plan and the intent of the Ontario Development Code.

The Planning Areas within the West Ontario Commerce Center are designed to be architecturally consistent yet distinct through use and circulation. The Design Guidelines have been established to promote high-quality architecture as required by the Ontario Development Code and The Ontario Plan (TOP). The proposed architectural theme of the Specific Plan will be to provide buildings that incorporate a Contemporary Architectural style and the two planning areas shall be compatible and complement one another. The design guidelines of the Specific Plan will require all buildings to provide a recognizable base, body, roofline and entry. The Specific Plan provides examples of the type of industrial and business park concepts that is envisioned to be constructed within the Specific Plan (**Figures 6 and 7: Business Park and Industrial Design Examples**).

All buildings shall be designed to highlight the primary entryways by incorporating special materials, visual relief, massing, and shading. Additionally, the facades that front onto a public street shall incorporate vertical and horizontal articulation, and material changes

that will assist in enhancing these elevations and providing visual interest from the public view.



Figure 6: Business Park Design Examples



Figure 7: Industrial Design Examples

Circulation Concept — The circulation plan for the Specific Plan reinforces the objective of moving vehicles, pedestrians, cyclist, and public transit safely and efficiently through and around the project. The Specific Plan establishes the hierarchy and general location of roadways within the West Ontario Commerce Center Specific Plan. Future traffic signals will be constructed at the following four major intersections:

1. Hellman Avenue and Eucalyptus Avenue;
2. Hellman Avenue and Merrill Avenue;
3. Carpenter Avenue and Eucalyptus Avenue; and
4. Carpenter Avenue and Merrill Avenue.

Additionally, primary access into the business park development will be provided along Eucalyptus Avenue to the north and Carpenter Avenue to the west. Primary access into the industrial development will be provided along Hellman Avenue, Carpenter Avenue to the west and Merrill Avenue to the south (**Figure 8: Circulation Plan**).

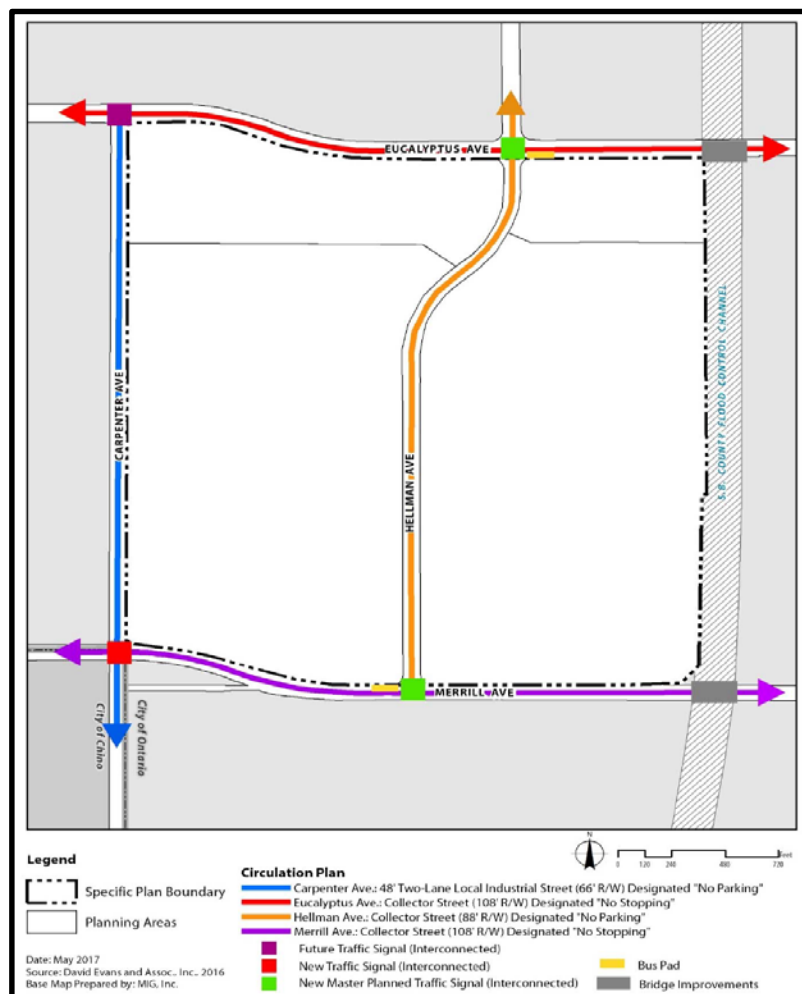


Figure 8: Circulation Plan

Merrill Avenue and Eucalyptus Avenue which run east-to-west along the southern and northern portions of the project site will be improved as four (4) lane collector streets with a 108-foot Rights-of-Way. Each street will include bikeways, parkways and multi-purpose trails (**Figure 9: Merrill and Eucalyptus Avenues Street Cross Sections**).

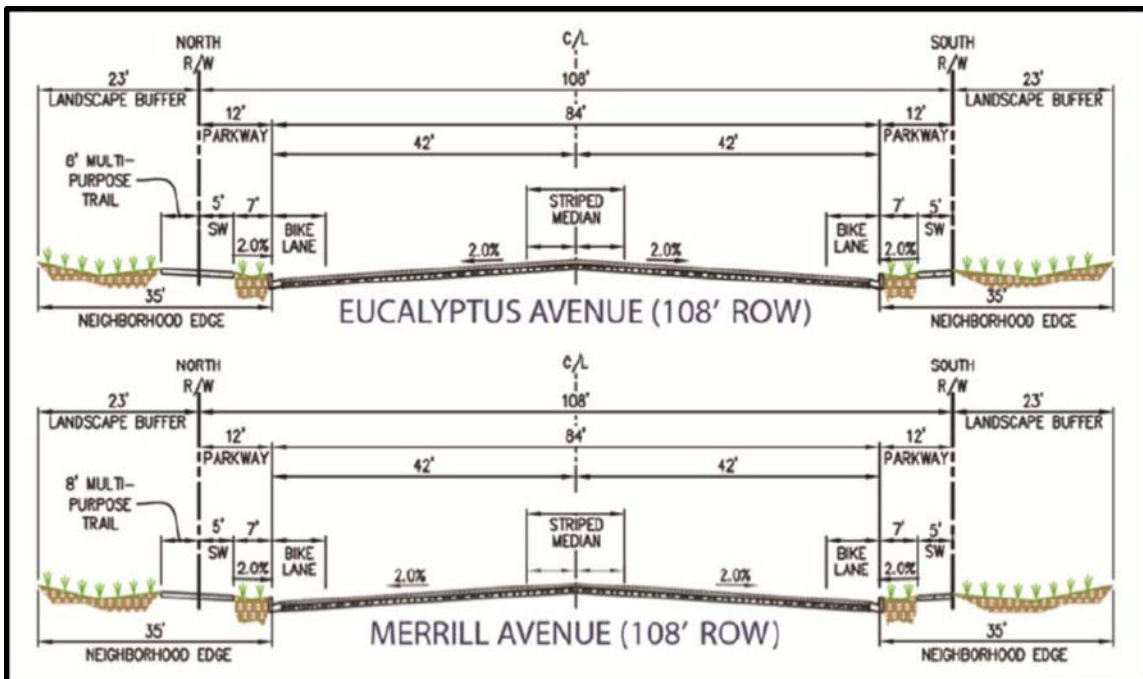


Figure 9: Merrill and Eucalyptus Avenues Street Cross Sections

Carpenter Avenue which runs north-to-south along the western portion of the project site will be improved with a two (2) lane local industrial street with a 66-foot right-of-way, including parkways (**Figure 10: Carpenter Avenue Street Cross Section**).

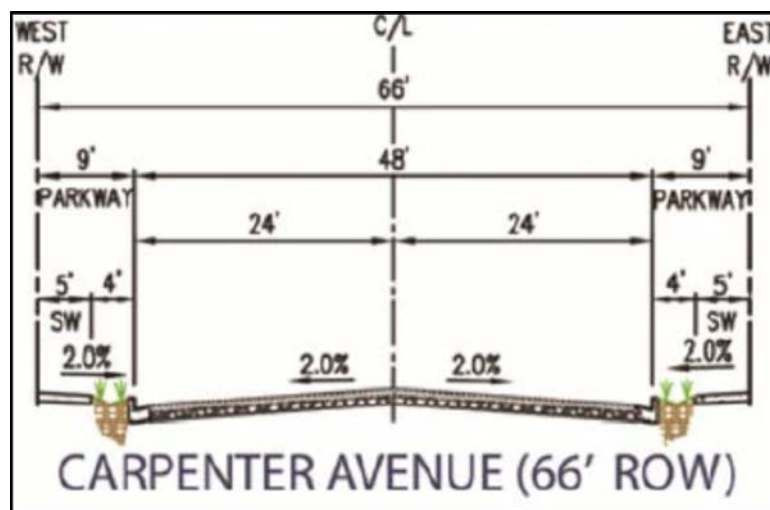


Figure 10: Carpenter Avenue Street Cross Section

Hellman Avenue which runs north-to-south along the central portion of the project site will be improved with a four (4) lane collector street with an 88-foot right-of-way, including parkways (Figure 11: Hellman Avenue Street Cross Section).

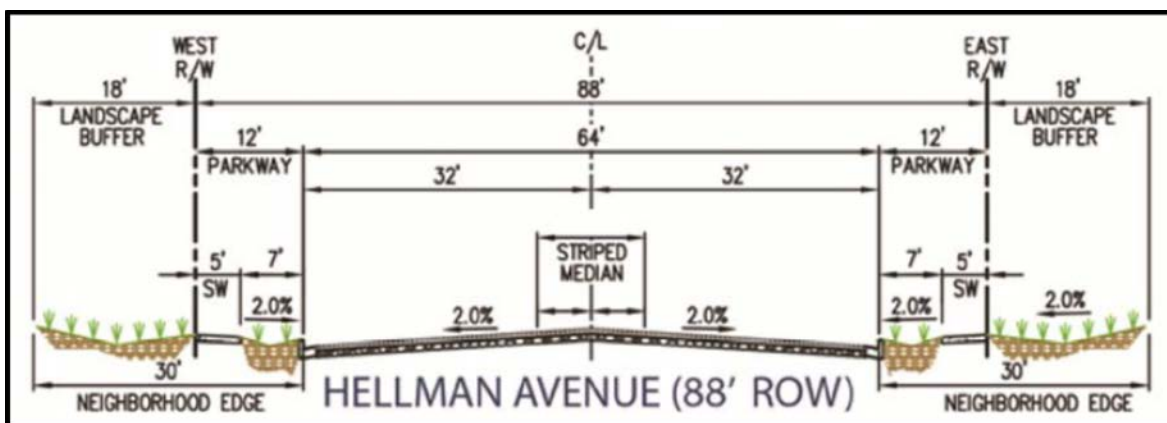


Figure 11: Hellman Avenue Street Cross Section

Landscape Design — The landscape design theme for the West Ontario Commerce Center Specific Plan encourages durable landscape materials and designs that enhance the aesthetics of the structure, create and define public and private spaces, and provide shade and environmental benefits. Table 5.1 of the West Ontario Commerce Center Specific Plan establishes a base palette for the West Ontario Commerce Center and includes a variety of groundcovers, shrubs, ornamental grasses, and evergreen and deciduous trees. The selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region. Similar plant materials may be substituted for the species listed in Table 5.1 if the alternative plants are climate appropriate and enhance the thematic setting.

The minimum landscape coverage required for the business park development is 15% and the industrial development is required to provide a minimum of 10% landscape coverage. As illustrated above in the street sections, Eucalyptus Avenue and Merrill Avenue will be required to provide a 35-foot neighborhood edge. Hellman Avenue will be required to provide a 30-foot neighborhood edge. Carpenter Avenue will be designed with a 4-foot wide curb adjacent landscape parkway and a 5-foot wide sidewalk, in addition to a 10-foot wide landscape buffer.

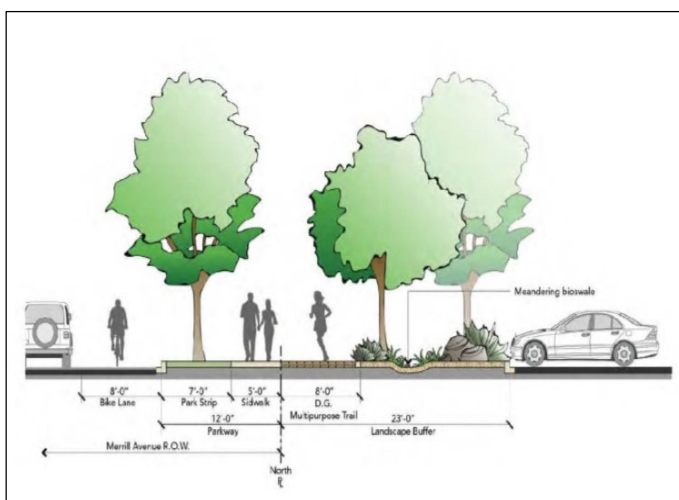


Figure 12: Merrill Avenue Multipurpose Trail

Infrastructure and Services — The backbone infrastructure to serve all areas of the Specific Plan will be installed by the developers in accordance with the Ontario Ranch (New Model Colony) Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optic facilities. Natural gas will be provided by The Gas Company and electricity by SCE. Development of the project requires the installation by the developer of all infrastructure necessary to serve the project as a standalone development.

Specific Plan Phasing — Development phasing within the Specific Plan will be determined by the developers, based upon the real estate market conditions (**Figure 13: Conceptual Phasing Plan**). Specific infrastructure, community facilities and open space dedications will be provided/conditioned with future individual tract maps and/or development plans that will be presented to the Planning Commission at a future date.

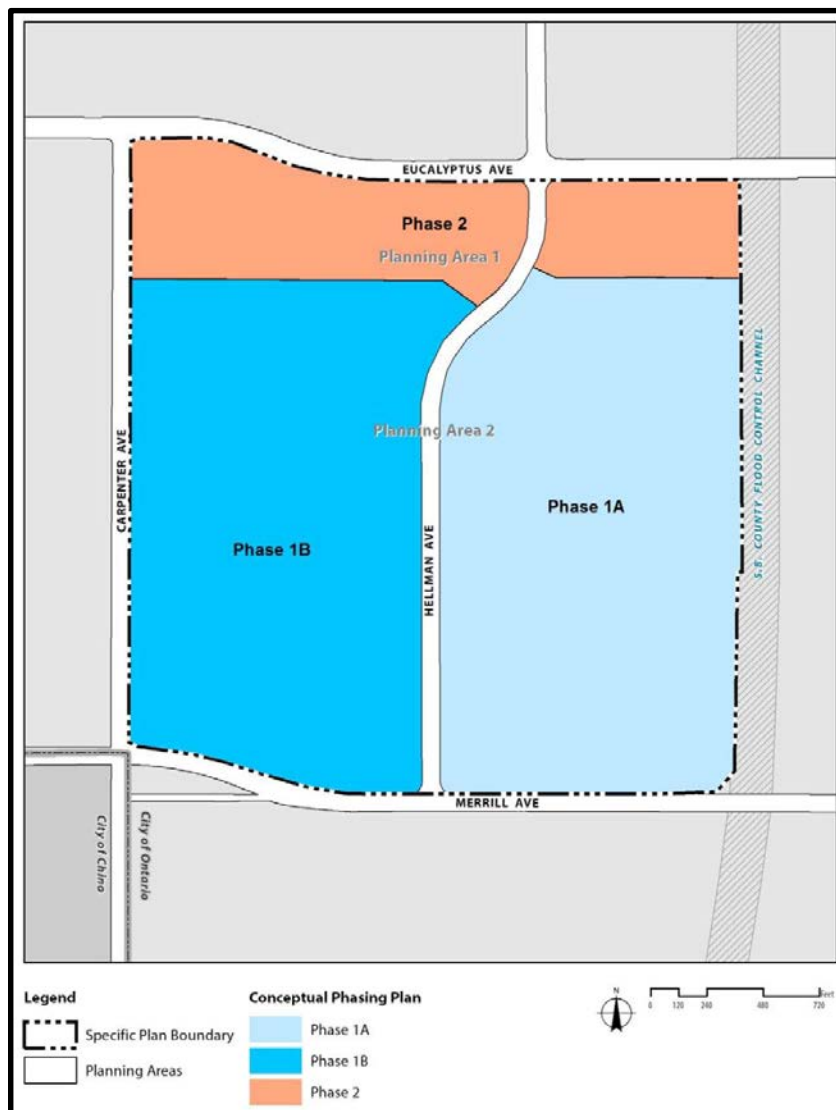


Figure 13: Conceptual Phasing Plan

[4] William Act Contract — Agricultural lands under a Williamson Act Contract are governed by the California Land Conservation Act of 1965, also known as the Williamson Act. Upon annexation, the City of Ontario assumed responsibility for administration of the Land Conservation Contracts which existed in the Ontario Ranch area. The City adopted the Agricultural Overlay Zoning District, or a “Right-to-Farm” Ordinance, that would allow existing agricultural uses within Ontario Ranch to continue for as long as the landowner desired.

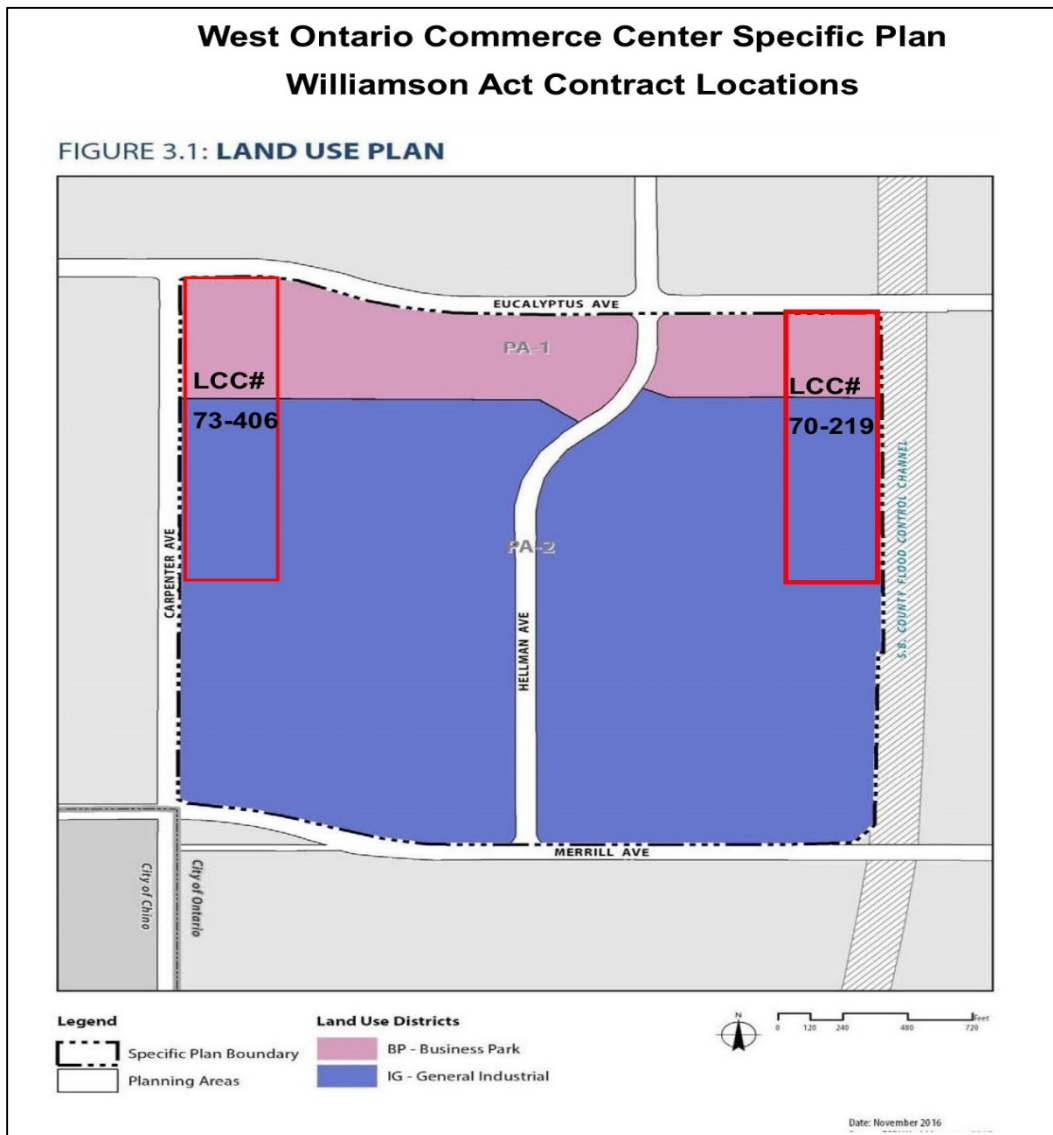
In the City’s review of the cancellation process for Williamson Act Contracts, the Notice of Non-Renewal procedure was intended to be the normal method of terminating agricultural Contracts. For the landowner, it allows the Property Tax Assessments to gradually increase to full market value over a ten (10) year period until the Contract expired. For the City, the non-renewal allows adequate time to plan for the future land use and infrastructure requirements.

In conjunction with the proposed West Ontario Commerce Center Specific Plan, REDA, OLV, are now requesting, on behalf of the property owners, cancellation of the Contract numbers 70-219 and 73-406 prior to the Non-Renewal termination dates. The Cancellations will provide relief from the provisions of the Contracts, thus allowing for development of the properties with an alternative use. The Notice of Non-Renewal, for each of subject properties (**Figure 14: West Ontario Commerce Center Specific Plan Williamson Act Contract Locations**), was recorded with the County of San Bernardino as follows:

- Land Conservation Contract 70-219 Non-Renewal recorded on September 9, 2010, and will expire on January 1, 2020.
- Land Conservation Contract 73-406 Non-Renewal recorded on September 28, 2016, and will expire on January 1, 2027.

The proposed alternative use is consistent with the Policy Plan, which designates the subject site for Business Park (0.60 FAR) and Industrial (0.55 FAR). The subject site is part of the proposed West Ontario Commerce Center Specific Plan, which has been planned in accordance with TOP Policy Plan.

Copies of the petitions for cancellation were sent to the Director of the Department of Conservation, as required by the Williamson Act to date. The Planning Department has not received comments from the Department of Conservation stating whether or not they concur with staff’s findings, pursuant to Section 51282 of the Williamson Act.



**Figure 14: West Ontario Commerce Center Specific Plan
Williamson Act Contract Locations**

Required Findings— The cancellation process for Williamson Act contracts identifies findings which must be made in order to cancel a contract. The City Council must find that the proposed cancellation is consistent with the purposes of the Williamson Act or is in the public interest. Staff has reviewed the request and believes that the cancellations are consistent with the purposes of the Williamson Act as follows:

1. The cancellation is for land on which a Notice of Non-Renewal has been served.

Pursuant with Government Code § 51245 a Notice of Non-Renewal of Land Conservation Contract Numbers 70-219, was on recorded September 16, 2010, as Instrument No. 2010-0380748, and Conservation Contract Number 73-406, was on recorded September 28, 2016, as Instrument No. 2016-0403397, Official Records, has been served.

2. Cancellation is not likely to result in the removal of adjacent lands from agricultural use.

Cancellation of the Land Conservation Contract Numbers 70-219 and 73-406 is not likely to result in the removal of adjacent lands from agricultural uses. The properties adjacent to the contracted land are part of Colony Commerce Center East Specific Plan. The change in use in these parcels would be due to the development of the specific plan and not to the cancellation of land conservation contracts. Moreover, the policy decision to transition uses in the area from agriculture to urban was made when the City adopted TOP Policy Plan. The environmental consequences of that decision were analyzed in the Environmental Impact Report certified in conjunction with The Ontario Plan (TOP). Thus, the City's prior planning decision, and not the cancellation of the contracts associated with this project, would be the cause of any influence on the decision to remove land from agricultural use. Additionally, to ease the transition from agricultural to urban uses and to minimize conflicts between the two uses, the City has adopted an Agricultural Overlay District.

3. Cancellation is for an alternative use which is consistent with the applicable provisions of the City's General Plan.

The subject site is a part of West Ontario Commerce Center Specific Plan and is planned in accordance with TOP Policy Plan depiction of Business Park (0.60 FAR) and Industrial (0.55 FAR).

4. Cancellation will not result in discontinuous patterns of urban development.

The subject properties are part of West Ontario Commerce Center Specific Plan. TOP Policy Plan includes requirements for subsequent approval by the City of a Specific Plan for development within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, provision for public services including parks and schools, and urban design and landscape plans. Also, future residential tracts bound the West Ontario Commerce Center Specific Plan to the north, within the Parkside Specific Plan. Further, a Specific Plan (Colony Commerce Center West Specific Plan) has been approved immediately to the south of the project site. To the east the subject property abuts the Cucamonga Flood Control Channel.

Because all lands within the Ontario Ranch, between the project sites and existing urban areas, will be urbanized in the near future, cancellation of the Williamson Act contracts associated with the Project would not result in leap-frog development.

5. There is no proximate non-Contracted land, which is both available and suitable for the alternative proposed use or that development of the subject property will provide more contiguous patterns of urban development than development of proximate non-Contracted land.

The contracted land lies within the boundaries of West Ontario Commerce Center Specific Plan. The adjacent non-contracted land is part of West Ontario Commerce Center Specific Plan and is scheduled for future development, therefore not available. Development of the subject site and adjacent non-contracted land through West Ontario Commerce Center Specific Plan will eliminate “leap frog” development. The West Ontario Commerce Center Specific Plan is bound by future residential tracts, located within the Parkside Specific Plan, to the north, future industrial development, located within The Colony Commerce Center West Specific Plan to the south, the Cucamonga Creek Flood Control Channel to the east and agriculture uses to the west, which contributes to a continuous pattern of development. Properties within adjacent Parkside Specific Plan and Colony Commerce Center West Specific Plan (contracted and non-contracted) will be developed with future residential and industrial development, thus are not available for the alternative proposed use. Furthermore, since the subject site is within West Ontario Commerce Center Specific Plan, once the adjacent parcels are developed it will provide for more contiguous patterns of urban development than development of proximate non-contracted land.

Cancellation Fee— As required by the Williamson Act, there is a Penalty Fee for cancellation of an Agricultural Contract. The fee is equal to 12.5 percent of the unrestricted base value of the land as determined by the County Assessor’s Office.

The fee for the subject property, as determined by the County Assessor, totals \$927,129.00 (LCC #70-219: \$455,791.00 and LCC#73-406: \$471,338.00). As required by the Williamson Act, a copy of the Assessor’s value appraisal was sent to the Director of the Department of Conservation on April 13, 2018, to allow the opportunity to request a formal review from the Assessor.

Prior to City Council approval of the Tentative Cancellation, the City Council must review and approve the West Ontario Commerce Center Specific Plan Environmental Impact Report. In addition, the following Conditions and Contingencies will be required to be satisfied upon tentative approval by the City Council. All applicable conditions must be satisfied within one year of the date of recording of the Certificate of Tentative Cancellation. Conditions and contingencies include:

1. Upon approval, a Certificate of Tentative Cancellation must be recorded with the County Clerk;
2. Payment in full of the Penalty Fee. Together with a statement stating that unless the fee is paid, or a Certificate of Cancellation of Contract is issued within one year from the date of the recording of the Certificate of Tentative Cancellation, the fee shall be recomputed;
3. Obtain all approvals necessary (including Specific Plan, EIR adoption, and Tentative Map/s) to commence the specified alternative use;
4. Within 30 days of satisfaction of the conditions, the City Council must execute and record a Certificate of Final Cancellation of the contract.

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

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of specific plans as an implementation tool for elements contained in the local general plan. Specific plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan. The West Ontario Commerce Center Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy analysis in Chapter 7.0 “General Plan Consistency” of the Specific Plan describes the manner in which the West Ontario Commerce Center Specific Plan complies with the Policy Plan goals and policies. In addition, the Specific Plan more specifically, implements the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City’s Economy
- Operate in a Businesslike Manner
- Invest in the City’s Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the Ontario Ranch Area

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

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics.

ENVIRONMENTAL REVIEW: The Specific Plan is located in the City of Ontario in what was formally the approximate 8,200-acre to the City of Ontario Sphere of Influence (SOI). On January 7, 1998, the City of Ontario adopted the New Model Colony (NMC) General Plan Amendment (GPA) setting forth a comprehensive strategy for the future development of the SOI. The NMC is bound by Riverside Drive to the north, Milliken Avenue to the east, Euclid Avenue to the West and Merrell Avenue/Bellgrave to the south.

On January 27, 2010, the city adopted The Ontario Plan (TOP) and certified the accompanying Environmental Impact Report (EIR). TOP serves as the City's new General Plan for the entire City, including Ontario Ranch (formerly known as New Model Colony). TOP identified many areas that might have a potentially significant impact on the environment. These areas included: 1) Aesthetics; 2) Biological Resources; 3) Geology and Soils; 4) Hazards and Hazardous Materials; 5) Hydrology and Water Quality; 6) Land Use and Planning; 7) Mineral Resources; 8) Population and Housing; 9) Public Services; 10) Recreation; and 11) Utilities and Service Systems. Through the EIR process these potential impacts were analyzed, revisions were incorporated into the plan and/or mitigation measures were identified that reduced the potential environmental impacts to a level that was less than significant.

TOP also identified several potential impacts that, even with revisions and/or mitigation measures, could not be reduced to a level of less than significant. These areas included:

- *Agriculture Resources –*

Impact 5.2-1 - Buildout of TOP would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, Impact 5.2-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.2-2 – There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of TOP would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the rate of conversion from agricultural to nonagricultural land but it would not impede the conversion. Since there are some Williamson Act contracts still active in the New Model Colony, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact.

Consequently, Impact 5.2-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.2-3. Development of the City in accordance with TOP would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture. Impact 5.2-3 would remain significant and unavoidable. Therefore, a Statement of Overriding Considerations would be required.

- *Air Quality –*

Impact 5.3-1. The project would not be consistent with the Air Quality Management Plan (AQMP) because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SoCAB). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and therefore these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the project would be considered inconsistent with the AQMP. Consequently, Impact 5.3-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-2. Construction activities associated with buildout of TOP would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for O₃, PM₁₀, and PM_{2.5}; and potentially elevate concentrations of air pollutants at sensitive receptors. Consequently, Impact 5.3-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-3. Buildout of TOP would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O₃, PM₁₀, and PM_{2.5}. Consequently, Impact 5.3-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-5. Approval of residential and other sensitive land uses within 500 feet of I-10, I-15, or SR-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Consequently, Impact 5.3-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-6. Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors. Consequently, Impact 5.3-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Cultural Resources –*

Impact 5.5-1. Although protective regulations are in place and preservation policies are included in TOP, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, historical resources categorized under the Ordinance as Tier III could potentially be impacted with implementation of the Proposed Land Use Plan. Consequently, Impact 5.5-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Global Climate Change –*

Impact 5.6-1. Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. GHG emissions generated in the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Consequently, Impact 5.6-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Noise –*

Impact 5.12-1. Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, Impact 5.12-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-2. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any siting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion would result in a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. Consequently, Impact 5.12-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-3. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of groundborne vibration. Consequently, Impact 5.12-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-5. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Consequently, Impact 5.12-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-6. Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, Impact 5.12-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Transportation and Traffic –*

Impact 5.15-1. Buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to main-line freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable and a Statement of Overriding Considerations would be required.

While these impacts will be significant and unavoidable, the City determined that the benefits of the Ontario Ranch development outweigh the potential unavoidable, adverse impacts of the plan. As a result, the City adopted a Statement of Overriding Considerations for those impacts that could not be fully mitigated to a level of less than significant.

Even though an EIR was prepared for TOP, the analyses focused on the program or "big picture" impacts associated with development. With the submittal of the West Ontario Commerce Center Specific Plan, staff is charged with evaluating the potential impacts of development at the project level. Staff completed an Initial Study for the project and determined that an EIR should be prepared for the West Ontario Commerce Center Specific Plan. Through the Initial Study preparation and scoping meeting discussion, an EIR was prepared addressing the following issues:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources

- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions and Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Transportation and Traffic
- Utilities and Service Systems

The West Ontario Commerce Center Specific Plan EIR evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of significance. With the implementation of the various mitigation measures, many of the potential adverse impacts can be reduced to a level of less than significant. Of the 15 areas considered by the EIR, all but three of the impact areas were mitigated a level of less than significant. The three remaining impact areas, even with the mitigation measures, could not be reduced to less than significant, resulting in some impacts remaining potentially significant and unavoidable. These areas include:

- Air Quality - Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures.
- Agricultural Resources - Project-specific impacts and cumulative impacts would remain significant and unavoidable.
- Transportation and Traffic – Impacts related to intersections are projected to be cumulatively significant and unavoidable.

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that three areas will remain significant and unavoidable is not unexpected. The identification of these areas as significant and unavoidable validates the work previously completed for TOP. Staff continues to believe that the benefits of the proposed development outweigh the potential impacts associated with it. Therefore, staff recommends the Planning Commission recommend certification of the EIR to the City Council and that a Statement of Overriding Considerations be adopted for the project.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Ag/Dairy and SFR Uses	Business Park and Industrial	Specific Plan / Agricultural Overlay	N/A
<i>North</i>	Vacant	Medium Density Residential	Parkside Specific Plan	Planning Areas 5 and 9 (MFR) and Planning Area 7 (SFR)
<i>South</i>	Agricultural	Industrial	Colony Commerce Center West Specific Plan	Industrial
<i>East</i>	Flood Control Channel	Open Space – Non Recreation	Specific Plan / Agricultural Overlay	N/A
<i>West</i>	Ag/Dairy and SFR Uses	Office Commercial and Business Park	Specific Plan / Agricultural Overlay	N/A

Exhibit A - Amended LU-03: Future Buildout Table



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	999	8.5 du/ac	8,492	33,941		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,864		84,750	315,679		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.5 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.7 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
Subtotal	1,668		15,129	30,257	34,922,836	72,383

Exhibit A - Amended LU-03: Future Buildout Table Cont'd



LU-03 Future Buildout¹ (Cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	533	0.30 FAR			6,964,199	6,470
Office/Commercial	516	0.75 FAR			16,872,748	37,418
Hospitality	141	1.00 FAR			6,157,642	7,060
Subtotal	1,472				33,666,174	59,831
Employment						
Business Park	4,554 1,507	0.40 FAR			27,081,583 26,261,610	47,514 46,075
Industrial	6,321 6,368	0.55 FAR			151,427,425 152,554,889	133,047 134,038
Subtotal	7,875				178,509,009 178,816,499	180,561 180,113
Other						
Open Space-Non-Recreation	1,232	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	9,906					
Total	31,784		99,878	345,936	247,098,018 247,405,508	312,775 312,327

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO. [INSERT #]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL CERTIFY THE PROJECT ENVIRONMENTAL IMPACT REPORT (SCH# 2017041074) AND ADOPT FINDINGS OF OVERRIDING CONSIDERATIONS FOR THE WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN (FILE NOS. PGPA16-002, PSP16-002, PWIL17-009 and PWIL18-004), LOCATED WITHIN THE ONTARIO RANCH AND BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE WEST, AND CUCAMONGA CREEK CHANNEL TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF – APN(s): 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 and 0218-271-18.

WHEREAS, the Project Environmental Impact Report (EIR) for the West Ontario Commerce Center Specific Plan (File Nos. PGPA16-002, PSP16-002, PWIL17-009 and PWIL18-004) (SCH# 2017041074) has been prepared in accord with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the EIR for File Nos. PGPA16-002, PSP16-002, PWIL17-009 and PWIL18-004 consists of the Draft EIR and the comments and responses to comments made on the Draft EIR; and

WHEREAS, the EIR for File Nos. PGPA16-002, PSP16-002, PWIL17-009 and PWIL18-004 was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, copies of the EIR were distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, the EIR for File Nos. PGPA16-002, PSP16-002, PWIL17-009 and PWIL18-004 have been prepared to address the environmental effects of a Specific Plan (West Ontario Commerce Center) to establish land use designations, development standards, and design guidelines for approximately 119 acres of land within the Ontario Ranch, generally located north of Merrill Avenue, south of Eucalyptus Avenue, east of Carpenter Avenue, and west of the Cucamonga Creek Channel; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the EIR at which time all persons wishing to testify were heard and the EIR was fully studied; and

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

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2017041074) and supporting documentation, the Planning Commission finds as follows:

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

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

(3) The EIR reflects the independent judgment of the Planning Commission; and

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

(1) The Project EIR analyzed the environmental impacts-associated with the implementation of the West Ontario Commerce Center Specific Plan, and finds that, if the Specific Plan is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable:

(a) Air Quality - Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures; and

(b) Agricultural Resources - Project-specific impacts and cumulative impacts would remain significant and unavoidable.

(c) Transportation and Traffic – Impacts related to intersections are projected to be cumulatively significant and unavoidable.

SECTION 3: *Recommendation.* Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby recommends that the City Council certify the Project EIR, adopt a Statement of Overriding Considerations, and that the associated Mitigation Monitoring Program also be approved by the City Council.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April, 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendson, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendson
Secretary Pro Tempore

ATTACHMENT A:

West Ontario Commerce Center Specific Plan EIR

(Specific Plan EIR to follow this page)

RESOLUTION NO. [INSERT #]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PGPA16-002, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTIES BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, CUCAMONGA CREEK CHANNEL TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND CARPENTER AVENUE TO THE WEST, FOR 47.06 ACRES OF LAND FROM BUSINESS PARK (0.60 FAR) TO INDUSTRIAL (0.55 FAR), AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 AND 0218-271-18. (LAND USE ELEMENT CYCLE 2 FOR THE 2018 CALENDAR YEAR).

WHEREAS, REDA, OLV has filed an Application for the approval of a General Plan Amendment, File No. PGPA16-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the proposed changes to Exhibit LU-01 Official Land Use Plan include changes to land use designations of certain properties shown on Exhibit A to make the land use designations of these properties consistent with the proposed West Ontario Commerce Center Specific Plan (File No. PSP16-002); and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Exhibit B, attached; and

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

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

WHEREAS, as the first action on the Project, on April 24, 2018, the Planning Commission recommended approval of a Resolution recommending City Council adopt the West Ontario Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2017041074), including the adoption of a Mitigation Monitoring and Reporting Plan and a Statement of Overriding Considerations; and

WHEREAS, on April 24, 2018 the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the West Ontario Commerce Center Environmental Impact Report (EIR) (SCH#: 2017041074), the Mitigation Monitoring and Reporting Plan ("MMRP"), and a Statement of Overriding Considerations, prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR, MMRP, the Statement of Overriding Considerations and supporting documentation, the Planning Commission finds as follows:

(1) The West Ontario Commerce Center Specific Plan EIR, MMRP, and the Statement of Overriding Considerations contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The West Ontario Commerce Center Specific Plan EIR, MMRP, and the Statement of Overriding Considerations were completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The West Ontario Commerce Center Specific Plan EIR, MMRP, and the Statement of Overriding Considerations reflects the independent judgment of the Planning Commission.

SECTION 2: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual

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

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

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

(a) **LU2-1 Land Use Decisions.** We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

(b) **LU4-1 Commitment to Vision.** We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The proposed land use designation change from Business Park to Industrial will provide consistency between the TOP Policy Plan Land Use Plan and the proposed West Ontario Commerce Center Specific Plan and will result in a logical land use pattern in and around the affected areas.

(c) **LU5-7 ALUCP Consistency with Land Use Regulations.** We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions.

(d) **S4-6 Airport Noise Compatibility.** We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The project site is located entirely within the 70-75 dB CNEL Noise Impact Zone of the ALUCP. The proposed uses include warehouse, light manufacturing and ancillary office/commercial uses. These uses are consistent with ALUCP Table 2-3 (Noise Criteria); provided, the light manufacturing and office/commercial uses are able to meet noise attenuating criteria of 50 dB interior noise levels. The proposed land use designations are compatible with the Noise Impact area.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the second amendment to the Land Use Element of the 2018 calendar year consistent with Government Code Section 65358;

(4) The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. Changing the land use designation of the subject property from Business Park (0.6 FAR) to Industrial (0.55 FAR) will not impact the City's Regional Housing Needs Allocation obligations or the City's ability to satisfy its share of the region's future housing need; and

(5) During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 4: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the proposed General Plan Amendment, as depicted in Attachment 1 (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Attachment 2 (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT 1: Policy Plan Land Use Plan (Exhibit LU-01) Revision

EXISTING TOP	PARCELS	PROPOSED TOP
<p>The existing map shows a parcel bounded by Eucalyptus to the north, Merrill to the south, and Carpenier to the west. A Flood Control Channel is located to the east. The parcel is currently divided into Business Park (light purple) and Industrial (medium purple) zones. Other surrounding areas are colored orange, red, yellow, and green.</p>	<p>0218-261-16 0218-261-22 0218-261-23 0218-261-32 0218-271-04 0218-271-08 0218-271-10 0218-271-13 0218-271-18</p>	<p>The proposed map shows the same parcel boundaries and Flood Control Channel. The zones are updated: the northern portion remains Business Park (light purple), and the southern portion is now Industrial (medium purple). The surrounding areas are shown in white.</p>
Business Park and Industrial	(9 Properties)	Business Park and Industrial

47.06 acres from BP to IND

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	999	8.5 du/ac	8,492	33,941		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,864		84,750	315,679		
Mixed Use						
• Downtown	113	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 23% of the area at 37.4 du/ac 72% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area at 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at .70 FAR office 	465	929	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.5 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscan Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,668		15,129	30,257	34,922,836	72,383

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision Cont'd



LU-03 Future Buildout¹ (Cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	533	0.30 FAR			6,964,199	6,470
Office/Commercial	516	0.75 FAR			16,872,748	37,418
Hospitality	141	1.00 FAR			6,157,642	7,060
Subtotal	1,472				33,666,174	59,831
Employment						
Business Park	1,554 1,507	0.40 FAR			27,081,583 26,261,610	47,514 46,075
Industrial	6,321 6,368	0.55 FAR			151,427,425 152,554,889	133,047 134,038
Subtotal	7,875				178,509,009 178,816,499	180,561 180,113
Other						
Open Space-Non-Recreation	1,232	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	9,906					
Total	31,784		99,878	345,936	247,098,018 247,405,508	312,775 312,327

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO. PC18-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE THE WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN (FILE NO. PSP16-002), TO ESTABLISH LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE IMPROVEMENTS FOR APPROXIMATELY 119 ACRES OF LAND, WHICH INCLUDES THE POTENTIAL DEVELOPMENT OF UP TO 2,905,510 SQUARE FEET OF INDUSTRIAL AND BUSINESS PARK DEVELOPMENT. THE PROJECT SITE IS BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, CUCAMONGA CREEK CHANNEL TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND CARPENTER AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 AND 0218-271-18.

WHEREAS, REDA, OLV ("Applicant") has filed an Application for the approval of a Specific Plan, File No. PSP16-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 119 acres of land, bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, within the Business Park and Industrial land use designations, and is presently improved with agriculture/dairy and single-family residential uses; and

WHEREAS, the property to the north of the project site is within Planning Areas 5 and 9 (Multi-Family Residential) and Planning Area 7 (Single Family Residential) of the Parkside Specific Plan, and is currently vacant. The property to the east is the Cucamonga Creek Flood Control Channel. The property to the south is within the Colony Commerce Center West Specific Plan and is developed with agricultural uses. The property to the west is within the Specific Plan/Agricultural Overlay zone and is currently developed with agricultural/dairy and single-family residential uses; and

WHEREAS, the West Ontario Commerce Center Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that excellence in community design is achieved during project development. In addition, the Specific Plan will establish the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved; and

WHEREAS, the West Ontario Commerce Center Specific Plan consists of approximately 119 acres of land, which includes the potential development of up to 2,905,510 square feet of business park and industrial development; and

WHEREAS, a request for approval of a General Plan Amendment (File No. PGPA16-002) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for 47.06 acres of land from Business Park (0.60 FAR) to Industrial (0.55 FAR) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes has also been submitted as part of the proposed West Ontario Commerce Center Specific Plan; and

WHEREAS, the land use intensity of the West Ontario Commerce Center Specific Plan anticipated in the two planning areas is consistent with The Ontario Plan (TOP). The Specific Plan is proposing a maximum 0.60 Floor Area Ratio (FAR) within the Business Park land use designation (Planning Area 1) located along the northern portion of the Specific Plan area, is 21 acres in size and can potentially be developed with 555,505 square feet of business park development. In addition, buildings within the Business Park land use area that front onto a public right-of-way shall not exceed 100,000 square feet in size. The Specific Plan is proposing a maximum 0.55 Floor Area Ratio (FAR) within the Industrial land use designation (Planning Area 2) located along the southern portion of the Specific Plan is 98 acres in size and can potentially be developed with 2,350,005 square feet of industrial development. The proposed FAR's for each of the Planning Areas is consistent with the Policy Plan Land Use designations for Business Park and Industrial; and

WHEREAS, the West Ontario Commerce Center Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy (General Plan) analysis in the *Appendix "Policy Plan (General Plan) Consistency,"* of the Specific Plan describes the manner in which the West Ontario Commerce Center Specific Plan complies with the Policy Plan goals and policies applicable to the Colony Commerce East Specific Plan; and; and

WHEREAS, the Specific Plan does not conflict with the Land Use Policies of the General Plan (TOP) and will provide for development, in a manner consistent with the General Plan. The policy (General Plan) analysis in the *Appendix "Policy Plan (General Plan) Consistency,"* of the Specific Plan describes the manner in which the Colony Commerce East Specific Plan complies with the Policy Plan goals and policies applicable to the Colony Commerce East Specific Plan; and

WHEREAS, a petition to cancel Williamson Act Contracts 73-406 (File No. PWIL17-009) and 70-219 (File No. PWIL18-004) have also been submitted as part of the proposed West Ontario Commerce Center Specific Plan; and

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

WHEREAS, an Environmental Impact Report (EIR) (SCH#2017041074) including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration have been prepared in accord with the California Environmental Quality (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines to address the environmental effects of the Specific Plan (West Ontario Commerce Center); and

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

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

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

WHEREAS, the project site is also located within the Airport Influence of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR), Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR (SCH#2017041074) and supporting documentation, the Planning Commission finds as follows:

(1) The West Ontario Commerce Center Specific Plan EIR, Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The West Ontario Commerce Center Specific Plan EIR, Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The West Ontario Commerce Center Specific Plan EIR, Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration reflects the independent judgment of the Planning Commission; and

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

implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics.

SECTION 3: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) The approximately 119 acre West Ontario Commerce Center Specific Plan is suitable for business park and industrial development and is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed land uses in the proposed districts will also be in harmony in terms of access, size, and compatibility with existing land use in the surrounding area; and

(2) The proposed West Ontario Commerce Center Specific Plan is in conformance with the Land Use Policies and Goals of the Policy Plan and will provide standards and guidelines for the harmonious development within the districts, in a manner consistent with the Policy Plan. The Specific Plan is proposing business park and industrial type development for the approximately 119 acre site, which is what is mandated by the land use plan of the Policy Plan, therefore, the proposed industrial uses will be in conformance with the policies and goals of the Policy Plan; and

(3) During the West Ontario Commerce Center Specific Plan review, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with California Government Code Section 65351; and

(4) The proposed project is consistent with the adopted Housing Element. The Project site and is not one of the properties (areas) listed in the Available Land Inventory in the Housing Element.

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

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

Planning Commission Resolution
File No. PSP16-002
April 24, 2018
Page 7

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. **PC18-** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PSP16-002
West Ontario Commerce Center Specific Plan**

(Document to follow this page)



West Ontario Commerce Center

Specific Plan

WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN City of Ontario

Specific Plan

#XXXXXXXX

Draft Submittal to City

December 2017

Developer

Real Estate Development Associates, LLC
4100 MacArthur Blvd., Suite 120
Newport Beach, CA 92660
(949) 216-7300

Consultant Team:

Real Estate Development Associates, LLC
MIG|Hogle-Ireland, Inc.
HPA Architecture, Inc.
David Evans and Associates, Inc.
Thienes Engineering, Inc.
Sheppard, Mullin, Richter & Hampton LLP

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WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN

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1.0 INTRODUCTION

The West Ontario Commerce Center Specific Plan (this “Specific Plan”) is one of the initial industrial specific plans implementing the vision outlined by the City of Ontario for the Ontario Ranch area (formerly New Model Colony). The Ontario Ranch area covers 8,200 acres of the former 14,000-acre San Bernardino Agricultural Preserve, which was historically used for dairy or cattle farming by descendants of Dutch, French Basque, Portuguese, and Mexican families. The Agricultural Preserve was divided in 1999, with portions incorporated into the three adjacent cities of Chino, Chino Hills, and Ontario. The City of Ontario named its portion the *New Model Colony* after the original *Model Colony of Ontario* established by the Chaffey Brothers, William and George Jr., in 1882. The original Model Colony was founded on innovative land development principles that included the distribution of water rights with land purchases (Mutual Water Company), a grand boulevard (Euclid Avenue), and an agricultural college (Chaffey College, established 1885). The Ontario Plan, adopted by the City of Ontario in 2010, contains innovative land development principles for the Ontario Ranch area in an effort to continue the legacy of the Model Colony. The Land Use Plan for Ontario Ranch provides for housing, commercial and industrial areas, parks, a lake, a golf course, and trail and bike links. Specific plans are required to guide development in Ontario Ranch to ensure that the objectives of the City’s Policy Plan (General Plan) are achieved.

On January 26th, 2010, the City of Ontario adopted The Ontario Plan (TOP) which serves as the City's new business plan and includes a long term Vision and a principle based Policy Plan (General Plan). The City's Policy Plan, which acts as the City's General Plan, designates (Policy Plan Exhibit LU-1 - Land Use Plan) the project site for development of Business Park (0.6 FAR) and Industrial (0.55 FAR).

1.1 PURPOSE AND INTENT OF THE SPECIFIC PLAN

The West Ontario Commerce Center Specific Plan serves to implement the City's Policy Plan (General Plan) for the project site and provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure requirements, and implementation requirements for development. A comprehensive set of design guidelines and development regulations are included to guide and regulate site planning, landscape, and architectural character within the community ensuring that excellence in community design is achieved during project development. The West Ontario Commerce Center Specific Plan establishes the procedures and requirements to approve new development within the project site.

The purpose of the West Ontario Commerce Center Specific Plan is:

- ❖ To provide a planning framework that responds to the physical and market driven aspects of future development opportunities;

- ❖ To provide adequate and coordinated infrastructure, utilities, and public services to this area within the Ontario Ranch;
- ❖ To encourage compatible uses and interfaces with adjacent properties;
- ❖ To determine the appropriate location and intensity of uses through new development parameters; and
- ❖ To conform with State laws and local ordinances and policies for the preparation of the Specific Plan.

The specific objectives of the West Ontario Commerce Center Specific Plan are:

1. Create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods.
2. Provide employment opportunities for community residents.
3. Facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area.
4. Increase Ontario's industrial uses in proximity to local airports and regional transportation networks.
5. Create economic engine to spur future growth of Ontario Ranch. Future development will continue to drive the infrastructure improvements for the area and effect the vision for Specific Plan.

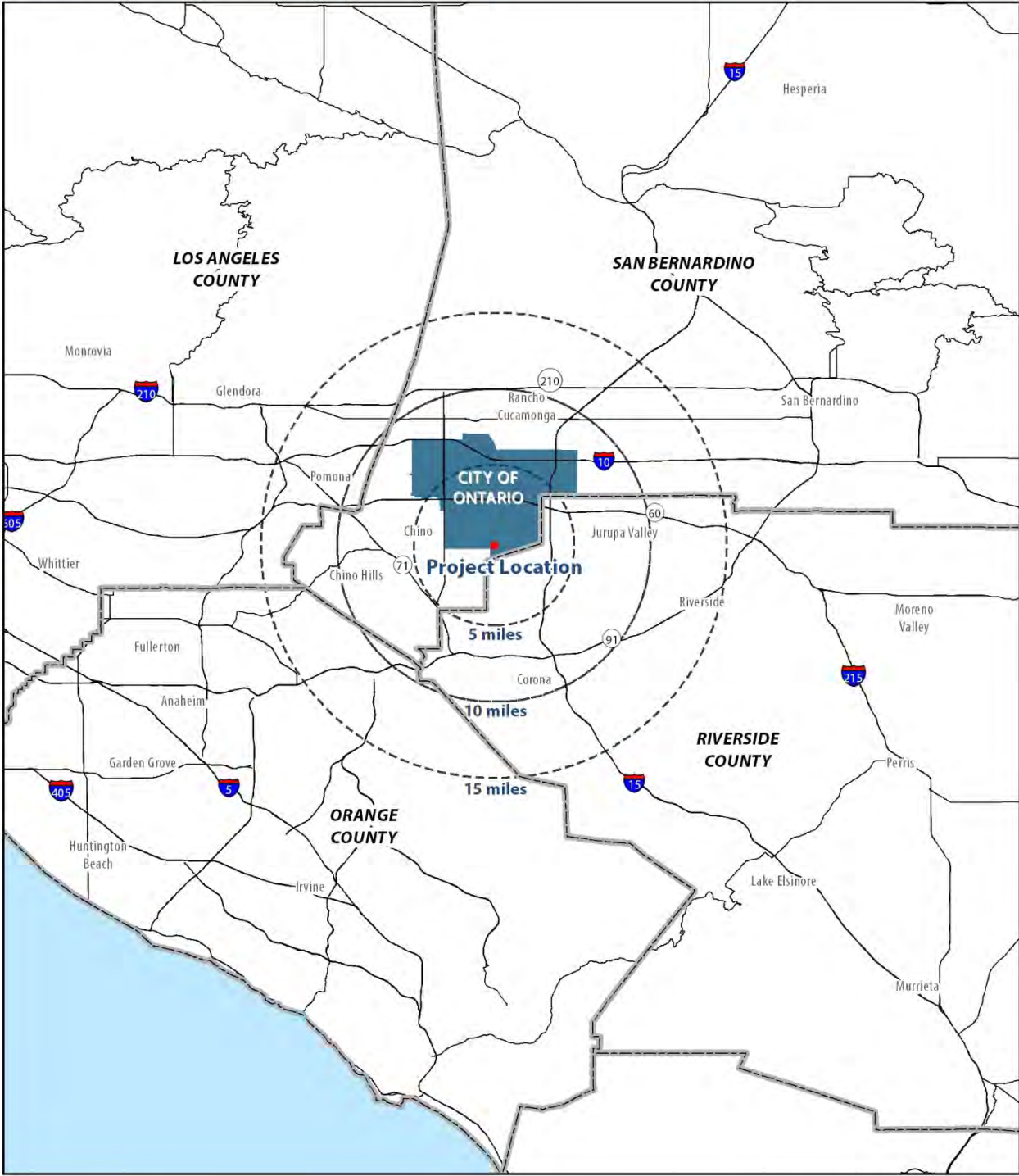
1.2 PROJECT DESCRIPTION

The West Ontario Commerce Center Specific Plan is the regulatory document for the West Ontario Commerce Center Industrial Park, consisting of up to 2,905,510 square feet allowing for the development of business park and light industrial uses on approximately 119 net acres of land. The Specific Plan will address consistency with the Ontario Plan Vision and Policy Plan; provide a development plan that identifies the proposed land uses, circulation, infrastructure, streetscape, and landscape plans; establish the allowable uses and development standards for reviewing individual projects within the Specific Plan area; present conceptual design guidelines and elevations to create a visually attractive environment; and summarize the development review process and provisions to administer and implement the Specific Plan.

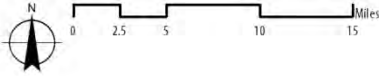
Location and Specific Plan Boundary

The West Ontario Commerce Center Specific Plan area is located near the southern boundary of the City, adjacent to the City of Chino (Figure 1.1 Regional Location) and within Ontario Ranch (Figure 1.2 Ontario Ranch). The project site consists of seven existing parcels bounded by Eucalyptus Avenue on the north, the San Bernardino County Flood Control Channel (Cucamonga Creek Channel) to the east, Merrill Avenue to the south, and Carpenter Avenue to the west. The location of each existing parcel (and Assessor Parcel Number) is shown on Exhibit 1.3 (Plan Boundary).

FIGURE 1.1: REGIONAL LOCATION

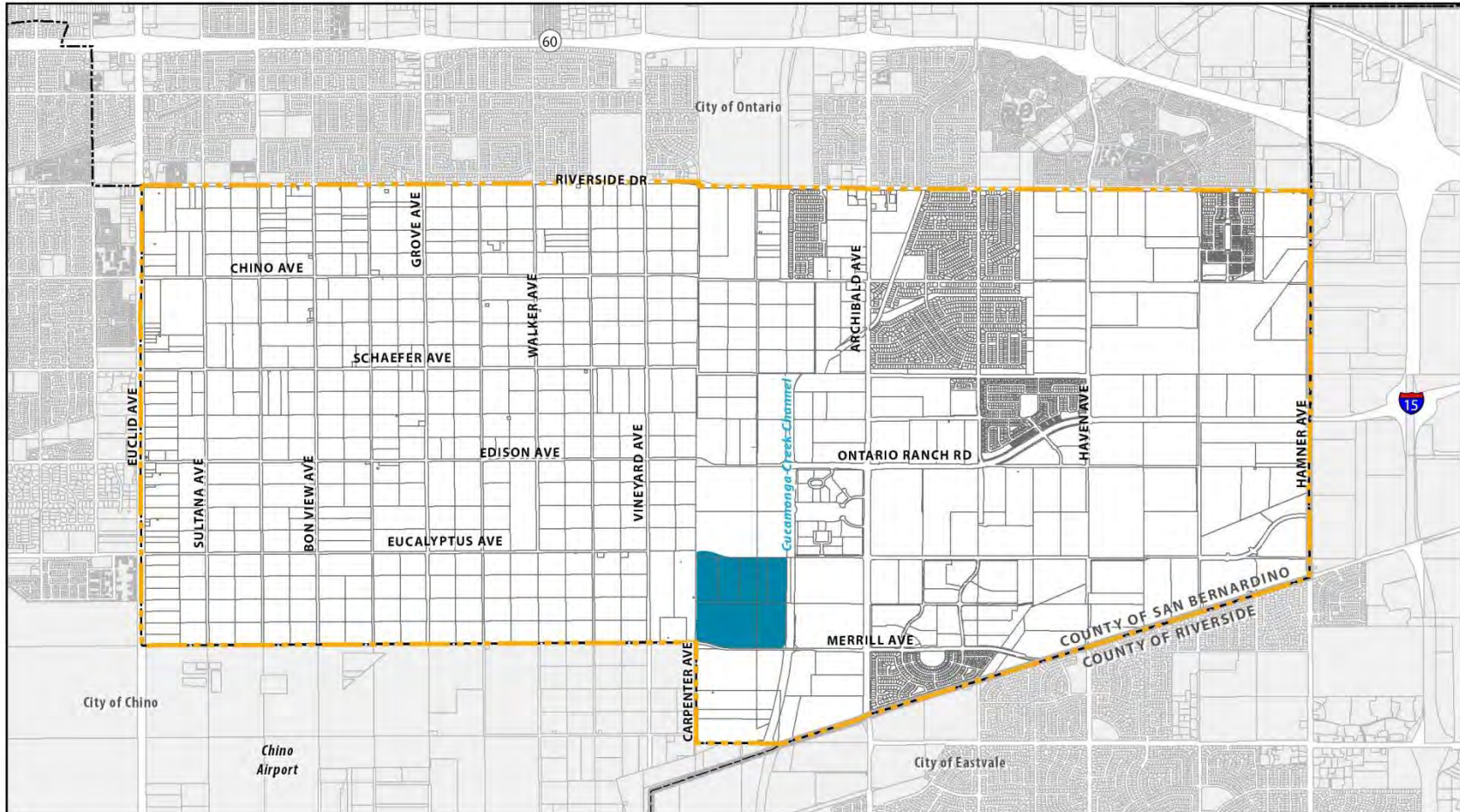


■ Specific Plan Area



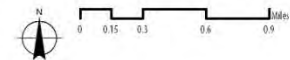
Date: November 2016
Base Map Prepared by: MIG, Inc.

FIGURE 1.2: ONTARIO RANCH



Legend

- Ontario Ranch
- Specific Plan Area
- Assessor Parcels






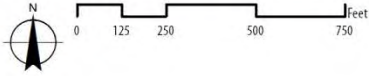
Date: November 2016
Source: City of Ontario
Base Map Prepared by: M/G, Inc.

FIGURE 1.3: SPECIFIC PLAN BOUNDARY



Legend

-  Specific Plan Boundary
-  Assessor Parcels
-  Assessor Parcel Number (APN)



Date: December 2016
 Source: ESRI World Imagery, 2015
 Base Map Prepared by: MG, Inc.

Employment Generation

At build-out, the West Ontario Commerce Center is anticipated to create over 600 jobs in warehousing, logistics, light manufacturing, and administration. This estimate is based on the 2001 Natelson Company, Inc. Employee Density Study, assuming warehouse and research and development uses on the site. Actual job creation depends on the type of land uses ultimately developed, as a wide range of commercial, office, and industrial uses are permitted. For example, e-commerce uses such as internet merchant fulfillment would yield more jobs than a distribution warehouse as many e-commerce companies employ labor-intensive picking and packing operations. Employment opportunities will range from entry level to highly skilled labor, adding to Ontario's competitive advantage in the region. Business Park uses in the West Ontario Commerce Center Industrial Park will provide expanded opportunities for start-up businesses and provide retail and service uses to serve the surrounding area.

Infrastructure Framework

In cooperation with adjacent property owners and developers, the West Ontario Commerce Center Industrial Park will help establish the necessary framework to enable the continued growth and development of Ontario Ranch. The project will participate in providing and/or funding master planned water, sewer, and storm drain infrastructure as properties develop along Eucalyptus Avenue from Carpenter Avenue to the Cucamonga Creek Channel, Carpenter Avenue from Merrill Avenue to Eucalyptus Avenue, and Merrill Avenue from the Cucamonga Creek Channel to Carpenter Avenue. The extent of infrastructure provision for the project will be established as part of the development agreement.

Community Compatibility

The Parkside Specific Plan is located immediately north of the West Ontario Commerce Center Specific Plan and plans for residential uses. To enhance the transition between the industrial uses of the West Ontario Commerce Center and residential uses to the north, the Specific Plan's land use plan places larger scale industrial uses in the southern portion of the site and smaller scale buildings with less intense uses on the northern Business Park portion.

1.3 SPECIFIC PLAN REQUIREMENTS

The range of issues contained in a specific plan is left to the discretion of the decision-making body. However, all specific plans must at a minimum address the following:

- ❖ The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
- ❖ The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be

located within the area covered by the plan and needed to support the land uses described in the plan.

- ❖ Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- ❖ A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above identified items.

1.4 AUTHORITY AND SCOPE OF THE SPECIFIC PLAN

The Policy Plan (General Plan) requires the approval of a Specific Plan for development of the project site to ensure that sufficient land area is included to achieve unified districts and neighborhoods. The City of Ontario has zoned the project site as AG-Specific Plan. The zoning designation of AG-Specific Plan requires that a Specific Plan be approved to guide development of the project site and to implement the goals and policies of the Policy Plan. The Specific Plan provides the zoning regulations to govern development of the project site. The requirements of the Specific Plan shall take precedence over the City of Ontario Development Code. In instances where the Specific Plan is silent, the City of Ontario Development Code shall prevail.

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457) grants the City of Ontario the authority to adopt a specific plan by ordinance (as a regulatory plan) or resolution (a policy driven plan). This Specific Plan is a regulatory document, providing land use and design guidance adopted by ordinance.

As a regulatory plan, this document serves as zoning law for the land within the Specific Plan area. Development plans, site plans, and tentative tract and parcel maps must be consistent with the West Ontario Commerce Center Specific Plan and the Ontario Plan. The scope of topics covered in this Specific Plan includes land use, infrastructure, development standards, design guidelines, and implementation measures, all of which must meet the minimum requirements of a specific plan, as established by California Government Code Sections 65450 through 65457 and City of Ontario Code Sections 9-1.2100 to 9-1.2125.

No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan (California Government Code Section 65455). Beyond the Policy Plan (General Plan) and Municipal Code, the California Government Code also requires compatibility with local, regional and other planning measures. For example, the Specific Plan must be consistent with any applicable comprehensive airport land use plan (ALUP) (California Government Code Section 65302.3). After adoption, any identification of inconsistency must be followed by the amendment of either existing plans and regulations or the specific plan itself. Failure to correct inconsistencies can result in the inability to enforce specific plan regulations and policies.

1.5 CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

The West Ontario Commerce Center Specific Plan is a discretionary project and is subject to the requirements of the California Environmental Quality Act (CEQA). Pursuant to State and local CEQA guidelines, an Environmental Impact Report addressing the impacts associated with the development of the project must be considered and certified by the City of Ontario prior to approval of the Specific Plan.

To address potential environmental impacts, it is anticipated that a program environmental impact report (program EIR) will be prepared. The Program EIR will analyze the potential environmental impacts of the adoption and implementation of the West Ontario Commerce Center Specific Plan. The program EIR for the Specific Plan will be most helpful in dealing with subsequent activities within the Specific Plan area. With a detailed analysis of the program (the Specific Plan), many subsequent activities (such as development within the Specific Plan and or related infrastructure provision) could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.

1.6 ORGANIZATION OF THE SPECIFIC PLAN

The West Ontario Commerce Center Specific Plan is organized by chapter as follows:

1. **Introduction.** This chapter introduces the proposed project, summarizes the development and planning context, and explains the scope and authority of the Plan and its compliance with CEQA as well as its relationship to the Ontario Plan, Ontario Ranch, and the Development Plan.
2. **Existing Conditions.** This chapter explains the baseline conditions for the project site including current and surrounding land uses, airport influence, circulation, utilities, and environmental conditions.
3. **Development Plan.** The chapter establishes the overall land use concept for the West Ontario Commerce Center Specific Plan including the land use plan, the infrastructure plans for water, sewer, utilities, and circulation, and the provision of public services such as fire, police, and solid waste disposal.
4. **Land Use and Development Regulations.** This chapter establishes the land use designations and regulations for the West Ontario Commerce Center Specific Plan. Upon adoption of this specific plan, the land use and development standards within this chapter serve as the legal zoning for the Specific Plan area.
5. **Design Guidelines.** This chapter identifies the conceptual themes for site planning, architecture, and landscape design in the Specific Plan area.
6. **Implementation and Administration.** This chapter provides requirements for the development review and administration of the West Ontario

Commerce Center Specific Plan including amendment procedures and implementation priorities.

7. **Appendix: Ontario Plan Consistency.** This chapter describes the West Ontario Commerce Center Specific Plan's conformance with the Ontario Plan.

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2.0 EXISTING CONDITIONS

2.1 EXISTING AND SURROUNDING LAND USES

The project site is occupied by agricultural uses, including a dairy farm, row crops, and vacant land which was previously used in the same manner. Dairy farming and agriculture (row crops) have been the primary use of the property since the 1930s or earlier. The surrounding uses also include dairy farms, row crops, and vacant, undeveloped land (Exhibit 2.1 Aerial Map of Surrounding Uses). The Parkside Specific Plan is located to the north of the project site. The Ontario Plan has designated the surrounding areas in Ontario Ranch for business park, industrial, and residential uses. The City of Chino abuts the southwest corner of the project site.

Figure 2.1 also shows approved specific plan areas surrounding the site as well as current projects and projects with pending applications. On the north and east side, there are two specific plan areas that will be developed primarily with residential uses and with some supporting commercial and open space uses. To the south of the site there are several industrial projects in progress or with pending applications.

2.2 AIRPORT INFLUENCE AREAS

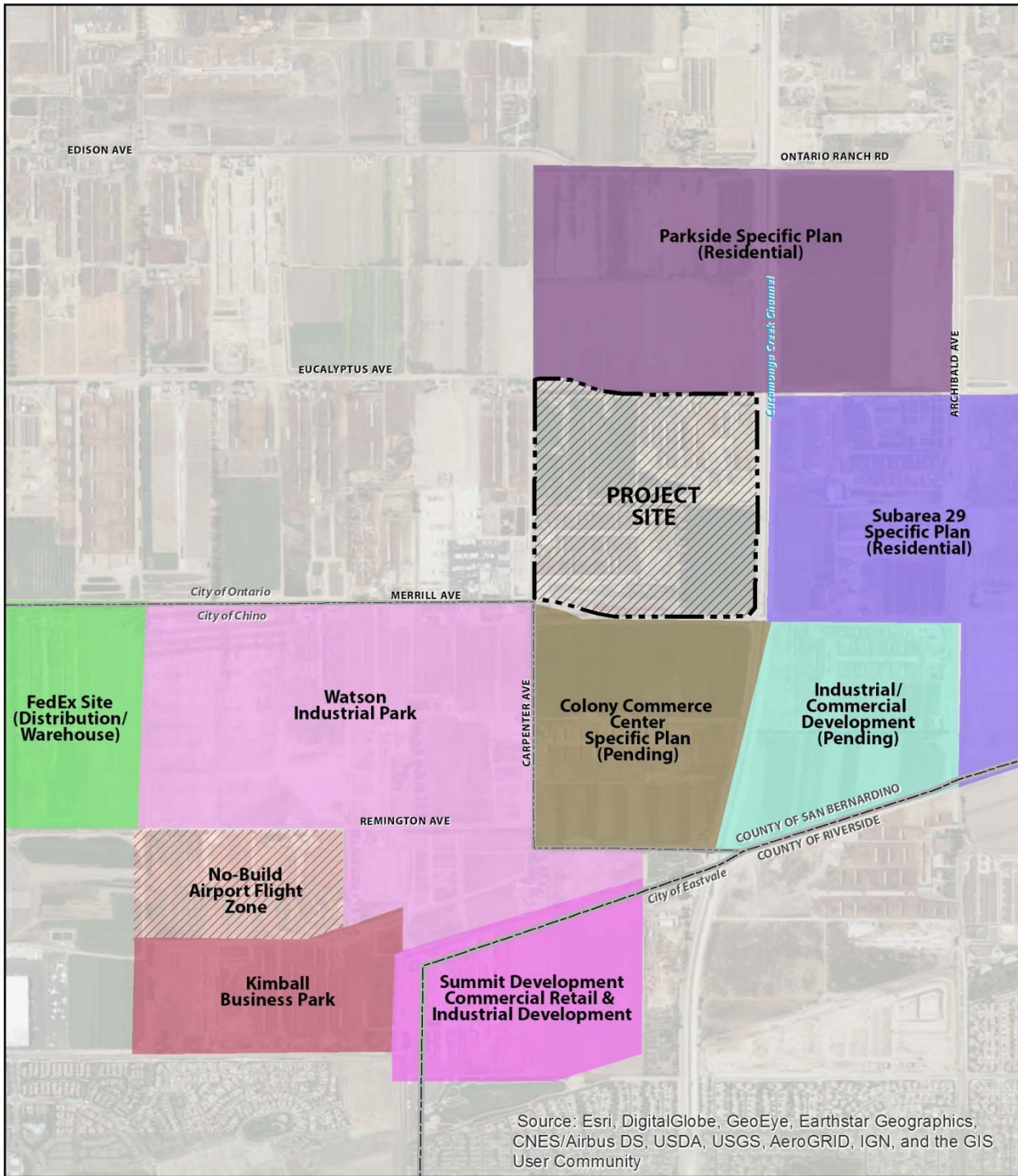
Ontario International Airport Influence Area

The Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) was adopted by the Ontario City Council on April 19, 2011. The intent of a compatibility plan is to avoid conflicts between airport operations and surrounding land uses. The project site is not within the safety, noise impact, or airspace protection zones of the ONT ALUCP; however, it is within the Airport Influence Area, as is the entire City of Ontario. While a Real Estate Transaction Disclosure policy is not required for non-residential land, developers or tenants may purchase a Natural Hazard Disclosure report that would indicate that the property is in an Airport Influence area.

Chino Airport Overlay Zone

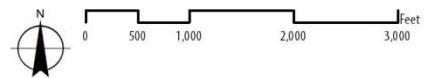
The Specific Plan area is within Safety Zone 6 of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 calls for limiting people-intensive uses such as stadiums, large day care centers, hospitals, and nursing homes. The Plan's land uses (industrial and business uses) are compatible with these guidelines. The California Airport Land Use Planning Handbook requires the provision of approximately 10 percent of usable open land or an open area approximately every 1/4 to 1/2 mile with minimum dimensions of 300 feet long by 75 feet wide in projects within Safety Zone 6. The Handbook further indicates that ideal emergency landing sites are ones which are long, level, and free of obstacles, much like a runway. In the Specific Plan area, surrounding roads, drive aisles and truck parking lots address the open land requirement. In addition, the Specific Plan's parking areas and all public streets (Merrill, Eucalyptus, Carpenter, and Hellman Avenues) meet these width and length requirements.

FIGURE 2.1: SURROUNDING LAND USES



Legend

Specific Plan Boundary



Date: December 2016
Source: ESRI World Imagery, 2015
Base Map Prepared by: MIG, Inc.

2.3 WILLIAMSON ACT CONTRACTS

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The motivation for the Williamson Act is to promote voluntary land conservation, particularly farmland conservation. Landowners may terminate a Williamson Act contract through non-renewal in which the contract winds down over a ten-year period or cancellation under limited circumstances and with the payment of a cancellation fee.

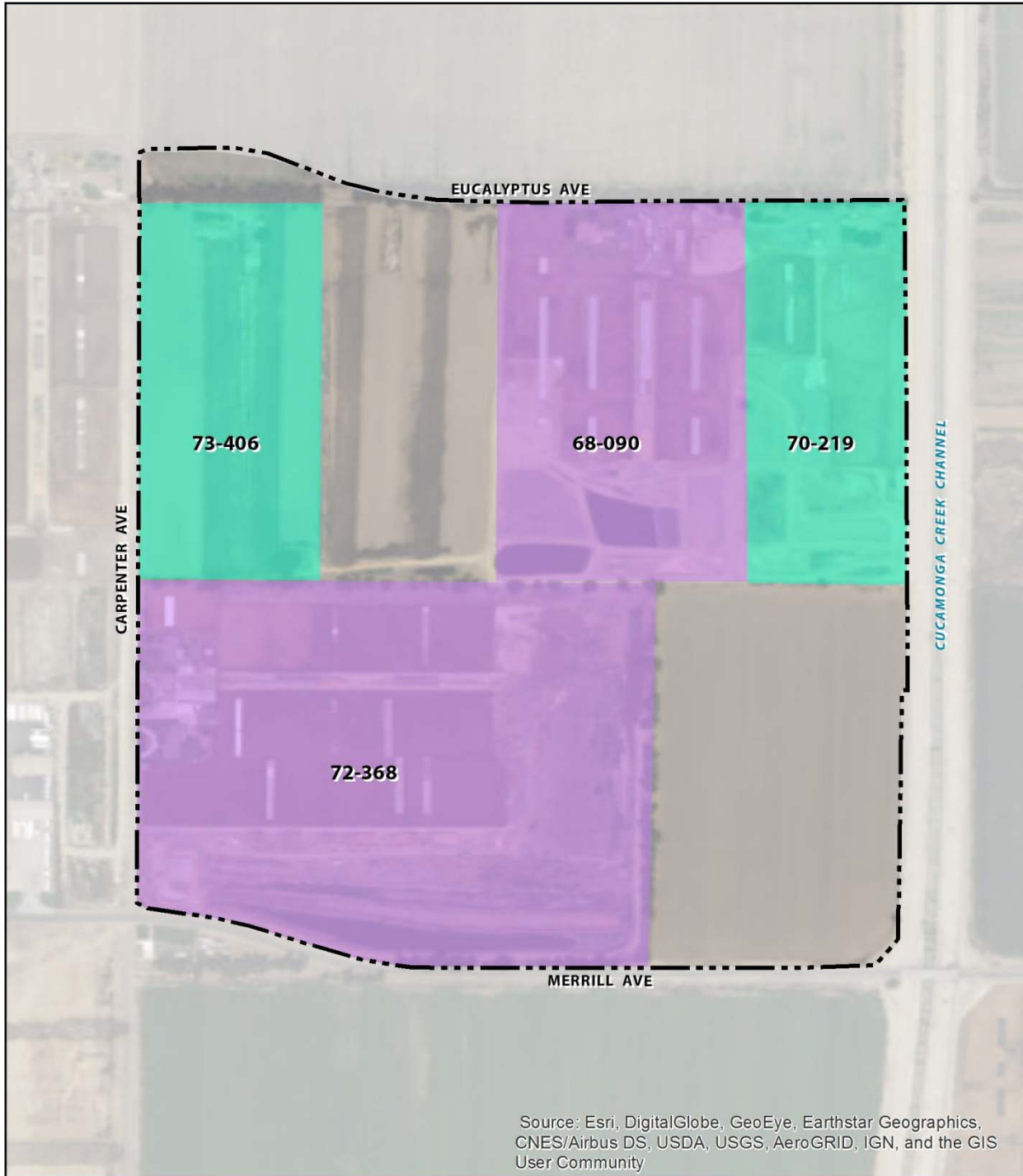
Within the West Ontario Commerce Center Specific Plan area there were four Williamson Act contracts. Two expired in 2011 and two are active, as shown in Exhibit 2.2. Parcels with active Williamson Act contracts may not be used for any purpose other than agriculture or open space until the contract has been terminated either through the non-renewal process or payment of a cancellation fee. Any remaining Williamson Act contracts will need to be retired prior to development of those areas. Cancellation has been requested for parcels in the Specific Plan area subject to Williamson Act requirements.

2.4 EXISTING (2016) ONTARIO PLAN AND ZONING LAND USE DESIGNATIONS

The project site currently carries two Ontario Plan land use designations (Exhibit 2.3 Land Use Plan and Zoning). The two parcels on the southern portion of the site (APNs 0218-261-16 and 0218-261-22), are designated Industrial. The northern parcels (APNs 0218-261-23, 0218-261-22, 0218-261-32, 0218-271-08, 0218-271-13, 0218-221-09) are designated Business Park and (Figure 2.4). The project includes an application for a General Plan Amendment in conjunction with the first phase of the project to increase the area designated Industrial and decrease the area designated Business Park.

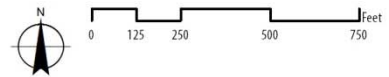
Most of the project site is zoned AG-Specific Plan. The AG-Specific Plan indicates that while the underlying land can accommodate the continuation of agricultural uses, a specific plan is required by the City in order to comprehensively plan for development of uses within the project site. The small parcel (0218-221-09) in the northwest corner of the Specific Plan area is zoned Specific Plan and is currently part of the Parkside Specific Plan, which designates the parcel for residential uses.

FIGURE 2.2: WILLIAMSON ACT CONTRACT STATUS



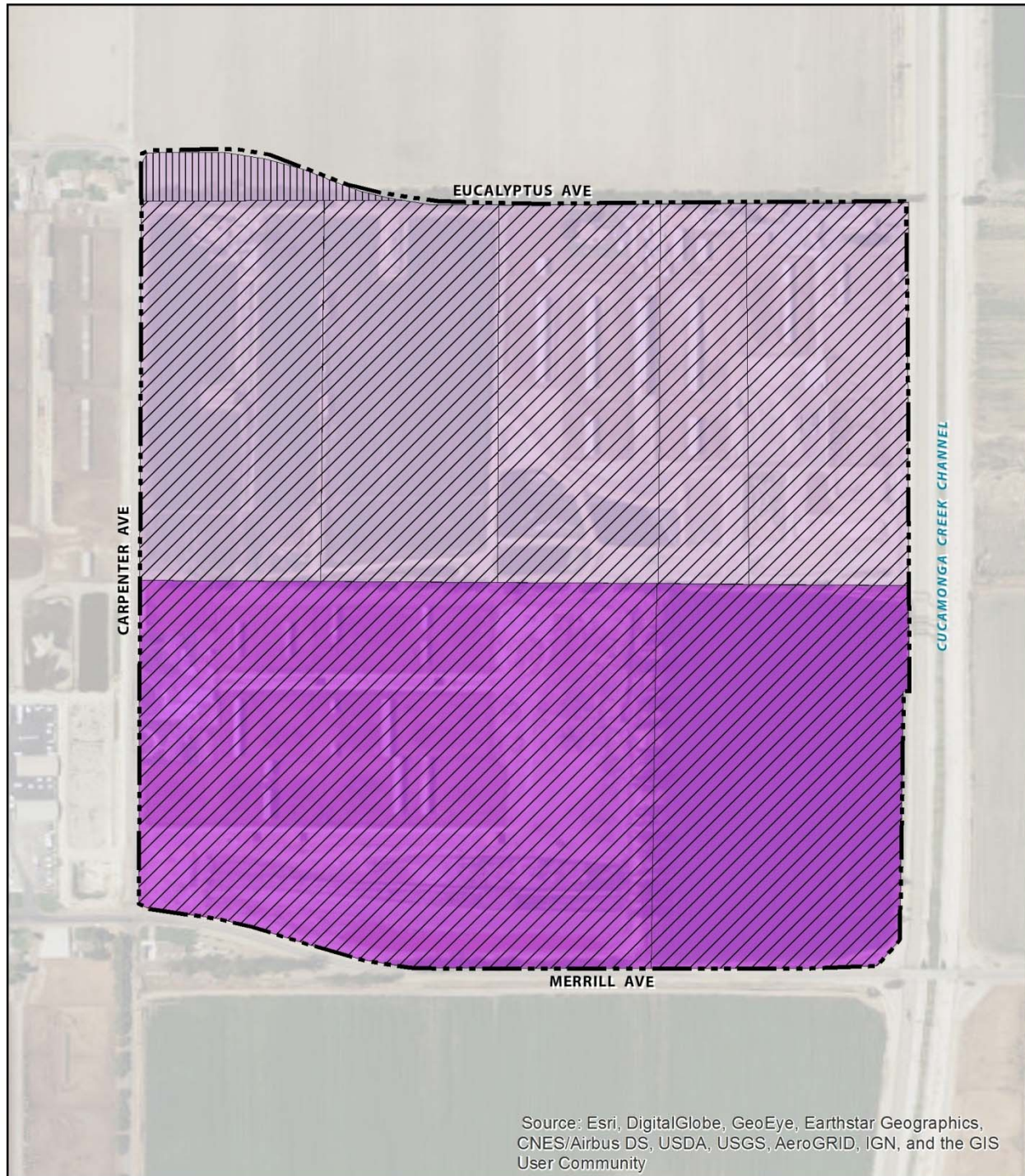
Legend

- Specific Plan Boundary
- Williamson Act Contract Status
 - 73-406 Active Contract
 - 72-368 Expired
 - Not Subject to Williamson Act



Date: December 2016
Source: City of Ontario, 2010;
ESRI World Imagery, 2015
Base Map Prepared by: MIG, Inc.

FIGURE 2.3: LAND USE PLAN AND ZONING



Legend



Specific Plan Boundary

Land Use Plan Designation



Business Park



Industrial

Zoning Designation



AG-Specific Plan



Parkside Specific Plan



Date: December 2016
 Source: City of Ontario, 2010;
 ESRI World Imagery, 2015
 Base Map Prepared by: MIG, Inc.

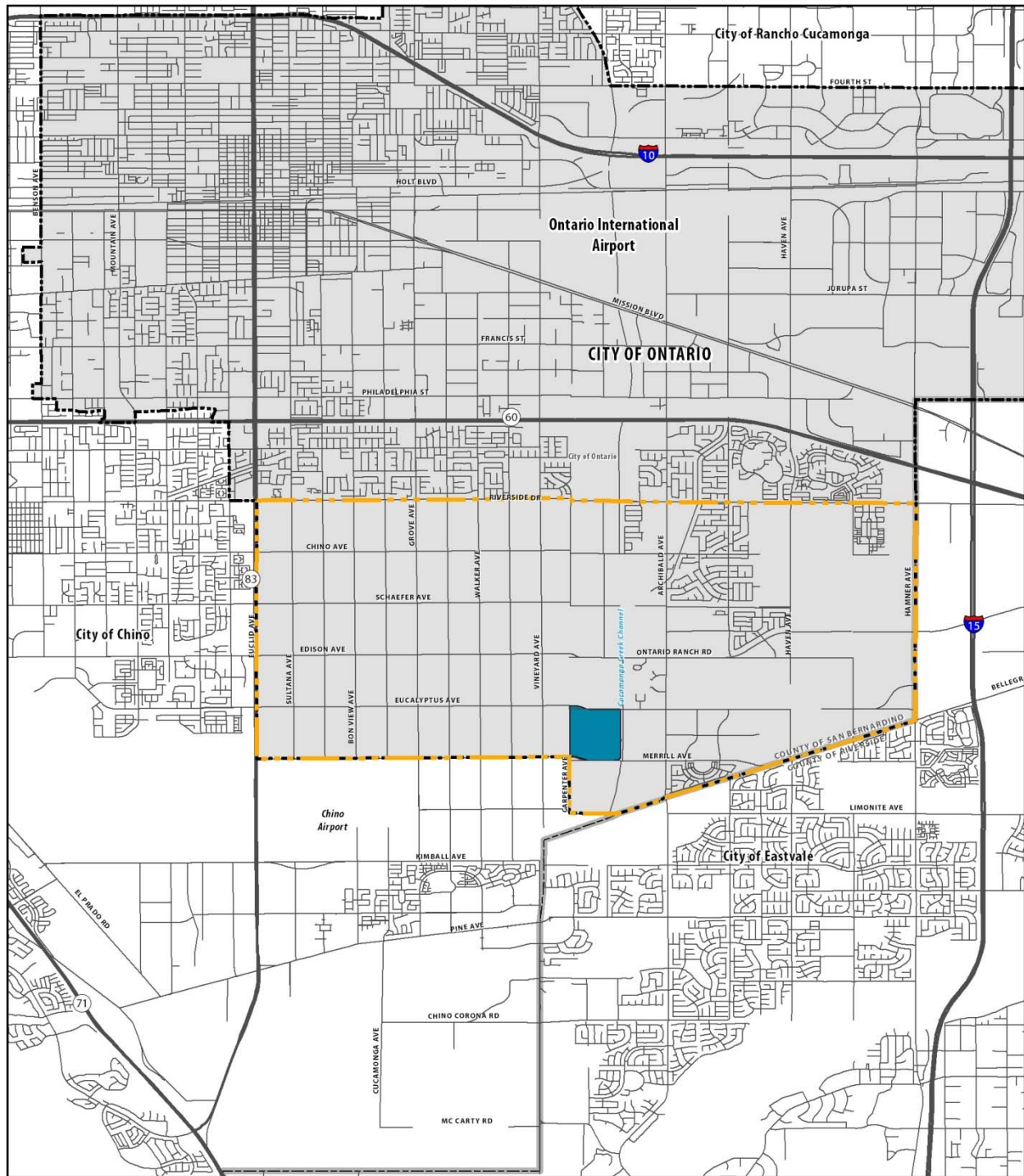
2.5 EXISTING CIRCULATION

The project site is located approximately 3.5 miles due west of Interstate 15 with access via Limonite Avenue, then north to Archibald Avenue and west on Merrill Avenue, which abuts the project site on the south. State Route 60 is located approximately three miles north of the project site via Archibald Avenue. State Route 83 (Euclid Avenue) is located approximately 2.5 miles west of the project site with access from Merrill Avenue.

Local access to the project site is provided from Eucalyptus Avenue on the north, Carpenter Avenue on the west, and Merrill Avenue on the south. Eucalyptus Avenue is currently a two-lane street that terminates at Cucamonga Creek on the east and connects with State Route 83 on the west. The Ontario Plan designates Eucalyptus Avenue as a four-lane collector street running the length of the City and eventually connecting to I-15 to the east, but currently the portion of Eucalyptus Avenue bounding the north portion of the Specific Plan area is an unpaved road. Merrill Avenue is currently a paved two-lane road that is designated by The Ontario Plan as a four-lane collector and a truck route. Carpenter Avenue is currently a two-lane paved road that is not designated in The Ontario Plan. Carpenter Avenue runs along the length of the Specific Plan area beginning at Eucalyptus Avenue and continues to the south. North of the Specific Plan area, Carpenter Avenue is not yet developed. The City of Ontario Functional Roadway Plan also shows Hellman Avenue running from Riverside Drive and south to Merrill Avenue but it is not yet developed. If constructed per the Functional Roadway Classification Plan, Hellman Avenue would bisect the Specific Plan area. No access is available on the east as the project site is bounded by the Cucamonga Creek Channel.

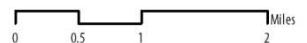
Figure 2.4 shows regional circulation routes. Currently (2016) Interstate 10 and the Ontario International Airport can be accessed from the Specific Plan area via Archibald Avenue and Haven Avenue. State Route 60, located north of the Plan area, can be reached from Euclid Avenue (State Route 83), located west of the Plan area or Archibald Avenue located east of the Plan area. Interstate 15, located east of the Plan area, can be reached via Archibald Avenue and either north to Ontario Ranch Road or south to Limonite Avenue. State Route 71, located eight miles to the west of the Specific Plan area, can be reached by traveling west on Merrill Avenue and South on Euclid Avenue (State Route 83).

FIGURE 2.4: REGIONAL CIRCULATION



Legend

-  Ontario Ranch
-  Specific Plan Area
-  City of Ontario
-  Freeways/Highways
-  Roads



Date: November 2016
 Source: City of Ontario
 Base Map Prepared by: MIG, Inc.

2.6 EXISTING ENVIRONMENTAL CONDITIONS

Topography

Visually, site topography slopes gently downward to the south, at an estimated gradient of one percent. There is an approximately 25-foot change in elevation across the plan area.

Geology, Soils, and Seismicity

An environmental site assessment (ESA) indicates that the soils encountered at the subject site within the approximately explored depth of 30 feet below ground surface consisted of fine, sandy, silty, moderately moist clay. Groundwater was not encountered in any of the soil borings conducted as part of the assessment and no unusual odors were identified in the soil samples. No other unusual conditions were noted during the environmental site assessment field work.

No levels of arsenic, methane, or organochlorinated pesticides were detected in on-site soils including soils sampled on land that is currently in use as a dairy and on land that was formerly occupied by dairy uses. The specific principal findings of the Phase II ESA for all the areas sampled are as follows:

- ❖ No levels of Arsenic (USEPA Method 6061B) were detected that are a concern or that exceed their respective reporting limits and/or any identified action levels.
- ❖ No levels of Methane (USEPA Method 8015B Methane) were detected that are a concern or exceed their respective reporting limits and/or any identified action levels.
- ❖ No levels of Organochlorinated pesticides (Agricultural Chemicals) (USEPA Method 8081A) were detected that are a concern or exceed their respective reporting limits and/or any identified action level.

A geotechnical feasibility study on the Specific Plan site indicated that the proposed development is considered feasible from a geotechnical standpoint. The subject site is located in an area that is subject to strong ground motions due to earthquakes. Research of available maps indicates that the Plan area is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, a geotechnical feasibility study did not identify any evidence of faulting during the geotechnical investigation. Therefore, the possibility of significant fault rupture on the site is considered to be low. The potential for other geologic hazards such as seismically induced settlement, lateral spreading, tsunamis, inundation, seiches, flooding, and subsidence affecting the site is considered low. Research of the San Bernardino County Land Use Services website indicates that the subject site is not located within a zone of liquefaction susceptibility. Based on the mapping performed by San Bernardino County and the conditions encountered at the boring locations, liquefaction is not considered to be a design concern for development within the Plan area.

Hydrology

There are no major or minor waterways on the project site. Running parallel to the east of the project site is Cucamonga Creek, a concrete-lined flood control channel. Existing topography causes storm water to discharge across the site primarily from north to south. Current storm water runoff is generally contained by berms or discharges into holding ponds on site, which also contain waste water from dairy operations.

According to FEMA Flood Insurance Rate Maps, the project site is located within Zone X (minimal flood hazard), in an area protected by levees from the one percent annual chance flood.

Biological Resources

The project site generally represents low biological resource value, due to highly disturbed site conditions and the long-standing and historic dairy/agricultural uses resulting in low biological diversity. There is limited vegetation on the majority of the site; the vegetation that exists is generally non-native grasses and weeds.

Utilities

Chapter 3 (Development Plan) of this Specific Plan describes the type and location of utility improvements that will serve the West Ontario Commerce Center Specific Plan.

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3.0 DEVELOPMENT PLAN

This chapter provides the framework to guide the development of the West Ontario Commerce Center Specific Plan. The chapter presents the proposed planning areas, infrastructure plans for water, sewer, utilities, and circulation, and discusses the provision of public services such as fire, police, and solid waste disposal to support the project.

3.1 LAND USE PLAN

The West Ontario Commerce Center Specific Plan consists of two Planning Areas that will accommodate a variety of commercial, office, technology, light manufacturing, and warehouse/distribution uses. The Land Use Plan implements the vision of The Ontario Plan by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions. A list of allowable uses by Planning Area is shown in Chapter 4 (Land Use and Development Standards).

The two Planning Areas in the West Ontario Commerce Center Specific Plan are described below:

BP (Business Park) Zoning District: The BP zoning district is intended to accommodate industrial-serving commercial and office uses and very light industrial uses. Development within this district is typically multi-tenant in nature; however, single-tenant buildings are not precluded.

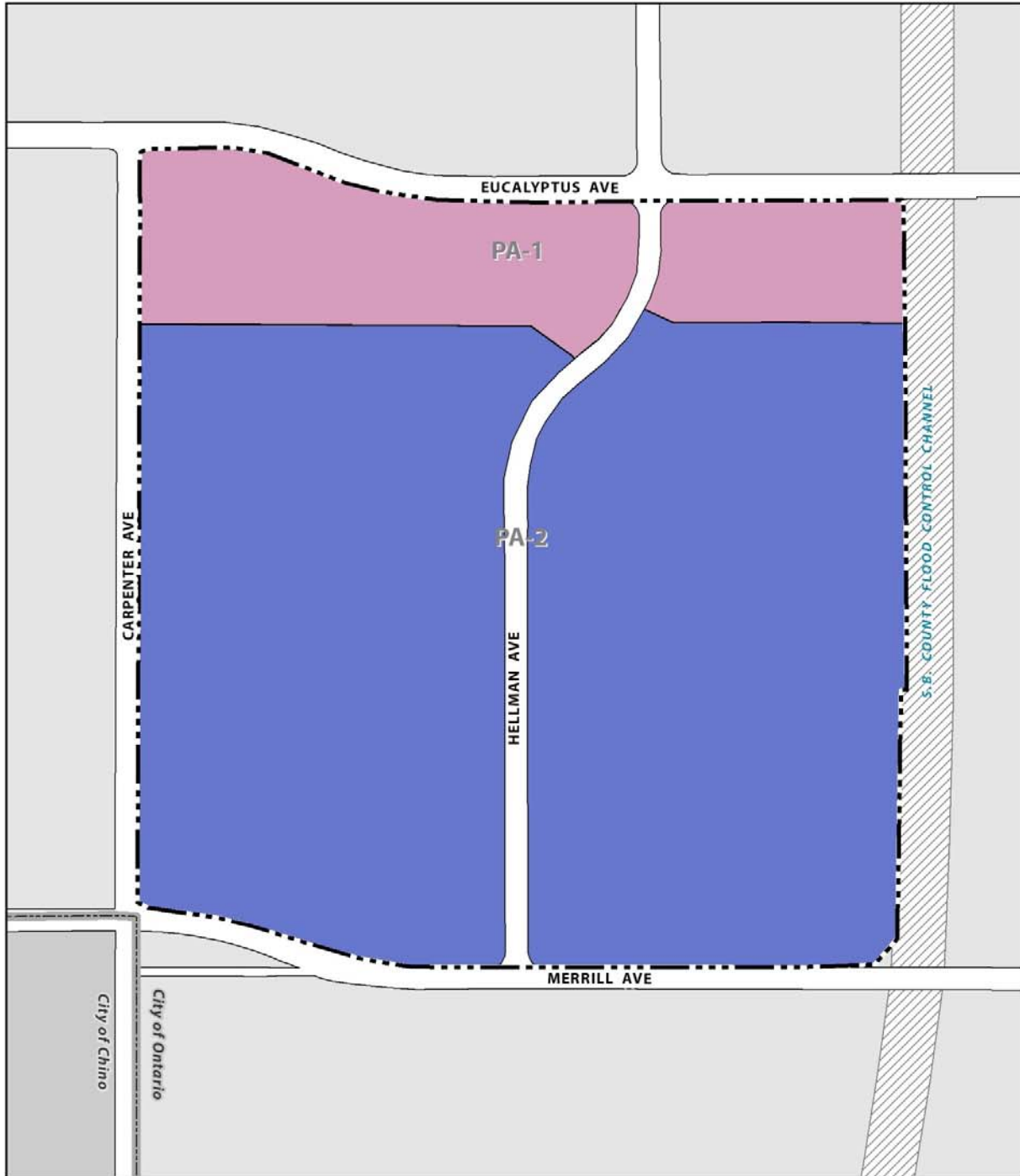
IG (General Industrial) Zoning District: The IG zoning district is intended to accommodate storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce uses and development of high cube warehouses or distribution uses. A wide-range of manufacturing uses and assembly uses are also permitted in this district.

Table 3.1 (Land Use Summary) identifies the Planning Areas by acreage and zoning district as defined below. Figure 3.1 (Land Use Plan) identifies the location of the Planning Areas.

Table 3.1 Land Use Summary

Planning Area	Zoning District	Ontario Plan Land Use Designation	Existing Acreage (Net)	Maximum SF per Existing TOP (The Ontario Plan)	Proposed Acreage	Maximum SF per Proposed
1	AG Specific Plan	Business Park (0.6 FAR)	61	1,600,933	21	555,505
2	AG Specific Plan	Industrial (0.55 FAR)	58	1,391,641	98	2,350,005
TOTAL			119	2,992,634	119	2,905,510

FIGURE 3.1: LAND USE PLAN

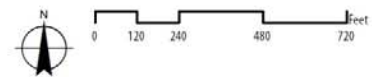


Legend

- Specific Plan Boundary
- Planning Areas

Land Use Districts

- BP - Business Park
- IG - General Industrial



Date: November 2016
Source: ESRI World Imagery, 2015
Base Map Prepared by: MG, Inc.

Table 3.2 shows the maximum allowable gross building area for each planning area at its associated floor area ratio. Development standards (found in Chapter 4), such as setback requirements, streets, drive aisles, parking, landscaping, storm drainage facilities, and site design, may reduce the maximum gross square footage.

Table 3.2 Build-Out Summary

Planning Area	Maximum Floor Area Ratio	Maximum Building Square Footage
PA-1: Business Park	0.60	555,505
PA-2: General Industrial	0.55	2,350,005
TOTAL		2,905,510 SF

3.2 CONCEPTUAL SITE PLAN

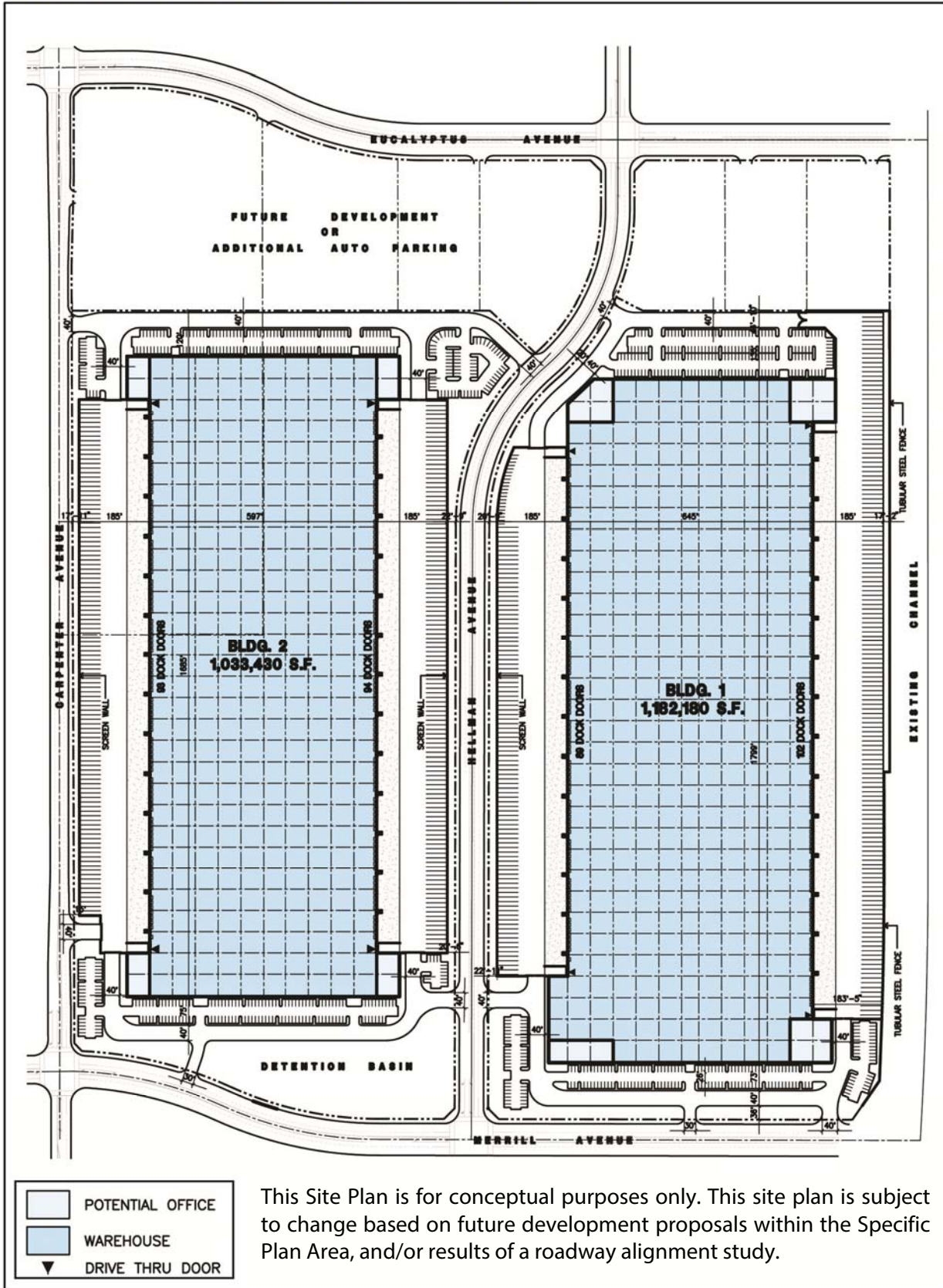
The conceptual site plan for the West Ontario Commerce Center Specific Plan is presented in Figure 3.2. Under this concept plan, the first phase of development is indicated – the southern portion of the site would be developed with two large industrial buildings and associated surface parking. The northern portion of the site is reserved for future development, which would include business park and commercial uses to provide a transition between planned residential uses to the north and industrial uses on the site and surrounding areas.

3.3 CIRCULATION AND PARKING PLAN

The Circulation Plan (Figure 3.3) for the West Ontario Commerce Center Specific Plan is designed to facilitate the movement of pedestrians and vehicles and connect the Plan Area with major regional routes. Several major roads are in place or planned to provide regional access to the Specific Plan area. State Route 60 (SR-60) is located less than three miles north of the project area. Vineyard Avenue, located just under a quarter mile west of the Specific Plan boundary, is not yet fully developed but is designated in The Ontario Plan (City of Ontario Policy Plan [General Plan]) Functional Roadway Classification Plan (2014) as a six-lane, north/south Principal Arterial that will eventually connect to SR-60. Archibald Avenue, located just over a third of a mile east, provides access to SR-60 and is designated as a six-lane Principal Arterial. Edison Avenue/ Ontario Ranch Road located just over a half mile to the north is designated an eight-lane Principal Arterial and provides east/west regional access to major arterials, including State Route 83 (Euclid Avenue), SR- 60 and Interstate 10 (I-10).

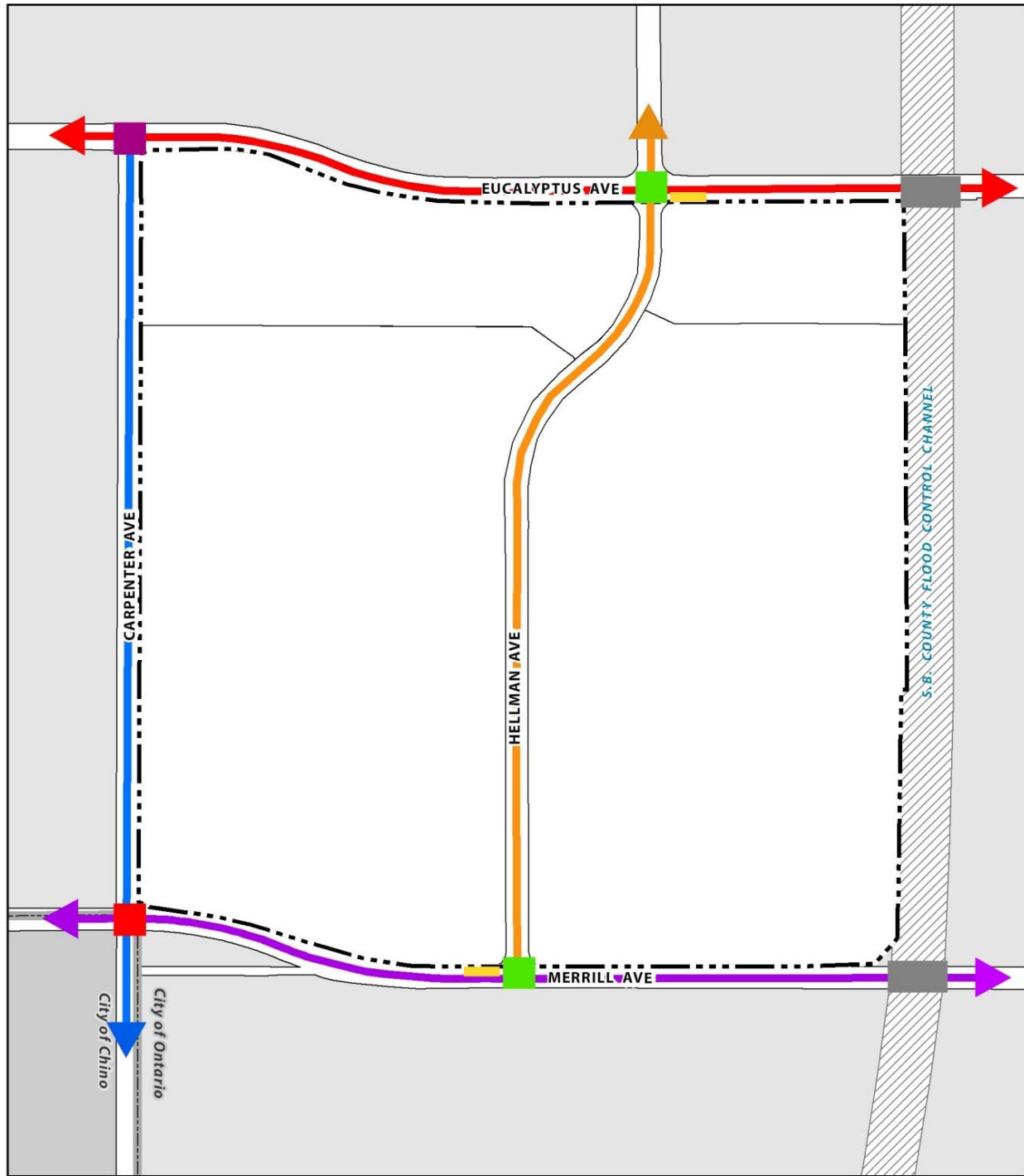
The conceptual circulation plan for the Specific Plan area is shown in Figure 3.3 and the City of Ontario's Roadway Classification Plan for the surrounding area is shown in Figure 3.4. All sidewalks and road surface improvements within the Specific Plan area must be approved by the City's Engineering Department. The Cucamonga Creek Channel, a concrete-lined flood control channel, bounds the site on the east. Merrill Avenue and Eucalyptus Avenue will allow circulation over the Cucamonga Creek Channel. Figure 3.5 presents typical street cross sections for Carpenter, Hellman, Eucalyptus, and Merrill Avenues and the Cucamonga Creek Channel. A detailed conceptual streetscape design is presented in Chapter 5 (Design Guidelines).

FIGURE 3.2: CONCEPTUAL SITE PLAN



Source: HPA Architecture, 2016

FIGURE 3.3: CIRCULATION PLAN



Legend

- Specific Plan Boundary
- Planning Areas

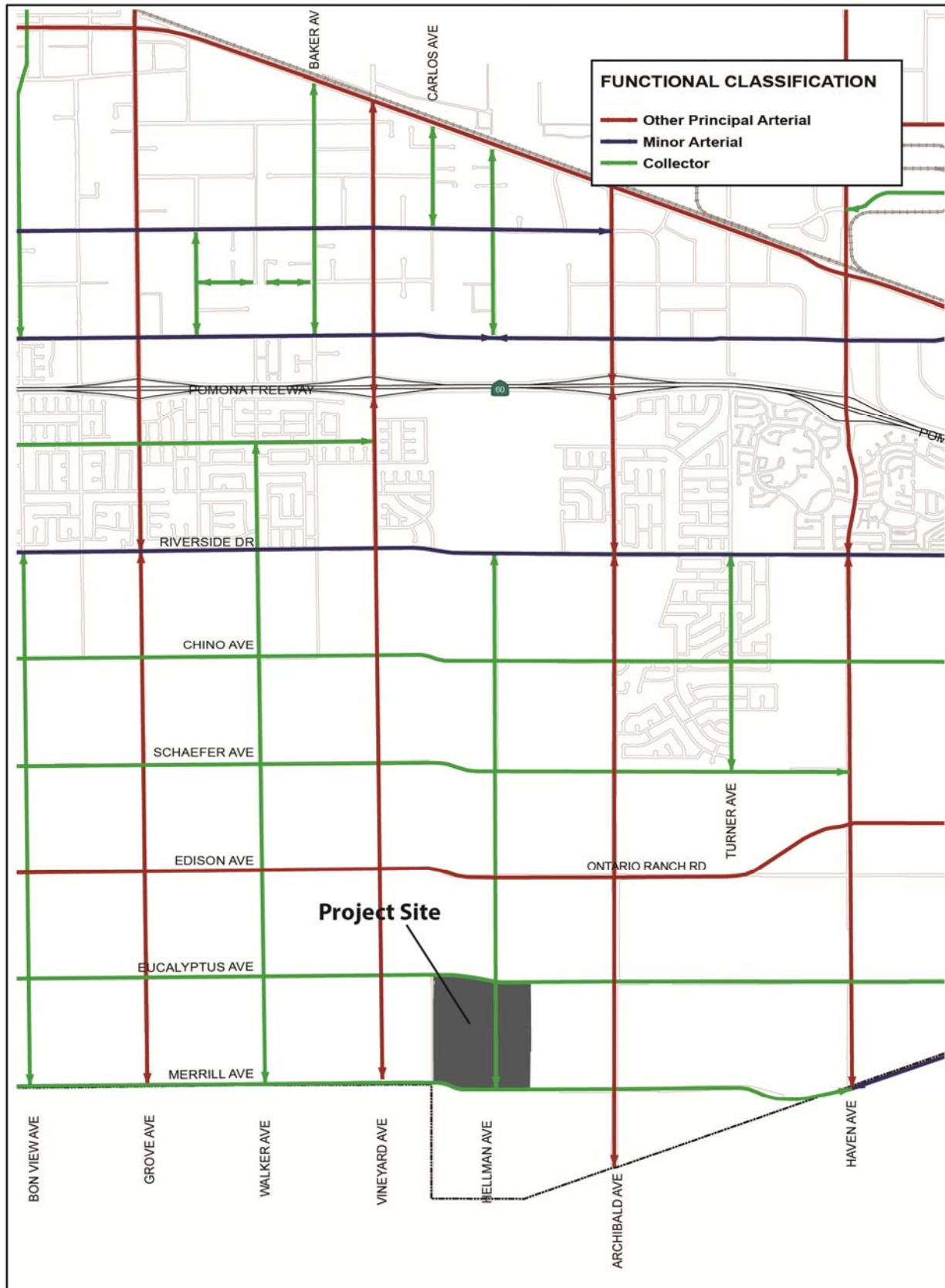
Date: May 2017
 Source: David Evans and Assoc., Inc., 2016
 Base Map Prepared by: MIG, Inc.

Circulation Plan

- Carpenter Ave.: 48' Two-Lane Local Industrial Street (66' R/W) Designated "No Parking"
- Eucalyptus Ave.: Collector Street (108' R/W) Designated "No Stopping"
- Hellman Ave.: Collector Street (88' R/W) Designated "No Parking"
- Merrill Ave.: Collector Street (108' R/W) Designated "No Stopping"
- Future Traffic Signal (Interconnected)
- New Traffic Signal (Interconnected)
- New Master Planned Traffic Signal (Interconnected)
- Bus Pad
- Bridge Improvements

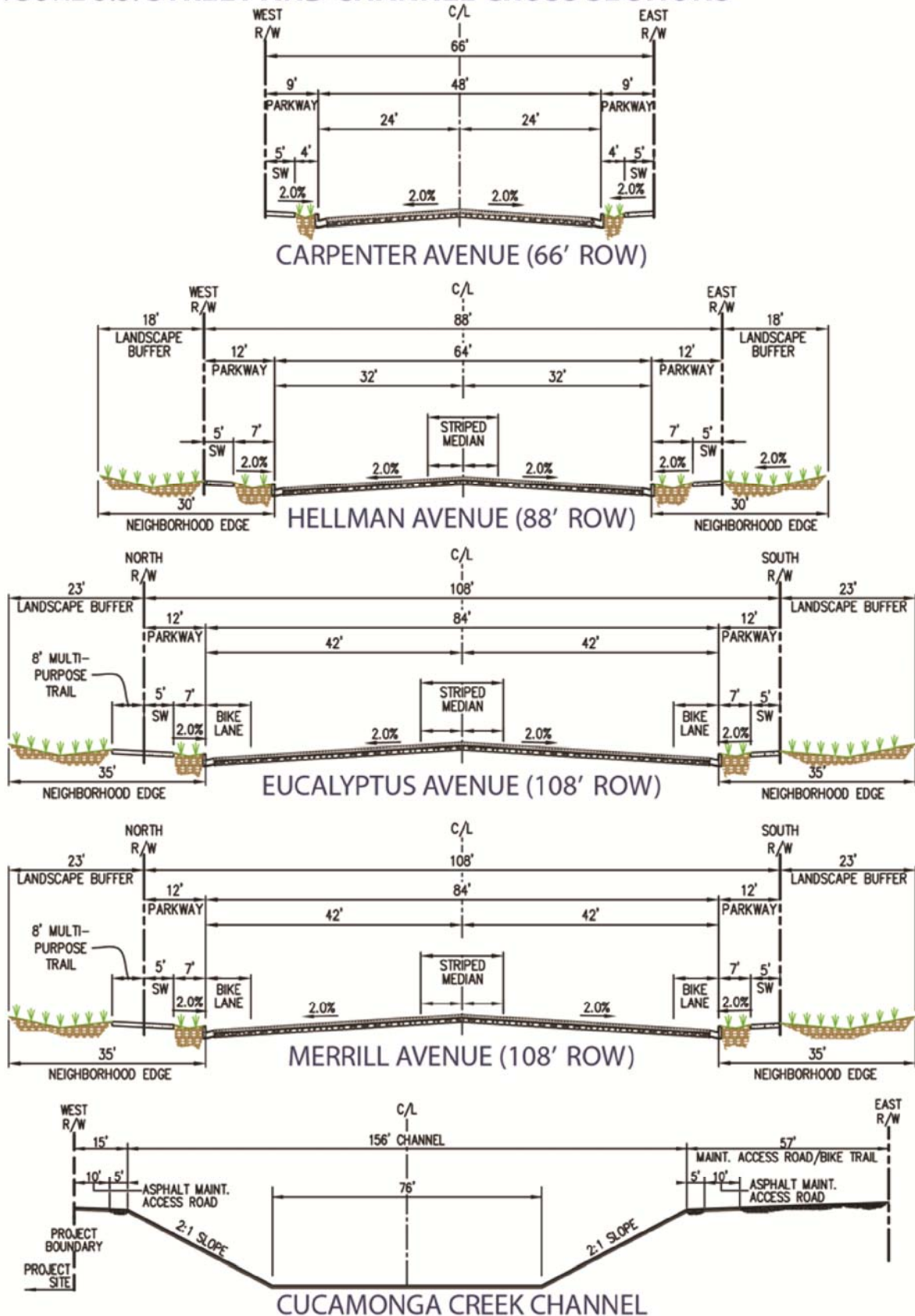


FIGURE 3.4: CITY OF ONTARIO ROADWAY CLASSIFICATION PLAN



Source: City of Ontario, 2014, Edited by MIG, Inc. 2016

FIGURE 3.5: STREET AND CHANNEL CROSS SECTIONS



Source: David Evans and Associates, Inc., 2016

Local Circulation

A roadway alignment study, corresponding to the Caltrans Highway Design Manual's minimum radii for specific design speeds, will be required. Final site planning and off-site design shall conform to the roadway alignment study, and be subject to City approval. The design speeds for the various roadway facilities' are as follows:

- ❖ Eucalyptus Avenue: 45 miles per hour (MPH)
- ❖ Merrill Avenue: 45 MPH
- ❖ Carpenter Avenue: 40 MPH
- ❖ Hellman Avenue: 40 MPH

In addition to the typical street sections described and depicted, additional geometric enhancements, including but not limited to those at intersections, may be required to adequately mitigate impacts identified the Traffic Impact Analysis/Specific Plan EIR. Local roadway circulation shall accommodate trucks with a double trailer combination wheelbase of 67 feet (known as the WB-67 design vehicle).

Driveways shall conform to access requirements of the Traffic and Transportation Design Guidelines. Driveway locations, specifically those that are in proximity to master-planned or future traffic signals, shall be located so as not to interfere with queues as projected in the Traffic Impact Analysis for the Specific Plan. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas).

Carpenter Avenue

Carpenter Avenue bounds the Plan area on the west beginning at Eucalyptus Avenue and continues to the south. North of the Specific Plan area, Carpenter Avenue is not yet developed. Carpenter Avenue is designated as a two-lane Local Industrial Street to be ultimately developed into a 48-foot wide street with a 66-foot wide right-of-way. Proposed improvements include a four-foot curb-adjacent parkway strip and a five-foot sidewalk. On-street parking is prohibited along Carpenter Avenue.

Eucalyptus Avenue

Eucalyptus Avenue is located along the northern boundary of the West Ontario Commerce Center Specific Plan, providing east/west access to the site. While currently an unpaved road, Eucalyptus Avenue is designated by The Ontario Plan as a four-lane Collector Street and is planned to include a Class II Bikeway and multipurpose trail. Eucalyptus Avenue is intended to be ultimately developed as an 84-foot wide street within a 108-foot right-of-way, including a striped median. The alignment for Eucalyptus Avenue will be curved to cross Carpenter and connect with the alignment of the existing street west of the Specific Plan area.

Proposed improvements for Eucalyptus Avenue include a bike lane at the edge of the street, seven-foot curb adjacent landscaped area, a five-foot sidewalk on the south

side of the street (adjacent to the project site), and a 23-foot additional landscape buffer setback described as a neighborhood edge in the City's *Ontario Ranch Colony Streetscape Master Plan*. On-street parking is prohibited along Eucalyptus Avenue as is stopping along the roadway. A future bikeway/multipurpose trail will eventually be constructed on the north side of Eucalyptus Avenue but it is not part of the West Ontario Commerce Center Specific Plan. The Eucalyptus Avenue Bridge crossing over Cucamonga Creek will be required to extend Eucalyptus Avenue to the east and will be designated in accordance to the Ontario Master Plan of Streets and Highways. Fair share responsibilities for bridges, streets, and storm drain improvements will be addressed in a Development Agreement with the City of Ontario.

Merrill Avenue

Merrill Avenue is designated as a four-lane Collector Street and provides east-west access to the project at its southern boundary. The street will ultimately be developed into an 84-foot wide road within the 108-foot right-of-way, including a striped median. Proposed improvements include a bike lane at the edge of the street, a seven-foot curb adjacent landscaped area, a 13-foot multipurpose trail (that includes a 5-foot sidewalk) on the north side of the street (adjacent to the project site), and a 15-foot additional landscape buffer setback, for a total 35-foot neighborhood edge, as described in the City's *Ontario Ranch Streetscape Master Plan*. On-street parking is prohibited along Merrill Avenue as is stopping along the roadway. The Merrill Avenue Bridge crossing over Cucamonga Creek will be required to be widened in accordance with the Ontario Master Plan of Streets and Highways. Fair share responsibilities for bridges, streets, and storm drain improvements will be addressed in a Development Agreement with the City of Ontario.

Hellman Avenue

The Ontario Plan Functional Roadway Plan shows Hellman Avenue connecting Riverside Drive south to Merrill Avenue. Currently, Hellman Avenue in the vicinity of the Plan area is not yet developed, but the road will bisect the Specific Plan area and will be developed concurrently with the Specific Plan. The Ontario Plan designates the segment of Hellman Avenue extending from Ontario Ranch Road to Merrill Avenue as a four-lane Collector Street. The section of Hellman Avenue extending north of the project site, from Ontario Ranch Road to Riverside Drive, is designated as a two-lane Collector Street. Between Merrill and Eucalyptus, Hellman Avenue will be developed into a Collector Street, 64-foot wide road within the 88-foot right-of-way, including a striped median. Unlike the straight alignment shown on the City of Ontario Roadway Classification Plan (Figure 3.4), Hellman Avenue will be curved within the Specific Plan area. Proposed improvements for Hellman Avenue include a seven-foot curb adjacent landscaped area, a five-foot sidewalk on both sides of the street (adjacent to the project site), and an 18-foot additional landscape buffer setback, for a total 30-foot neighborhood edge, as described in the City's *Ontario Ranch Streetscape Master Plan*. No parking will be allowed on Hellman Avenue. If an amendment to the City of Ontario Functional Roadway Classification Plan removes the Hellman Avenue extension through the site, no Specific Plan amendment is required.

Traffic Signals and Control Devices

Interconnected traffic signals will be located around the Plan area. Master planned traffic signals will be located at the intersections of Hellman Avenue/Eucalyptus Avenue and Hellman Avenue/Merrill Avenue. A new traffic signal will also be located at Carpenter Avenue/Merrill Avenue. The intersection of Carpenter Avenue/Eucalyptus Avenue will also have a future traffic signal. All traffic signs regulating, warning, and/or guiding traffic on public roads will conform to the California Manual on Uniform Traffic Control Devices (MUTCD), latest edition. All traffic-control signs, whether on public or private property, shall conform to the California MUTCD.

Truck Routes

The City of Ontario designates and maintains a network of truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses (Figure 3.6). Merrill Avenue, which runs along the southern boundary of the Specific Plan Area, is a designated truck route from the western City boundary to Archibald Avenue. Euclid Avenue, located to the west at the City boundary, Ontario Ranch Road, located several blocks north of the Specific Plan Area, and Archibald Avenue, located several blocks east of the Specific Plan Area, are also designated truck routes.

Pedestrian Circulation

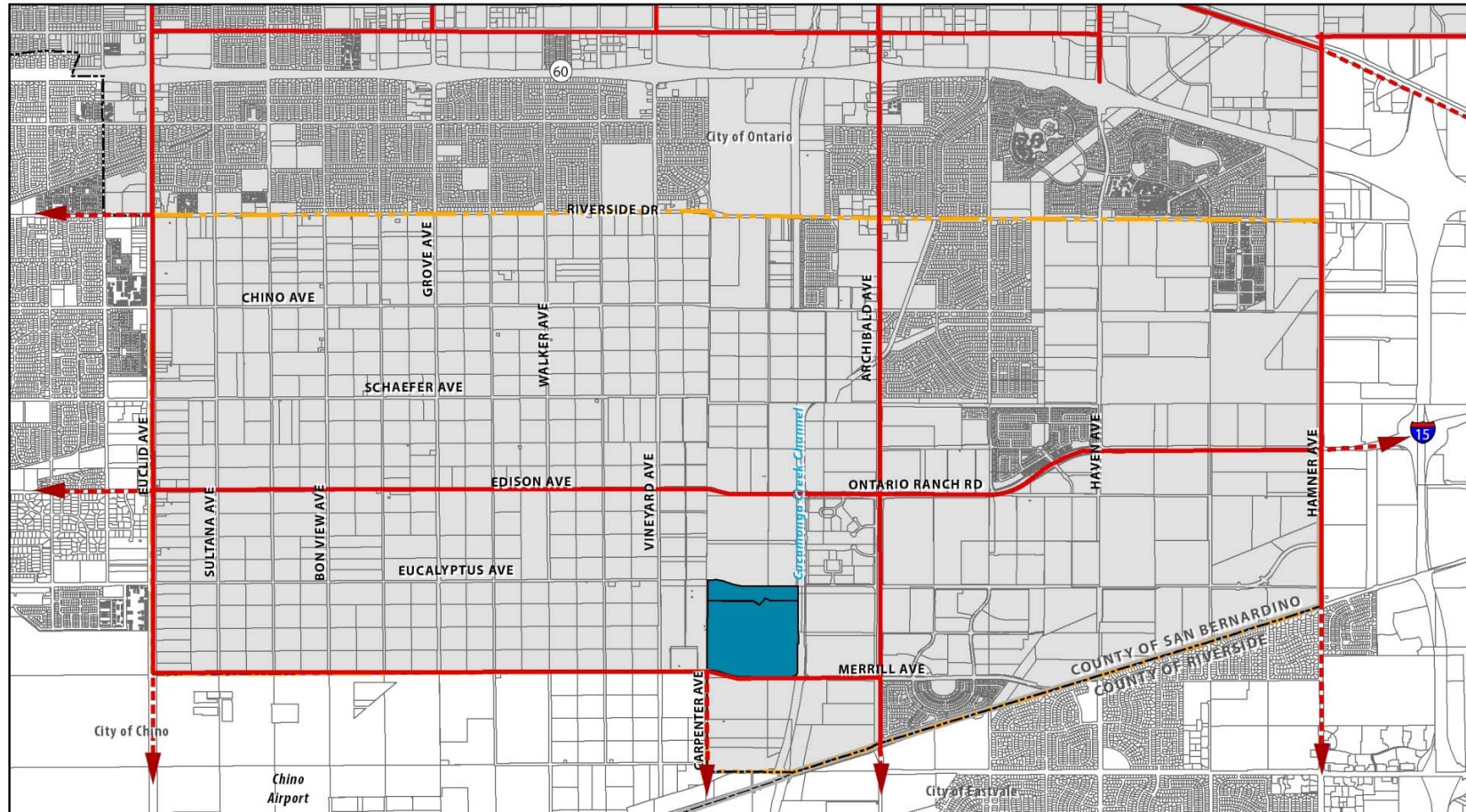
To improve the pedestrian experience and safety, and to connect the various parts of the Specific Plan area and provide access to adjacent land uses, sidewalks will be provided along all streets abutting the Specific Plan Area. Each sidewalk will be five-foot wide, constructed of concrete, and installed at the same time as adjacent roadway improvements.

Bike Paths and Trails

Bicycle paths and trails will provide an additional mode of circulation in and around the Specific Plan area. Bounding the site area on the east, the existing Cucamonga Creek Trail provides 1.3 miles of equestrian trails and 2.4 miles of paved hiking and bicycle trails within the City of Ontario. Approximately 2,600 linear feet of the Cucamonga Creek Trail runs along the east side of the Cucamonga Creek, immediately to the east of the Specific Plan area.

The Ontario Plan Mobility Element plans for a Class II Bikeway and multipurpose trail along both Merrill and Eucalyptus Avenues (Figure 3.7), connecting to the Cucamonga Creek Trail (a Class I Bikeway). Class II bikeways are defined as dedicated (striped) lanes along streets, with no parking allowed in the bike lane. These bike lanes provide linkages to the City's bike path system (Figure 3.8). The bikeway and trail improvements will be installed along the project frontage with the installation of the street improvements.

FIGURE 3.6: TRUCK ROUTES

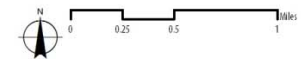


Legend

- Specific Plan Area
- Ontario Ranch
- City of Ontario

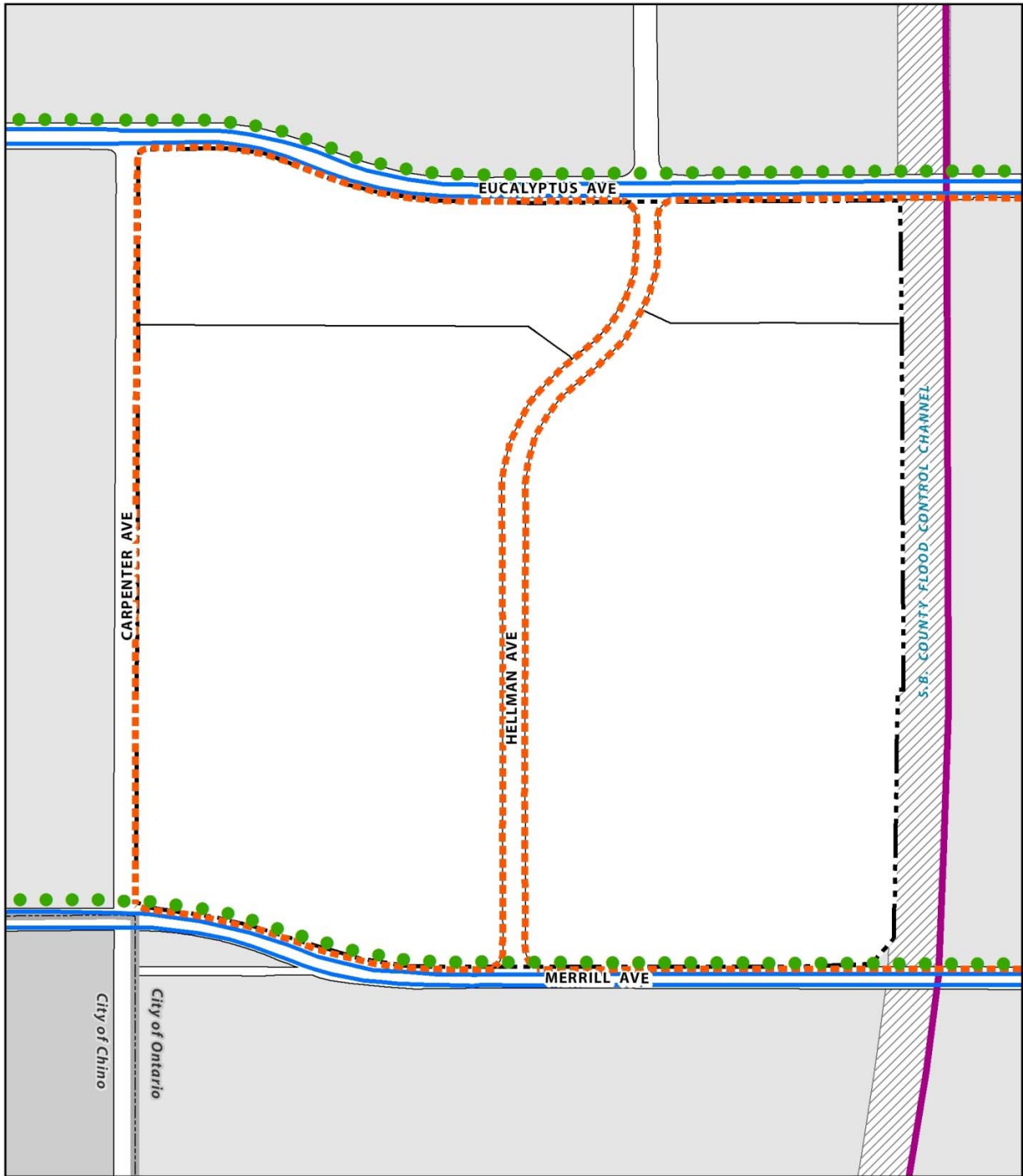
Truck Routes

- City of Ontario Truck Route
- Adjacent Agency Truck Route



Date: March 2017
 Source: City of Ontario
 Base Map Prepared by: MIG, Inc.

FIGURE 3.7: BICYCLE AND PEDESTRIAN PLAN

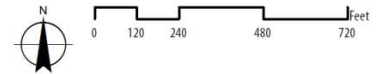


Legend

-  Specific Plan Boundary
-  Planning Areas

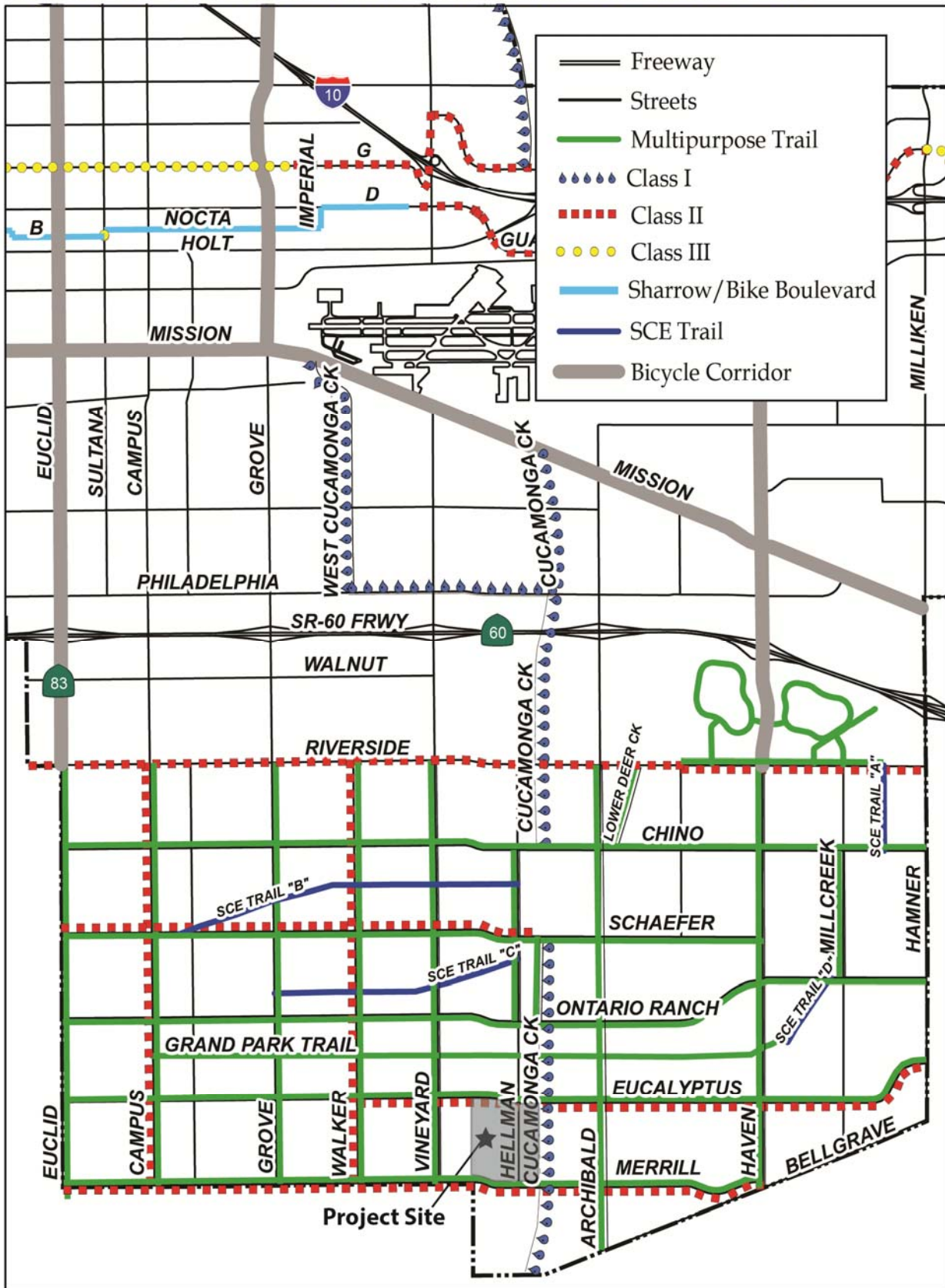
Bike and Pedestrian Plan

-  Multi-Purpose Trail
-  Sidewalk
-  Class I Bikeway
-  Class II Bikeway



Date: March 2017
 Source: City of Ontario, 2016
 Base Map Prepared by: MIG, Inc.

FIGURE 3.8: CITY OF ONTARIO TRAIL AND BIKEWAYS PLAN



Source: City of Ontario, 2016

Landscaped Buffer and Neighborhood Edge Design for Water Quality

All landscape buffers and neighborhood edge areas, adjacent to public roads within the Specific Plan area will be swaled to improve retention/infiltration of rainwater, irrigation water and roadway runoff, in order to meet the Site Design and Low Impact Development requirements of the San Bernardino County Water Quality Management Plan (WQMP).

Transit

Transit options provide an alternative mode of transportation for motorists and a primary mode for the transit dependent. The City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Ontario Ranch Road, located one-half mile north of the Specific Plan and along Euclid Avenue, located two and one-half miles west of the Specific Plan along the City's western edge.

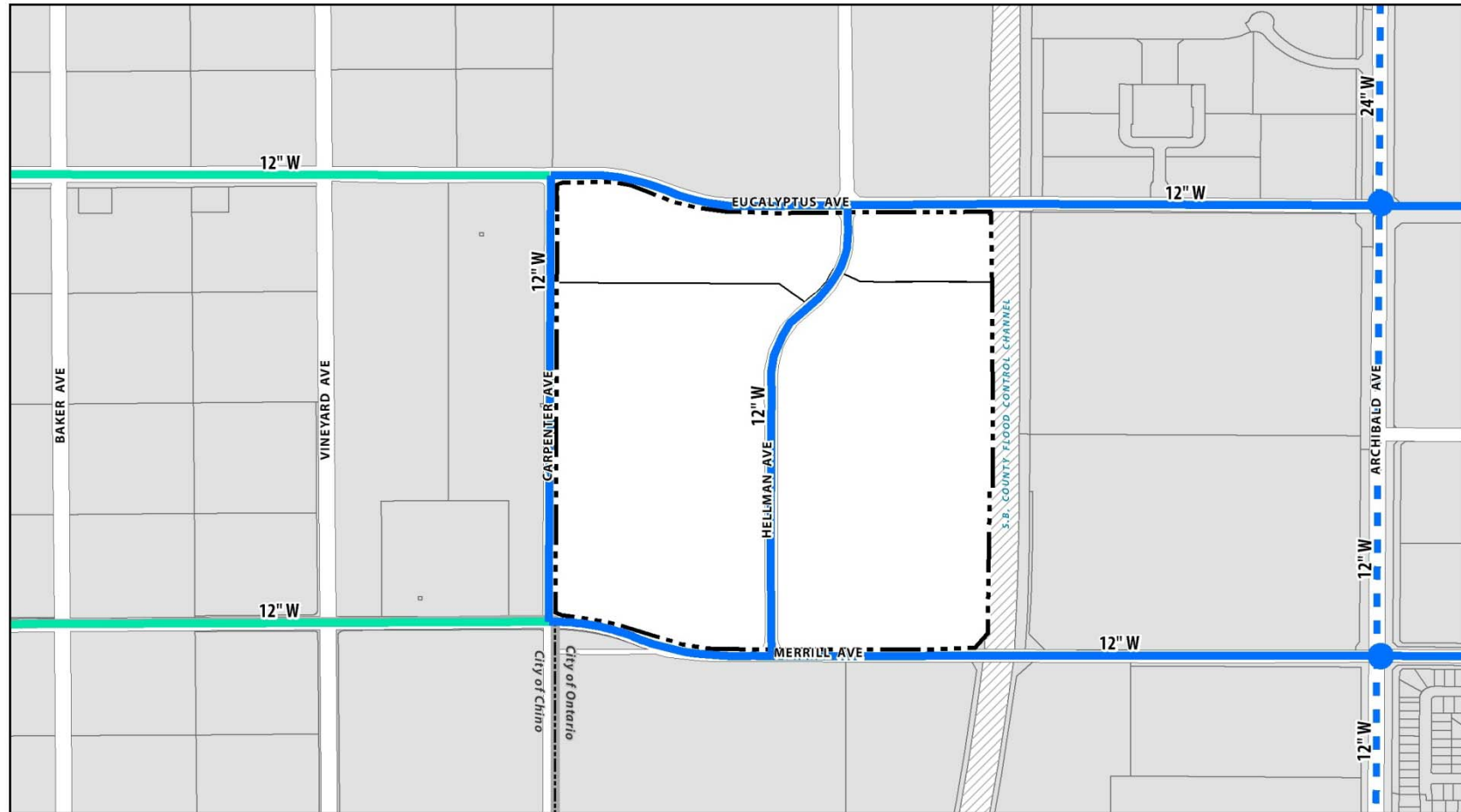
3.4 WATER PLAN

The ultimate sizing and alignment of the potable water lines will follow the most current approved Master Plan and/or a City conducted and approved hydraulic analysis. Water service to the Specific Plan area will be provided by the City of Ontario. Potable water is provided by imported water from the Water Facilities Authority (WFA), Chino Basin Desalter Authority (CDA) and groundwater from the Chino Basin, extracted via the City's wells. The WFA was formed in 1980 as a Joint Powers Authority by the Cities of Chino, Chino Hills, Ontario and Upland, and the Monte Vista Water District. It was formed to construct and operate water treatment facilities that provide a supplemental supply of potable water to its member agencies.

The City's ultimate domestic water system will consist of five pressure zones. Most of Ontario Ranch (including the Specific Plan area) will be located in the 925 Pressure Zone. Ultimate improvements for West Ontario Commerce Center Specific Plan include a network of 12-inch water mains within Eucalyptus and Merrill Avenues from Carpenter Avenue and connecting to an existing 12-inch water line at Archibald Avenue. Improvements will also include a 12-inch water line within Carpenter and Hellman Avenues between Eucalyptus and Merrill Avenues (Figure 3.9). New water mains required to serve the project will need to be constructed prior to or concurrent with on-site water improvements. Within the project site, a network of 10- to 12-inch water lines for fire services water and 2- to 4-inch water lines for domestic water service will be installed. The onsite water system includes connections to the main in Eucalyptus Avenue for PA-1 and to the main in Merrill Avenue for PA-2.

Existing water supply infrastructure for the 925 Zone has been constructed and/or funded by the NMC Builders LLC under the terms of a Construction Agreement. These facilities are referred to as Phase 1. Water supply infrastructure (production, storage, transmission) required for development in Ontario Ranch requires Phase 2 backbone water infrastructure for the 925 Zone, generally consisting of transmission mains, wells, and reservoir. Phase 2 infrastructure is shown on Figure 3.10. Phase 2 transmission line locations are subject to change, based on City conducted and approved hydraulic analysis.

FIGURE 3.9: WATER MASTER PLAN



Legend

- Specific Plan Boundary
- Planning Areas

Water Master Plan

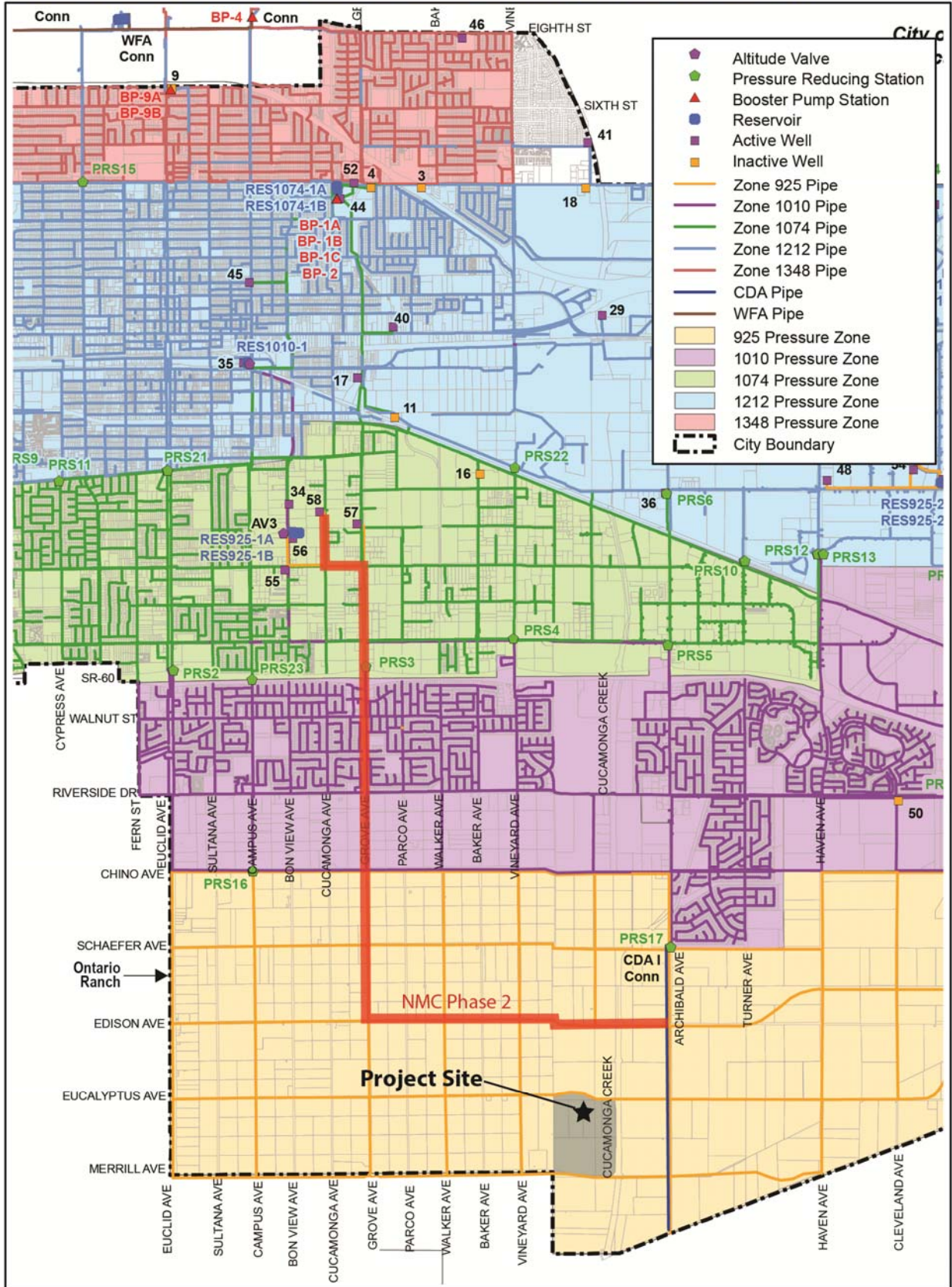
- New Public Water (City of Ontario)
- Future Public Water (City of Ontario)
- Existing Public Water (City of Ontario)
- Point of Connection



Size and location of the waterlines are subject to change, based on the current approved Master Plan as well as a City conducted and approved hydraulic analysis.

Date: March 2017
 Source: David Evans and Assoc., Inc., 2017
 Base Map Prepared by: MIG, Inc.

FIGURE 3.10: CITY OF ONTARIO ULTIMATE WATER SYSTEM



Source: City of Ontario, 2013 Phase 2 transmission line locations are subject to change, based on the current approved Master Plan as well as a City conducted and approved hydraulic analysis.

In the interim scenario in Ontario Ranch, when the ultimate master planned pipeline network has not been completed, there may be instances whereby just constructing the master planned pipeline improvements to serve the project may not meet the required fire flow demands. Therefore, the proposed project may be required to construct additional pipelines whether specifically called out in the Master Plan or not; or upsize master planned pipelines in order to meet the necessary fire flow requirements per Fire Department and/or the criteria as provided for in the Water Master Plan. Developer shall submit a hydraulic analysis to the City for review/approval to demonstrate adequate fire flow protection requirements.

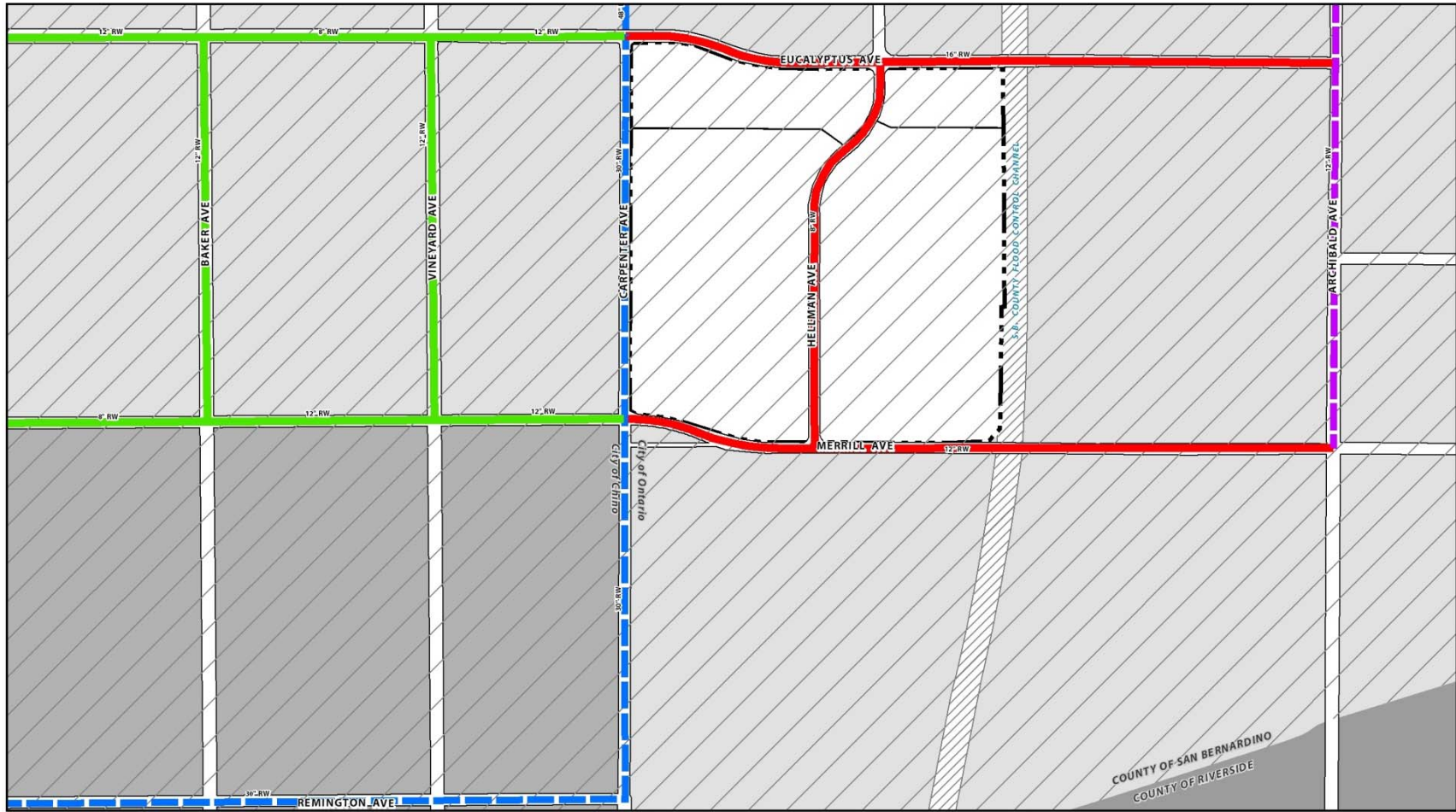
3.5 RECYCLED WATER PLAN

Ultimate sizing and alignment of the recycled water lines shall follow the most currently approved Master Plan and/or a City conducted and approved hydraulic analysis. The City of Ontario Recycled Water Master Plan describes the location and diameters of the “backbone” recycled water pipelines to be located within Ontario Ranch. Recycled water is provided to the City of Ontario by the Inland Empire Utility Agency (IEUA), which treats wastewater at four regional wastewater reclamation plants. The City’s existing regional system consists of approximately 35 miles of recycled water pipelines serving four different pressure zones: Zone 930, Zone 1050, Zone 1158, and Zone 1299. The names of these pressure zones refer to the design hydraulic grade line (HGL) of the zone in feet above mean sea level. Most of Ontario Ranch (including the Specific Plan area) is located in the 930 Zone.

The City of Ontario Ordinance 2689 indicates that all new development in Ontario Ranch is required to connect to and use recycled water for all approved uses, including but not limited to landscape irrigation. Therefore, a grid backbone system of recycled water pipelines coincident with major arterial roadways was devised to serve Ontario Ranch (Figure 3.12). An existing 30-inch recycled water line (IEUA) is located on the west side of the Specific Plan area along Carpenter Avenue. A new 16-inch recycled water line will be located along the Specific Plan area’s northern boundary (along Eucalyptus Avenue), a new 12-inch recycled water line will be located on the Plan area’s southern boundary along Merrill Avenue and an 8-inch recycled water line will be located within Hellman Avenue (Figure 3.11). Master Plan recycled water mains are required in both Merrill and Eucalyptus, between Archibald and Carpenter to complete the recycled water loop system.

The West Ontario Commerce Center Specific Plan will utilize the existing recycled water lines and connect where required to serve the project site. The West Ontario Commerce Center will make use of recycled water for all approved uses, including but not limited to the irrigation of off-site and on-site landscaping and common areas, in compliance with Ontario Municipal Code Section 6-8.700 et seq. and Recycled Water Use Ordinance 2689. Prior to use of recycled water, approval of an Engineering Report from the City of Ontario and State Water Resources Control Board (SWRCB) is required. Interim connection to potable water is not allowed.

FIGURE 3.11: RECYCLED WATER MASTER PLAN



Legend

- Specific Plan Boundary
- Planning Areas

Recycled Water Master Plan

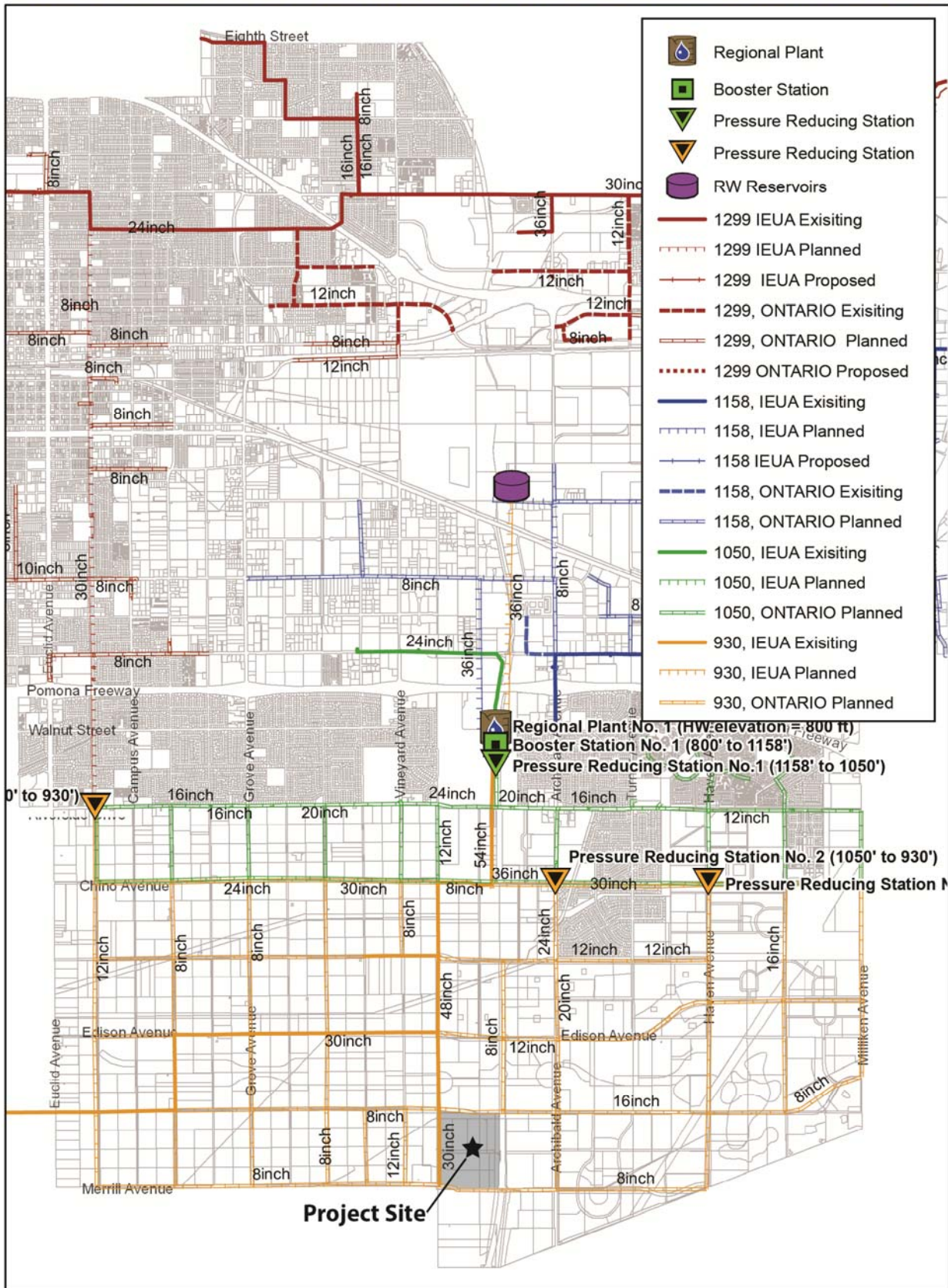
- New Recycled Water (City of Ontario)
- Existing Recycled Water (City of Ontario)
- Existing Recycled Water (IEUA)
- Future Recycled Water (City of Ontario)

930 Recycled Water Pressure Zone



Date: March 2017
 Source: David Evans and Assoc., Inc., 2017
 Base Map Prepared by: MIG, Inc.

FIGURE 3.12: CITY OF ONTARIO FUTURE RECYCLED WATER SYSTEM



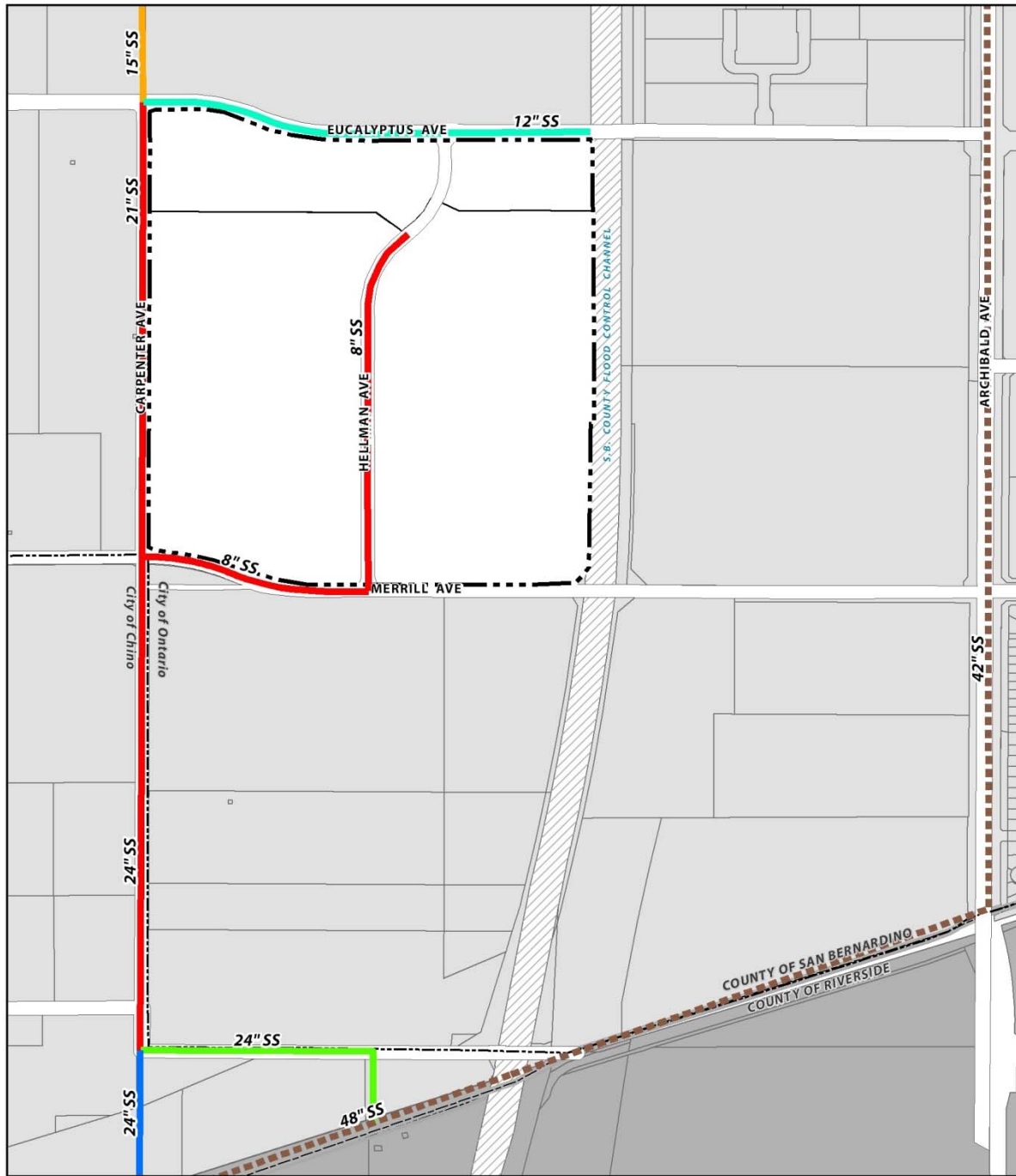
Source: City of Ontario, 2011

3.6 SEWER PLAN

Ultimate sizing and alignment of the sewer shall follow the most current approved Master Plan and/or a City conducted and approved hydraulic analysis. Regional wastewater treatment services are provided to the City of Ontario and its neighboring agencies by the Inland Empire Utilities Agency (IEUA). Several regional trunk sewers collect sewage generated in the City and transport it to IEUA's Regional Plant No.1 and Regional Plant No.5 for treatment. The City of Ontario's sewer service area has been divided into eight sewersheds, primarily based on the outlet points where the City's system ties into a downstream facility owned by IEUA. Ontario Ranch is located in Sewershed 8.

Sewer services to the West Ontario Commerce Center will be provided by the City of Ontario consistent with the City's Sewer Master Plan. A new 21-inch sewer trunk line will be constructed within Carpenter Avenue adjacent to the site's western boundary and will connect to the south to the existing eastern trunk sewer (IEUA) or a new alternate alignment at Moon Place. (Figure 3.13 shows the primary alternative alignment of the sewer). A new 8-inch sewer trunk line will also be constructed within Merrill Avenue between Carpenter and Hellman Avenues and a portion of Hellman Avenue. Construction of the sewer lines outside of the immediate Specific Plan area may occur prior to development of the West Ontario Commerce Center Specific Plan as a continuation of neighboring development projects such as the Colony Commerce Center Specific Plan located south of the West Ontario Commerce Center Specific Plan area and the Parkside Specific Plan located to the north of the Specific Plan area (Figure 3.13). Within Eucalyptus Avenue, adjacent to the site's northern boundary, a future 12-inch sewer line will be constructed as part of the Parkside Specific Plan. Figure 3.14 depicts the currently (as of 2017) approved Sewer Master Plan alignment for the sewershed.





FIGURE 3.13: SEWER MASTER PLAN

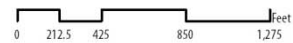


Legend

-  Specific Plan Boundary
-  Planning Areas

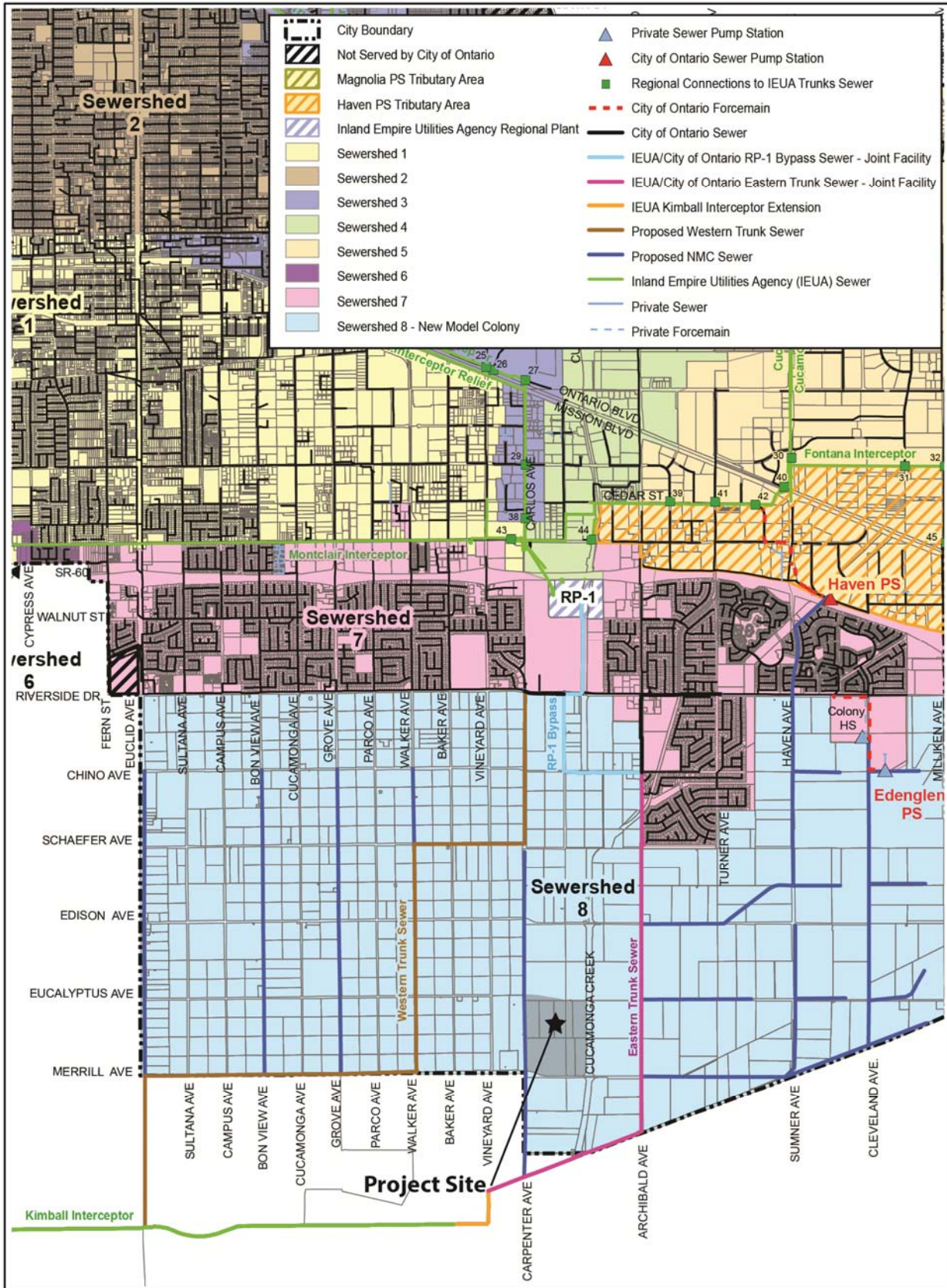
Sewer Master Plan

-  New Sewer (City of Ontario) Master Plan Alignment
-  New Sewer (City of Ontario) Alternate Alignment
-  New Sewer (City of Ontario) Master Plan To Be Realigned
-  Future Sewer (City of Ontario)
-  Existing Eastern Trunk Sewer (IEUA)
-  Future Sewer (City of Ontario) Per Parkside Specific Plan



Date: March 2017
 Source: David Evans and Assoc., Inc., 2017
 Base Map Prepared by: MIG, Inc.

FIGURE 3.14: CITY OF ONTARIO ULTIMATE SEWER SYSTEM



Source: City of Ontario, 2014

3.7 CONCEPTUAL GRADING PLAN

Site topography slopes gently downward to the south, at an estimated gradient of one percent. There is an approximately 25-foot change in elevation across the plan area. The grading activities for West Ontario Commerce Center will generally consist of clearing and grubbing, demolition of existing structures, and moving surface soils to construct building pads, driveways and streets. The Conceptual Grading Plan (Figure 3.15) provides a balance of cut and fill for the Specific Plan area. Grading plans for each development project within the project shall be reviewed and approved by the City of Ontario prior to the issuance of grading permits. All grading plans and activities shall conform to the City's grading ordinance and dust and erosion control requirements.

All landscaped areas within the Specific Plan area shall be graded as shallow swales and designed to accept runoff water from impervious surfaces. Water quality retention basins, trenches, etc., the exact location of which will be determined at the time of WQMP approval for individual implementing projects, will have a maximum side slope of 3:1.

3.8 DRY UTILITIES PLANS

Utility services provided to the site will be installed underground in accordance with City of Ontario guidelines.

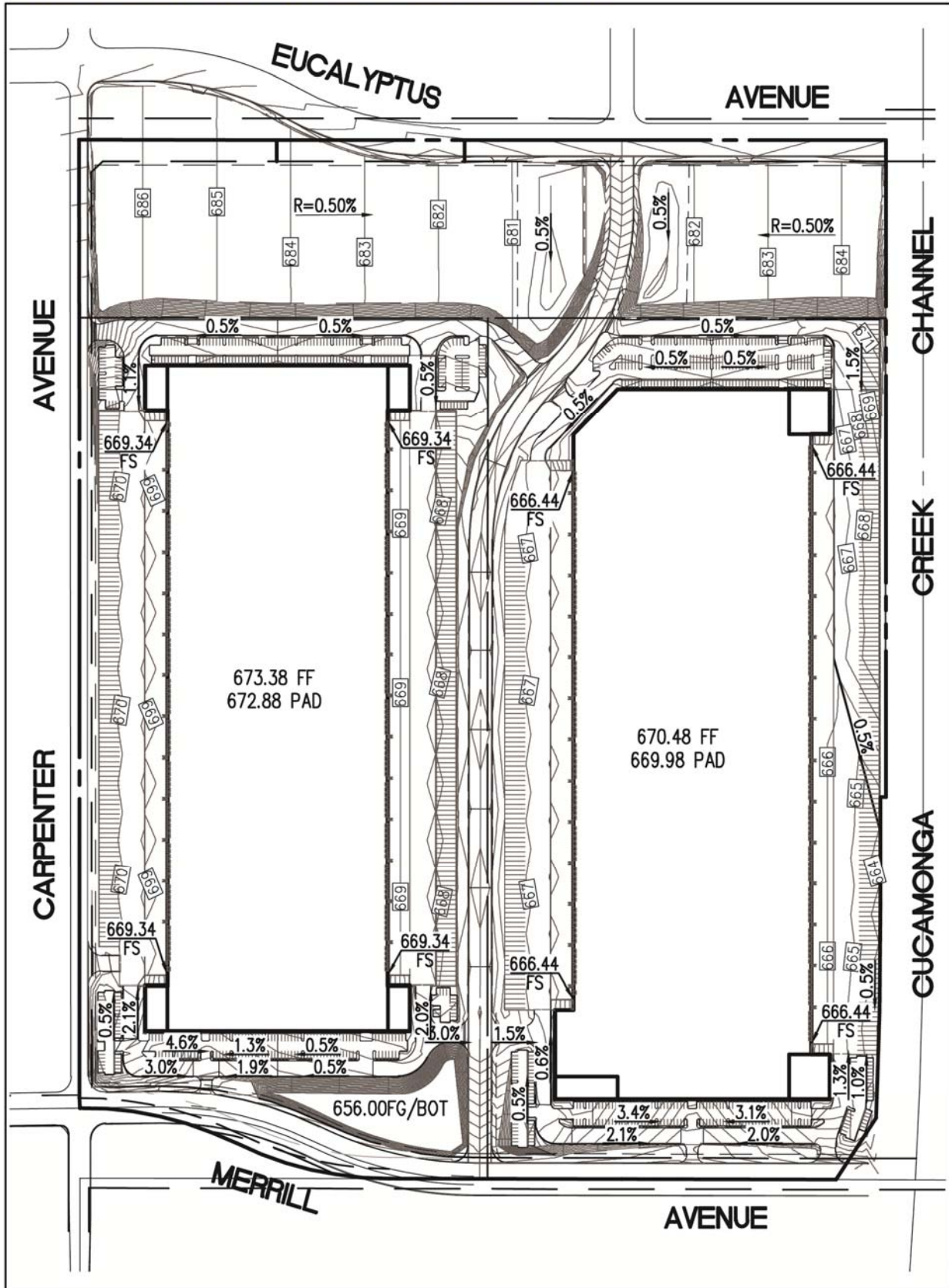
Communication Systems

Developments in Ontario Ranch are required to install and provide fiber conduit to all improved lots. Proposed on-site facilities will be placed underground within a duct and structure system that will be installed by the Developer. Pursuant to the City of Ontario 2013 Fiber Optic Master Plan, the fiber optic network will be owned and operated by the City of Ontario and as such maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not the Developer. According to the City's Fiber Optic Master Plan, the proposed fiber optic infrastructure, including approximately 23 miles of backbone fiber south of Riverside Drive, is an investment into a long term capital asset using newly constructed and existing conduit to provide high speed communication links to key locations throughout the City. The West Ontario Commerce Center Specific Plan will be connected to the City's system as shown on Figure 3.16.

Natural Gas

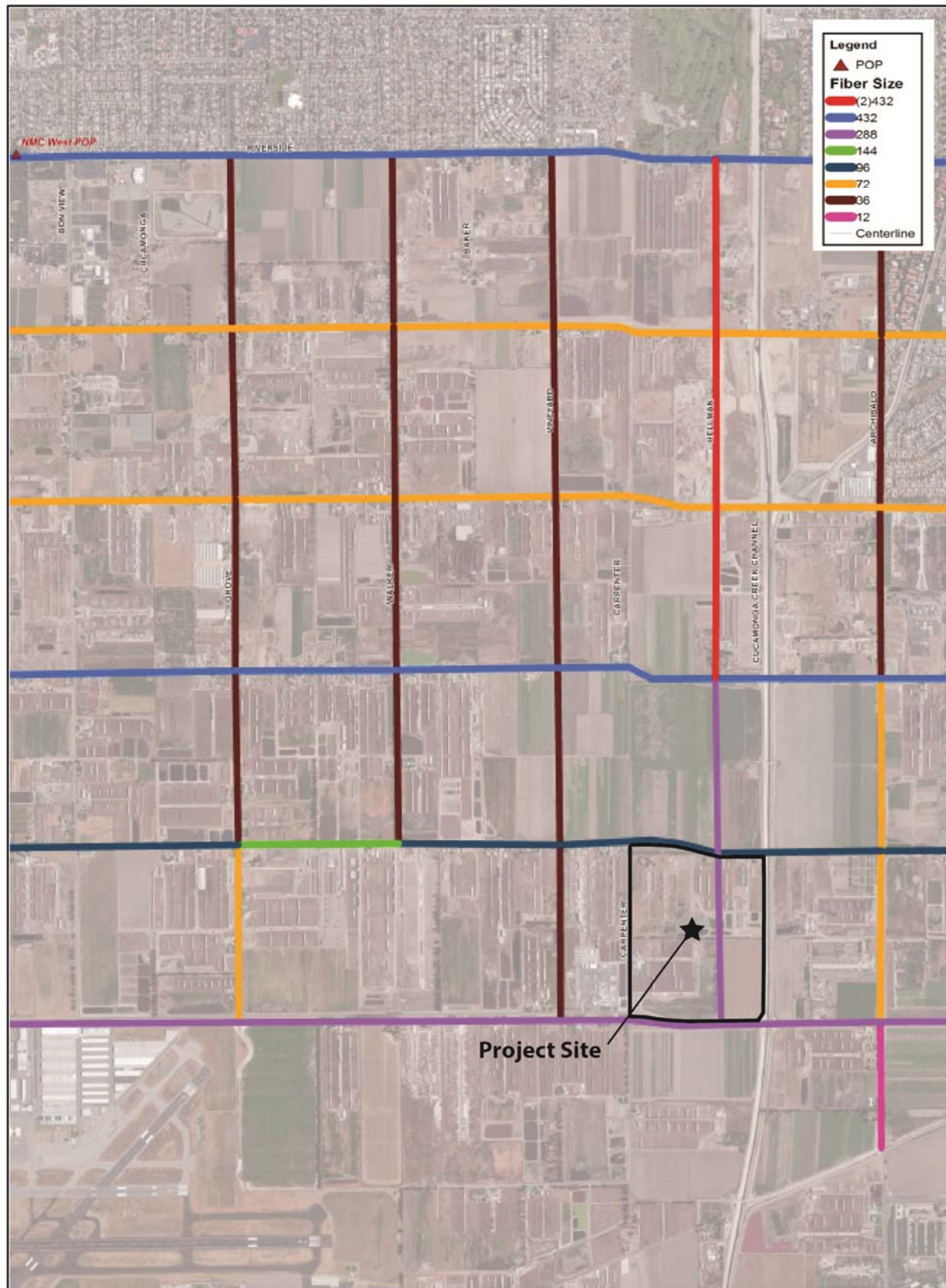
The Gas Company will provide natural gas to the project site. Gas mains will be installed to the individual development projects by the Gas Company, as necessary.

FIGURE 3.15: CONCEPTUAL GRADING PLAN



Source: Thienes Engineering, Inc., 2016

FIGURE 3.16: CITY OF ONTARIO FIBER OPTIC PLAN



Source: City of Ontario, 2013

Electricity

Southern California Edison will provide electricity to the project site from existing facilities in the vicinity. All new lines within the project shall be installed according to City of Ontario requirements.

3.9 STORM DRAINAGE PLAN

The City of Ontario Storm Drain Master Plan (Figure 3.18) identifies future storm drain improvements that will serve the Specific Plan area and provide storm water drainage for the site. The Specific Plan area is located within the 2.3 square mile Drainage Area XI, and is a tributary to the Cucamonga Creek Channel south of Lower Cucamonga Spreading Grounds via master planned, City-owned storm drains. Future storm drains will be installed along the northern boundary of the Plan Area and also connect to the Cucamonga Creek. Figure 3.17 identifies storm drain improvements that will ultimately serve the Specific Plan area, in the wider context of the surrounding area, pursuant to the City of Ontario Storm Drain Master Plan.

Located just south of the Specific Plan area, the Colony Commerce Specific Plan has proposed a revision to the Master Plan of Drainage. As part of the proposed revision, the storm drain lines "MERL-XI-1" and "WLKR-XII-1" will be combined in Merrill Avenue as a double 10-foot (height) by 12-foot (width) reinforced concrete box storm drain (RCB) connecting to the Cucamonga Creek Channel. Ultimate sizing and alignment of the storm drain improvements shall follow the most currently approved Master Plan. Fair share responsibilities for bridges, streets, and storm drain improvements will be addressed in a Development Agreement with the City of Ontario.

NPDES Compliance

The grading and drainage of the West Ontario Commerce Center Specific Plan area will be designed to retain/infiltrate, harvest & re-use or biotreat surface runoff, in order to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management (WQMP) for significant new development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects may be minimized through the implementation of site designs that reduce runoff and pollutant transport by minimizing impervious surfaces and maximizing on-site infiltration, Source Control Best Management Practices (BMP's) or use of on-site structural Treatment Control BMP's, where infeasibility of installing LID BMPs is demonstrated.

New development within the Specific Plan area will utilize a variety of Low Impact Development site drainage designs to manage stormwater, including but not limited to retention/infiltration basins, trenches and swales and above ground and/or below ground bio-treatment systems.

Development projects within the Specific Plan area will comply with the latest low impact development guidelines and incorporate features including but not limited to

- ❖ Landscape designs that promote water retention and incorporation of water conservation elements such as use of native plants and drip irrigation systems;
- ❖ Permeable surface designs in parking lots and areas with low traffic;
- ❖ Parking lots that drain to landscaped areas to provide retention and infiltration or bio-treatment, where infiltration is infeasible;
- ❖ Limit soil compaction during grading operations within landscaped storm water infiltration areas to no more than 80 percent compaction.

Prior to the issuance of a grading or construction permit, a Storm Water Pollution Prevention Plan (SWPPP), Erosion & Sediment Control Plan sheets and a Water Quality Management Plan (WQMP) will be prepared and approved. The SWPPP and Erosion & Sediment Control Plan Sheets will identify and detail all appropriate Best Management Practices (BMPs) to be implemented or installed during construction of the project and the WQMP will describe all post-construction BMPs designed to address water quality and quantity of runoff, for the life of the project.

3.10 PUBLIC SERVICES

Police

The City of Ontario will provide police services to the West Ontario Commerce Center Specific Plan. The closest police station is located approximately three miles north of the Specific Plan area at 2500 S. Archibald Avenue, just south of SR-60. This station is also the City of Ontario Police Department headquarters.

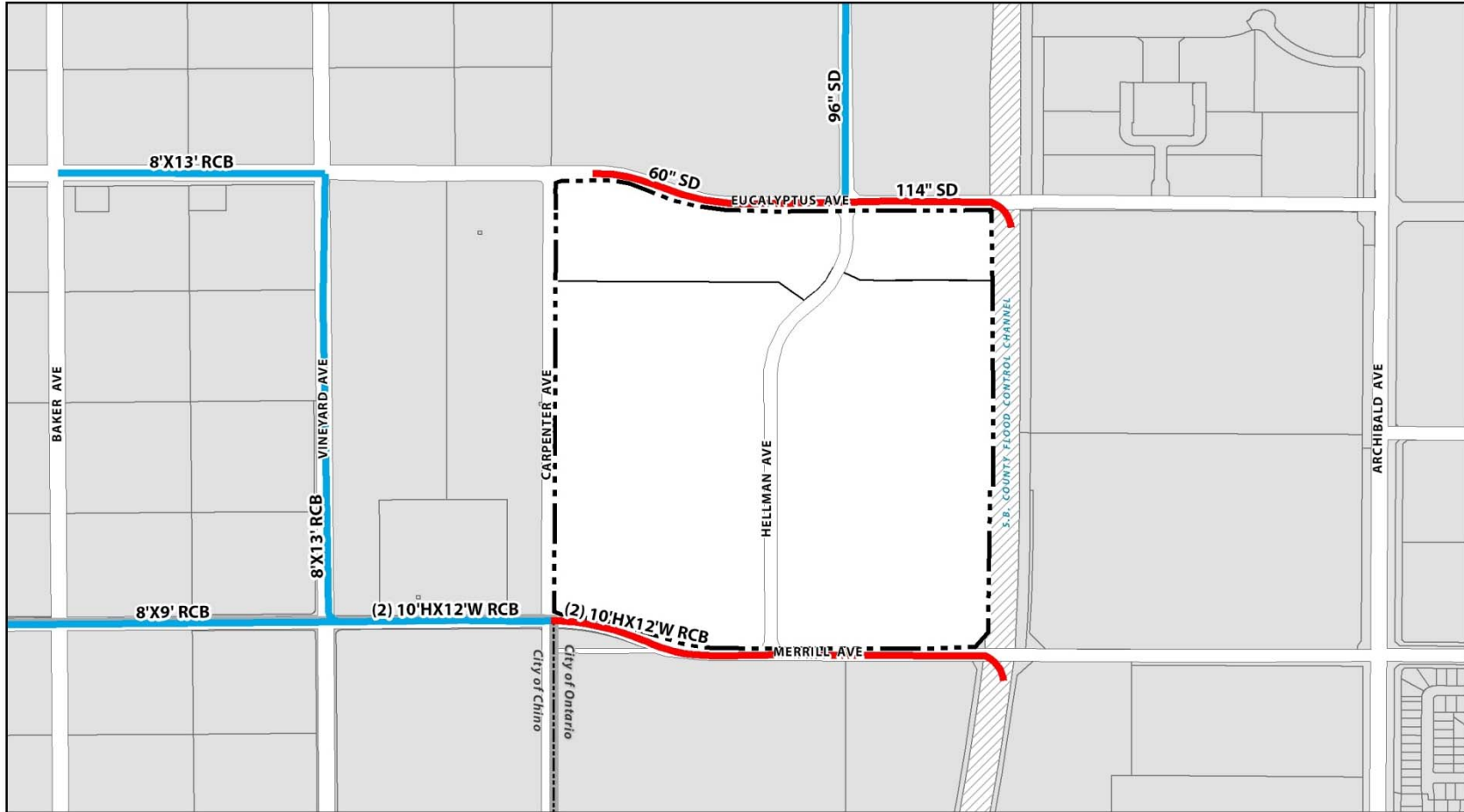
Fire

The City of Ontario will provide fire protection services to the West Ontario Commerce Center. The Ontario Fire Department currently has eight stations, which are staffed with eight four-man paramedic engine companies and two four-man truck companies. The closest operational fire station, Station 6, is located at 2931 E. Philadelphia Avenue, approximately four miles north of the Specific Plan area. The Ontario Fire Department will soon begin construction of Fire Station Nine approximately one mile north of the Specific Plan area.



Solid Waste Disposal

The City of Ontario will provide solid waste services to the West Ontario Commerce Center Specific Plan. The City offers a full array of commercial and industrial services designed to meet the business community's needs. Solid waste requirements shall follow the "Solid Waste Department Refuse and Recycling Planning Manual." The Manual establishes the City of Ontario's requirements for refuse and recycling storage and access for service, as well as address the City's recycling goals. The Mid-Valley Landfill is the nearest County of San Bernardino landfill located at 2390 N. Alder Avenue in the City of Rialto, approximately 20 miles northeast of the Specific Plan area.

FIGURE 3.17: STORM DRAIN MASTER PLAN

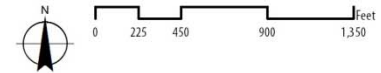


Legend

-  Specific Plan Boundary
-  Planning Areas

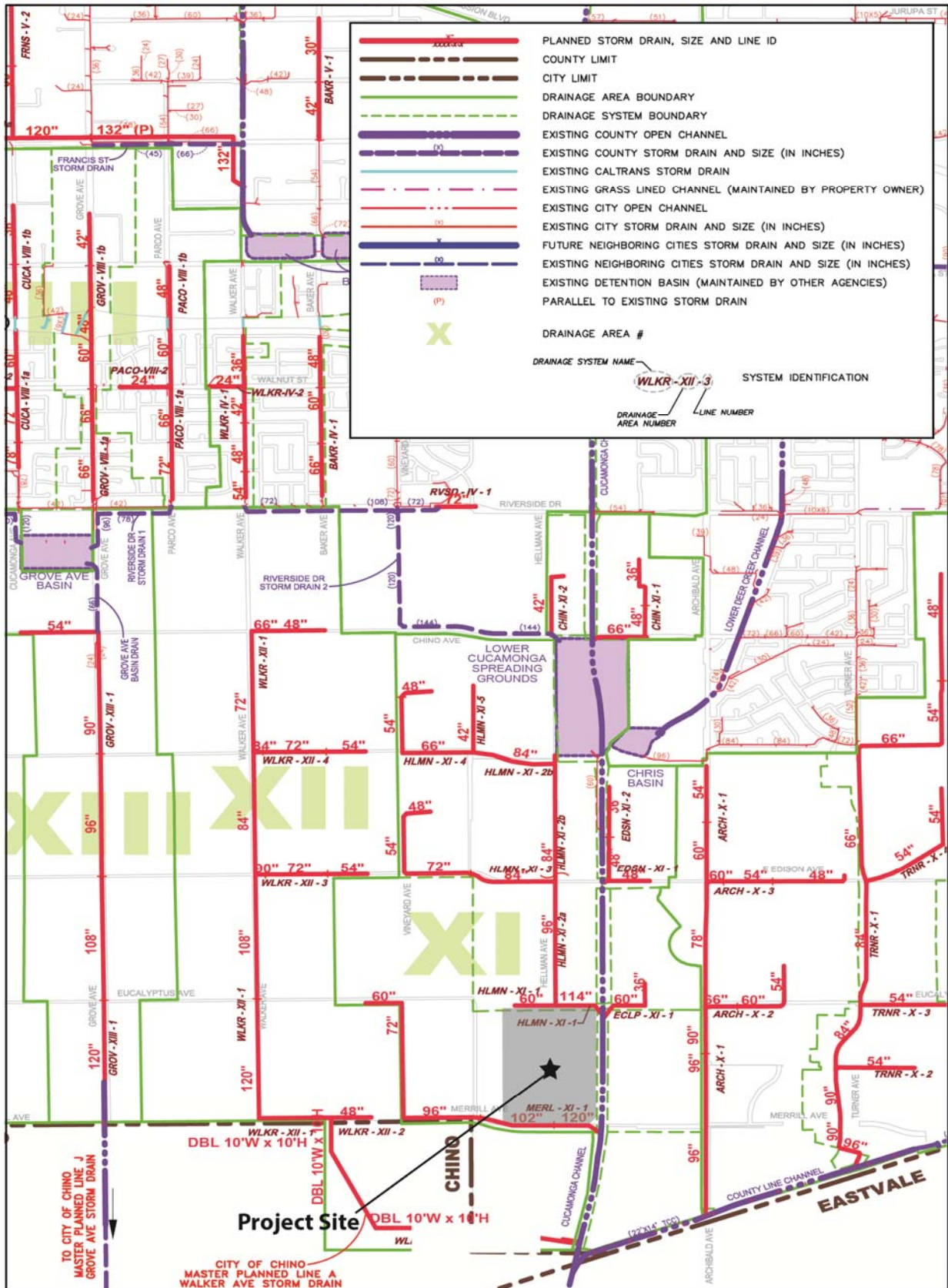
Storm Drain Master Plan

-  New Public Storm Drain (City of Ontario)
-  Future Public Storm Drain (City of Ontario)



Date: December 2017
 Source: David Evans and Assoc., Inc., 2017
 Base Map Prepared by: MIG, Inc.

FIGURE 3.18: CITY OF ONTARIO PLANNED DRAINAGE FACILITIES



Source: City of Ontario, 2012

3.11 PHASING PLAN

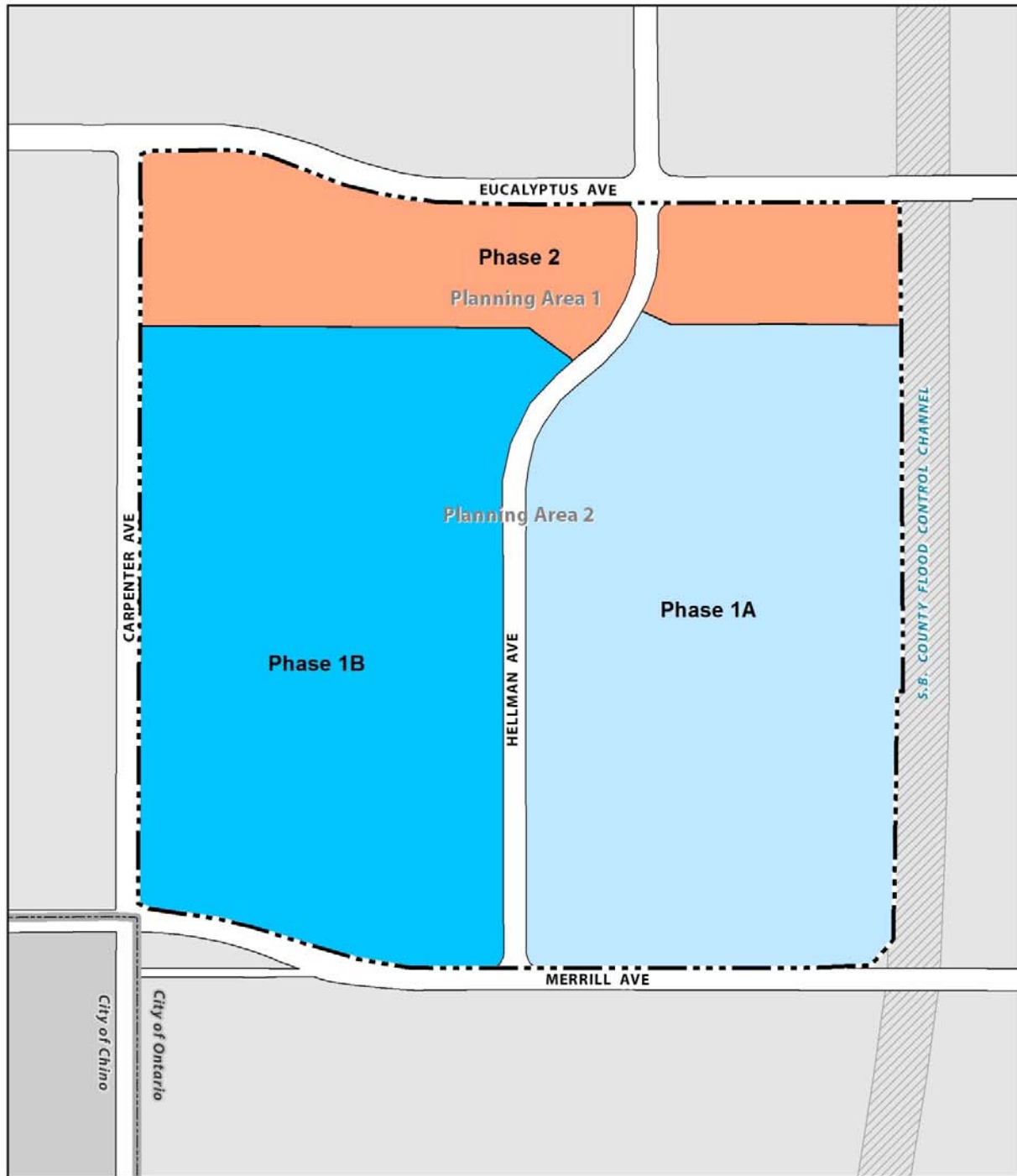
Development phasing of the project site will be determined by the landowner and/or developer based upon real estate market conditions. Phasing will occur as appropriate levels of infrastructure are provided. Phasing sequencing is subject to change over time to respond to various market and local factors and as such, individual phases may overlap or develop concurrently. Infrastructure improvements, as required and approved by the City Engineer to support the development, will be installed by the developer. Figure 3.19, Conceptual Phasing Plan, describes two general phases of development, starting with the southern portion of West Ontario Commerce Center and extending north over time.

Backbone infrastructure to the West Ontario Commerce Center will be installed by the project developer, in accordance with the applicable City-adopted Master Plan for the area, as well as the provisions of this Specific Plan and the approved Development Agreement. Fair share responsibilities for bridges, streets, and storm drain improvements will be addressed in a Development Agreement with the City of Ontario. The timing for installation of infrastructure and utilities within the Specific Plan will be determined as part of the City's approval of parcel maps. Infrastructure will be constructed and made available in a timely manner as development progresses.

Phase 1: Phase 1 consists of the construction of the storage, warehousing, and industrial uses in Planning Area 2. This phase may be developed in two or more subphases, based on development plans. Final grading and infrastructure improvements will be completed in accordance with the approved Development Agreement and City Engineer approval.

Phase 2: Phase 2 consists of the construction of the business park uses in Planning Area 1. This phase may be developed in several subphases in response to market demands and according to the logical and orderly completion of infrastructure improvements.




FIGURE 3.19: CONCEPTUAL PHASING PLAN

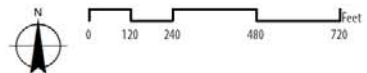


Legend

-  Specific Plan Boundary
-  Planning Areas

Conceptual Phasing Plan

-  Phase 1A
-  Phase 1B
-  Phase 2



Date: November 2016
Base Map Prepared by: MKG, Inc.

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4.0 LAND USE AND DEVELOPMENT STANDARDS

This chapter identifies the allowable uses and the standards for building heights, setbacks, parking, coverage, landscape, signage, and all other development standards within the West Ontario Commerce Center Specific Plan. The application of these regulations is intended to create a harmonious relationship within the Specific Plan area and with the surrounding land uses as well as to protect the health, safety, and general welfare of the community.

4.1 GENERAL PROVISIONS

Upon adoption of the West Ontario Commerce Center Specific Plan, the development standards and procedures established within the Specific Plan become the governing zoning standards for any new construction, addition, or remodel within the Specific Plan area. However, in reviewing individual projects requiring discretionary approval, additional conditions may be applied by the approving body to accomplish the goals and objectives of this Specific Plan.

4.2 ALLOWABLE USES

Table 4.1 (Land Use Matrix) shows the allowable land use, activity, or facility permitted within the BP (Business Park) and IG (General Industrial) Districts of the West Ontario Commerce Center as described in Chapter 3. The letters/symbols used in Table 4.1 shall have the following meanings:

“P” - Permitted Land Uses

A Permitted Use (P) is permitted by right and may be established as the primary use of a building or use without the need for discretionary approval. Permitted Uses are subject to the development standards and guidelines applicable to the zoning district in which the use is located.

“C” - Conditionally Permitted Land Uses

A Conditionally Permitted Use (C) is permitted upon issuance of a Conditional Use Permit (CUP) pursuant to Section 4.02.015 of the Ontario Development Code and City processing procedures.

“A” - Administratively Permitted Uses

An Administratively Permitted Use (A) is permitted upon issuance of a Administrative Use Permit (AUP) pursuant to Section 4.03.015 of the Ontario Development Code and City processing procedures.

“--” - Prohibited Land Uses

A land use indicated with a “--” symbol is prohibited within the land use district.

Land Uses Not Listed

A land use not listed in Table 4.1 shall be considered a prohibited land use. For land uses similar to those listed in Table 4.1, but not expressly stated in this Specific Plan, the Planning Director or his/her designee has the authority to make a determination of the applicability of similar land uses.

Table 4.1: Allowable Uses

Land Use	BP District	IG District
AGRICULTURAL USES		
Commercial Crop Production and Farming	C	P
Community Gardens, Urban Farms, and Related Uses	A	A
Kennels and Catteries	--	P
RESIDENTIAL USES		
Caretaker's Unit (not to exceed 1,000 square feet)	A	A
CONSTRUCTION		
Contractors (e.g., building construction, site preparation, capital improvement projects)		
• Completely within a building	P	P
• With outdoor storage	--	P
MANUFACTURING		
Apparel Manufacturing	P	P
Artisan Crafts (made by hand) such as glassworks, jewelry, and pottery	P	P
Beverage Manufacturing	--	P
Chemical Manufacturing (excludes pesticides and fertilizers)	--	C
Computer and Electronic Product Manufacturing	P	P
Electrical Equipment, Appliance and Component Manufacturing	P	P
Fabricated Metal Product Manufacturing	--	P
Food Manufacturing, General (but excluding animal slaughtering and processing and seafood product preparation and packaging)	--	P
Food Manufacturing, Limited (bread, tortilla, snack foods, roasted nuts and peanut butter, coffee, tea, flavoring syrup, seasoning and dressing, spice extract)	P	P
Furniture and Related Product Manufacturing	P	P
Glass and Glass Product Manufacturing	--	C
Leather and Allied Product Manufacturing (excluding leather and hide tanning and finishing)	P	P
Machinery Manufacturing	--	P
Miscellaneous Manufacturing (medical equipment and supplies, jewelry, sporting goods, toys, office supplies, signs, etc.)	P	P
Paper Manufacturing	--	P
Pharmaceutical and Medicine Manufacturing (excludes biological product manufacturing)	C	C
Printing and Related Support Activities	P	P
Primary Metal Manufacturing	--	C
Petroleum and Coal Products Manufacturing	--	C
Plastics Product Manufacturing	--	P
Rubber Product Manufacturing	--	C

Table 4.1: Allowable Uses

Land Use	BP District	IG District
Textile Mills	--	P
Textile Product Mills	--	P
Transportation Equipment Manufacturing	--	P
Wood Product Manufacturing	--	P
WHOLESALE TRADE		
Merchant Wholesalers, Durable Goods - General (includes motor vehicles and parts, lumber and construction materials, metals and minerals other than petroleum, and machinery equipment and supplies)	--	P
Merchant Wholesalers, Durable Goods - Limited (includes furniture and home furnishings, professional and commercial equipment and supplies, hardware, plumbing, and heating equipment and supplies)	P	P
Merchant Wholesalers, Nondurable Goods (excluding industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)	--	P
Wholesale Electronic Markets and Agents, and Brokers (excluding automobile auctions)	P	--
HEALTH CARE AND SOCIAL ASSISTANCE		
Ambulatory Health Care Services	P	P
Child Day Care Services (Commercial Facilities)	P	--
Child Day Care Services (Employer Provided Services)	P	P
Medical Office	P	--
Vocational Rehabilitation Services	C	--
COMMERCIAL USES		
Information		
Broadcasting	P	P
Data Processing, Health, and Related Services	P	P
Publishing Industries	P	P
Motion Picture and Sound Recording Facilities (excluding movie theaters)	P	P
Recording and sound studios	P	--
Telecommunication Facilities	P	P
Eating and Drinking Places, and Food Services		
Alcoholic beverage sales for consumption on the premises (includes all retailer's on-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Food Bank or Meal Delivery Services	C	C
Restaurant		
• Without drive-thru	P	--
• With drive-thru	C	--
Motor Vehicle Mechanical and Electrical Repair and Maintenance		
Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail activities that involves the limited use of pneumatic tools or equipment that create noise impacts)	P	--
General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, and suspension		

Table 4.1: Allowable Uses

Land Use	BP District	IG District
systems; and engine, transmission, and drive train) (2 types)		
<ul style="list-style-type: none"> General Repair Facilities - Automobile, Light Truck and Van Repair and Maintenance 	C	P
<ul style="list-style-type: none"> General Repair Facilities- Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance 	--	P
Automotive Body, Paint, Interior and Glass Repair		
<ul style="list-style-type: none"> Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization 	C	P
<ul style="list-style-type: none"> Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- no body or paint work is allowed) 	C	P
<ul style="list-style-type: none"> Large Truck and Bus Body, Paint, and Interior Repair and Maintenance 	--	P
Personal Services		
Couriers and Messengers	P	P
Commercial and Industrial Machinery and Equipment Repair and Maintenance (except automotive and electronic)	--	P
Electronic and Precision Equipment Repair and Maintenance	P	P
Fitness and Recreational Sports Center		
<ul style="list-style-type: none"> Gross Floor Area less than 10,000 square feet 	P	--
<ul style="list-style-type: none"> Gross Floor Area 10,000 square feet or more 	C	C
Industrial Laundry and Linen Supply	P	P
Personal and Household Goods Repair and Maintenance	P	P
Pet Boarding and Kennels		
<ul style="list-style-type: none"> Day only (e.g. Doggie Daycare) 	C	--
<ul style="list-style-type: none"> Overnight Stays 	C	--
Postal Services	P	P
Passenger Car Rental and Leasing	C	--
Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing	C	P
Offices		
Administrative and Support Services	P	--
Finance and Insurance Offices	P	--
Management of Companies and Enterprises	P	--
Office Ancillary to a Primary Industrial Use (less than 10%)	P	P
Professional, Scientific, and Technical Services (e.g. accounting, tax preparation, architecture, bookkeeping, legal, engineering, consulting)	P	--
Real Estate Offices	P	--
Retail		
Alcoholic beverage sales for consumption off the premises (includes all retailer's off-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Auction Houses	C	--
Automotive Parts and Accessories (including tires)	P	--
Convenience stores (without alcoholic beverage sales)	P	--
Gasoline Fueling Station with or without Convenience Store (without alcoholic beverage sales)	C	P

Table 4.1: Allowable Uses

Land Use	BP District	IG District
Internet fulfillment/warehousing/distribution (E-Commerce)	P	P
Industrial Retail Sales (retail of goods and/or product either manufactured, warehoused or wholesaled on-site)		
<ul style="list-style-type: none"> Maximum 15% of building floor area or 8,000 square feet, whichever is less) 	A	A
<ul style="list-style-type: none"> Over 15% of building floor area or 8,000 square feet 	C	C
Non-Store Retailers (including electronic shopping and mail-order houses, vending machine operators, and other direct selling establishments (excluding fuel/petroleum dealers)	P	P
WAREHOUSING		
Warehousing and Storage (General and Other)		
<ul style="list-style-type: none"> Completely within a building 	P	P
<ul style="list-style-type: none"> Outdoor Storage Accessory to an Allowed Use 	A	A
<ul style="list-style-type: none"> Outdoor Storage as the Primary Use 	--	C
Refrigerated Warehousing and Storage	P	P
OTHER		
Religious Assembly	C	--
Parking Facilities	P	--
Vocational/Trade Schools	C	C
Notes:		
1. P=Permitted, C= Conditionally Permitted, A=Administratively Permitted, -- = Prohibited		
2. Refer to the Specific Plan EIR and Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) for additional development criteria and policies that may affect allowable land uses.		

4.3 DEVELOPMENT STANDARDS

Table 4.2 (Development Standards) provides a summary of the development standards applicable to the land uses, structures, and related improvements located within the West Ontario Commerce Center. Refer to the Ontario Development Code for any standard not addressed in Table 4.2.

Table 4.2 Development Standards

Development Standard	District	
	BP	IG
Minimum Lot Area	10,000 sq ft	20,000 sq ft
Minimum Lot Dimensions		
1. Lot Width	100 ft	100 ft
2. Lot Depth	100 ft	100 ft
Maximum Floor Area Ratio	0.60	0.55
Maximum Building Area ⁽¹⁾	100,000 sq ft	N/A
Minimum Landscape Setback		
1. Eucalyptus Avenue	23 ft	N/A
2. Carpenter Avenue	10 ft	10 ft
3. Merrill Avenue	N/A	23 ft
4. Hellman Avenue	18 ft	18 ft
5. Interior Side	N/A	N/A
6. Interior Rear	N/A	N/A

Table 4.2 Development Standards

Development Standard	District	
	BP	IG
Minimum Building Setback⁽²⁾		
1. Eucalyptus Avenue	23 ft	N/A
2. Carpenter Avenue	10 ft	10 ft
3. Merrill Avenue	N/A	23 ft
4. Cucamonga Creek Channel	5 ft	5 ft
5. Hellman Avenue	18 ft	18 ft
6. Interior Side	10 ft	10 ft
7. Interior Rear	10 ft	10 ft
Minimum Parking Space and Drive Aisle Separations^(3,4,7)		
1. Parking Space or Drive Aisle to Street Property Line	20 ft	10 ft
2. Parking Space or Drive Aisle to Interior Property Line	5 ft	5 ft
3. Parking Space to Buildings, Walls, and Fences	Areas adjacent to public entries and office areas: 10 FT Areas adjacent to other building areas: 5 FT. Within screened loading and storage yard areas: 0 FT	
4. Drive Aisles to Buildings, Walls, and Fences	10 ft	10 ft
5. Drive Aisles Within screened loading and storage yard areas	0 FT	0 FT
Maximum Building Height^(5,6)	45 ft	55 ft
Minimum Landscape Coverage	15%	10%
Walls, Fences, and Hedges: Per Ontario Development Code Division 6.02 (Walls, Fences, and Obstructions) and Section 4.4 (Screening) below.		
Notes:		
<ol style="list-style-type: none"> The maximum building area limit is applicable only to buildings that front onto a public right-of-way. All setback areas shall be measured from the property line and shall be landscaped. Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties. The minimum separation area between a building, wall, or fence, and a parking space or drive aisle, shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 5-foot wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang. Architectural projections, mechanical equipment, and focal elements may be allowed to exceed maximum height up to 25 percent above the prescribed height limit. The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). Refer to the ALUCP for properties affected by airport safety zones for additional development criteria and policies that may affect allowable land uses. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas). 		

Table 4.3 (Off Street Parking Design Standards) establishes the design standards for off-street parking in the Specific Plan area. Refer to the Ontario Development Code for any standard not addressed in Table 4.3.

Table 4.3: Off-Street Parking and Loading Design Standards

Development Standard	Requirement
Parking Space Dimensions	
1. Standard parking	9 feet wide by 18 feet long
2. Tractor trailer parking	12 feet wide by 45 feet long
3. At grade loading space	12 feet wide by 18 feet long
Minimum aisle width with 90-degree parking angle	24 feet
Maximum gradient at parking space	5 percent measured in any direction
Dock-High Loading Facilities	
1. Dock high loading door loading space	12 feet wide by 45 feet long with 14-foot minimum vertical clearance measure from finish service of loading dock.
2. Truck maneuvering area	Designed to accommodate the minimum practical turning radius of a 53-foot semi-trailer and tractor combination.

Table 4.4 (Required Number of Parking and Loading Spaces) specifies the number of parking spaces that must be provided by land use. For a use not specified in the table, refer to the Ontario Development Code, Table 6.03-1: Off-Street Parking Requirements.

Table 4.4: Required Number of Parking and Loading Spaces

Land Use	Number of Required Spaces
Multi-Tenant Business Park	3 spaces per 1,000 square feet plus required parking for "general business offices" when exceeding 10 percent of GFA; plus, one trailer parking space per 4 dock-high loading doors
General office when office use exceeds 10 percent of building gross floor area.	4 spaces per 1,000 square feet of gross floor area
Industrial - speculative buildings (includes office uses if less than 10 percent of building gross floor area)	Per 1,000 square feet of gross floor area: <ul style="list-style-type: none"> Up to 50,000 sq ft: 1.85 spaces 50,001 – 100,000 sq ft: 1 space 100,001 sq ft and over: 0.5 space plus one tractor trailer parking space per four dock-high loading doors.
Manufacturing (includes office uses if less than 10 percent of building gross floor area)	1.85 spaces per 1,000 square feet of gross floor area, plus one tractor trailer parking space per four dock-high loading doors.
Restaurants (includes outdoor seating area up to 25 percent of gross floor area) <ul style="list-style-type: none"> Under 2,000 square feet More than 2,000 square feet 	<ul style="list-style-type: none"> 5 spaces per 1,000 square feet of gross floor area 10 spaces per 1,000 square feet of gross floor area
Warehousing and Distribution (includes office uses if less than 10 percent of building gross floor area)	1 space per 1,000 square feet of gross floor area for first 20,000 square feet; 0.5 space per 1,000 square feet of additional gross floor area, plus one tractor trailer parking space per four dock-high loading doors plus required parking for "general business offices" and other associated uses, when those uses exceed ten percent of the building gross floor area.

Sufficient off-street loading and unloading spaces shall be provided on each development site, and adequate provisions and space shall be made for maneuvering freight vehicles and handling all freight. All loading activity, including turnaround and maneuvering, shall be made on site. Buildings, structures, and loading facilities shall be designed and placed on the site so that vehicles, whether rear loading or side loading, may be loaded or unloaded at any loading dock, door, or area without extending beyond the property line.

4.4 OTHER DEVELOPMENT STANDARDS

Development projects located within the West Ontario Commerce Center are subject to the following general development standards. For any standard not addressed in this Specific Plan, the Ontario Development Code shall apply.

Screening

1. Loading docks and truck parking areas shall be visually screened from Carpenter Avenue, Merrill Avenue, and Eucalyptus Avenue. Screening may include landscaping, berms, decorative walls, or any other appropriate screening material or combination of materials. Tubular steel fencing in conjunction with a minimum five-foot wide planter area may be used to screen truck parking areas only along Cucamonga Creek Channel.
2. Outdoor storage requires a use permit and shall be limited to predefined areas with a height not-to-exceed the screen wall(s). Storage areas shall be screened from public view by decorative walls or landscaping at a maximum height of fourteen feet and a minimum height of eight feet.
3. Ground- or roof-mounted mechanical equipment shall be architecturally screened from public view, including views from the Cucamonga Creek Multi-Purpose Trail. Ground mounted equipment shall be screened with decorative walls or landscaping.
4. Refuse enclosures shall be easily accessed by service vehicles but screened from public view within the building's façade or within a screened enclosure.

Landscaping

1. Landscape areas shall have a minimum dimension of five feet, exclusive of curbs and excepting vine pockets.
2. A minimum of 15 percent of landscape coverage is required and shall include all areas on the site that are not covered by buildings, structures, paving or impervious surface.
3. Landscape areas that are comprised of living plant material shall be planted at spacing no greater than mature plant diameter. Non-living ornamental features may comprise a maximum of five percent of a landscaped area and shall be of a permeable material.
4. All utilities shall be shown on plans to facilitate landscape design and tree placement. Utilities such as backflow devices and transformers shall be screened to at least 75 percent of the equipment. Transformers and backflow devices shall be located and dimensioned with a five-foot setback from hardscape for landscape screening.

5. Shade trees with irrigation shall be located in appropriate areas where space permits to reduce the impacts of heat gain by shading large areas of paving, building walls, roofs, and windows.
6. The landscape plan shall be designed for the intended function of the project and for the efficient use of water. Plants shall be selected and planted based upon their adaptability to the climate and the topographical conditions of the project site.
7. Landscape planter islands at least five feet in width (exclusive of curbs) and the length of the abutting parking space shall be placed every ten parking spaces. Planter islands shall include at least one tree, appropriate shrubs, and groundcover. Parking areas provided behind screen walls shall not be subject to this provision.
8. Landscape and irrigation plans shall incorporate water conservation features.

Landscape and irrigation plans shall be submitted for City review and approval subject to the requirements of the Ontario Development Code.

Parking Lot Lighting

1. Exterior lighting fixtures shall be directed downward to illuminate pedestrian pathways and avoid unnecessary glare.
2. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 30 feet in height to minimize direct glare beyond the parking lot or service area.
3. Pole-mounted lights shall be shielded and the light directed away from public streets.
4. Exterior lighting must be consistent with the Chino Airport Land Use Compatibility Plan.
5. Parking lot lighting shall be designed to avoid light fixture placement in required tree locations.

Environmental Performance and Sustainable Development

1. Skylights shall be incorporated into warehouse/distribution building design to provide natural light and reduce lighting demand, at a rate of 2 percent throughout.
2. Site lighting shall use energy efficient LED (or similar) products.
3. Interior or exterior bicycle storage shall be provided consistent with the California Green Building Standards Code.
4. Drought tolerant landscaping with drip irrigation shall be used and shall include plantings such as trees, shrubs, groundcovers or vines. Optional amenities include benches, trellises, thematic fencing, and walkways.
5. High performance dual pane glazing shall be provided in office storefronts.

Signage

Project signage shall be provided consistent with the design guidelines in Chapter 5 of this Specific Plan. The approval of a comprehensive sign program shall be required:

- ❖ Whenever the floor area is in excess of 25,000 square feet;

- ❖ Whenever five or more separate commercial or industrial tenant spaces are present on the same site;
- ❖ Whenever the City determines that a comprehensive sign program is needed because of special project characteristics (e.g., the size of proposed signs, limited site visibility, the location of the site relative to other lots, buildings, or streets, and the like).

A comprehensive sign program for larger developments within the Plan Area will integrate a project's signs with the overall site design and the structures' design into a unified architectural statement. A comprehensive sign program provides a means for flexible application of sign regulations in order to provide incentive and latitude in the design and display of multiple signs.

5.0 DESIGN GUIDELINES

This chapter identifies the conceptual themes for site planning, architecture, and landscape design in the West Ontario Commerce Center. The guidelines are intended to ensure a cohesive and attractive development that meets the following objectives:

- ❖ Demonstrates that the West Ontario Commercial Center is a high quality development that complements and integrates into the community and adds value to the City.
- ❖ Creates a functional and sustainable place that ensures that the West Ontario Commerce Center is competitive regionally and appropriate for the Ontario Ranch community.
- ❖ Illustrates through site planning the distinctive characteristics of the two districts of the land use plan: Business Park District (Planning Area 1) and General Industrial District (Planning Area 2).
- ❖ Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, builders, architects, landscape architects, and other professionals preparing plans for construction.
- ❖ Provides guidance to City staff and the Planning Commission in the review and evaluation of future development projects in the West Ontario Commerce Center.
- ❖ Incorporates construction and landscape design standards that promote energy and water conservation strategies.
- ❖ Implements the goals and policies of The Ontario Plan and the intent of the Ontario Development Code.

5.1 SITE DESIGN

The Planning Areas within the West Ontario Commerce Center are designed to be architecturally consistent yet distinct through use and circulation. As indicated in Figure 3.1 (see Chapter 3), Planning Area 1 is oriented toward Eucalyptus Avenue and intended to serve as a buffer between the residential uses to the north and the industrial and/or warehouse and distribution uses of Planning Area 2.

Site design within Planning Area 1 (Business Park District) shall incorporate the following design features, as feasible:

- ❖ The arrangement of multiple buildings and associated circulation, and parking areas should reflect a well-organized site plan that emphasizes pedestrian connectivity and landscaped areas responsive to the public.
- ❖ Orient buildings to front onto Eucalyptus Avenue and create an inviting public perimeter.
- ❖ Provide pedestrian access to buildings visible from Eucalyptus Avenue, the parking areas, and perimeter sidewalks.
- ❖ Install enhanced paving, accent trees, and other landscape features that mark major building entries.

- ❖ Design parking areas along Hellman, Eucalyptus and Carpenter Avenues to include a landscape buffer with screening trees, and drought tolerant plants. (See Section 5.3 for additional information.)
- ❖ Plan landscaped areas, drive entrances, and/or buildings to separate parking areas and keep the parking lot from being the dominant visual element of the site.
- ❖ Locate visitor and short-term parking areas at the front and sides of buildings to be near primary building entrances.
- ❖ Orient elements such as trash enclosure areas, loading bay doors, and service docks to prevent visibility from Eucalyptus Avenue and screen such elements to minimize their visibility from Carpenter Avenue.
- ❖ Design loading and storage areas to provide for on-site backing and maneuvering, adequate parking for loading vehicles to ensure that normal traffic flow is not impeded, and orient such spaces away from Eucalyptus Avenue, as feasible.
- ❖ Design drive aisles that minimize impact to pedestrians, provide adequate stacking, and prevent the queuing of vehicles onto public streets.
- ❖ Strategically locate service entrances to not interfere with owner, tenant, or customer access.
- ❖ Design buildings with electrical rooms and adjacent transformers in locations away from front entry and not visible from streets.

Site design within Planning Area 2 (General Industrial District) shall incorporate the following design features, as feasible:

- ❖ Guide pedestrian access to the buildings from Hellman, Merrill, and Carpenter Avenues, and parking areas with building entrances marked by signage, architectural features, and landscaping features.
- ❖ Design parking areas along Merrill and Carpenter Avenues to include a landscape buffer with screening trees and drought tolerant plants. (See Section 5.3 for additional information)
- ❖ Design buildings with electrical rooms and adjacent transformers in locations away from front entry and not visible from streets.

5.2 ARCHITECTURAL DESIGN

The building design, materials, colors, and textures in the West Ontario Commerce Center establish its theme and character. The design elements in the two Planning Areas shall be compatible and complement each other; however, variation is encouraged to provide visual interest.



Planning Area 1 Architectural Design Examples

Architectural design within Planning Area 1 (Business Park District) shall incorporate the following design features, as feasible:

Office, Light Industrial, and Commercial Development

- ❖ Ensure consistency of materials, colors, fenestration, scale, and massing with the intended architectural style or theme of the West Ontario Commerce Center.
- ❖ Avoid blank walls. Provide sufficient vertical and horizontal articulation for elevations that are visible from public rights-of-way and Cucamonga Creek Channel.
- ❖ Feature the highest level of articulation on the front façade and on facades visible from public streets.

- ❖ Incorporate similar and complementary massing materials and details into rear and side yards.
- ❖ Apply materials in a consistent manner to all facades of the project.
- ❖ Terminate changes in material or color around the corner of the building to a logical termination point in relation to the architectural features or massing.
- ❖ Design entry features as a significant aspect of the building's overall composition. Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.
- ❖ Use four different colors, materials, and/or textures on each building.
- ❖ Provide shade and visual relief through recessed or covered entrances.
- ❖ Have a recognizable base, middle, and top in each facade. Typical base treatments include textured materials, different colored materials or paint colors, or enriched landscaping. Typical top treatments include cornice elements, roof overhangs, stepped parapets, textured materials, different colored materials or paint colors, or vertical expressions.
- ❖ Roofing materials visible to public view may include metal standing seam and concrete tile.
- ❖ Decorative concrete, stucco, exterior plaster, tile, and stone are appropriate primary exterior materials for buildings. Veneers that are visibly prefabricated are not recommended.
- ❖ Unfinished exterior surfaces are not permitted on any building façade.
- ❖ Paint exposed downspouts, service doors, and mechanical screens the same color as the adjacent wall.

Architectural design within Planning Area 2 (General Industrial District) shall incorporate the following design features, as feasible:

- ❖ Ensure consistency of materials, colors, fenestration, scale, and massing with the intended architectural style or theme of the West Ontario Commerce Center.
- ❖ Avoid blank walls. Provide sufficient vertical and horizontal articulation for elevations that are visible from public rights-of-way and Cucamonga Creek Channel.
- ❖ Feature the highest level of articulation on the front façade and on facades visible from public streets.
- ❖ Incorporate similar and complementary massing materials and details into rear and side yards.
- ❖ Terminate changes in material or color around the corner of the building to a logical termination point in relation to the architectural features or massing.
- ❖ Highlight primary building entries through the massing of the building, special materials, colors, detailing, and/or other architectural treatment. Provide shade and visual relief through recessed or covered entrances.
- ❖ Portray a quality office appearance for primary entries, and tie the entry into the overall mass and building composition. Entries should not appear as an "add-on" or afterthought.
- ❖ Have a recognizable base, middle, and top in each facade. Typical base treatments include textured materials, different colored materials or paint colors, or enriched landscaping. Typical top treatments include cornice

elements, roof overhangs, stepped parapets, textured materials, different colored materials or paint colors, or vertical expressions.

- ❖ Roofing materials visible to public view may include metal standing seam and concrete tile.
- ❖ Decorative concrete, stucco, exterior plaster, tile, and stone are appropriate primary exterior materials for buildings. Veneers that are visibly prefabricated are not recommended.
- ❖ Unfinished exterior surfaces are not permitted on any building façade.
- ❖ Paint exposed downspouts, service doors, and mechanical screens the same color as the adjacent wall.



Planning Area 2 Architectural Design Examples

5.3 LANDSCAPE DESIGN

The conceptual landscape plan for the West Ontario Commerce Center encourages durable landscape materials and designs that enhance the aesthetics of the structure, create and define public and private spaces, and provide shade and environmental benefits. The City of Ontario has developed the following guidelines to guarantee that intersection sight lines and pedestrian safety are preserved. All landscaping plans within the West Ontario Commerce Center will comply with City of Ontario Standard Drawings and Traffic and Transportation Guidelines for sight-distance.

Key features include:

- ❖ Provide a landscape setback on Merrill and Eucalyptus Avenues consistent with the Ontario Ranch *Streetscape Master Plan* as identified in Chapter 3, Section 3.3: Circulation and Parking Plan.
- ❖ Include in the drought-tolerant plant selection colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate.
- ❖ Design parking lot landscaping to reduce associated heat buildup, improve aesthetics, and integrate into onsite landscape design and adjacent streetscapes.
- ❖ Use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage areas from public view, without using berms. Landscape and provide an automatic irrigation system for all areas within the West Ontario Commerce Center that are not intended for a specific use.
- ❖ Design and grade projects to direct two-year storm event runoff from building roofs and paved areas into swaled landscape areas for retention/infiltration. In particular, open space, landscaped setback areas and trails are to be used for this purpose.

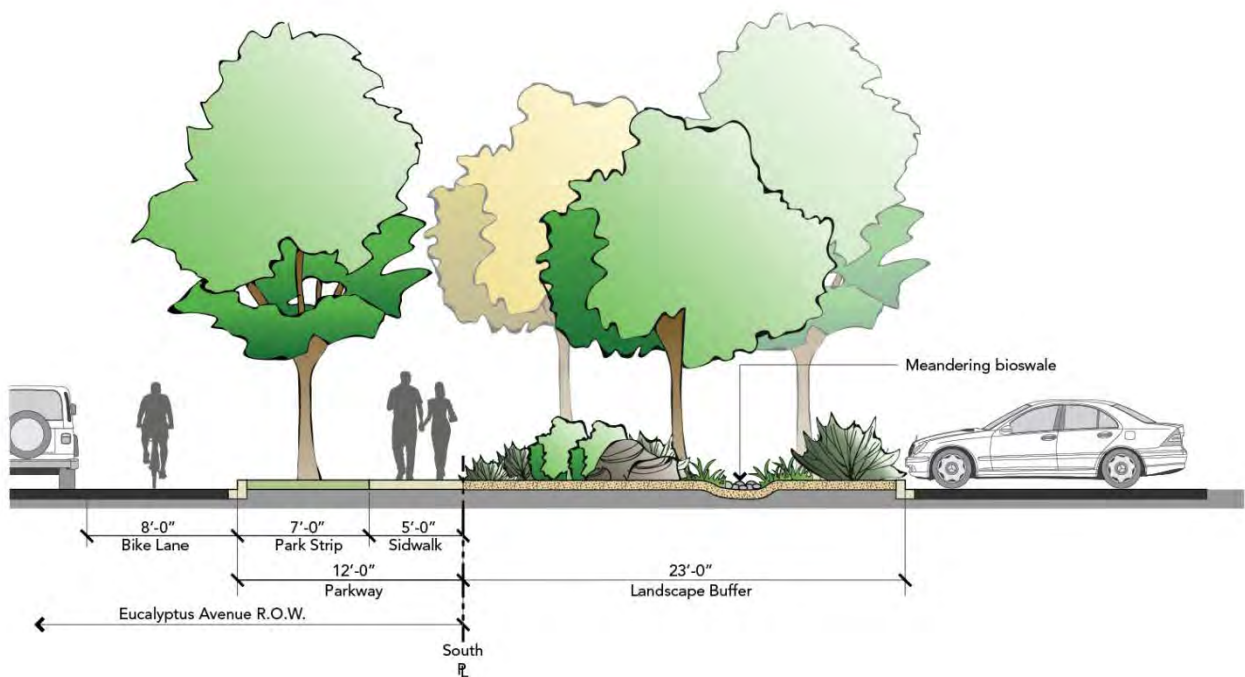
Streetscapes

The West Ontario Commerce Center uses streetscape design to present an aesthetically pleasing view for pedestrians and motorists, screen parking and loading areas from the public right-of-way, and integrate the development into the surrounding community. Streetscape designs presented are conceptual only; final grading, plantings, and tree locations are to be determined on a project-by-project basis. Slopes shall have a maximum 4:1 slope with dripline irrigation to prevent irrigation water runoff.

Eucalyptus Avenue

The typical Eucalyptus Avenue section will feature a 12-foot parkway and 23-foot landscape setback defined in the *Ontario Ranch Streetscape Master Plan* as the “Neighborhood Edge.” The parkway will include a 7-foot curb-adjacent parkway strip generally planted with groundcover and a 5-foot sidewalk. The 35-foot Neighborhood Edge is intended provide a buffer between the West Ontario Commerce Center and the residential neighborhoods to the north as well as provide a visual statement and pleasing aesthetic along a major City thoroughfare (Figure 5.1).

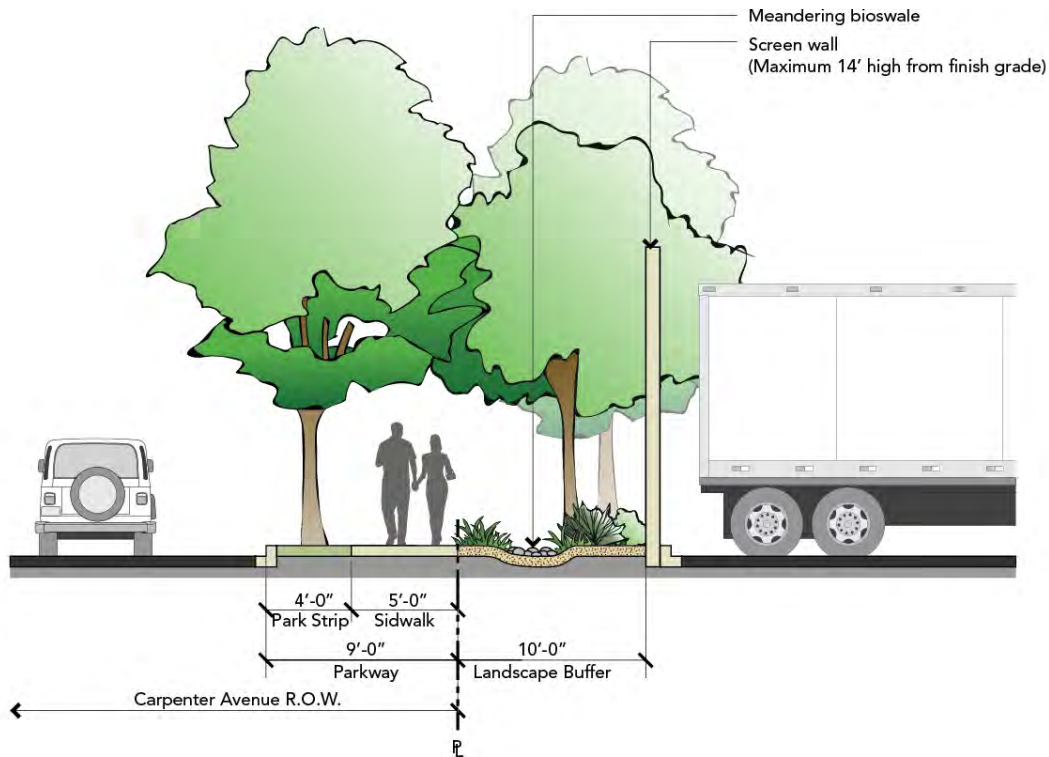
FIGURE 5.1: EUCALYPTUS AVENUE CONCEPTUAL STREETSCAPE



Carpenter Avenue

The typical Carpenter Avenue section will feature a nine-foot parkway and a 10-foot landscape setback. The parkway will include a curb-adjacent parkway strip generally planted with deciduous and/or evergreen trees and groundcover and a five-foot sidewalk. The landscape setback in Planning Area 2 (General Industrial District) is primarily intended to soften the loading dock and parking area of the adjacent warehouse/distribution use. Trees, screenwalls, and bushes will be used to provide a visually pleasing yet functional buffer (Figure 5.2).

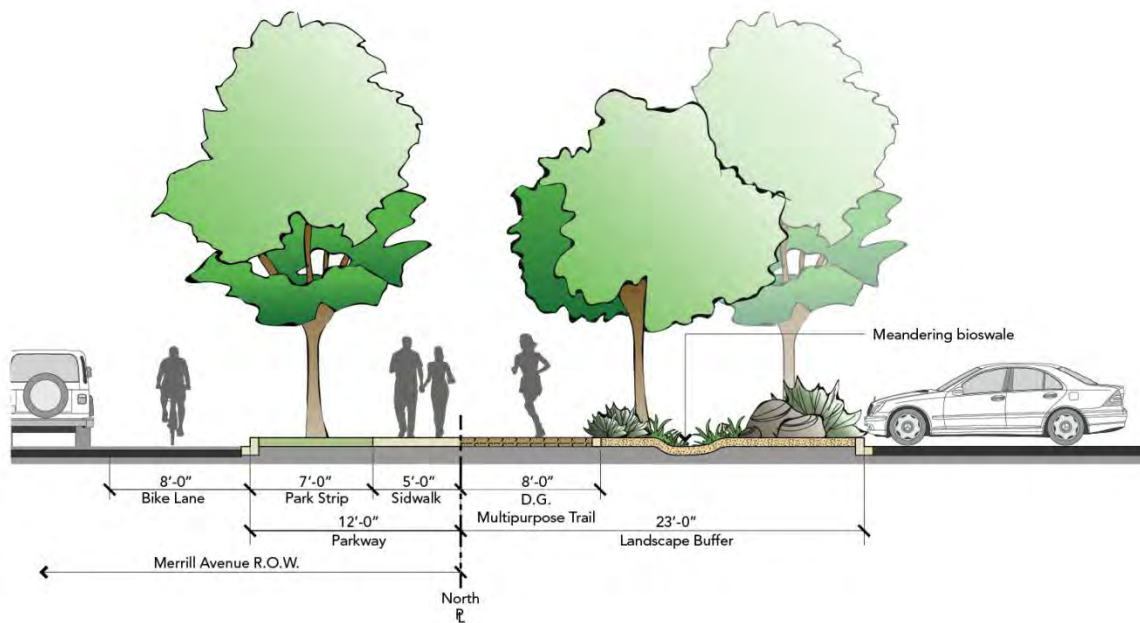
FIGURE 5.2: CARPENTER AVENUE CONCEPTUAL STREETSCAPE



Merrill Avenue

The typical Merrill Avenue section will feature an 8-foot on-street Class II bike lane, 12-foot parkway and 23-foot landscape setback defined in the *Ontario Ranch Streetscape Master Plan* as the “Neighborhood Edge.” The parkway will include a 7-foot curb-adjacent parkway strip generally planted with Toyon Trees, Coast Live Oak, and colorful groundcover and a five-foot sidewalk. The landscape setback will provide an attractive entry to Planning Area 2 (Figure 5.3).

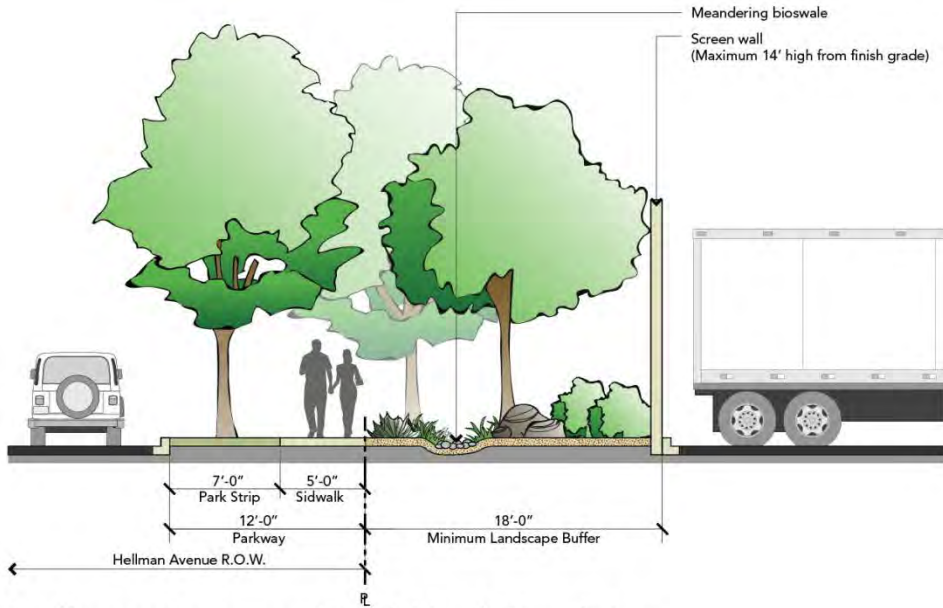
FIGURE 5.3: MERRILL AVENUE CONCEPTUAL STREETSCAPE



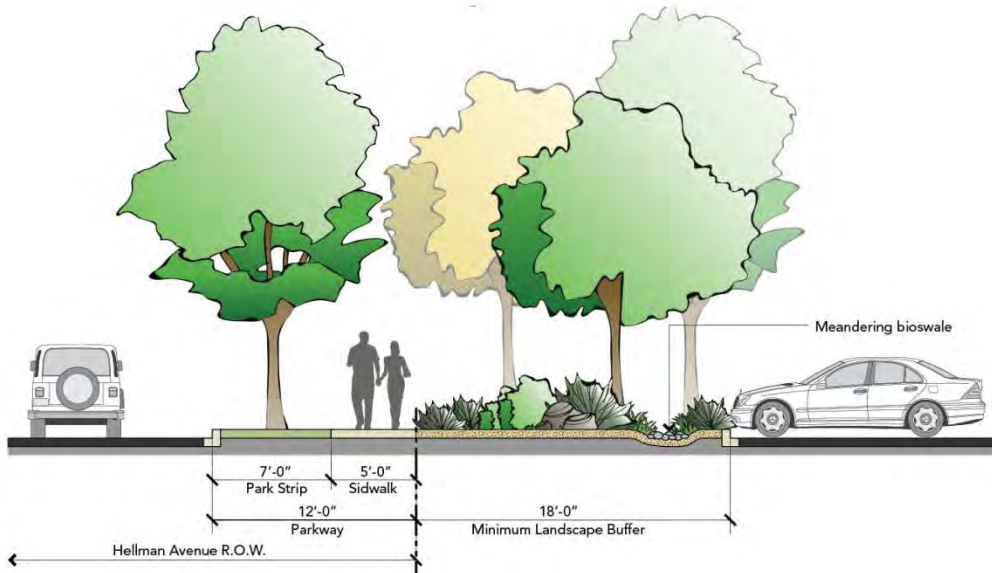
Hellman Avenue

The typical Hellman Avenue section will feature a 12-foot parkway adjacent to an 18-foot landscape setback. The parkway will include a seven-foot curb-adjacent parkway strip generally planted with Tulip Tree, Afghan Pine, Flowering Plum and generally planted with groundcover and a five-foot sidewalk. The landscape setback in Planning Area 2 (General Industrial District) is primarily intended to soften the loading dock and parking area of the adjacent warehouse/distribution use. Trees, and bushes will be used to provide a visually pleasing yet functional buffer (Figures 5.4 and 5.5).

FIGURE 5.4: HELLMAN AVENUE CONCEPTUAL STREETSCAPES



Hellman Avenue - Truck Yard Condition



Hellman Avenue - Parking Lot Condition

FIGURE 5.5: Merrill Avenue Conceptual Project Entry

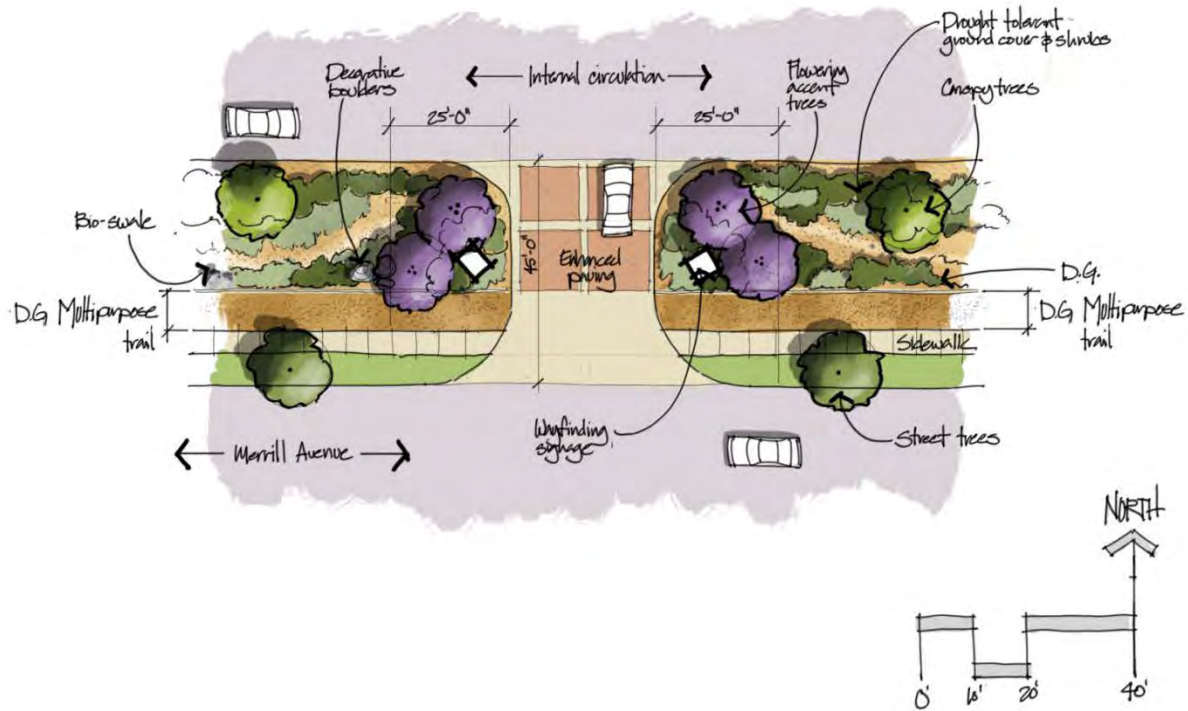


FIGURE 5.6: Carpenter Avenue Conceptual Project Entry



Plant Palette

The Plant Palette shown in Table 5.1 establishes a base palette for the West Ontario Commerce Center and includes a variety of groundcovers, shrubs, ornamental grasses, and evergreen and deciduous trees. The selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region. Similar plant materials may be substituted for the species listed in Table 5.1 if the alternative plants are climate appropriate and enhance the thematic setting.

Table 5.1: Plant Palette

Botanical Name	Common Name	Use
<i>Chilopsis linearis</i>	Desert Willow	Tree
<i>Chitalpa tashkentensis</i>	Chitalpa	Tree
<i>Cinnamomum camphora</i>	Camphor Tree	Tree
<i>Cupressus sempervirens</i>	Italian Cypress	Tree
<i>Heteromeles arbutifolia</i>	Toyon	Tree
<i>Juniperus s. 'Skyrocket'</i>	Skyrocket Juniper	Tree
<i>Koelreuteria bipinnata</i>	Chinese Flame Tree	Tree
<i>Lagerstroemia i 'Muskogee'</i>	Crape Myrtle	Tree
<i>Magnolia g. 'Samuel Sommer'</i>	Magnolia	Tree
<i>Magnolia g. 'Little Gem'</i>	Magnolia	Tree
<i>Olea europaea</i>	Olive	Tree
<i>Pinus canariensis</i>	Canary Island Pine	Tree
<i>Pinus eldarica</i>	Afghan Pine	Tree
<i>Pistacia chinensis</i>	Chinese Pistache	Tree
<i>Platanus acerifolia</i>	London Plane	Tree
<i>Platanus racemosa</i>	California Sycamore	Tree
<i>Quercus agrifolia</i>	Coast Live Oak	Tree
<i>Schinus molle</i>	California Pepper	Tree
<i>Tristania conferta</i>	Brisbane Box	Tree
<i>Washingtonia filifera</i>	California Fan Palm	Tree
<i>Phoenix dactylifera</i>	Date Palm	Tree
<i>Acca sellowiana</i>	Pineapple Guava	Shrub
<i>Buxus j. Green Beauty'</i>	Japanese Boxwood	Hedge
<i>Callistemon 'Little John'</i>	Dwarf Bottle Brush	Shrub
<i>Carissa macrocarpa 'Tuttle'</i>	Natal Plum	Shrub
<i>Cistus 'Sunset Pink'</i>	Sunset Pink Rockrose	Shrub
<i>Dianella 'Little Rev'</i>	Dwarf Dianella	Shrub
<i>Dianella tasmanica</i>	Dianella	Shrub
<i>Dodonaea viscosa 'Purpurea'</i>	Hopseed Bush	Shrub
<i>Eleagnus pungens</i>	Silverberry	Shrub
<i>Leucophyllum f. 'Green Cloud'</i>	Texas Ranger	Shrub
<i>Ligustrum j. Texanum</i>	Texas Privet	Shrub
<i>Pittosporum tobira 'Variegata'</i>	Variegated Mock Orange	Hedge
<i>Pittosporum t. 'Wheeleri'</i>	Wheeler's Dwarf	Shrub
<i>Rhaphiolepis i. 'Clara'</i>	Indian Hawthorn	Hedge
<i>Rhaphiolepis i. 'Springtime'</i>	Indian Hawthorn	Hedge
<i>Rhamnus californica</i>	Coffeeberry	Shrub
<i>Rhamnus c. 'Mound San Bruno'</i>	Dwarf Coffeeberry	Shrub
<i>Rosmarinus o. 'Tuscan Blue'</i>	Rosemary	Shrub

Table 5.1: Plant Palette

Botanical Name	Common Name	Use
Salvia c. 'Allen Chickering'	Allen Chickering Sage	Shrub
Salvia greggii	Autumn Sage	Shrub
Salvia leucantha	Mexican Sage	Shrub
Westringia fruticosa	Coast Rosemary	Shrub
Xylosma congestum	Shiny Xylosma	Hedge
Agave 'Blue Flame'	Blue Flame Agave	Accent
Aloe maculata	Soap Aloe	Accent
Aloe petricola	Stone Aloe	Accent
Aloe polyphylla	Spiral Aloe	Accent
Aloe striata	Coral Aloe	Accent
Echeveria 'Ruffles'	Ruffles Echeveria	Accent
Hesperaloe parviflora	Red Yucca	Accent
Acacia redolens 'Low Boy'	Dwarf Acacia	Groundcover
Baccharis p. 'Pigeon Point'	Dwarf Coyote Bush	Groundcover
Baccharis p. 'Centennial'	Coyote Bush	Groundcover
Carex pansa	California Meadow Sedge	Grass
Carex tumulicola	Foothill Sedge	Grass
Festuca mairei	Altas Fescue	Grass
Festuca o. 'Glaucua'	Blue Fescue	Grass
Lonicera j. 'Halliana'	Hall's Honeysuckle	Groundcover
Muhlenbergia capillaris	Pink Muhly	Grass
Myoporum parvifolium	Myoporum	Groundcover
Rosa 'Flower Carpet' -Red	Red Flower Carpet Rose	Groundcover
Rosmarinus o. 'Huntington Carpet'	Prostrate Rosemary	Groundcover
Salvia 'Bee's Bliss'	Bee's Bliss Sage	Groundcover
Senecio mandraliscae	Blue Fingers	Groundcover
Sesleria autumnali	Moor Grass	Grass
Trachelospermum jasminode	Star Jasmin	Groundcover
Distictus buccinatoria	Blood-red Trumpet Vine	Vine

5.4 WALLS AND FENCES

Walls and fences are an important design feature in the West Ontario Commerce Center intended to both complement building and landscape architecture and provide functional elements. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation, and permitted only if approved.



Wall and Fence Examples

Key features include:

- ❖ Provide attractive, durable, and complementary wall and fencing materials consistent with the Planning Area design theme.
- ❖ Offset and architecturally treat long expanses of wall surfaces every 100 feet with material changes, pilasters and posts, staggered walls, or landscape treatments to prevent monotony.
- ❖ Soften fencing with plants that may reach the height of the wall or fence at maturity.

- ❖ Construct sliding gates visible from a public street of tubular steel, vertical steel pickets, or high-density perforated metal screening painted to match or complement adjacent walls. Interior gates not visible to public view may be galvanized steel or chain link.
- ❖ Chain link fencing visible from public street rights-of-way is prohibited. However, tubular steel fencing may be used along the Cucamonga Creek Channel along the property line.

5.5 BUFFERING AND SCREENING

To alleviate the unsightly appearance of loading and service areas in the West Ontario Commerce Center, buffering and screening design features will be used to enhance the overall development. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation.



Buffering and Screening Examples

Key features include:

Parking Lots

- ❖ Buffer parking lots adjacent to and visible from public streets using a combination of architectural wing walls, portions of the building, decorative screen walls, and landscape buffers.
- ❖ Use landscaping, aesthetically pleasing masonry low walls, elevation changes or any combination to visually buffer parking lots.
- ❖ Use plants for screening that are a minimum of 3 feet tall at the time of installation.

Loading and Service Areas (Truck Courts)

- ❖ Screen service areas with portions of the building, architectural wing walls, and landscaping.
- ❖ Clearly mark loading and delivery areas with directional signage.
- ❖ Design loading areas with enough space to maneuver without encroaching onto an adjoining street.
- ❖ Incorporate gated/screened entrances to loading areas into the overall architectural design of the development.
- ❖ Design walls and fencing used to screen truck courts high enough to hide the views of the top of loading bays or trailers at a maximum of 14-feet in height and a minimum of 8-feet in height, as measured from finished grade.



Loading and Service Area Example

5.6 LIGHTING

Outdoor lighting in the West Ontario Commerce Center consists of two types: public lighting and site lighting. Public lighting refers to the lighting within the public right-of-way. Site lighting refers to on-site illumination for purposes of operations, safety, security, and nighttime ambiance. Lighting design shall coordinate with landscape plans to avoid required tree locations.

Public Lighting

Lighting within the public right-of-way shall adhere to the standards and requirements of the City of Ontario.

Site Lighting

Site lighting addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features. Key provisions include:

- ❖ Choose lighting fixtures that advance the Planning Area design theme and provide consistency throughout each Planning Area.
- ❖ Install ground or low mounted fixtures to provide for safety and convenience along the pedestrian movement walkways and corridors.
- ❖ Allow for building-mounted lights that are intended for architectural accent purposes, and may be used for general illumination if there is no light spill or distraction onto a roadway or adjacent property.
- ❖ Install exterior lights to accent entrances, activity areas, steps, ramps, and special features.

5.7 SIGNAGE

Signage in the West Ontario Commerce Center will identify the center and tenants within the center, direct vehicular traffic, and provide on-site way-finding signage for pedestrians. A sign program is required for development in the West Ontario Commerce Center. Traffic signs regulating, warning, and/or guiding traffic on public roads shall conform to the latest edition of the California Manual on Uniform Traffic Control Devices (MUTCD).

Key signage features should include:

- ❖ Coordinate signage with the building design, materials, color, size, and placement.
- ❖ Avoid covering significant architectural elements with signage.
- ❖ Position flush mounted signs within architectural features and align with other signs on the block to maintain an existing pattern.
- ❖ Provide a unifying sign theme in single development with multiple users.
- ❖ Appropriately sign industrial sites to give direction to loading and receiving, visitor parking, and other special uses.

- ❖ Place parcel identification signs perpendicular to approaching vehicular traffic. If located within a landscaped planter, care should be taken to ensure that plant materials do not block visibility or damage the signage.
- ❖ Lighted signs, whether internally or externally illuminated, may be used. Can-type box signs with translucent backlit panels are discouraged. Signs with backlit or internally illuminated individual channel letters are strongly encouraged.
- ❖ To conserve energy, incorporate a standard shutoff time for illuminated signs for businesses that do not operate at night.
- ❖ Construct all signs from high quality materials and avoid exposed wiring, ballasts, conduits, fasteners, or similar hardware.



Signage Examples

5.8 SUSTAINABLE DESIGN STRATEGIES

The West Ontario Commerce Center is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. Appropriate strategies will be determined for each project within the Specific Plan area. Strategies include, but are not limited to:

Sustainable Construction & Technology Concepts

- ❖ Design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
- ❖ Use passive design to improve building energy performance through skylights, building orientation, landscaping, and colors.
- ❖ Reduce the heat island effect by providing shade structures and trees that produce large canopies. In addition, choose roof and paving materials that possess a high level of solar reflectivity (cool roofs).
- ❖ Use recycled and other environmentally friendly building materials, wherever possible.

Water Quality

- ❖ Use landscaped areas as for retention/infiltration swales and basins or bio-treatment, when infiltration is infeasible as required by the San Bernardino County MS4 Permit and Water Quality Management Plan.
- ❖ Utilize native and drought tolerant plants to reduce water demand.
- ❖ As feasible, integrate permeable pavement and perforated curbs throughout the project area to allow stormwater to enter planter areas and ultimately help with filtration and runoff.
- ❖ Whenever possible, use captured runoff to augment irrigation systems.
- ❖ Use irrigation systems that respond to changing weather conditions, irrigate by hydrozone, and use micro-irrigation techniques.
- ❖ The use of recycled water to irrigate landscape areas and for other uses is encouraged. For certain approved uses, the use of recycled water is required by the City of Ontario Recycled Water Master Plan.



Water Quality Concepts

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6.0 IMPLEMENTATION

This chapter summarizes the development process for implementation of the West Ontario Commerce Center Specific Plan and provides for the orderly development of the Specific Plan area.

6.1 APPLICABILITY

The provisions, guidelines, and regulations contained within this Specific Plan provide the standards for land uses and development within the West Ontario Commerce Center. The Specific Plan supersedes the applicable development standards and regulations of the City of Ontario unless stated otherwise in this document. Whenever the provisions and development standards of the West Ontario Commerce Center Specific Plan conflict with those of the City of Ontario Development Code, the provisions of the Specific Plan shall take precedence. Where the Specific Plan is silent, the City of Ontario Development Code shall apply.

Definitions of Terms

The terms used within the West Ontario Commerce Center Specific Plan shall be the same as defined by the Ontario Development Code, unless otherwise noted.

6.2 SEVERABILITY

The West Ontario Commerce Center Specific Plan serves as the implementation tool for the City's Policy Plan (General Plan). In the event that any provision of this Specific Plan or its application to any person or circumstance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed separate, distinct and independent, and shall not affect the validity of the remaining provisions of this Specific Plan or applications thereof, which can be implemented without the invalid provision or application.

6.3 INTERPRETATION

If an issue, condition, or situation occurs that is not sufficiently covered or provided for in this Specific Plan, those that are applicable for the most similar issue, condition, or situation shall be used. Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the Planning Director of the City of Ontario in a manner consistent with the goals, policies, objectives, and intent established in the West Ontario Commerce Center Specific Plan.

6.4 CONSISTENCY WITH OTHER PLANS AND REGULATIONS

Consistency with the Ontario Plan

No land use, activity, or facility shall be permitted that is inconsistent with the objectives, policies, general land uses, and programs of The Ontario Plan.

Consistency with Airport Land Use Compatibility Plans

Projects located within the West Ontario Commerce Center are subject to the restrictions and provisions of the Airport Land Use Compatibility Plans prepared for the Ontario International Airport and the Chino Airport.

California Building Code

Projects located within the West Ontario Commerce Center must comply with the State of California Building Code as adopted and implemented by the City.

CEQA

The City of Ontario is defined as the lead agency under the California Environmental Quality Act (CEQA) based upon its authority to approve the West Ontario Commerce Center Specific Plan. Concurrent with approval of this Specific Plan, the City Council will be required to certify the associated Environmental Impact Report (EIR), including a Mitigation Monitoring and Reporting Program to ensure that all approved EIR mitigation measures are implemented. The Planning Director shall be responsible for confirming that all applicable mitigation measures have been implemented in accordance with approved plans.

6.5 SPECIFIC PLAN REVISIONS

It is recognized that modifications to the text or exhibits of this Specific Plan may be warranted in the future to accommodate unforeseen conditions or events. Revisions shall be processed in a manner prescribed by the City of Ontario Planning Department pursuant to the provisions in this section.

Minor Modifications to the Specific Plan

Minor modifications to the West Ontario Commerce Center Specific Plan are processed administratively without the submission of a formal Specific Plan Amendment application and do not require a public hearing or review by the Planning Commission. The Planning Director of the City of Ontario shall have the authority to review and make a determination of approval, approval with conditions, or denial of a request for minor modification to the Specific Plan. The Director may, at his/her discretion, refer any such request to the Planning Commission or the City Council.

Minor modifications are defined as:

- ❖ Expansions or reductions to a Planning Area boundary or acreage, provided that the total acreage within each affected Planning Area is not modified by more than 20 percent.
- ❖ An increase in maximum building area for both single- and multi-tenant buildings of up to 20 percent, provided that the maximum square footage for the Planning Area established by this Specific Plan is not exceeded.

- ❖ A modification of up to 20 percent of the minimum lot area, minimum lot dimensions, or setback requirements for the Planning Area, if compatible with the surrounding land uses and consistent with overall design character of the West Ontario Commerce Center.
- ❖ Additions, deletions, or modifications to Table 4.1 Allowable Uses, which lists the permitted and conditionally permitted uses in the Planning Area.
- ❖ Minor modification of conceptual design criteria for architectural features and materials, landscape treatments, lighting, signage, and sustainable design strategies.
- ❖ Revisions to roadway alignment when the change results in centerline shift of less than 250 feet.
- ❖ Revisions to infrastructure facility sizing and precise location of dry utilities, water, sewer, and storm drainage improvements subject to approval of the City Engineer.
- ❖ Changes to the Phasing Plan, provided infrastructure is available to serve the phase as determined by the City Engineer.
- ❖ Revisions to exhibits in the Specific Plan that do not substantially change its intent or character.
- ❖ Modifications of a similar nature to those listed above, which are deemed minor by the Planning Director and conform to the purpose and intent of this Specific Plan and the Ontario Plan.

Specific Plan Amendments

Proposed changes to this Specific Plan that do meet the criteria for a Minor Modification shall be subject to a formal Specific Plan Amendment application process pursuant to Section 4.01.035 of the Ontario Development Code and California Government Code Section 65450, et seq.

In the event that the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant will adhere to the City's adopted procedures and CEQA Guidelines.

6.6 SUBDIVISION MAPS

Development within the West Ontario Commerce Center shall include the processing of tentative and final tract or parcel maps and/or lot line adjustments or mergers. All subdivision maps and lot mergers shall be reviewed and approved pursuant to Section 4.02.085 of the Ontario Development Code and all other applicable City codes and regulations, California Government Code Section 66410 et seq. (Subdivision Map Act) as well as the provisions of this Specific Plan.

6.7 DEVELOPMENT AND LAND USE REVIEW PROCEDURES

Development and land use review procedures for development within the West Ontario Commerce Center shall be provided in this Specific Plan and in accordance with the Ontario Development Code.

Development Plan Review

All development projects proposed for the West Ontario Commerce Center are subject to Development Plan review pursuant to Section 4.02.025 of the Ontario Development Code. The review is intended to ensure compliance with the provisions of this Specific Plan, protect the integrity and character of the physical fabric of the City, and encourage high quality development.

Conditional Use Permit

A Conditional Use Permit is required for any use deemed “conditionally permitted” in Table 4.1 (Allowable Uses). An application for a Conditional Use Permit shall be processed pursuant to Section 4.02.015 of the Ontario Development Code.

Administrative Use Permit

An Administrative Use Permit is required for any use deemed “administratively permitted” on Table 4.1 (Allowable Uses). An application for an Administrative Use Permit shall be processed pursuant to Section 4.03.015 of the Ontario Development Code.

Appeals

Appeals of any decision of the Development Advisory Board, Zoning Administrator, Planning Director or the Planning Commission regarding implementation of this Specific Plan may be made by the applicant or any other aggrieved party pursuant to Division 2.04 of the Ontario Development Code.

6.8 DEVELOPMENT AGREEMENT

A statutory development agreement authorized pursuant to California Government Code Sections 65864 et seq. is a required component of this Specific Plan. The Development Agreement shall include, but not be limited to, methods for financing, acquisition, and construction of necessary infrastructure. The Development Agreement shall be fully executed prior to recordation of the first Final Map.

6.9 SPECIFIC PLAN PHASING

Implementation of this Specific Plan shall occur in two phases, as outlined in Chapter 3 (3.8: Infrastructure Phasing Plan):

- ❖ Phase 1: Construction of the storage, warehousing, and industrial uses in Planning Area 2
- ❖ Phase 2: Construction of the business park uses in Planning Area 1.

These phases may be developed as subphases and may occur either sequentially or concurrently with one another.

All development phasing shall meet the following objectives:

- ❖ The orderly build-out of the project based upon market and economic conditions;
- ❖ The provision of adequate parking, infrastructure, and public facilities concurrent with the development of each phase;
- ❖ The protection of the public health, safety, and welfare.

In approving a modification to the Phasing Plan, the Planning Director shall make the following findings:

- ❖ The modification is consistent with the Policy Plan (General Plan);
- ❖ The modification will not adversely affect the implementation of the Specific Plan;
- ❖ The modification will not be detrimental to public health, safety, and general welfare; and
- ❖ The modification will not delay the construction of the master plan improvements necessary to serve the development.

6.10 FINANCING OF PUBLIC IMPROVEMENTS

The financing of the construction, operation, and maintenance of public infrastructure improvements, facilities, and services within the Specific Plan area shall be provided through a combination of mechanisms. Final determination of the scope of improvements, maintenance responsibilities, and funding sources shall be specified in the approved Development Agreement and executed prior to recordation of the first final map.

Financing options may include, but are not limited to, the following:

- ❖ Private capital investment by the project developer, the property owner(s), or a Property Owners Association.
- ❖ Private capital investment by a consortium of property owners and/or developers of the project and/or surrounding area.
- ❖ Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of public facilities or the provision of public services. City Council approval is a prerequisite for use of special district financing mechanisms.
- ❖ Development Impact Fee (DIF) credits to be applied for infrastructure completed by the project developer.
- ❖ Enhanced Infrastructure Financing District to fund infrastructure development through tax increment financing pursuant to Senate Bill 628.
- ❖ Community Revitalization and Investment Authorities (CRIA) to fund infrastructure development through tax increment financing pursuant to Assembly Bill 2.

6.11 MAINTENANCE PLAN

Final determination of maintenance responsibilities for the public and private improvements constructed within the West Ontario Commerce Center shall be specified in the approved Development Agreement and executed prior to recordation of the first Final Map. However, it is anticipated that maintenance shall be generally shared by three entities as described below and outlined in Table 6.1 Maintenance Responsibilities.

City of Ontario, Community Facilities District, Other Special District

The establishment of a community facilities district, landscape and lighting district, or other special district to fund the maintenance of public facilities shall be at the City's discretion. It is anticipated that public maintenance shall include the following:

- ❖ Right-of-way for public streets within the Specific Plan area (Merrill Avenue, Carpenter Avenue, Hellman Avenue, and Eucalyptus Avenue) shall be dedicated to the City of Ontario per the provisions of this Specific Plan (Chapter 3: Development Plan) and as approved by the City Engineer.
- ❖ Landscape improvements and public streetlights within the public right-of-way shall be maintained through a landscape and lighting district or other special maintenance district established by the City.
- ❖ All water, sewer, and storm drainage facilities located on-site shall be constructed by the developer and dedicated through easements to the City for maintenance purposes. However, the Property Owners Association shall maintain any permanent on-site water quality basins, trenches, swales and biotreatment filters required by the San Bernardino County MS4 Permit and Water Quality Management Plan. A new sewer trunk line to be constructed on Carpenter Avenue adjacent to the site's southwestern boundary may occur prior to development of the West Ontario Commerce Center Specific Plan as a continuation of neighboring development projects such as the Colony Commerce Center Specific Plan.
- ❖ The City shall maintain all off-site infrastructure improvements such as water, sewer, and storm drainage facilities.
- ❖ The City shall maintain any NPDES facilities located within the curb-to-curb area of all public streets. Operation and maintenance requirements for all NPDES stormwater runoff source control and treatment control Best Management Practices shall be identified in the approved Water Quality Management Plan for the project.

Property Owners Association

A Property Owners Association (POA) shall be established for the maintenance of common areas, including such improvements as landscape areas and private parking and drive aisles within the West Ontario Commerce Center. It is anticipated that improvements to be maintained by the POA would include the following:

- ❖ Driveways, sidewalks, and landscaping;

- ❖ All internal open spaces, common areas, parking lots, and walkways;
- ❖ Parkways and landscaped setbacks (behind the curb) of public streets
- ❖ NPDES facilities within landscape setbacks and onsite common areas;
- ❖ Property identification signage and architectural elements located within the landscaped buffer; and
- ❖ Fencing and walls, including graffiti removal.

Table 6.1: Maintenance Responsibilities

Area of Responsibility	City or Special District	Property Owners Association	Utility
Master Planned Roadways: Merrill Avenue, Eucalyptus Avenue, and Hellman Avenue			
Curb-to-curb improvements	◆		
Behind the curb improvements - Landscaping within the public right-of-way (parkways) and sidewalks	◆		
Carpenter Avenue			
Curb-to-curb improvements	◆		
Behind the curb improvements - Landscaping within the public right-of-way (parkways) and sidewalks		◆	
Other Improvements			
Traffic signals and traffic control signs on public streets	◆		
Street lights in the public right-of-way	◆		
Cucamonga Creek Channel Multi-Purpose Trail (off-site)	◆		
Drive aisles		◆	
Off-street parking areas (on-site)		◆	
Screen walls and fences		◆	
Common open space		◆	
Landscaping within setback/landscape buffer areas		◆	
Monument signage		◆	
Walls and fences		◆	
Stormwater drainage/water quality control facilities within the curb-to-curb area of all public streets	◆		
Stormwater drainage/water quality control facilities behind the curb		◆	
Water, recycled water, and sewer infrastructure in the public right-of-way	◆		
Dry utilities: electricity, natural gas, communication systems			◆

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7.0 GENERAL PLAN CONSISTENCY

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65440-65457) permits the adoption and administration of Specific Plans as an implementation tool for elements contained within a jurisdiction's local General Plan. Approval of this Specific Plan is based on the finding that the regulations, guidelines, and programs contained with West Ontario Commerce Center Specific Plan are consistent with The Ontario Plan. The Ontario Plan (TOP) establishes the direction and vision for the City of Ontario providing a single guidance system that will shape the Ontario community for the future. TOP provides for policies to accommodate change over a 30 year period commencing in 2010, the beginning of the planning period. TOP consists of a six part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The following demonstrates that the West Ontario Commerce Center Specific Plan implements the goals and policies of the City's Policy Plan (General Plan).

7.1 LAND USE ELEMENT

GOAL LU1:	A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
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Policy LU1-2 Sustainable Community Strategy

We integrate state, regional, and local Sustainable Community/Smart Growth principles into the development and entitlement process.

The West Ontario Commerce Center Specific Plan incorporates into its design and development standards and requirements that encourage the efficient use of energy resources through design, product selection, and operational techniques. The landscape guidelines require the use of native drought-resistant vegetation and shade trees to conserve water, improve comfort, augment neighborhood aesthetics, and maximize carbon capture and storage. Development standards related to environmental performance and sustainable development (Chapter 4: Land Use and Development Standards) address lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies (Chapter 5, Section 5.8: Sustainable Design Strategies) include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. Protecting water quality and reducing water demand and runoff will be emphasized during development of the Plan area. Stormwater runoff source control and treatment practices will be incorporated into the Water Quality Management Plan for the project.

Policy LU1-3 Adequate Capacity

We require adequate infrastructure and services for all development.

The West Ontario Commerce Center Specific Plan establishes a Phasing Plan that has been coordinated with all affected infrastructure providers and ensures that all uses on the project site are adequately served. Infrastructure development will occur in a timely manner. Potable and recycled water, sewer, fiber optic communications, and storm drain infrastructure improvements that will ultimately serve the Specific Plan area (Chapter 3: Development Plan) will be developed pursuant to applicable City of Ontario infrastructure master plans and any project development agreements.

GOAL LU2: Compatibility between a wide-range of uses.**Policy LU2-3 Hazardous Uses**

We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants or hazardous materials.

The West Ontario Commerce Center Specific Plan complies with all federal, state, and local regulations pertaining to the use, storage, disposal, and transportation of hazardous materials, toxic substances, and other pollutants.

Policy LU2-5 Regulation of Uses

We regulate the location, concentration and operations of uses that have impacts on surrounding uses.

The West Ontario Commerce Center Specific Plan is established on land with the Ontario Plan land use designations of Business Park and Industrial. The Policy Plan (General Plan) analyzed the impacts of business park and industrial uses and determined the appropriateness of the designation at this location. The Specific Plan development standards (Chapter 4: Land Use and Development Standards) identify specific permitted uses within the Plan to ensure that future uses are consistent with the Land Use and Circulation Plans for the Specific Plan area (Chapter 3: Development Plan). Specifically, the conceptual site design and use regulations are designed to discourage truck traffic traveling through residential neighborhoods and emphasize land uses that are less truck traffic intensive. Planning Area 1 within the West Ontario Commerce Center is designed to create a buffer between the residential uses to the north and the industrial and/or warehouse and distribution uses of Planning Area 2 and surrounding proposed industrial developments. Loading areas will be designed to maximize truck maneuverability, safety, and consideration of adjacent uses, pursuant to Development Standards in Chapter 4.

Policy LU2-6 Infrastructure Compatibility

We require infrastructure to be aesthetically pleasing and in context with the community character.

Design guidelines (Chapter 5: Design Guidelines) in the West Ontario Commerce Center Specific Plan are intended to support high-quality development that complements the surrounding community. Landscaped areas and drive entrances will be planned to separate parking areas and keep the parking lot from being the dominant visual element of the site. The Specific Plan also establishes landscape setbacks along all roadways within the Specific Plan area (Chapter 5: Design Guidelines) to create safe and attractive streets for pedestrians and motorists, and integrates its infrastructure plans with the adjacent land uses to ensure cohesive patterns of development.

Policy LU2-9 Methane Gas Sites

We require sensitive land uses and new uses on former dairy farms or other methane-producing sites to be designed to minimize health risks.

The West Ontario Commerce Center Specific Plan incorporates into its Implementation Plan requirements for the project to comply with any mitigation measures identified in the project environmental impact report, including those for soil remediation and proper venting to address the potential existence of methane gases within the Specific Plan area.

GOAL LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

Policy LU5-7 ALUCP Consistency with Land Use Regulations

We comply with state law that requires policy plan/general plans, specific plans, and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

The West Ontario Commerce Center Specific Plan site is within the Ontario International Airport Influence Area and the Chino Airport Influence Area. The West Ontario Commerce Center Specific Plan outlines and acknowledges its compliance with the ALUCP requirements for the Ontario Airport and the Chino Airport in Chapter 2, Section 2.2: Airport Influence Areas.

7.2 COMMUNITY DESIGN ELEMENT

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

Policy CD1-2 Growth Areas

We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

The West Ontario Commerce Center Specific Plan contains design guidelines in Chapter 5 to guide future development, consistent with the vision for Ontario Ranch. The Specific

Plan design guidelines (Chapter 5: Design Guidelines) and development standards (Chapter 4: Land Use and Development Standards) are intended to ensure a cohesive and attractive development that complements and integrates into the community and adds value to the City.

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

Policy CD2-1 Quality Architecture

We encourage all developments to convey visual interest and character through:

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

The design guidelines in the West Ontario Commerce Center Specific Plan (Chapter 5: Design Guidelines) are intended ensure high quality building and site design, a clean and attractive appearance, and cohesive integrated design. The design elements in the two Planning Areas will be compatible and complement each other; however, variation is encouraged to provide visual interest. The Specific Plan materials, colors, fenestration, scale, and massing will be consistent with the intended architectural style or theme of the West Ontario Commerce Center.

Policy CD2-5 Streetscapes

We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identify through improvements to the public right-of-way such sidewalks, street trees, parkways, curbs, street lighting, and street furniture.

The West Ontario Commerce Center Specific Plan specifies street improvements to Eucalyptus Avenue, Merrill Avenue, Hellman Avenue, and Carpenter Avenue through the Specific Plan area that comply with the guidelines of the Circulation Element and include consideration of parkways and street trees, pedestrian walkways, landscape buffers, street lighting, and street furniture. Streetscape design for the Plan area (Chapter 5, Section 5.3: Landscape Design) will present an aesthetically pleasing view for pedestrians and motorists, screen parking and loading areas from the public right-of-way, and integrate the Center into the surrounding community.

Policy CD2-6 Connectivity

We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent “islands”.

The West Ontario Commerce Center Specific Plan provides for the efficient use of the street system by providing convenient connections with adjacent land uses in compliance with the vision of the Circulation Element. As part of the Specific Plan, roads will be improved with sidewalks, trails and bikeways to supplement vehicle transportation. The Specific Plan streetscape and street section designs provide for construction of public pedestrian sidewalks in the Specific Plan area to connect with adjacent existing and planned pedestrian circulation systems (Chapter 3, Section 3.3: Circulation and Parking Plan).

Policy CD2-7 Sustainability

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

The West Ontario Commerce Center is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. The Specific Plan incorporates into its development standards and design guidelines sustainability principles (Chapter 4, Section 4.4: Environmental Performance and Sustainable Development and Chapter 5, Section 5.8: Sustainable Design Strategies) such as drought tolerant landscaping, skylights in warehouse/distribution buildings to provide natural light and reduce lighting demand, high performance dual pane glazing in office storefronts, and LED products for energy efficient site lighting. Design strategies include the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. The use of recycled water to irrigate landscape areas and for other uses is encouraged and for certain approved uses, the use of recycled water is required consistent with the City of Ontario Recycled Water Master Plan.

Policy CD2-9 Landscape Design

We encourage durable landscaping materials and designs that enhance the aesthetics of structure, create and define public and private spaces, and provide shade and environmental benefits.

The conceptual landscape plan (Chapter 5, Section 5.3: Landscape Design) at the West Ontario Commerce Center encourages durable landscape materials and designs that enhance the aesthetics of structure, create and define public and private spaces, and provide shade and environmental benefits. Consistent with the vision for Ontario Ranch, as outlined in the Ontario Ranch Streetscape Master Plan the Specific Plan, the West Ontario Commerce Center Specific Plan provides for a landscape setback on Merrill and Eucalyptus Avenues, bike lanes, and pedestrian walkways. The landscape setback will include drought-tolerant plants featuring colorful shrubs and groundcovers, ornamental

grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate. The plant selection will complement the design theme of the Specific Plan area and feature water-efficient, drought-tolerant species native to the region. Parking lot landscaping will reduce associated heat buildup, improve aesthetics, and integrate into onsite landscape design and adjacent streetscapes.

Policy CD2-11 Entry Statements

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

The West Ontario Commerce Center Specific Plan establishes design guidelines pertaining to site planning, architectural design, landscape design, buffering and screening, walls and fences, lighting, and signs. These guidelines encourage high-quality development, transitions between types of uses, and a sense of place. Specific Plan guidelines encourage design entry features that are a significant aspect of the building’s overall composition, portray a quality appearance, tie the entry into the overall mass and building composition, and not appear as an “add-on” or afterthought (Chapter 5, Section 5.2: Architectural Design). Both Eucalyptus and Merrill Avenues will feature a 23-foot landscape setback adjacent to the Plan site that will provide an attractive entry to the site (Chapter 5, Section 5.3: Landscape Design).

Policy CD2-12 Site and Building Signage

We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct uses to various aspects of the development and complement the character of the structure.

The West Ontario Commerce Center Specific Plan requires the developer of the project to obtain approval by the City of a sign program to address parcel identification, building identification and directional signage within the Specific Plan area. Industrial uses on the site will be appropriately signed to give direction to loading and receiving, visitor parking, and other special uses. A comprehensive sign program (Chapter 4, Section 4.4: Other Development Standards) will be required for larger developments within the Plan Area and will integrate a project’s signs with the overall site design and the structures’ design into a unified architectural statement. A comprehensive sign program provides a means for flexible application of sign regulations in order to provide incentive and latitude in the design and display of multiple signs.

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

Policy CD3-1 Design

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

The West Ontario Commerce Center Specific Plan has coordinated its street, trail, and bikeway designs with adjacent land uses and in compliance with The Ontario Plan Mobility Element. The West Ontario Commerce Center Specific Plan specifies street improvements to Eucalyptus Avenue, Merrill Avenue, Hellman Avenue, and Carpenter Avenue through the Specific Plan area that include consideration of parkways and street trees, pedestrian walkways, landscape buffers, street lighting, and street furniture. Streetscape design for the Plan area (Chapter 5, Section 5.3: Landscape Design) will present an aesthetically pleasing view for pedestrians and motorists, screen parking and loading areas from the public right-of-way, and integrate the Center into the surrounding community.

Policy CD3-5 Paving

We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public places.

The West Ontario Commerce Center Specific Plan incorporates into its development standards a requirement that design and materials for all sidewalks and road surfaces within the Specific Plan area be approved by the City's Engineering Department. Specific Plan design guidelines (Chapter 5: Design Guidelines) include the use of enhanced paving to mark major building entries and the use of paving materials that possesses a high level of solar reflectivity to reduce the heat island effect.

GOAL CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investment.
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Policy CD5-1 Maintenance of Buildings and Property

We require all public and privately owned buildings and property (including trails and easements) to be properly and consistency maintained.

The West Ontario Commerce Center Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6: Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area.

Policy CD5-2 Maintenance of Infrastructure

We require the continued maintenance of infrastructure.

The West Ontario Commerce Center Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6: Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area.

7.3 MOBILITY ELEMENT

GOAL M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

Policy M1-1 Roadway Design and Maintenance

We require our roadways to:

- ❖ Comply with federal, state, and local design and safety standards.
- ❖ Meet the needs of multiple transportation modes and users.
- ❖ Handle the capacity envisioned in the Functional Roadway Classification Plan.
- ❖ Endeavour to maintain a peak hour Level of Service (LOS) E or better at all intersections.
- ❖ Be compatible with the streetscape and surrounding land uses.
- ❖ Be maintained in accordance with best practices and our Right-of-Way Management Plan

The West Ontario Commerce Center Specific Plan is designed to comply with the Land Use Element and the Functional Roadway Classification Plan of the Mobility Element and, therefore, maintain a Level of Service of E or better at all intersections addressed in the project environmental impact report. Specific Plan development standards aim to minimize the effects of truck traffic on adjacent residential uses. The Land Use and Circulation Plans for the Specific Plan area (Chapter 3: Development Plan) are designed to discourage truck traffic traveling through residential neighborhoods and emphasize land uses that are less truck traffic intensive.

Policy M1-2 Mitigation of Impacts

We require development to mitigate its traffic impact.

The West Ontario Commerce Center Specific Plan requires all projects within the Specific Plan area to comply with all mitigation measures, conditions, and project design features identified in the project environmental impact report. The Land Use and Circulation Plans for the Specific Plan area (Chapter 3: Development Plan) are designed to discourage truck traffic traveling through residential neighborhoods and emphasize land uses that are less truck traffic intensive. Buildings, structures, and loading facilities will be designed to ensure that loading and unloading activities occur on-site without extending beyond the property line.

GOAL M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

Policy M2-1 Bikeway Plan

We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.

The West Ontario Commerce Center Specific Plan includes a circulation plan in Chapter 3 for providing connectivity to the trails and bikeway corridors identified in the Multipurpose Trails and Bikeway Corridor Plan, including installation of a Class II Bikeway along Merrill Avenue. A future bikeway/multipurpose trail will eventually be constructed on the north side of Eucalyptus Avenue as well, but it is not part of the West Ontario Commerce Center Specific Plan.

Policy M2-3 Pedestrian Walkways

We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

The West Ontario Commerce Center Specific Plan streetscape and street section designs provide for construction of public pedestrian sidewalks in the Specific Plan area to connect with adjacent existing and planned pedestrian circulation systems. Pedestrian sidewalks are separated from vehicular travel lanes by a landscaped parkway. Proposed improvements for the streets adjacent to the Specific Plan site are consistent with the City's Ontario Ranch Streetscape Master Plan (Chapter 3: Development Plan). Proposed improvements for Eucalyptus and Merrill Avenues include a five-foot sidewalk (adjacent to the project site), a seven-foot landscaped parkway adjacent to the street, and a 23-foot additional landscape buffer setback for a total 35-foot neighborhood edge. Proposed improvements for Hellman Avenue include a five-foot sidewalk (adjacent to the project site), a seven-foot landscaped parkway adjacent to the street, and an 18-foot additional landscaped buffer setback for a total 30-foot neighborhood edge condition. Proposed improvements for Carpenter Avenue include a five-foot sidewalk and a seven-foot landscaped area adjacent to the street (Chapter 3: Development Plan).

GOAL M3:	A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.
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Policy M3-2 Transit Facilities at New Development

We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as needed.

OmniTrans long-term transit corridor plans identify development of a transit corridor on Ontario Ranch Road Avenue located approximately one-half mile north of the Specific Plan area. OmniTrans transit corridor development will offer opportunities to influence new developments and provide intercounty connections from Ontario Ranch. In the immediate future (2 to 5 years), OmniTrans does not have plans for service in the immediate Specific

Plan area based on their 2015-2020 Short-Range Transit Plan and on the limited funding available for increased operations. As development occurs in Ontario Ranch, OmniTrans expects for development of transit stops along Archibald Avenue, located approximately 0.3 miles east of the Specific Plan area, with transit stops placed every 0.1 to 0.25 miles. The West Ontario Commerce Center Specific Plan provides for the incorporation of a transit stop along any of the streets in the Specific Plan area, as determined necessary and appropriate by the OmniTrans System of San Bernardino County and consistent with OmniTrans' long-term plans.

GOAL M4: An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.

Policy M4-1 Truck Routes

We designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown on the truck routes.

The West Ontario Commerce Center Specific Plan is designed to enable easy vehicular access to the truck route network and to encourage its industrial users to implement effective goods movement strategies. The Land Use and Circulation Plans for the Specific Plan area (Chapter 3: Development Plan) are designed to discourage truck traffic traveling through residential neighborhoods and emphasize land uses that are less truck traffic intensive. Sufficient off-street loading and unloading spaces will be provided on site, and adequate provisions and space will be made for maneuvering freight vehicles and handling all freight. Buildings, structures, and loading facilities will be designed to ensure that loading and unloading activities occur on-site without extending beyond the property line.

7.4 ENVIRONMENTAL RESOURCES ELEMENT

GOAL ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.

Policy ER1-3 Conservation

We require conservation strategies that reduce water usage.

The West Ontario Commerce Center Specific Plan incorporates into its development standards and design guidelines water conservation strategies. Landscape and irrigation plans are encouraged to incorporate water conservation features. The Specific Plan landscaping plant selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region (Chapter 5: Design Guidelines). The use of recycled water to irrigate landscape areas and for other uses is encouraged and for certain approved uses, the use of recycled water is required consistent with the City of Ontario Recycled Water Master Plan. The Specific Plan encourages the

design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy ER1-5 Groundwater Management

We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.

The West Ontario Commerce Center Specific Plan incorporates into its development standards acknowledgement that prior to issuance of grading or construction permits, a Storm Water Pollution Prevention Plan (SWPPP) be prepared and approved by the City. The SWPPP will identify and detail all appropriate Best Management Practices (BMPs) to prevent pollutant discharge into storm drain systems and natural drainages and aquifers (Chapter 3, Section 3.7: Storm Drainage Plans). In addition to the preparation of a SWPPP, a WQMP will be prepared and approved which will enforce long-term BMPs to prevent pollutant discharges into storm drain systems, for the life of the project.

Policy ER1-6 Urban Run-off Quantity

We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.

The West Ontario Commerce Center Specific Plan incorporates into its development standards low impact development strategies including landscape designs that promotes water retention and incorporation of water conservation elements such as use of native plants; permeable surface designs in parking lots and areas with low traffic; and parking lots that drain to landscaped areas to provide treatment, retention, or infiltration (Chapter 3, Section 3.7: Storm Drainage Plans).

Policy ER1-7 Urban Run-off Quality

We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.

The West Ontario Commerce Center Specific Plan incorporates into its Development Plan acknowledgement that prior to issuance of grading or construction permits, a Water Quality Management Plan (WQMP) is required to minimize stormwater runoff and provide on-site opportunities for groundwater recharge that are integrated into project design and amenities. The grading and drainage of the West Ontario Commerce Center Specific Plan area will be designed to retain/infiltrate, harvest & re-use or biotreat surface runoff, in order to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management (WQMP) for significant new development projects (Chapter 3, Section 3.7: Storm Drainage Plans).

Policy ER1-8 Wastewater Management

We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.

The West Ontario Commerce Center Specific Plan provides for design of a wastewater system consistent with City and Regional Water Quality Board requirements. Sewer services to the West Ontario Commerce Center will be provided by the City of Ontario consistent with the City's Sewer Master Plan. A new 18-inch sewer trunk line will be constructed on Carpenter Avenue adjacent to the site's western boundary, and a portion of Merrill at the sites' southern boundary (Chapter 3, Section 3.4: Water and Sewer Plans).

GOAL ER3: Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.

Policy ER3-1 Conservation Strategy

We require conservation as the first strategy to be employed to meet applicable energy-saving standards.

The West Ontario Commerce Center Specific Plan incorporates into its development standards and design guidelines energy-saving conservation strategies. Development standards related to environmental performance and sustainable development (Chapter 4: Land Use and Development Standards) address lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies (Chapter 5, Section 5.8: Sustainable Design Strategies) include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy ER3-3 Building and Site Design

We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.

The West Ontario Commerce Center Specific Plan incorporates into its development standards and design guidelines energy-saving conservation strategies. The Plan's Sustainable Design Strategies (Chapter 5, Section 5.8) include the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption and the use of passive design to improve building energy performance through skylights, building orientation, landscaping, and colors.

GOAL ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.

Policy ER4-1 Indoor Air Quality

We comply with State Green Building Codes relative to indoor air quality.

The West Ontario Commerce Center Specific Plan requires future development projects in the Specific Plan area to comply with the State of California Building Code as adopted and implemented by the City. The Plan's Sustainable Design Strategies (Chapter 5, Section 5.8) include the design and construction of energy efficient buildings to reduce air, water, and land pollution.

GOAL ER5: Protected high value habitat and farming and mineral resources extraction activities that are compatible with adjacent development.

Policy ER5-2 Entitlement and Permitting Process

We comply with state and federal regulations regarding protected species.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

7.5 SAFETY ELEMENT

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

Policy S1-1 Implementation of Regulations and Standards

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

The West Ontario Commerce Center Specific Plan requires all future development projects to comply with the State of California Building Code as adopted and implemented by the City.

Policy S1-2 Entitlement and Permitting Process

We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with state guidelines and the California Building Code. Research of available maps indicates that the Specific Plan site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, there was no visible evidence of faulting during a geotechnical investigation conducted in 2015.

GOAL S2: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.

Policy S2-1 Entitlement and Permitting Process

We follow state guidelines and the California Building Code to determine when development proposals require hydrological studies prepared by a State-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down-gradient.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all applicable mitigation measures of the project environmental impact report, state guidelines, and the California Building Code regarding flooding and inundation hazards.

GOAL S3: Reduced risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.

Policy S3-8 Fire Prevention through Environmental Design

We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Fire Department and potential redesign to incorporate fire prevention design elements in streetscapes, sites, open space, and buildings.

GOAL S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

Policy S4-1 Noise Mitigation

We utilize the City's noise ordinance, building codes, and subdivision and development codes to mitigate noise impacts.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project

environmental impact report, the City's noise ordinance, subdivision and development codes, and the California Building Code to mitigate noise impacts.

GOAL S5: Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.

Policy S5-2 Dust Control Measures

We require the implementation of Best Management Practices for dust control at all excavation and grading projects.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report, the construction management plan, and any subdivision and development codes regarding dust control.

GOAL S6: Reduced potential for hazardous materials exposure and contamination.

Policy S6-9 Remediation of Methane

We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

GOAL S7: Neighborhoods and commercial and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, community involvement, and a system of continuous monitoring.

Policy S7-4 Crime Prevention through Environmental Design (CPTED)

We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.

The West Ontario Commerce Center Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Police Department and potential redesign to incorporate crime prevention design elements in streetscapes, sites, open space, and buildings. Parcel lighting (Chapter 5, Section 5.6: Lighting) addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features. A key provision includes the installation of ground or low mounted fixtures to provide for safety and convenience along the pedestrian movement walkways and corridors. Site design for the Specific Plan (Chapter 5, Section 5.1: Site Design) also

helps guide pedestrian access to the site buildings from adjacent streets and parking areas with building entrances marked by signage, architectural features, and landscaping features. The Specific Plan also establishes landscape setbacks along all roadways within the Specific Plan area (Chapter 5: Design Guidelines) to create safe and attractive streets for pedestrians and motorists, and integrates its infrastructure plans with the adjacent land uses to ensure cohesive patterns of development.

7.6 COMMUNITY ECONOMICS ELEMENT

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

Policy CE1-1 Jobs-Housing Balance

We pursue improvement to the Inland Empire’s balance between jobs and housing by promoting job growth that reduces the regional economy’s reliance on out-community.

The West Ontario Commerce Center Specific Plan anticipates the creation of 600 jobs in warehousing, logistics, light manufacturing, and administration within the Specific Plan area, which helps improve the region’s jobs-housing balance. Actual job creation depends on the type of land uses ultimately developed on the site as a wide-range of commercial, office, and industrial uses are permitted in this Specific Plan. The Land Use Plan (Chapter 3, Section 3.1) implements the vision of the Ontario Plan by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions.

Policy CE1-5 Business Attraction

We proactively attract new and expanding businesses to Ontario in order to increase the City’s share of growing sector of regional and global economy.

The West Ontario Commerce Center Specific Plan provides for the construction of over two million square feet of industrial development in compliance with City and regional planning goals and strategies that facilitate goods movement throughout the SCAG region (Chapter 3, Section 3.1: Land Use Plan).

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

Policy CE2-1 Development Projects

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

The West Ontario Commerce Center Specific Plan contains design guidelines in Chapter 5 to guide future development, consistent with the vision for Ontario Ranch. The guidelines are intended to ensure a cohesive and attractive development that complements and integrates into the community and adds value to the City. The Specific Plan also establishes landscape setbacks along all roadways within the Specific Plan area (Chapter 5: Design Guidelines) to create safe and attractive streets for pedestrians and motorists, and integrates its infrastructure plans with the adjacent land uses to ensure cohesive patterns of development.

Policy CE2-2 Development Review

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

The West Ontario Commerce Center Specific Plan establishes land uses (Chapter 3: Development Plan), site design, building design, and landscape design standards (Chapter 5: Design Guidelines) that ensure a high-quality development that is competitive regionally and appropriate for the Ontario Ranch community.

Policy CE2-5 Private Maintenance

We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

The West Ontario Commerce Center Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6 (Section 6.11: Maintenance Plan) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. A Property Owners Association (POA) will be established for the maintenance of common areas, including such improvements as landscape areas and drive aisles within the West Ontario Commerce Center.

Policy CE2-6 Public Maintenance

We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.

The West Ontario Commerce Center Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6 (Section 6.11: Maintenance Plan) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. Right-of-way for public streets within the Specific Plan area (Merrill Avenue, Carpenter Avenue, Hellman Avenue, and Eucalyptus Avenue) and infrastructure improvements shall be dedicated to the City of Ontario for maintenance purposes. Landscape improvements and public streetlights within the public right-of-way shall be maintained through a landscape and lighting district or other special maintenance district

established by the City. Dry utilities such as electricity, natural gas, communication systems will be maintained by the appropriate utility company.



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: April 24, 2018
File No: PSP16-002
Related Files: PGPA16-002, PWIL17-009 and PWIL18-004

Project Description: A Specific Plan (File No. PSP16-002 - West Ontario Commerce Center) request to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 119 acres of land, which includes the potential development of up to 2,905,510 square feet of industrial and business park development. The project site is bounded by Eucalyptus Avenue to the north, Cucamonga Creek Channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west; **submitted by REDA, OLV.**

Prepared By: Henry K. Noh, Senior Planner
Phone: 909.395.2429 (direct)
Email: hnoh@ontarioca.gov

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

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

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

2.1 Specific Plan. The following shall be submitted to the Planning Department within 30 days following City Council approval of the Specific Plan/Specific Plan Amendment:

- (a) Ten (10) copies of the final Specific Plan document;
- (b) One complete, unbound copy of the final Specific Plan document;
- (c) One CD containing a complete Microsoft Word copy of the final Specific Plan document, including all required revisions;
- (d) Five CDs, each containing a complete PDF copy of the final Specific Plan document, including all required revisions; and
- (e) One CD containing a complete electronic website version of the final Specific Plan document, including all required revisions.

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

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

2.3 Additional Fees.

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



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Bureau of Fire Prevention

DATE: October 6, 2016

SUBJECT: PSP16-002 - A request for Specific Plan (West Ontario Commerce Center) approval, to establish land use designations, development standards, design guidelines and infrastructure improvements that will govern the development of 125 acres of land generally bonded to the north by Eucalyptus Avenue, Merrill Avenue to the south, Cucamonga Creek Flood Control Channel to the east and Carpenter Avenue to the west. Related Files: PGPA16-002 & PZC16-002 APN No(s): 218-261-23, 218-261-22, 218-261-32, 218-271-08, 218-271-13, 218-261-16, 218-271-18

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

-
1. The emergency response times to this new development do not meet the current criteria for the service delivery model of the Fire Department. New, relocated or replacement fire station facilities may be required and will be evaluated during the EIR review by the City.
 2. Water infrastructure used for fire protection must be in place prior to building permit. Two separate points of connection to a circulating public water main from separate mains are required for each building within the development.
 3. Two means of emergency ingress and egress are required for all future development. Provisions for secondary access for emergency vehicles, preferably by means of fully improved publically maintained streets
 4. 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. Buildings that are obstructed by other buildings shall have a building directory and or signage at street frontage.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.



CITY OF ONTARIO MEMORANDUM

TO: Otto Kroutil, Development Director
 Scott Murphy, Planning Director
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Raymond Lee, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
 Art Andres, Deputy Fire Chief/Fire Marshal
 Tom Danna, T. E., Traffic/Transportation Manager
 Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director

FROM:

DATE: April 12, 2016

SUBJECT: FILE #: PSP-16-002 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 request for Specific Plan (West Ontario Commerce Center) approval, establishing land use designations, and development standards and guidelines that will govern the development of 125 acres of land generally bounded by Eucalyptus Avenue to the north, San Bernardino Flood Control channel to the east, Merrill Avenue to the south, and Carpenter Avenue to the west.

Related Files: PGPA16-002 & PZC16-002

APN No(s): 218-261-23, 218-261-22, 218-261-32, 218-271-08, 218-271-13, 218-261-16, 218-271-18

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

POLICE
Department

DOUGLAS SOREL
Signature

MOBILITY ANALYST
Title

4/12/16
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT,
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 13, 2016
SUBJECT: PSP-16-002

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm

RESOLUTION NO. PC 18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PWIL18-004, A TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT NUMBER 70-219 FOR 14.46 ACRES OF LAND GENERAL LOCATED AT THE SOUTHSIDE OF EUCALYPTUS AVENUE, ADJACENT TO THE WEST OF THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL AT 9391 EAST EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 1 AND 2 OF THE WEST ONATRIO COMMERCE SPCIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-271-13.

WHEREAS, REDA, OLV ("Applicant") has filed an Application for the approval of the cancellation of Land Conservation Contract Number 70-219, File No. PWIL18-004, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 14.46 acres of land generally located on the Southside of Eucalyptus Avenue, adjacent to the west of the Cucamonga Creek Flood Control Channel at 9391 East Eucalyptus Avenue within Planning Area 1 (Business Park) and Planning 2 (Industrial) of the West Ontario Commerce Center Specific Plan, and is presently improved with agriculture uses; and

WHEREAS, the property to the north of the Project site is within Planning Area 5 (Multi-Family Attached) of the Parkside Specific Plan, and is presently improved with agriculture uses. The property to the east is developed with the Cucamonga Flood Control Channel. The property to the south is located within the Planning Area 2 (Industrial) of the West Ontario Commerce Center Specific Plan, and is developed with dairy/agricultural uses. The properties to the west are within Planning Area 1 (Business Park) and Planning Area 2 (Industrial) of the West Ontario Commerce Center Specific Plan, and is developed with dairy/agricultural uses;

WHEREAS, the subject property was annexed into the City of Ontario on November 30, 1999; and

WHEREAS, the City of Ontario certified the *Ontario Sphere of Influence Final Environmental Impact Report* in January 7, 1998. The Final EIR evaluated the potential impacts to prime agricultural land and to agricultural productivity that would result from the full and complete build-out of the New Model Colony (NMC) pursuant the General Plan Amendment. The Final EIR concluded that the conversion of agricultural uses to urban uses within the NMC would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved; and

WHEREAS, the City, upon annexation, assumed responsibility for administration of the Land Conservation Contracts which existed in the annexed area; and

WHEREAS, the City Ontario certified the Environmental Impact Report for The Ontario Plan (TOP) on January 27, 2010. The adoption of TOP also included the approval of the Policy Plan (General Plan), which replaced the previous Ontario General Plan and New Model Colony General Plan Amendment. The Final TOP EIR concluded that the conversion of agricultural uses to urban uses within Ontario Ranch (NMC) would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved.

WHEREAS, The City's the Agricultural Overlay Zoning District, or a "right-to-farm" ordinance (Development Code Division 6.01, Section 6.01.035), allows existing agricultural uses within Ontario Ranch to continue for as long as the landowner desires; and

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

WHEREAS, the environmental impacts of this project were reviewed in conjunction with West Ontario Commerce Center Specific Plan File No. PSP16-002, Environmental Impact Report (SCH#2017041074); and

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("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 April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) and supporting documentation. Based upon the facts and information contained in the West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) and supporting documentation, the Planning Commission finds as follows:

(1) The West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) reflects the independent judgment of the Planning Commission; and

(4) All applicable mitigation measures adopted with the certification by the City Council of the West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) will become a condition of project approval.

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

a. ***The cancellation is for land on which a Notice of Non-Renewal has been served.*** Pursuant with Government Code § 51245 a Notice of Non-Renewal of Land Conservation Contract Number 70-219, was recorded on September 16, 2010, as Instrument No. 2010-0380748, Official Records, has been served.

b. ***Cancellation is not likely to result in the removal of adjacent lands from agricultural use.*** Cancellation of the Land Conservation Contract No. 70-219 is not likely to result in the removal of adjacent lands from agricultural uses. The properties adjacent to the contracted land are part of West Ontario Commerce Center Specific Plan. The change in use in these parcels would be due to the development of the specific plan and not to the cancellation of land conservation contracts. Moreover, the policy decision to transition uses in the area from agriculture to urban was made when the City adopted TOP Policy Plan. The environmental consequences of that decision were analyzed in the Environmental Impact Report certified in conjunction with The Ontario Plan (TOP). Thus, the City's prior planning decision, and not the cancellation of the contracts associated with this project, would be the cause of any influence on the decision to remove land from agricultural use. Additionally, to ease the transition from agricultural to urban uses and to minimize conflicts between the two uses, the City has adopted an Agricultural Overlay District.

c. ***Cancellation is for an alternative use which is consistent with the applicable provisions of the City's General Plan.*** The subject site is a part of West Ontario Commerce Center Specific Plan and is planned in accordance with TOP Policy Plan depiction of Business Park (0.60 FAR) and Industrial (0.55 FAR).

d. ***Cancellation will not result in discontinuous patterns of urban development. The cancellation of the Land Conservation Contracts will not result in discontinuous patterns of urban development.*** The subject properties are part of West Ontario Commerce Center Specific Plan. TOP Policy Plan includes requirements for subsequent approval by the City of a Specific Plan for development within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, provision for public services including parks and schools, and urban design and landscape plans. Also, future residential tracts bound the West Ontario Commerce Center Specific Plan to the north, within the Parkside Specific Plan. Further, a Specific Plan (Colony Commerce Center West Specific Plan) has been approved immediately to the south of the project site. To the west of the subject property is an active agriculture use and located within the Specific Plan (AG) zone with access from Eucalyptus Avenue and Carpenter Avenue. Because all lands within the Ontario Ranch, between the project sites and existing urban areas, will be urbanized in the near future, cancellation of the Williamson Act contracts associated with the Project would not result in leap-frog development.

e. ***There is no proximate non-Contracted land, which is both available and suitable for the alternative proposed use or that development of the subject property will provide more contiguous patterns of urban development than development of proximate non-Contracted land.*** The contracted land lies within the boundaries of West Ontario Commerce Center Specific Plan. The adjacent non-contracted land is part of West Ontario Commerce Center Specific Plan and is scheduled for future development, therefore not available. Development of the subject site and adjacent non-contracted land through West Ontario Commerce Center Specific Plan will eliminate “leap frog” development. The West Ontario Commerce Center Specific Plan is bound by future residential tracts, located within the Parkside Specific Plan, to the north, future industrial development, located within The Colony Commerce Center West Specific Plan to the south, the Cucamonga Creek Flood Control Channel to the east and agriculture uses to the west, which contributes to a continuous pattern of development. Properties within adjacent Parkside Specific Plan and Colony Commerce Center West Specific Plan (contracted and non-contracted) will be developed with future residential and industrial development, thus are not available for the alternative proposed use. Furthermore, since the subject site is within West Ontario Commerce Center Specific Plan, once the adjacent parcels are developed it will provide for more contiguous patterns of urban development than development of proximate non-contracted land.

SECTION 3: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the herein described Application, subject to each and every condition set forth in the staff report, attached hereto as and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-XX was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO. PC 18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PWIL17-009, A TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT NUMBER 73-406 FOR 16 ACRES OF LAND GENERAL LOCATED AT THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND CARPENTAR AT 9139 EAST EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 1 AND 2 OF THE WEST ONATRIO COMMERCE SPCIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-261-23.

WHEREAS, Farm Fresh Commodities, LLC ("Applicant") has filed an Application for the approval of the cancellation of Land Conservation Contract Number 73-406, File No. PWIL17-009, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 16 acres of land generally located on the Southeast corner of Eucalyptus Avenue and Carpenter Avenue at 9139 East Eucalyptus Avenue within Planning Area 1 (Business Park) and Planning 2 (Industrial) of the West Ontario Commerce Center Specific Plan, and is presently improved with agriculture uses; and

WHEREAS, the property to the north of the Project site is within Planning Area 9 (Multi-Family Attached) of the Parkside Specific Plan, and is presently improved with agriculture uses. The property to the east is within the Planning Areas 1 (Business Park) and Planning Area 2 (Industrial) of the West Ontario Commerce Center Specific Plan, and is developed with agricultural uses. The property to the south is located within the Planning Area 2 (Industrial) of the West Ontario Commerce Center Specific Plan, and is developed with dairy/agricultural uses. The property to the west is zoned Specific Plan (AG) and developed with agriculture uses;

WHEREAS, the subject property was annexed into the City of Ontario on November 30, 1999; and

WHEREAS, the City of Ontario certified the *Ontario Sphere of Influence Final Environmental Impact Report* in January 7, 1998. The Final EIR evaluated the potential impacts to prime agricultural land and to agricultural productivity that would result from the full and complete build-out of the New Model Colony (NMC) pursuant the General Plan Amendment. The Final EIR concluded that the conversion of agricultural uses to urban uses within the NMC would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved; and

WHEREAS, the City, upon annexation, assumed responsibility for administration of the Land Conservation Contracts which existed in the annexed area; and

WHEREAS, the City Ontario certified the Environmental Impact Report for The Ontario Plan (TOP) on January 27, 2010. The adoption of TOP also included the approval of the Policy Plan (General Plan), which replaced the previous Ontario General Plan and New Model Colony General Plan Amendment. The Final TOP EIR concluded that the conversion of agricultural uses to urban uses within Ontario Ranch (NMC) would result in significant and unavoidable impacts to agriculture, therefore a Statement of Overriding Considerations was approved.

WHEREAS, The City's the Agricultural Overlay Zoning District, or a "right-to-farm" ordinance (Development Code Division 6.01, Section 6.01.035), allows existing agricultural uses within Ontario Ranch to continue for as long as the landowner desires; and

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

WHEREAS, the environmental impacts of this project were reviewed in conjunction with West Ontario Commerce Center Specific Plan File No. PSP16-002, Environmental Impact Report (SCH#2017041074); and

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("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 April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) and supporting documentation. Based upon the facts and information contained in the West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) and supporting documentation, the Planning Commission finds as follows:

(1) The West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) reflects the independent judgment of the Planning Commission; and

(4) All applicable mitigation measures adopted with the certification by the City Council of the West Ontario Commerce Center Specific Plan Environmental Impact Report (SCH#2017041074) will become a condition of project approval.

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

a. ***The cancellation is for land on which a Notice of Non-Renewal has been served.*** Pursuant with Government Code § 51245 a Notice of Non-Renewal of Land Conservation Contract Number 73-406, was recorded on September 28, 2016, as Instrument No. 2016-0403397, Official Records, has been served.

b. ***Cancellation is not likely to result in the removal of adjacent lands from agricultural use.*** Cancellation of the Land Conservation Contract No. 73-406 is not likely to result in the removal of adjacent lands from agricultural uses. The properties adjacent to the contracted land are part of West Ontario Commerce Center Specific Plan. The change in use in these parcels would be due to the development of the specific plan and not to the cancellation of land conservation contracts. Moreover, the policy decision to transition uses in the area from agriculture to urban was made when the City adopted TOP Policy Plan. The environmental consequences of that decision were analyzed in the Environmental Impact Report certified in conjunction with The Ontario Plan (TOP). Thus, the City's prior planning decision, and not the cancellation of the contracts associated with this project, would be the cause of any influence on the decision to remove land from agricultural use. Additionally, to ease the transition from agricultural to urban uses and to minimize conflicts between the two uses, the City has adopted an Agricultural Overlay District.

c. ***Cancellation is for an alternative use which is consistent with the applicable provisions of the City's General Plan.*** The subject site is a part of West Ontario Commerce Center Specific Plan and is planned in accordance with TOP Policy Plan depiction of Business Park (0.60 FAR) and Industrial (0.55 FAR).

d. ***Cancellation will not result in discontinuous patterns of urban development. The cancellation of the Land Conservation Contracts will not result in discontinuous patterns of urban development.*** The subject properties are part of West Ontario Commerce Center Specific Plan. TOP Policy Plan includes requirements for subsequent approval by the City of a Specific Plan for development within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, provision for public services including parks and schools, and urban design and landscape plans. Also, future residential tracts bound the West Ontario Commerce Center Specific Plan to the north, within the Parkside Specific Plan. Further, a Specific Plan (Colony Commerce Center West Specific Plan) has been approved immediately to the south of the project site. To the west of the subject property is an active agriculture use and located within the Specific Plan (AG) zone with access from Eucalyptus Avenue and Carpenter Avenue. Because all lands within the Ontario Ranch, between the project sites and existing urban areas, will be urbanized in the near future, cancellation of the Williamson Act contracts associated with the Project would not result in leap-frog development.

e. ***There is no proximate non-Contracted land, which is both available and suitable for the alternative proposed use or that development of the subject property will provide more contiguous patterns of urban development than development of proximate non-Contracted land.*** The contracted land lies within the boundaries of West Ontario Commerce Center Specific Plan. The adjacent non-contracted land is part of West Ontario Commerce Center Specific Plan and is scheduled for future development, therefore not available. Development of the subject site and adjacent non-contracted land through West Ontario Commerce Center Specific Plan will eliminate “leap frog” development. The West Ontario Commerce Center Specific Plan is bound by future residential tracts, located within the Parkside Specific Plan, to the north, future industrial development, located within The Colony Commerce Center West Specific Plan to the south, the Cucamonga Creek Flood Control Channel to the east and agriculture uses to the west, which contributes to a continuous pattern of development. Properties within adjacent Parkside Specific Plan and Colony Commerce Center West Specific Plan (contracted and non-contracted) will be developed with future residential and industrial development, thus are not available for the alternative proposed use. Furthermore, since the subject site is within West Ontario Commerce Center Specific Plan, once the adjacent parcels are developed it will provide for more contiguous patterns of urban development than development of proximate non-contracted land.

SECTION 3: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the herein described Application, subject to each and every condition set forth in the staff report, attached hereto as and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-XX was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore



PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A Variance (File No. PVAR17-008) request to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet in conjunction with a Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. **Submitted by Atabak Youssefzadeh.**

PROPERTY OWNER: Shay Salehrabi

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PVAR17-008 and PDEV17-055, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 0.46 acres of land located at 1440 E. Fourth Street, within the Neighborhood Commercial zoning district, and is depicted in Figure 1: Project Location, below. The project site was once developed with a gasoline service station, but is currently vacant. The property to the north and east of the project site is the I-10 Freeway. The properties to the west and south of the project site are within the LDR-5 (Low-Density Residential) zone and are developed with single-family homes.

PROJECT ANALYSIS:

[1] Background — The site was previously developed with a Texaco gas station and convenience mart that operated throughout the 1980s and 1990s. In November 2001, a demolition permit was filed to remove the gas station from the site. The site has remained vacant since demolition work was completed.



Figure 1: Project Location

Case Planner:	Alexis Vaughn	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	4/16/18	Approval	Recommend
Submittal Date:	11/8/17	PC	4/24/18		Final
Hearing Deadline:	N/A	CC			

On November 8, 2017, the Applicant applied for a Development Plan (File No. PDEV17-055) and a Variance (PVAR17-008) to construct a 4,100 square-foot, multi-tenant commercial building and accompanying site improvements, such as landscaping, parking, and a trash enclosure. The Variance request would allow for a reduction in various setbacks to allow for a more economically-viable development. The Ontario Development Code requires the Development Advisory Board to review Variances in conjunction with Development Plans and make a recommendation to the Planning Commission.

On April 16, 2018, the Development Advisory board reviewed the proposed project and recommended approval to the Planning Commission.

[2] Site Design/Building Layout — The project proposes a 4,100 square-foot, multi-tenant commercial building, arranged in an east-west configuration along the southern portion of the parcel. The drive aisle and parking stalls are located toward the street, in front of the building. The proposed floor plan is speculative, and will provide flexibility for tenant improvements.

The site location and the irregular angular shape of the lot create complications for the development of an economically-viable building and to satisfy the required site improvements. While the lot meets the minimum Development Code standards for overall lot size and width, due to the angular shape of the lot, only a minimal portion of the project site meets the minimum depth standard of 100 feet. Due to the I-10 eastbound on-ramp running alongside the eastern property line, this portion of the project site is limited to landscaping and parking.

[3] Site Access/Circulation — Access to the site is provided by an existing 24-foot drive approach at the northwest corner of the project site. Due to the parcel's proximity to the I-10 Freeway and its eastbound on-ramp, there is no option of relocating the existing drive approach.

[4] Parking — The project has provided off-street parking pursuant to the "General and Convenience Retail" parking standards specified in the Development Code. The off-street parking calculations for the project are as follows:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
General and Convenience Retail	4,100 SF	Four spaces per 1,000 SF of GFA.	16	17
TOTAL	4,100 SF		16	17

The project is required to provide a minimum of 16 off-street parking spaces pursuant to the parking standards specified in the Development Code and has provided 17 spaces,

exceeding the minimum standards. By reducing parking and drive aisle setbacks, the project is able to provide the minimum number of parking spaces for the building, a 25-foot drive aisle through the site, and ample truck turn-around space for municipal and emergency vehicles.

[5] Architecture — The project features a modern commercial style, utilizing the following architectural treatments (see **Exhibit C: Elevations**):

- Smooth stucco body with vertical reveal lines, painted a neutral tan color;
- Varying roof and parapet heights with a decorative cornice treatment;
- Tower elements at the building's ends incorporate horizontal mahogany wood paneling;
- Steel trellises above the tenant doors with stainless steel signage; and
- Clerestory windows along shop frontages.

[6] Landscaping — The project provides landscaping along the street frontage and the perimeter of the site. A substantial landscape area has been provided along the eastern portion of the site, where a water quality detention basin has been proposed. The Development Code requires a minimum of 15% landscape coverage, and the project is proposing approximately 35% landscaping, which exceeds requirements (see **Exhibit D: Conceptual Landscape Plan**). There are no existing trees within the property lines; however, one *Tristania Conferta* tree in the parkway is in good condition and is listed to remain. The project will introduce a variety of shrubs, perennials, and groundcovers, and a total of eight new trees will be planted on-site, including:

- 3 Jacaranda (24" box)
- 2 Chitalpa (24" box)
- 2 Brisbane Box (36" box)
- 1 Crape Myrtle (48" box)

[7] Variance – The applicant is requesting Variance approval in order to deviate from the minimum rear building setback from 15 feet to 10 feet, front parking setback from 20 feet to 10 feet, and from the building to the parking and drive aisle setback from 5 feet to 3 feet. The Variance application will facilitate the related Development Plan application to construct a 4,100 square-foot retail commercial building on approximately 0.46 acres of vacant land, located on Fourth Street near the I-10 eastbound on-ramp. The project site is surrounded by the I-10 freeway and on-ramp to the north and east, and by single-family residential to the south and west.

The project site is irregular and angular in shape and is in close proximity to the I-10 freeway and on-ramp (see **Exhibit A: Project Location Map**); thus, the Variance to reduce various setbacks on site will permit development to occur, while still allowing the project to meet required parking and landscaping standards. Requiring the additional

setbacks would impact the project site's ability to achieve a well-planned development and provide an economically-viable product that is consistent with the density, scale, and setbacks of the surrounding commercial developments.

The Variance request is consistent with The Ontario Plan (TOP) Policy Plan Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision of providing a diverse selection of buildings and uses throughout the region. In acting on a Variance request, the Planning Commission must consider and clearly establish certain findings of fact, which are prescribed by State law and the City's Development Code. The following facts and findings have been provided as basis for approval of the requested Variance:

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** The 0.46-acre site is an irregular-shaped parcel with a sharp angle along the east property line. The site location and the angular shape of the lot create complications for the development of an economically-viable building and requisite site improvements. While the lot meets the minimum Development Code standards for overall lot size and width, due to the angular shape of the lot, only a minimal portion of the project site meets the minimum depth standard of 100 feet. Due to the I-10 eastbound on-ramp running alongside the eastern property line, this portion of the project site is limited to landscaping and parking. In order for the applicant to be able to accommodate safety and municipal truck turn-arounds, required parking, and an economically-viable multi-tenant retail commercial building, reductions in the rear building setback, front parking setback, and building to parking and drive aisle setbacks are required. These reductions allow the project to provide the required amount of parking and landscaping, and to utilize the eastern portion of the project site on the east for parking and a trash enclosure. In addition, the TOP land use designation for the project site is Neighborhood Commercial, which allows a maximum Floor Area Ratio (FAR) of 0.4; therefore, the project as proposed with an FAR of 0.19 does not maximize the use of the site. Strict interpretation and enforcement of the Development Plan's rear building, front parking, and interior building to parking and drive aisle setbacks would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code. Further, TOP Policy Plan Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision; and

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** The proximity of the site to the I-10 eastbound on-ramp and the irregular, angled shape of the lot pose a physical hardship inconsistent with the Development Code. Other developed properties along Fourth Street within the Neighborhood Commercial zoning district are not restricted by an irregularly-shaped lot or impeded by the I-10 Freeway.

Further, the Yum Yum Donuts located northwest of the project site along the I-10 freeway eastbound off-ramp was developed in the 1960s with an approximately 5-foot building setback to the street and 8-foot setback to the east property line along the off-ramp, and extremely limited landscaping on the site. The proposed project will improve upon the existing streetscape in the neighborhood with allowance of the proposed setback reductions; and

(3) ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief from the minimum rear building setback from 15 feet to 10 feet, front parking setback from 20 feet to 10 feet, and building to parking space and drive aisle setbacks from 5 feet to 3 feet will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same zoning district, located within the area of the project site. The setback deviations provide for the applicant to successfully accommodate other Development Code regulations, such as parking, landscaping, and safe and effective site circulation on top of substantial improvement of the existing vacant site. Therefore, the strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by owners of other properties in the same zoning district. The requested relief from the minimum setbacks will allow for greater design flexibility and assist the project in creating an economically-viable project; and

(4) ***The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.*** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors and intensified landscape elements. Therefore, the granting of the Variance will not be detrimental to the public health, safety, or welfare, and will not be materially injurious to properties or improvements in the vicinity; and

(5) ***The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.*** The proposed Project is located with the Neighborhood Commercial land use district of the Policy Plan Land Use Map, and the Neighborhood Commercial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are 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 project will meet the goals, policies, and plans as outlined in the following section.

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

[1] City Council Goals.

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

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
- Goal LU2: Compatibility between a wide range of uses.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
 - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
 - CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

Community Design Element:

- CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.
- CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.
- CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:
 - Building volume, massing, and height to provide appropriate scale and proportion;
 - A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
 - Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally

sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

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

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

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

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

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

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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density; and, projects characterized as in-fill development.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Neighborhood Commercial (0.4 FAR)	Neighborhood Commercial	N/A
<i>North:</i>	I-10 Freeway	N/A	N/A	N/A
<i>South:</i>	Single-Family Residential	Low Density (2.1 – 5 du/ac)	Low-Density Residential (LDR-5)	N/A
<i>East:</i>	I-10 Freeway	N/A	N/A	N/A
<i>West:</i>	Single-Family Residential	Low Density (2.1 – 5 du/ac)	Low-Density Residential (LDR-5)	N/A

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	0.46 acres	N/A	Y
<i>Lot/Parcel Size:</i>	0.46 acres	0.23 (Min.)	Y
<i>Building Area:</i>	4,100	N/A	Y
<i>Floor Area Ratio:</i>	0.2	0.4 (Max.)	Y
<i>Building Height:</i>	20'	35' (Max.)	

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
General and Convenience Retail	4,100 SF	Four spaces per 1,000 SF of GFA.	16	17
TOTAL	4,100 SF		16	17

Exhibit A—PROJECT LOCATION MAP

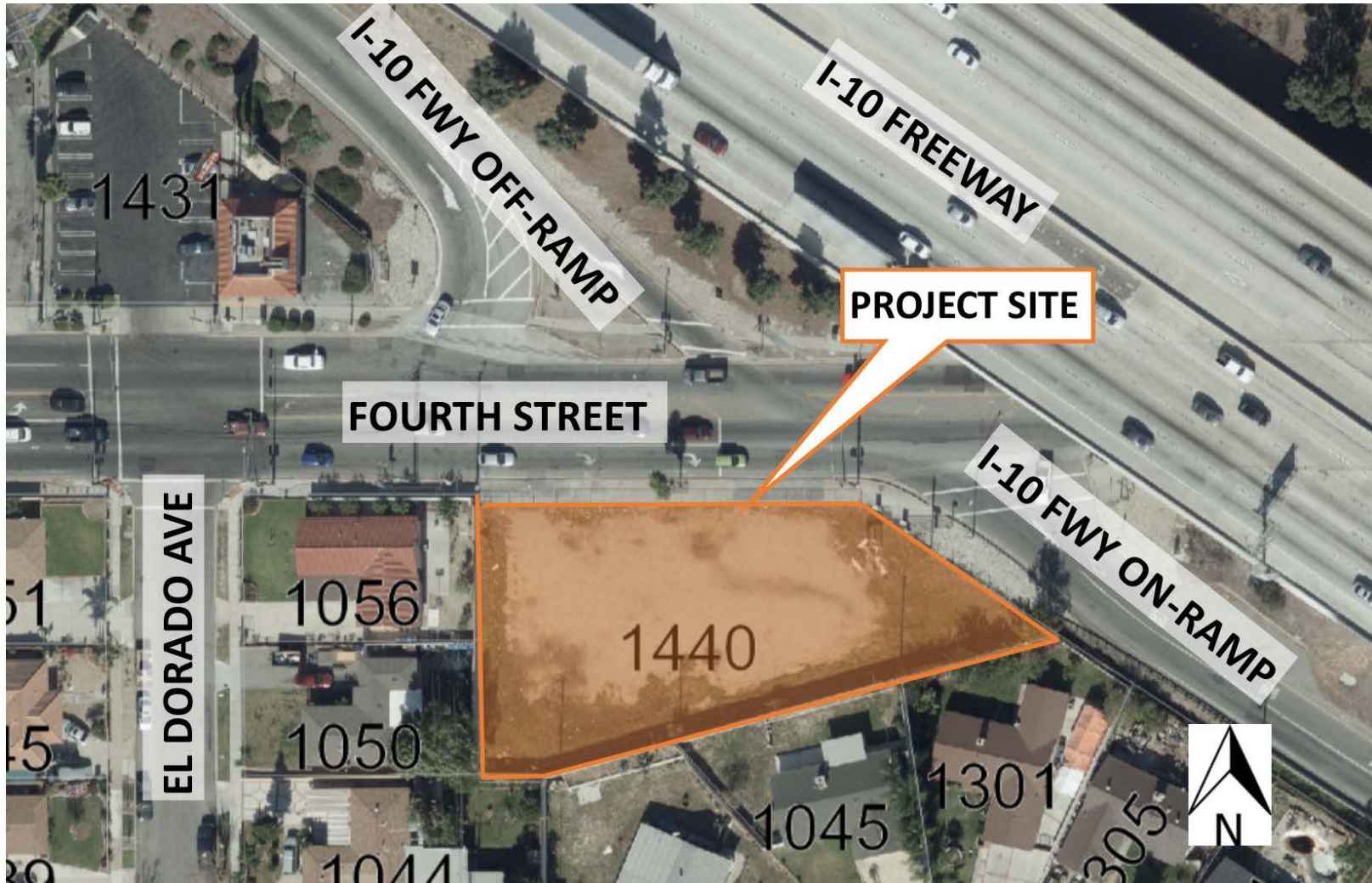
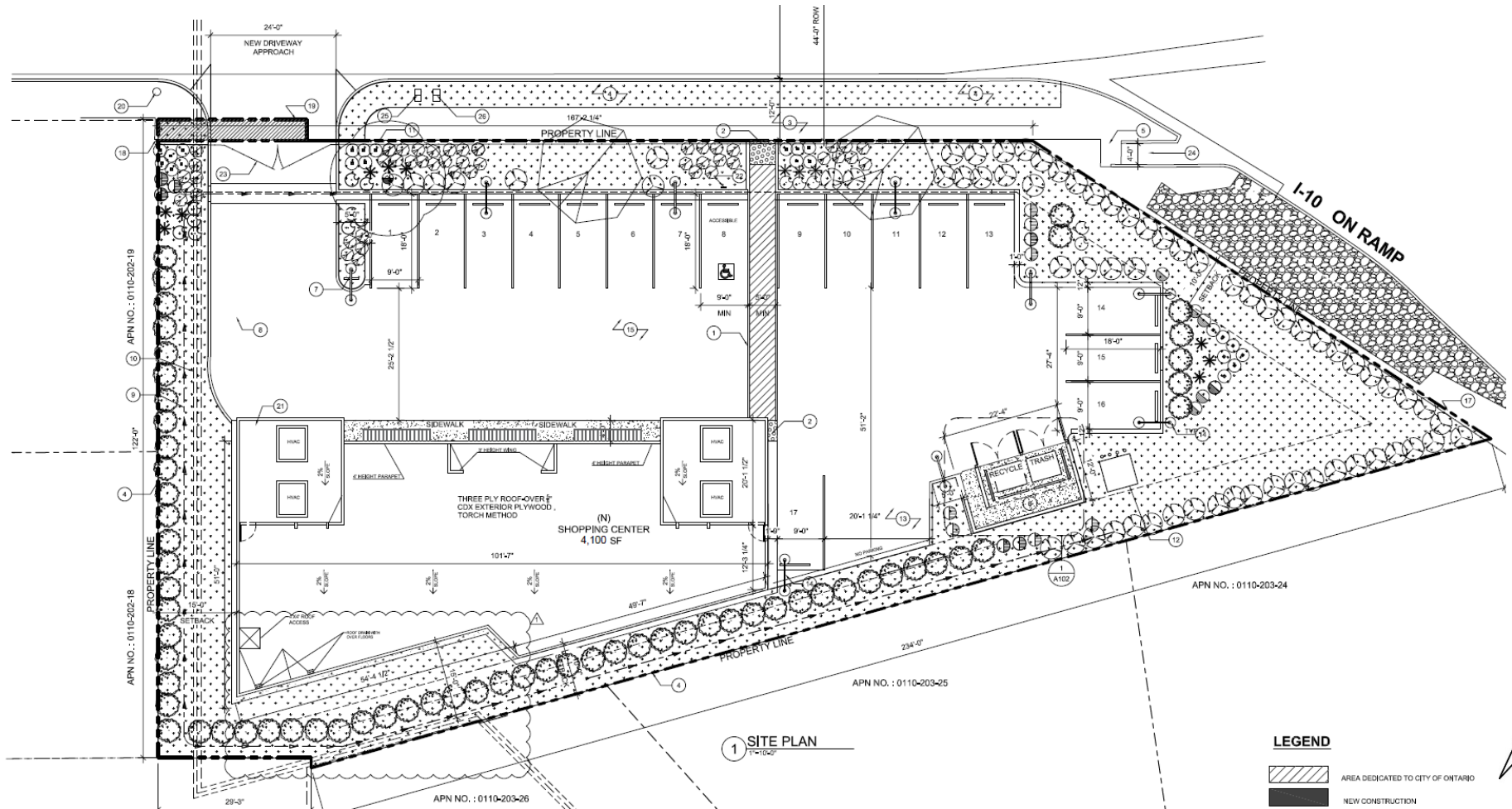


Exhibit B—SITE PLAN



1 SITE PLAN

LEGEND

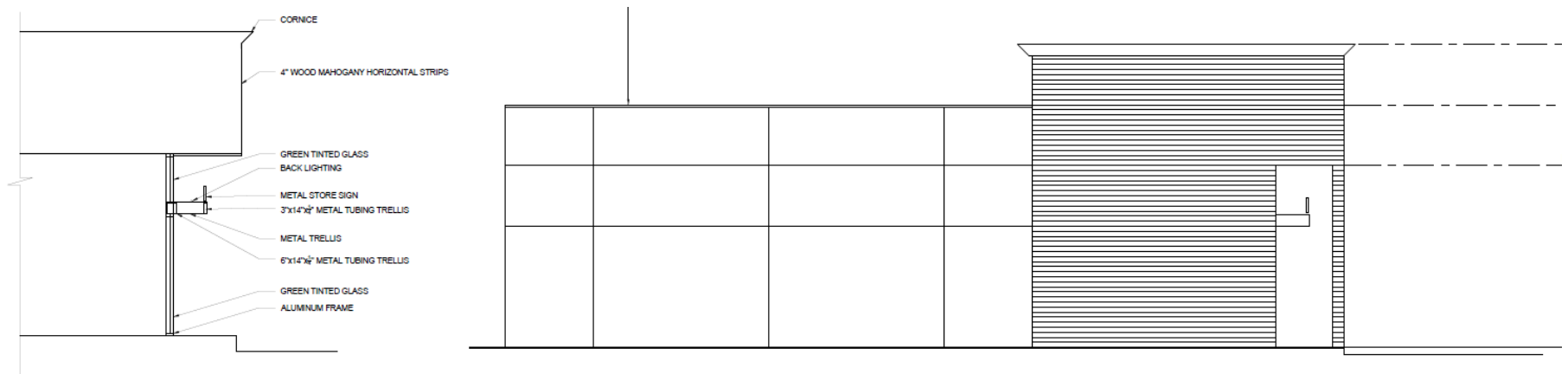
- AREA DEDICATED TO CITY OF ONTARIO
- NEW CONSTRUCTION



Exhibit C—ELEVATIONS



Front (North) Elevation



Side (East) Elevation

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR17-008, A VARIANCE REQUEST TO REDUCE THE: 1) REAR BUILDING SETBACK FROM 15 FEET TO 10 FEET; 2) FRONT PARKING SETBACK FROM 20 FEET TO 10 FEET; AND, 3) SETBACKS FROM THE BUILDING TO THE PARKING AND DRIVE AISLES FROM 5 FEET TO 3 FEET FOR THE CONSTRUCTION OF A 4,100 SQUARE FOOT COMMERCIAL BUILDING, ON 0.46 ACRES OF LAND, WITHIN THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, LOCATED AT 1440 E. FOURTH STREET, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0110-202-46.

WHEREAS, Atabak Youssefsadeh ("Applicant") has filed an Application for the approval of a Variance, File No. PVAR17-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.46 acres of land located at 1440 E. Fourth Street within the Neighborhood Commercial zoning district, and is presently vacant; and

WHEREAS, the property to the north and east of the Project site is the I-10 Freeway. The properties to the south and west of the site are within the Low-Density Residential (LDR-5) zoning district, and are developed with single-family residential dwellings; and

WHEREAS, the Variance proposes to deviate from the minimum building setback along the rear property line, from 15 feet to 10 feet; from the minimum parking setback along Fourth Street and the I-10 Freeway on-ramp from 20 feet to 10 feet; and the minimum parking and drive aisle setback to the building from 5 feet to 3 feet. As the project site is irregular and angular in shape and is in close proximity to the I-10 freeway and on-ramp, the Variance to reduce the above-mentioned setbacks will permit development to occur, while still allowing the project to meet required parking and landscaping standards. Requiring the additional setbacks would impact the project site's ability to achieve a well-planned development and provide an economically-viable product that is consistent with the density, scale, and setbacks of the surrounding commercial developments. The proposed project, with the Variance request, will be more successful and will bring improvement to the currently-vacant site; and

WHEREAS, the Variance was submitted in conjunction with a Development Plan (File No. PDEV17-055) that proposes a 4,100 square-foot commercial building on 0.46 acres of land; and

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

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

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

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

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

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

WHEREAS, on April 16, 2018, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB18-019, recommending the Planning Commission approve the Application; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The Project is categorically exempt from environmental review pursuant to Section 15305 (Minor Alterations in Land Use Limitations) and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density; and, projects characterized as in-fill development; and

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

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

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport

("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** The 0.46-acre site is an irregular-shaped parcel with a sharp angle along the east property line. The site location and the angular shape of the lot create complications for the development of an economically-viable building and requisite site improvements. While the lot meets the minimum Development Code standards for overall lot size and width, due to the angular shape of the lot, only a minimal portion of the project site meets the minimum depth standard of 100 feet. Due to the I-10 eastbound on-ramp running alongside the eastern property line, this portion of the project site is limited to landscaping and parking. In order for the applicant to be able to accommodate safety and municipal truck turn-arounds, required parking, and an economically-viable multi-tenant retail commercial building, reductions in the rear building setback, front parking setback, and building to parking and drive aisle setbacks are required. These reductions allow the project to provide the required amount of parking and landscaping, and to utilize the eastern portion of the project site on the east for parking and a trash enclosure. In addition, the TOP land use designation for the project site is Neighborhood Commercial, which allows a maximum Floor Area Ratio (FAR) of 0.4; therefore, the project as proposed with an FAR of 0.19 does not maximize the use of the site. Strict interpretation and enforcement of the Development Plan's rear building, front parking, and interior building to parking and drive aisle setbacks would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code. Further, TOP Policy Plan Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision; and

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** The proximity of the site to the I-10 eastbound on-ramp and the irregular, angled shape of the lot pose a physical hardship inconsistent with the Development Code. Other developed properties along Fourth Street within the Neighborhood Commercial zoning district are not restricted by an irregularly-shaped lot or impeded by the I-10 Freeway. Further, the Yum Yum Donuts located northwest of the project site along the I-10 freeway eastbound off-ramp was developed in the 1960s with an approximately 5-foot building setback to the street and 8-foot setback to the east property line along the off-ramp, and extremely limited landscaping on the site. The proposed project will improve upon the existing streetscape in the neighborhood with allowance of the proposed setback reductions; and

(3) ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief from the minimum rear building setback from 15 feet to 10 feet, front parking setback from 20 feet to 10 feet, and building to parking space and drive aisle setbacks from 5 feet to 3 feet will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same zoning district, located within the area of the project site. The setback deviations provide for the applicant to successfully accommodate other Development Code regulations, such as parking, landscaping, and safe and effective site circulation on top of substantial improvement of the existing vacant site. Therefore, the strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by owners of other properties in the same zoning district. The requested relief from the minimum setbacks will allow for greater design flexibility and assist the project in creating an economically-viable project; and

(4) ***The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.*** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors and intensified landscape elements. Therefore, the granting of the Variance will not be detrimental to the public health, safety, or welfare, and will not be materially injurious to properties or improvements in the vicinity; and

(5) ***The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan***

or planned unit development, and the purposes of this Development Code. The proposed Project is located with the Neighborhood Commercial land use district of the Policy Plan Land Use Map, and the Neighborhood Commercial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are 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 project will meet the following goals, policies, and plans:

- City Council Goals
 - Investing in the growth and evolution of the City's economy by providing more economic opportunities through the creation of jobs and revenue; and
 - The operation of the City in a businesslike manner by working with the applicant to arrive at a project that meets the City's intent and the applicant's business needs; and
- Governance
 - GI-2 Long-term Benefit, by demonstrating how the project adds value to the community and supports the Ontario Vision; and
- Policy Plan (General Plan)
 - Goal LU3, which promotes flexibility in staff, regulations, and processes in order to respond to special conditions and circumstances in order to achieve the Vision; and
 - CE2-1 Development Projects, by requiring that new development creates unique, high-quality places that add value to the community; and
 - CE2-4 Protection of Investment, in that the new development shall protect existing investment by providing architecture and urban design of equal or greater quality; and
 - CD2-1 Quality Architecture, in that City staff have encouraged the development to convey visual interest and character through building volume, massing, and height to provide appropriate scale and proportion, and exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style; and
 - CD2-13 Entitlement Process, in that City staff is working collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April, 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PVAR17-008
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: April 24, 2018

File No: PVAR17-008

Related Files: PDEV17-055

Project Description: A Variance (File No. PVAR17-008) request to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet in conjunction with a Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. APN: 0110-202-46; **submitted by Atabak Youssefzadeh.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

(e) Landscape shall be planted along the rear of the building so as to discourage trespassing, vagrancy, loitering, or other criminal activity.

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Site Lighting.

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

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property. All light standards located adjacent to residential developments shall be shielded so as to not cause a glare or illumination.

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines.

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

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

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

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

2.13 Additional Fees.

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of Memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Joe De Sousa, Supervising Code Enforcement Officer
 Jimmy Chang, IT Department
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PVAR17-008

Finance Acct#:



The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, November 27, 2017**.

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

PROJECT DESCRIPTION: A Variance request to reduce the street side setback from the required 20 FT to 10 FT, on 0.46 acres of land located on 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46)

RELATED FILE: PDEV17-055

- 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.

Burdina

Department

Signature

Title

Date

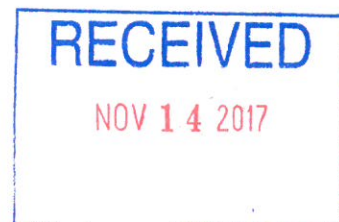
CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 14, 2017
SUBJECT: PVAR17-008

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

KS:lm





CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of Memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
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 Steve Wilson, Engineering/NPDES
 Joe De Sousa, Supervising Code Enforcement Officer
 Jimmy Chang, IT Department
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PVAR17-008 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, November 27, 2017**.

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

PROJECT DESCRIPTION: A Variance request to reduce the street side setback from the required 20 FT to 10 FT, on 0.46 acres of land located on 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46)

RELATED FILE: PDEV17-055

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

11/26/17
Date



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of Memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
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Steve Wilson, Engineering/NPDES
Joe De Sousa, Supervising Code Enforcement Officer
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PVAR17-008

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, November 27, 2017**.

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

PROJECT DESCRIPTION: A Variance request to reduce the street side setback from the required 20 FT to 10 FT, on 0.46 acres of land located on 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46)

RELATED FILE: PDEV17-055

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

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

The plan does not adequately address the departmental concerns.

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

Department: Airport Planning Signature: *[Handwritten Signature]* Title: Senior Planner Date: 12/11/17

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-055 & PVAR17-008
 Address: 1440 East Fourth Street
 APN: 0110-202-46
 Existing Land Use: Vacant
 Proposed Land Use: 4,500 square foot commercial building
 Site Acreage: 0.46 Proposed Structure Height: 18 ft
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Alexis Vaughn
 Date: 12/11/17
 CD No.: 2017-080
 PALU No.: n/a

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

- | Safety | Noise Impact | Airspace Protection | Overflight Notification |
|-------------------------------|---------------------------------------|---|--|
| <input type="radio"/> Zone 1 | <input type="radio"/> 75+ dB CNEL | <input checked="" type="checkbox"/> High Terrain Zone | <input type="radio"/> Avigation Easement Dedication |
| <input type="radio"/> Zone 1A | <input type="radio"/> 70 - 75 dB CNEL | <input checked="" type="checkbox"/> FAA Notification Surfaces | <input type="radio"/> Recorded Overflight Notification |
| <input type="radio"/> Zone 2 | <input type="radio"/> 65 - 70 dB CNEL | <input checked="" type="checkbox"/> Airspace Obstruction Surfaces | <input checked="" type="checkbox"/> Real Estate Transaction Disclosure |
| <input type="radio"/> Zone 3 | <input type="radio"/> 60 - 65 dB CNEL | <input type="radio"/> Airspace Avigation Easement Area | |
| <input type="radio"/> Zone 4 | | Allowable Height: 30 ft | |
| <input type="radio"/> Zone 5 | | | |

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani , Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
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Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E. , Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang , IT Department
David Simpson , IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: March 07, 2018

SUBJECT: FILE #: PVAR17-008 Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, March 21, 2018**.

PROJECT DESCRIPTION: A Variance for a reduction in the street side setback, from 20 FT to 10 FT, in conjunction with the construction of a 4,500 SF commercial building on 0.46 acres of land located at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46).
Related File: PDEV17-055.

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

Landscape Planning Department Carolyn Bell Sr. Landscape Architect 3/14/18

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-055, A DEVELOPMENT PLAN TO CONSTRUCT A 4,100 SQUARE-FOOT COMMERCIAL BUILDING ON 0.46 ACRES OF LAND, WITHIN THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, LOCATED AT 1440 E. FOURTH STREET, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0110-202-46.

WHEREAS, Atabak Youssefsadeh ("Applicant") has filed an Application for the approval of a Variance, File No. PVAR17-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.46 acres of land located at 1440 E. Fourth Street within the Neighborhood Commercial zoning district, and is presently vacant; and

WHEREAS, the property to the north and east of the Project site is the I-10 Freeway. The properties to the south and west of the site are within the Low-Density Residential (LDR-5) zoning district, and are developed with single-family residential dwellings; and

WHEREAS, the proposed project is a 4,100 square-foot multi-tenant commercial retail building. The building will be situated along the south property line of the site and will include landscaping the front elevation (Fourth Street and the I-10 east-bound on-ramp) to help minimize visual impacts from the public right-of-way. The project also proposes a large water quality detention basin, and will be providing approximately 35% landscape coverage (a minimum of 15% is required); and

WHEREAS, the proposed project requires 16 parking spaces, and 17 parking spaces will be provided; and

WHEREAS, the Development Plan was submitted in conjunction with a Variance (File No. PDEV17-008) to deviate from the minimum building setback along the rear property line, from 15 feet to 10 feet; from the minimum parking setback along Fourth Street and the I-10 Freeway on-ramp from 20 feet to 10 feet; and the minimum parking and drive aisle setback to the building from 5 feet to 3 feet. The Variance was requested to accommodate the required parking and landscaping, as well as sufficient drive aisles for passenger, delivery, and emergency vehicles; and

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

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

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

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

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

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

WHEREAS, on April 16, 2018, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB18-020, recommending the Planning Commission approve the Application; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The Project is categorically exempt from environmental review pursuant to Section 15305 (Minor Alterations in Land Use Limitations) and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density; and, projects characterized as in-fill development; and

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

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

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts

of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Neighborhood Commercial land use district of the Policy Plan Land Use Map, and the Neighborhood Commercial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are 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 commercial retail building will provide the neighborhood with an additional convenience, promoting a variety of land uses and building types in the area, per LU1-6 (Complete Community). Additionally, the project will be well-landscaped, and will contribute to the overall streetscape along Fourth Street, per CD2-9 (Landscape Design) and CD3-6 (Landscaping); 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 Neighborhood Commercial zoning district, including standards relative to the particular land use proposed (commercial retail building), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The project site is bordered by the I-10 Freeway to the north and east, and by single-family residential to the south, and is currently vacant. The proposed one-story building will not impose on any privacy or view issues, as it will not incorporate windows or accommodate pedestrian activity along the south or west elevations. Further, an existing 7' block wall along the south property line and an existing 6' block wall along the west property line will continue to provide

adjacent residences with privacy. With approval of the Variance request, the project will be consistent with the Development Code and TOP; 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. The proposed project is complementary to the surroundings in terms of use, massing, and architecture, and will install an extensive landscape buffer along Fourth Street and the I-10 on-ramp. Conditions have also been imposed on the project to promote safety, by means of appropriate site lighting, and the implementation of plantings along the building's west and south elevations to discourage any potential loitering or criminal activities behind the building; 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 (commercial retail building). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval and approval of the Variance application, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to

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

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April, 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV17-055
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: April 24, 2018

File No: PDEV17-055

Related Files: PVAR17-008

Project Description: A Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, in conjunction with a Variance (File No. PVAR17-008) request to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. APN: 0110-202-46; **submitted by Atabak Youssefzadeh.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

(e) Landscape shall be planted along the rear of the building so as to discourage trespassing, vagrancy, loitering, or other criminal activity.

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Site Lighting.

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

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property. All light standards located adjacent to residential developments shall be shielded so as to not cause a glare or illumination.

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines.

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

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

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

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

2.13 Additional Fees.

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

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



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV17-055</u> RELATED FILE NO(S). <u>PVAR17-008</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

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

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn (909) 395-2416

DAB MEETING DATE: April 16th, 2018

PROJECT NAME / DESCRIPTION: PDEV17-055, a Development Plan to construct a 4,500 square foot Commercial building on 0.46 acres of land.

LOCATION: 1440 East Fourth Street

APPLICANT: Fusion International Holdings, LLC

REVIEWED BY: *[Signature]* 4/13/18
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *[Signature]* 4-4-19
 Khoi Do, P.E. Date
 Assistant City Engineer



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Tract No. 6522.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified



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

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

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

- State of California Department of Transportation (Caltrans)**
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

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

1. **44-feet on Fourth Street along the entire property frontage.**

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

1. **15-foot wide Public Utility Easement (PUE) along a portion of the southerly property line.**

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

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

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**

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



- 2.15** Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$18,000.00 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.

- 2.16** Other conditions:
 - 1. The Applicant/Developer shall process a vacation to vacate all easements within the property no longer needed.

 - 2. The Applicant/Developer shall relocate the existing guy wire for the Edison power pole outside of the proposed building foundation.



B. PUBLIC IMPROVEMENTS

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

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

Improvement	Fourth St	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> Replace Damaged Curb & Gutter <input checked="" type="checkbox"/> In-fill Existing Easterly Curb-Cut with New Curb & Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
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 (see Sec. 2.F)	<input checked="" type="checkbox"/> Replace Existing Westerly Curb-Cut with a New Commercial Type Driveway Approach <input checked="" type="checkbox"/> Install Right-turn Only Ingress/Egress Median on Driveway 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
Sidewalk	<input checked="" type="checkbox"/> Replace Damaged Sidewalk Panels <input checked="" type="checkbox"/> In-fill Existing Easterly Curb-Cut with New Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> Replace Existing Wheel Chair Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



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"/> Upgrade and Equip Existing Fire Hydrant with a Break-Off Valve	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Extend Sewer Main <input checked="" type="checkbox"/> New Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> New Service for Domestic Use and equip with a backflow device <input checked="" type="checkbox"/> New Service for Irrigation Use and equip with a Backflow Device <input checked="" type="checkbox"/> New Service for Fire Use and equip with a DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify Existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> New Parkway Drain	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	<input checked="" type="checkbox"/> Abandon Laterals & Services no longer to be used <input checked="" type="checkbox"/> Remove concrete within parkway landscape area			
Other Improvements				

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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 An 8-inch sewer main is available for connection by this project in Fourth Street. (Ref: Sewer plan bar code: S12951)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 130 feet away in Fourth Street.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: _____



D. WATER

- 2.27 An 18-inch water main is available for connection by this project in Fourth Street. (Ref: Water plan bar code: W10881)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - 1. The I-10 High Occupancy Toll (HOT) Lane project will construct modifications to the bridge at I-10 and Fourth Street in the future. At the time of construction, it is likely that San Bernardino County Transportation Authority (SBCTA) will require a temporary construction easement.
 - 2. The applicant/developer shall design and construct the proposed driveway on Fourth Street to be right-turn ingress/egress only. The driveway shall incorporate appropriate signage. In addition, the applicant/developer shall be responsible to modify the striped median on Fourth Street to include yellow diagonal crosshatch markings in order to emphasize the restriction of westbound left-turn ingress.



G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.**
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions: _____

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Other conditions: _____

J. SPECIAL DISTRICTS

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



2.48 Other conditions: _____

K. FIBER OPTIC

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

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

L. Solid Waste

2.51 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

2.52 Other conditions:
1. The Applicant/Developer shall construct a new 2-bin trash enclosure with a solid roof and pedestrian access per the Refuse & Recycling Planning Manual.



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

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

- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

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

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

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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV17-055, and/or Parcel Map/Tract Map No. _____

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

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



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

**FIBER OPTIC EXHIBIT
PDEV17-055
1440 E FOURTH STREET**

**ATABAK YOUSSEFZADEH
ARCHITECT**

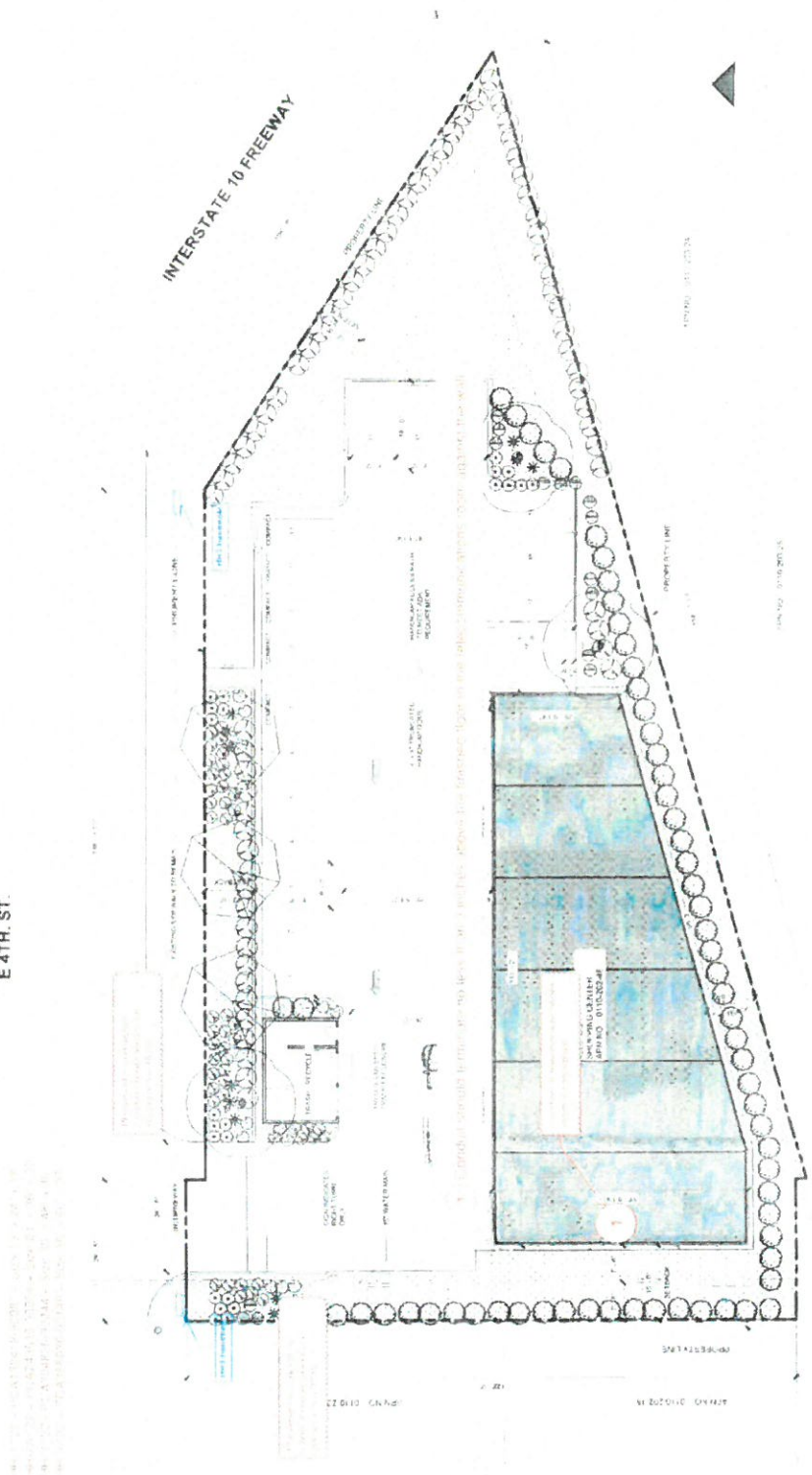
1440 E FOURTH STREET, SUITE 200
DENVER, CO 80202
TEL: (303) 733-3332

OWNER/CLIENT:
SHARAFI PART
FUSION INTERNATIONAL
1440 E FOURTH STREET, SUITE 200
DENVER, CO 80202
TEL: (303) 733-3332

ARCHITECT:
ATABAK YOUSSEFZADEH
1440 E FOURTH STREET, SUITE 200
DENVER, CO 80202
TEL: (303) 733-3332

PROJECT NAME:
SHARAFI CENTER
CANTARY
PROJECT ADDRESS:
1440 E 4TH ST, DENVER, CO
80202

1. This exhibit is intended to show the proposed fiber optic layout for the project. It is not intended to show the final construction details. The fiber optic layout is shown in blue and red. The blue lines represent the fiber optic cables and the red lines represent the fiber optic conduits. The fiber optic layout is shown in the exhibit area. The fiber optic layout is shown in the exhibit area. The fiber optic layout is shown in the exhibit area.



DATE	10/10/2017
SCALE	3/8" = 1'-0"
SITE PLAN	

A1



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

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

DATE: November 21, 2017

SUBJECT: PDEV17-055 - A Development Plan to construct a 4,500 square foot commercial building, located on 0.46 acres of land at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46). RELATED FILE: PVAR17-008

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Not Listed (V)
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 4,500 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 4,500 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): B

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 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

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

5.0 BUILDING CONSTRUCTION FEATURES

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

6.0 OTHER SPECIAL USES

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



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Planning Department

FROM: Douglas Sorel, Police Department

DATE: November 28, 2017

SUBJECT: PDEV17-055: A DEVELOPMENT PLAN TO CONSTRUCT A
COMMERCIAL BUILDING AT 1440 EAST FOURTH STREET

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

- Required lighting for walkways, driveways, doorways and other areas used by the public shall be provided and shall operate on photosensor. Photometrics shall be provided and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting fixtures.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to call Douglas Sorel at (909) 395-2873 regarding any questions or concerns.



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of Memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Joe De Sousa, Supervising Code Enforcement Officer
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PDEV17-055

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, November 27, 2017**.

- 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 a 4,500 square foot commercial building, located on 0.46 acres of land at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46).

RELATED FILE: PVAR17-008

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

Department

Airport Planning
[Signature]
Signature

Title

Senior Planner
12/11/17
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-055 & PVAR17-008

Address: 1440 East Fourth Street

APN: 0110-202-46

Existing Land Use: Vacant

Proposed Land Use: 4,500 square foot commercial building

Site Acreage: 0.46 Proposed Structure Height: 18 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 12/11/17

CD No.: 2017-080

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input checked="" type="checkbox"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 30 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: *Lorena Mejia*

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

PRELIMINARY PLAN CORRECTIONS

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

3/14/18
 Date

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

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV17-055 Rev 1

Case Planner:
 Alexis Vaughn

Project Name and Location:
 Commercial Building
 1440 E Fourth St

Applicant/Representative:
 Atabak Youssefzder atabak@sbcglobal.net
 10100 Empyrean Way #202
 Los Angeles, CA 90067

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 3/7/18) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

CORRECTIONS REQUIRED

Civil/ Site Plans

1. Show or note backflow devices shall be located in planter areas, and set back min 3' from paving, located on level grade. Coordinate with landscape plans.
2. Change gravel under basin to engineered soil per the Landscape Development Guidelines. Note 65% sand, 20% clay and silt and 15% compost by volume.
3. Reduce the 4' wide storm water curb openings and rip rap width to max 24" wide.

Landscape Plans

4. Show landscape screening for backflows, min 3' high such as Dietes, Dianella tasmanica or similar. Screen trash enclosures sides with a tall narrow shrub such as Nandina, dwarf fruitless olive, etc. Screen transformers sides and show low groundcovers in front for access.
5. Show parking lot island planters with trees at each row end. Missing 2 at NE parking lot edge.
6. Add tall narrow, evergreen shrubs 15 gallon to property line planters such as Arbutus, Toyon, Tristania laurina, Ligustrum confusum, etc. Change Tristania c.to Tristania laurina. Change Tecoma to a neat, low maintenance shrub such as ligustrum or Elaeagnus with Arbutus or Toyon 25' oc. Change Chitalpa to an evergreen shade tree such as Tristania conferta or Quercus ilex.
7. Provide 5QB or 5HB 5' stream spray bubblers for trees with pc screens instead of MSBN 1' radius
8. Add note for contractor to take additional agronomical soil test after amendments are installed to verify improved condition.
9. Show 25% of trees as California native (Quercus agrifolia, Quercus wislizenii, Quercus douglasii, , etc.) in appropriate locations such as in the east corner or along the east PL.
10. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres\$1,301.00
 Inspection—Construction (up to 3 inspections per phase) \$278.00

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



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of Memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Joe De Sousa, Supervising Code Enforcement Officer
 Jimmy Chang, IT Department
 David Simpson, IT Department (Copy of memo only)



FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PDEV17-055

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, November 27, 2017**.

- 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 a 4,500 square foot commercial building, located on 0.46 acres of land at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46).

RELATED FILE: PVAR17-008

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

Department Building Signature _____ Title _____ Date _____

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 14, 2017
SUBJECT: PDEV17-055

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



TOP-Zoning Consistency Determination



File No.: PDEV17-055, PVAR17-008

Location: 1440 East Fourth Street

Project Description:

A Development Plan to construct a 4,500 square foot commercial building on 0.46 acres of land located at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46). Related File: PVAR17-008.

Prepared By:

Clarice Burden

Date:

12/5/17

Signature:

Clarice Burden

This project has been reviewed for consistency with The Ontario Plan Zoning Consistency project. The following was found:

- The existing TOP land use designation of the property is: **Neighborhood Commercial**
The existing zoning of the property is: **CN, Neighborhood Commercial**

- A change to the TOP land use designation has been proposed which would change the land use designation of the property to:
This proposed TOP land use change will:
 - Make the existing zoning of the property consistent with the proposed General Plan Amendment;
 - Make the proposed project consistent with The Ontario Plan.

- The zoning of the property will need to be changed in order to be consistent with The Ontario Plan. Through the TOP-Zoning Consistency effort, the zoning of the property is proposed to be changed to:
This proposed zone change will:
 - Make the zoning of the property consistent with The Ontario Plan;
 - Without the Zone Change described above, the proposed project is not consistent with The Ontario Plan. A finding of consistency with The Ontario Plan is required in order to approve this project.

- Additional Comments:
Zoning and General Plan designations are consistent with each other.



PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A General Plan Amendment (**File No. PGPA18-001**) request to: 1) modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designation shown on the Land Use Plan Map (Exhibit LU-1) for one 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street from Office Commercial to Industrial; and 2) modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change; and a Specific Plan Amendment (**File No. PSPA18-002**) request to change the California Commerce Center Specific Plan land use designation of the property from Commercial/Food/Hotel to Rail Industrial. **Submitted by SRG Archibald, LLC. City Council action is required.**

PROPERTY OWNER: SRG Archibald, LLC

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010; and approval of File Nos. PGPA18-001 and PSPA18-002, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT SETTING: The project site is comprised of one 2.05 acre parcel of undeveloped land located at the southeast corner of Haven Avenue and Francis Street, within the Commercial/Food/Hotel land use district of the California Commerce Center Specific Plan and has a General Plan land use designation of Office Commercial as is depicted in Figure 1: Project Location below. The properties to the north, south, and east of the Project site are within the Rail Industrial land use designation of the California Commerce Center Specific Plan, have a General Plan land use designation of Industrial, and are developed with industrial uses. The property to the west is within the Business Park land use designation of the ACCO Business Center Specific Plan, has a General Plan land use designation of Office Commercial, and is developed with an office building.

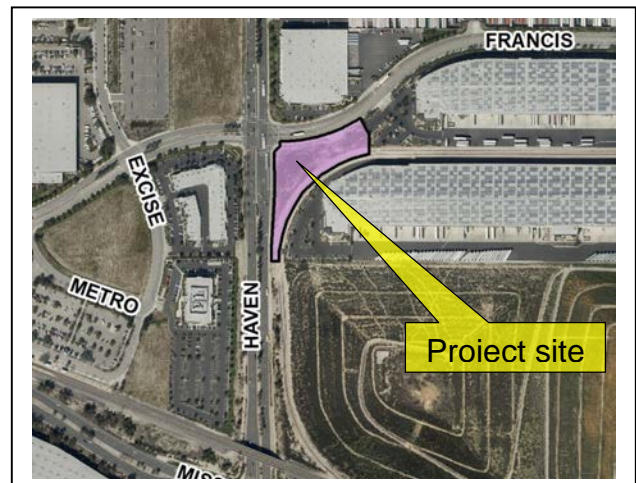


Figure 1: Project Location

Case Planner:	Clarice Burden	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	NA	NA	NA
Submittal Date:	2/14/18	ZA	NA	NA	NA
Hearing Deadline:	8/14/18	PC	4/24/18		Recommend
		CC			Final

PROJECT ANALYSIS:

[1] Background — The project site is an approximate 2 acre parcel that is undeveloped. It has a General Plan land use designation of Office Commercial and is located in the California Commerce Center (CCC) Specific Plan land use designation of Commercial/Food/Hotel. When the parcel was subdivided in 2007, a Specific Plan Amendment (File No. PSPA06-006) was approved to change the land use designation from Rail Industrial to Commercial/Food/Hotel to support a future 2 story office building that would coordinate with the industrial and office developments along Haven Avenue which incorporate high quality design, materials, and enhanced architectural features.

SRG Archibald, LLC (“Applicant”) has attempted to market the property for office development for the last several years without success. The site has many constraints which limit its development desirability as an office location as follows:

- The site is roughly triangular in shape with street frontages along Haven Avenue and Francis Street and the third side is bounded by a rail road spur line. Setbacks are required along all three sides. This configuration limits the site plan design and the development potential of the site.
- Access to the site from Haven Avenue is not allowed because of the grade separation to the south of the site and a dedicated right turn lane along the Haven Avenue frontage.
- Due to the small size and the triangular shape of the parcel, providing on-site circulation and adequate parking to meet office requirements is challenging.

The Applicant is requesting a General Plan Amendment (**File No.: PGPA18-001**) to change the General Plan land use designation from Office Commercial to Industrial and an accompanying Specific Plan Amendment (**File No.: PSPA18-002**) to change the land use designation of the parcel in the California Commerce Center Specific Plan from Commercial/Food/Hotel back to Rail Industrial in order to allow industrial development of the site. The Applicant understands that any future development of the site will still need to coordinate with the design quality of the area for this highly visible corner.

Staff is recommending approval of the proposed General Plan Amendment (**File No. PGPA18-001**) from Office Commercial to Industrial for this approximate 2 acre site. The change, if approved, will be reflected in The Ontario Plan (General Plan) Land Use Plan Map (Exhibit LU-1) as shown is Exhibit A (attached to the GPA resolution) and the Future Buildout table (Exhibit LU-3) which will be amended to reflect the land use change as shown in Exhibit B (attached to the GPA resolution). Staff is also recommending approval of the proposed Specific Plan Amendment (**File No. PSPA18-002**) to change the CCC SP land use designation of the site from Commercial/Food/Hotel to Rail Industrial as shown in Exhibit A (attached to the SPA resolution).

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

[1] City Council Priorities

Supporting Goals: Operate in a Businesslike Manner
Invest in the Growth and Evolution of the City's Economy

[2] Policy Plan (General Plan)

Land Use Element — Balance, Compatibility, Flexibility, Phased Growth & Airport Planning

- Goal LU2: Compatibility between a wide range of uses
 - LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment and Specific Plan Amendment coordinate with the existing industrial uses of the properties to the north, south and east of the subject site and the future development of the project site will be analyzed for quality that is comparable with the surrounding area, which will not increase adverse impacts on the office development to the west.

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.
 - LU5-7: ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan and Specific Plan Amendments are consistent with the adopted Airport Land Use Compatibility Plan for Ontario Airport.

Safety Element — Noise Hazards

- Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ S4-6: Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The subject property is located within the 60 to 65 CNEL Noise Impact area and the proposed industrial land use designation is compatible with the Noise Impact area.

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

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

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PGPA18-001 & PSPA18-002. APN: 0211-281-56

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140) for File Nos. PGPA18-001 and PSPA18-002 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the subject project site is a 2.05 acre parcel of undeveloped land located at the southeast corner of Haven Avenue and Francis Street; and

WHEREAS, File No. PGPA18-001 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of a General Plan Amendment to change the land use designation of the project site from Office Commercial to Industrial, and modify the Future Buildout Table to be consistent with the land use designation changes (amending TOP Exhibits LU-01 and LU-03), hereinafter referred to as the "Project" together with File No. PSPA18-002; and

WHEREAS, File No. PSPA18-002 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of an amendment to the California Commerce Center Specific Plan to change the land use designation of the project site from Commercial/Food/Hotel to Rail Industrial hereinafter referred to as the "Project" together with File No. PGPA18-001; and

WHEREAS, the Initial Study/Environmental Impact Report Addendum concluded that implementation of the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140). No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures; and

WHEREAS, The Ontario Plan (TOP) Environmental Impact Report was certified on January 27, 2010, in conjunction with File No. PGPA06-001; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the recommending authority for the proposed approval to undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Environmental Impact Report Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Environmental Impact Report Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission recommends that City Council find as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report — State Clearinghouse No. 2008101140, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (hereinafter referred to as "Certified EIR").

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

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

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

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

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

SECTION 2: *Additional Environmental Review Not Required.* Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission recommends that City Council find that the preparation of a subsequent or supplemental Environmental Impact Report is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Planning Commission hereby recommends the City Council find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the Addendum to the Certified EIR, attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April, 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**Addendum to The Ontario Plan (TOP)
Environmental Impact Report**

(Addendum to follow this page)

CITY OF ONTARIO

ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO PLAN RE: FILE NO. PGPA18-001: A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FOR ONE 2.05 ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET FROM OFFICE COMMERCIAL TO INDUSTRIAL AND MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE AND FILE NO. PSPA18-001: A SPECIFIC PLAN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION OF THE PROPERTY.

A. PROJECT INFORMATION

- 1. Project Title:** General Plan Amendment (File No. PGPA18-001) A request to change the General Plan land use designation for one 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street from Office Commercial to Industrial and Specific Plan Amendment (File No. PSPA18-001) A request to change the California Commerce Center Specific Plan land use designation on 2.05 acres of land from commercial/Food/Hotel to Rail Industrial, located at the southeast corner of Haven Avenue and Francis Street.

- 2. Lead Agency Name and Address:** City of Ontario
303 East "B" Street
Ontario, CA 91764

- 3. Contact Person(s) and Phone** Clarice Burden, Associate Planner (909) 395-2432

- 4. Project Location:** Southeast Corner of Haven Avenue and Francis Street as shown in Exhibit A (attached) APN: 0211-281-56

BACKGROUND:

On January 27, 2010, the Ontario City Council adopted The Ontario Plan (TOP). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements; Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010 that included Mitigation Findings and a Statement of Overriding Considerations pursuant to CEQA. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, in the Policy Plan, and impacts resultant of population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included; agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation/traffic.

PROJECT DESCRIPTION:

SRG Archibald, LLC has initiated a request to change the General Plan land use designation on 2.05 acres from Office Commercial to Industrial and a related Specific Plan Amendment to the California Commerce Center Specific Plan to change the land use designation of the parcel from Commercial/Food/Hotel to Rail Industrial, located at the southeast corner of Haven Avenue and Francis Street. The project includes a change to the TOP land use map in order to be consistent with this change and modifications to the TOP Future Buildout Table and changes to the California Commerce Center Specific Plan to reflect the land use designation change.

ANALYSIS:

According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR is needed for further discretionary approval. These findings are described below:

1. *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.*

Substantial changes are not proposed for the project and will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The Ontario Plan EIR assumed more overall development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed amendment of the approximate 2 acres associated with this project, will result in less development than TOP EIR analyzed at buildout.

	Units	Population	Non-Residential Square Footage	Jobs
Original TOP EIR	104,644	360,851	257,405,754	325,794
After Proposed Project	99,878	345,936	247,080,159	312,669

Since the anticipated buildout from the proposed changes will be less than originally analyzed in TOP EIR, no revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

2. *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR in that the proposed changes would be in keeping with the surrounding area. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

3. *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA REQUIREMENTS FOR AN ADDENDUM:

If changes to a project or its circumstances occur or new information becomes available after adoption of an EIR or negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines § 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines § 15162(b).) When only minor technical changes or additions to the EIR or negative declaration are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines, § 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to TOP EIR.

CONCLUSION:

The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA. In accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The proposed land use designation change reflects the existing uses of the properties in the surrounding areas. As described on page 2, the amount of development anticipated at buildout will be cumulatively lower (dwelling units, population, non-residential square footage and jobs) than TOP EIR analyzed. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and the CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, pursuant to State CEQA Guidelines Section 15164, the Council hereby adopts this Addendum to TOP EIR.

California Environmental Quality Act Environmental Checklist Form

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420



Project Title/File No.: PGPA18-001 & PSPA18-002

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Clarice Burden, Associate Planner (909)395-2432

Project Sponsor: SRG Archibald, LLC, 18802 Burdeen, Irvine, CA 92612 Patrick Russell (949) 809-2414

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site consists of one 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street. APN: 0211-281-56

Figure 1: Regional Location Map

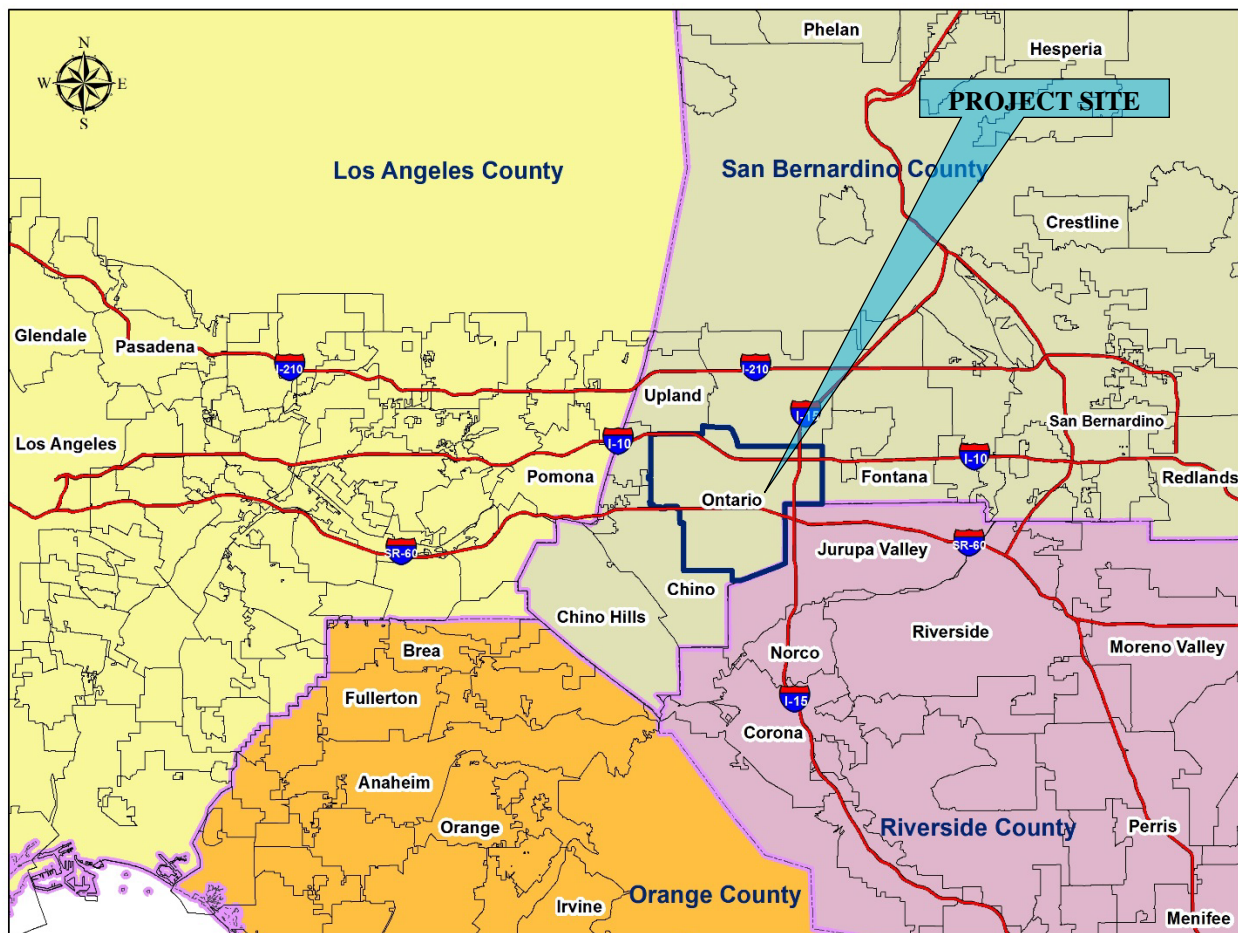


Figure 2—Vicinity Map

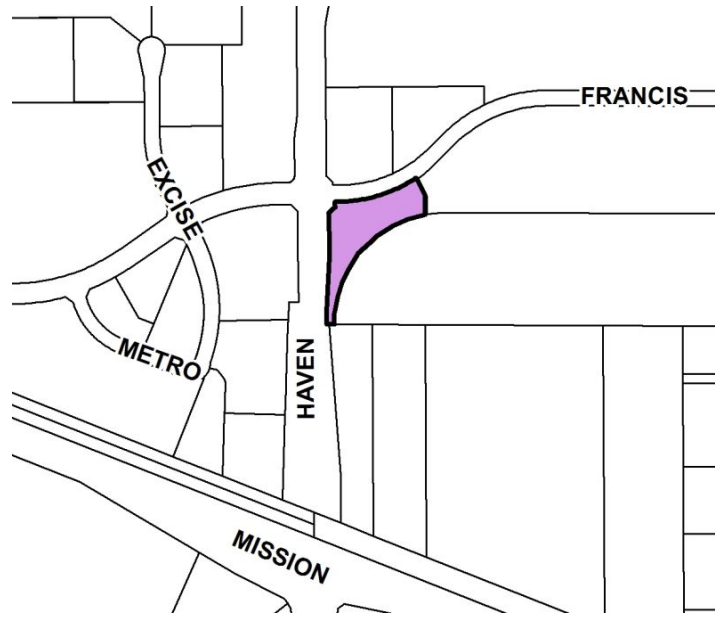
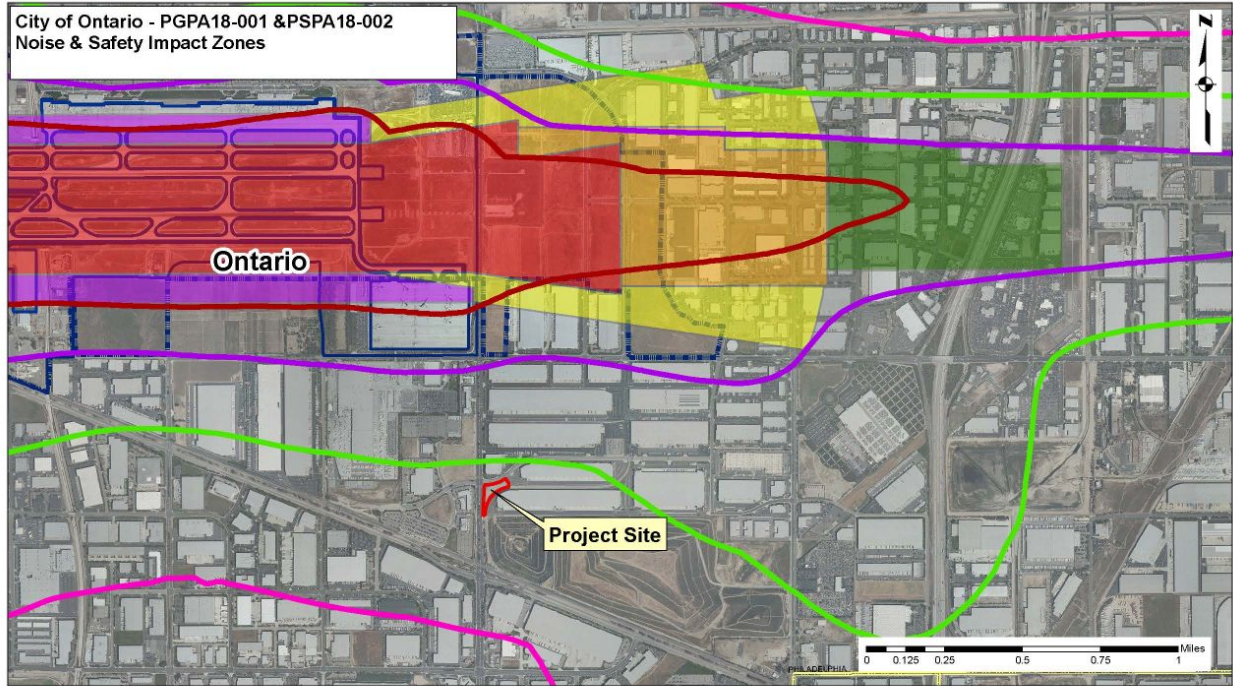


Figure 3—Airport Land Use Compatibility Review



Legend		Noise Impact Zones		Safety Impact Zones			
	Project Site		60 - 65 dB CNEL		ZONE-1		ZONE-3
	City Limits		65 - 70 dB CNEL		ZONE-2		ZONE-5
			70 - 75 dB CNEL		ZONE-4		
			75 - 80 dB CNEL				

General Plan Designation: Proposal to change the General Plan land use designation for one 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street from Office Commercial to Industrial as shown in Exhibit A and amend the Future Buildout table, as shown in Exhibit B, in conformance with the proposed land use change.

Zoning: Proposal to amend the California Commerce Center Specific Plan to change the land use designation on 2.05 acres of land from Commercial/Food/Hotel to Rail Industrial, located at the southeast corner of Haven Avenue and Francis Street. (See Exhibit C)

Description of Project: A General Plan amendment request to:

- 1) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designation shown on the Land Use Plan Map (Exhibit LU-1) for one 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street from Office Commercial to Industrial; and
- 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change; and

An Amendment to the California Commerce Center Specific Plan to change the land use designation on 2.05 acres of land from Commercial/Food/Hotel to Rail Industrial, located at the southeast corner of Haven Avenue and Francis Street.

Project Setting: The project is comprised of one undeveloped approximate 2 acre property located at the southeast corner of Haven Avenue and Francis Street as shown in Exhibit A.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	California Commerce Center SP Rail Industrial	Industrial
▪ South—	California Commerce Center SP Rail Industrial	Industrial
▪ East—	California Commerce Center SP Rail Industrial	Industrial
▪ West—	ACCO Airport Center SP Business Park	Office

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Certified The Ontario Plan (TOP) Environmental Impact Report (EIR) pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier Certified TOP EIR, including revisions or mitigation measures that are imposed upon the proposed project, the analysis from the Certified TOP EIR was used as a basis for this Addendum, nothing further is required.

Signature

March 31, 2018
Date

Clarice Burden
Printed Name

Ontario Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.

- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1) AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7) GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8) HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11) MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12) NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13) POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14) PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15) RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16) TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

1) **AESTHETICS.** Would the project:

a) **Have a substantial adverse effect on a scenic vista?**

Discussion of Effects: The proposed Project will not have a significant adverse effect aesthetically. As provided in TOP EIR, the City of Ontario’s physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the San Bernardino and San Gabriel Mountains and stretches of open space and undeveloped land south of Riverside Drive. TOP EIR provides that compliance with TOP Policy CD1-5 in the Community Design Element will avoid significant impacts to scenic vista by making it the policy of the City to protect public views of the San Gabriel Mountains. The project under consideration only proposes a General Plan Amendment and Specific Plan Amendment on approximately 2 acres of land located at the southeast corner of Francis Street and Haven Avenue. The Project does not permit construction of new buildings and so does not conflict with Policy CD1-5 as it will not alter existing public views of the San Gabriel Mountains. Since no adverse aesthetic impacts are expected, no mitigation is necessary.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. SR-83 (Euclid Avenue) traverses the City in a north-south direction and a portion of it is designated as a National Landmark. The proposed project does not authorize any new construction and will not impact the scenic or historic character of SR-83 which is located far to the west of the subject site. Therefore, it will not result in adverse environmental impacts on a scenic highway.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by development and is surrounded by urban land uses. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the property will not introduce new lighting to the surrounding area beyond what was anticipated in the Certified TOP FEIR. Therefore, no new adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

2) **AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

Discussion of Effects: The site does not contain any agricultural uses. Further, the site is identified as Urban Built up land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. There are no agricultural uses in the vicinity of the project. As a result, no new adverse environmental impacts are anticipated.

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

b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

Discussion of Effects: The project site is not and will not be zoned for agricultural use. The project proposes to change the General Plan land use designation and Specific Plan land use designation for this parcel. Future development will be consistent with the development standards and allowed land uses. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

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

c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

Discussion of Effects: The project proposes to change the land use designation on approximately 2 acres and would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no adverse impacts are anticipated.

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

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

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

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

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

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in TOP FEIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses, the Project does not directly result in conversion of farmland. No new cumulative impacts beyond those identified in TOP FEIR would result from Project implementation. The potential for growth inducement due to extension of utility systems into the City is addressed in TOP FEIR. There are no agricultural uses occurring onsite. As a result, the project will not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

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

3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The City is located in a non-attainment region of South Coast Air Basin (SCAB). However, this impact has already been evaluated and mitigated to the extent feasible in TOP FEIR. TOP FEIR has addressed short-term construction impacts, however, and adequate mitigation (Mitigation Measure 3-1) has been adopted by the City that would help reduce emissions and air quality impacts. No new impacts beyond those identified in TOP FEIR would result from Project implementation. Changing the General Plan and Specific Plan land use designations on this approximate 2 acre parcel will not generate significant new or greater air quality impacts than identified in TOP FEIR.

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

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on this parcel will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

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

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Discussion of Effects: Changing the General Plan and Specific Plan land use designation on this approximate 2 acre parcel will not generate significant new or greater air quality impacts than identified in TOP FEIR due to the net reduced non-residential square footage compared to the TOP FEIR analysis. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

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

d) Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: As discussed in Section 5.3 of TOP FEIR, the proposed Project is within a non-attainment region of the SCAB. Essentially this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The proposed General Plan Amendment and Specific Plan Amendment closely correlates to the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

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

e) Create objectionable odors affecting a substantial number of people?

Discussion of Effects: The proposed General Plan and Specific Plan Amendments do not authorize construction of any new buildings and any future development will be required to comply with the standards in place at the time of development. The Project will not create significant objectionable odors. Therefore the Project will not introduce new odors beyond those previously analyzed in TOP EIR

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

4) BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The project site is not located within an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Discussion of Effects: The proposed General Plan and Specific Plan Amendments do not authorize construction of any new buildings. Future development would be subject to TOP FEIR requirements for implementation of regulatory and standard conditions of approval to mitigate for impacts to species and project-specific CEQA review will be undertaken at the appropriate time. Policy ER5-1 encourages efforts to conserve flood control channels and transmission line corridors as wildlife movement corridors. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the proposed General Plan and Specific Plan Amendments do not authorize any new construction. Therefore the General Plan and Specific Plan Amendments do not conflict with existing plans. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?**

Discussion of Effects: The site is not part of an adopted HCP, NCCP, or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

5) **CULTURAL RESOURCES.** Would the project:

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

Discussion of Effects: The project site is undeveloped and does not contain buildings constructed more than 50 years ago and would not change the significance of a historic resource as no such resources are located in the vicinity of the project site. Therefore, no impacts to historic resources are anticipated.

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

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

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously rough graded when the property was subdivided and no archaeological resources were found. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions will be imposed on future development

that in the event of unanticipated archeological discoveries, construction activities will not continue or will be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

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

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the Project does not directly propose excavation and standard conditions will be imposed on any future development that in the event that unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine the significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

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

d) Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: Changing the General Plan and Specific land use designations on this approximate 2 acre parcel does not impact whether human remains may be discovered during future development and the proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions will be imposed on future development that in the event that unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

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

6) GEOLOGY & SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All future development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The proposed change in land use designation does not approved any new construction. All future construction will be undertaken in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) Seismic-related ground failure, including liquefaction?

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General Plan and Specific Plan land use designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code for any future development would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations will not create greater erosion impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion of Effects: Changing the General Plan and Specific Plan land use designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated. Changing the General Plan and Specific Plan land use designation will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

7) **GREENHOUSE GAS EMISSIONS.** Would the project:

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

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

Changing the General Plan and Specific land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately addresses any potential significant impacts and there is no need for any additional mitigation measures.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on this approximate 2 acre parcel will not create significantly greater impacts than were identified in the Certified TOP FEIR. The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City’s contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City’s adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

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

8) **HAZARDS & HAZARDOUS MATERIALS.** Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Discussion of Effects: The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion of Effects: The project is not anticipated to involve the use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion of Effects: Changing the General Plan and Specific land use designation on one approximate 2 acre parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on this parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located outside on the safety zone for ONT and Chino Airports.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designation on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City

requirements for fire and other emergency access. Because future development would be required to comply with all applicable State and City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

9) HYDROLOGY & WATER QUALITY. Would the project:

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

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. The proposed project does not authorize any new development and therefore no adverse impacts are anticipated. Compliance with established Codes and standards for any future development would reduce any impacts to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on an approximate 2 acre parcel will not create greater impacts than were identified in the Certified TOP FEIR. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The future development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 250 to 450 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new construction. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the future development of the project site will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater

monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new development. The future development of the project site is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on an approximate 2 acre parcel will not create greater impacts than were identified in the Certified TOP FEIR. The General Plan changes will not increase impervious surfaces and will not increase runoff. It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The future development of the site will be required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The project site does not and will not contain housing. Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre site will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designation on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10) LAND USE & PLANNING. Would the project:

a) Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. Changing the General Plan and Specific Plan land use designation on the approximate 2 acres project site will not create greater impacts than were identified in the Certified TOP FEIR. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

11) **MINERAL RESOURCES.** Would the project:

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designation of the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

12) **NOISE.** Would the project result in:

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

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

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre site will not create greater impacts than were identified in the Certified TOP FEIR. The uses associated with this proposed project are required to comply with the environmental standards contained in the City of Ontario Development Code and as such, no impacts are anticipated.

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

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject site will not create greater impacts than were identified in the Certified TOP FEIR.

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

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre site will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any development and any future development would need to comply with existing noise standards. As such no impacts are anticipated.

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

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on approximately 2 acres will not create greater impacts than were identified in the Certified TOP FEIR. According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. The project proposes to change the General Plan and Specific Plan land use designation on one parcel, located within the 60-65 CNEL Noise Impact area. This parcel is not located within safety zones. All proposed changes were found to be consistent with the ALUCP. Therefore, no significant impacts are anticipated.

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

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

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

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

13) **POPULATION & HOUSING.** Would the project:

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre site would not induce significant population growth. No significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project does not and will not contain housing. Changing the General Plan and Specific Plan land use designations on approximately 2 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project does not and will not contain housing and therefore no replacement housing is necessary.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

14) **PUBLIC SERVICES.** Would the project:

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

i) **Fire protection?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) **Police protection?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) **Schools?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project does not and will not contain housing.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) **Parks?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v) **Other public facilities?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre parcel will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15) **RECREATION.** Would the project:

- a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designation designations on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16) **TRANSPORTATION/TRAFFIC.** Would the project:

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. Any future development of the project site will be served by the existing circulation system or any necessary mitigation will be determined by analysis per the City of Ontario guidelines. As described on page 2, the cumulative impact of the proposed general plan amendment will have less impact than the TOP EIR assumed, resulting in less than significant impacts.

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

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre site will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. The project will generate lower total dwelling units, population, non-residential square footage and jobs than the certified TOP EIR assumed, resulting in less impacts. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials. Less than significant impacts are anticipated.

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

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject site will not create greater impacts than were identified in the Certified TOP FEIR. The project will not create a substantial safety risk or interfere

with air traffic patterns at Ontario International Airport as it is outside of areas with FAA-imposed height restrictions. No impacts are anticipated.

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

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

Discussion of Effects: The project is in an area that is mostly developed and most street improvements are complete. The project will not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

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

e) Result in inadequate emergency access?

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre parcel will not create greater impacts than were identified in the Certified TOP FEIR. Any future development on the project site will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

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

f) Result in inadequate parking capacity?

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

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

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

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

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

17) UTILITIES AND SERVICE SYSTEMS. Would the project:

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the approximate 2 acre parcel will not significantly alter wastewater treatment needs of Ontario and will not create greater impacts than were identified in the Certified TOP FEIR.

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

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations will not create greater impacts than were identified in the Certified TOP FEIR.

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

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

Discussion of Effects: The future development of the project site will be served by the City of Ontario. The project will be required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

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

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

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on one approximate 2 acre parcel will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

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

e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject site does not authorize any construction and will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

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

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject parcel will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

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

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: Changing the General Plan and Specific Plan land use designations on the subject approximate 2 acre site will not create greater impacts than were identified in the Certified TOP FEIR.

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

18) MANDATORY FINDINGS OF SIGNIFICANCE

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop

below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

a) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The project does not have impacts that are cumulatively considerable other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary..

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

1) Earlier analyzes used. Identify earlier analyzes used and state where they are available for review.

- a) The Ontario Plan Final EIR
- b) The Ontario Plan
- c) California Commerce Center Specific Plan

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards.






















Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

MITIGATION MEASURES

The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

Exhibit A PGPA18-001 Proposed General Plan Amendment

TOP Legend:

	Rural Residential		Neighborhood Commercial		Airport		Public Facility
	Low Density Residential		General Commercial		Land Fill		Public School
	Low-Medium Density Residential		Office Commercial		Open Space - Parkland		COM Overlay
	Medium Density Residential		Hospitality		Open Space - Water		BP Overlay
	High Density Residential		Business Park		Open Space - Non-Recreation		IND Overlay
	Mixed Use		Industrial		Rail		

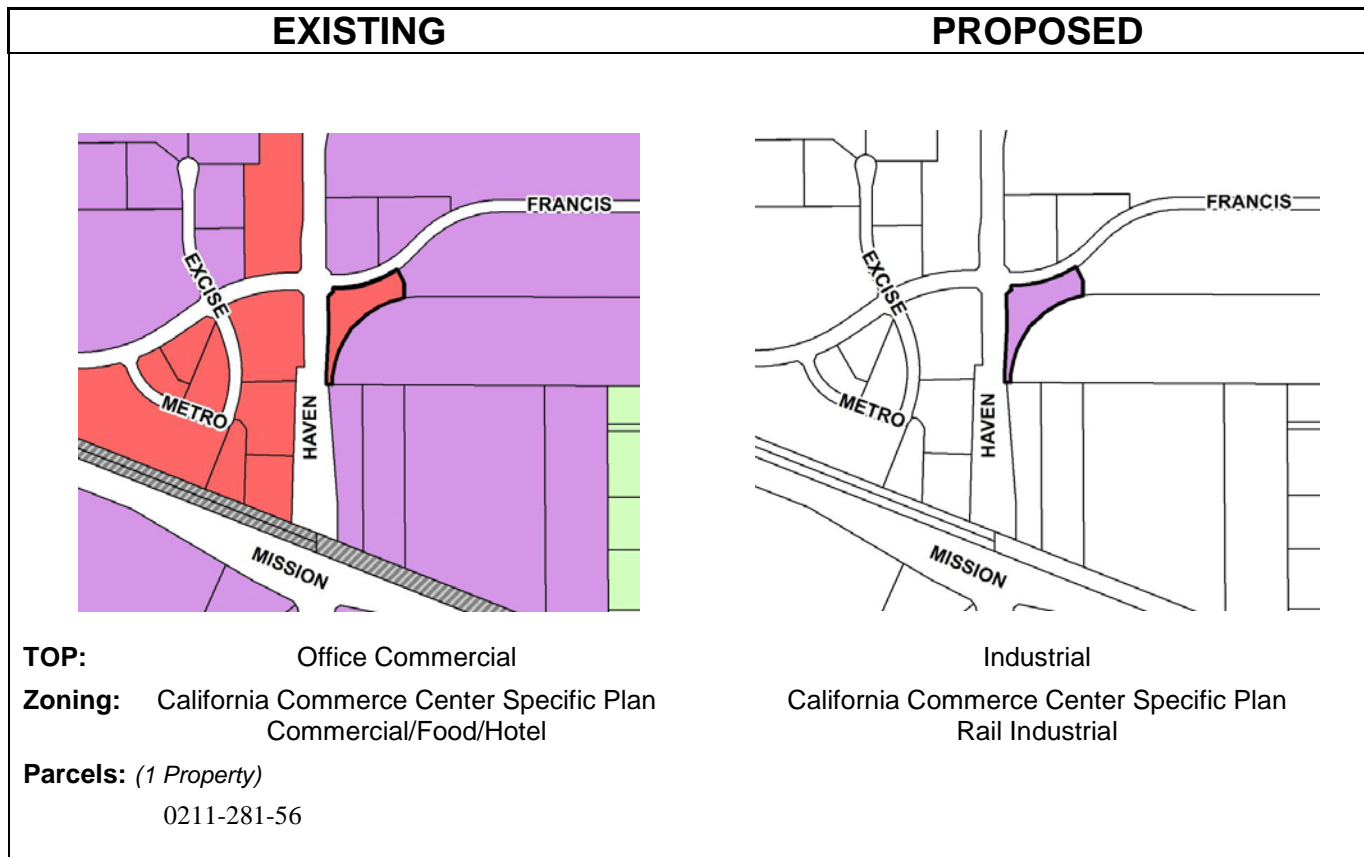


Exhibit B LU-03 Future Buildout



Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	999	8.5 du/ac	8,492	33,941		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
<i>Subtotal</i>	10,864		84,750	315,679		
Mixed Use						
• Downtown	113	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 23% of the area at 37.4 du/ac 72% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area at 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at .70 FAR office 	465	929	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.5 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscan Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
<i>Subtotal</i>	1,668		15,129	30,257	34,922,836	72,383

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	533	0.30 FAR			6,964,199	6,470
Office/Commercial	516 514	0.75 FAR			16,872,748 16,805,775	37,418 37,269
Hospitality	141	1.00 FAR			6,157,642	7,060
<i>Subtotal</i>	1,472 1,470				33,666,174 33,599,200	59,831 59,682
Employment						
Business Park	1,554	0.40 FAR			27,081,583	47,514
Industrial	6,321 6,323	0.55 FAR			151,427,425 151,476,539	133,047 133,090
<i>Subtotal</i>	7,875 7,877				178,509,009 178,558,122	180,561 180,604
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland ⁶	950	Not applicable				
Open Space–Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
<i>Subtotal</i>	9,906					
Total	31,784		99,878	345,936	247,098,018 247,080,159	312,775 312,669

- Notes
- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
 - Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
 - Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
 - Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
 - To view the factors used to generate the number of employees by land use category, access the Methodology report.
 - Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

Exhibit C PSPA18-002 California Commerce Center Specific Plan Amendment Proposed Changes

EXHIBIT 17

LAND USE PLAN

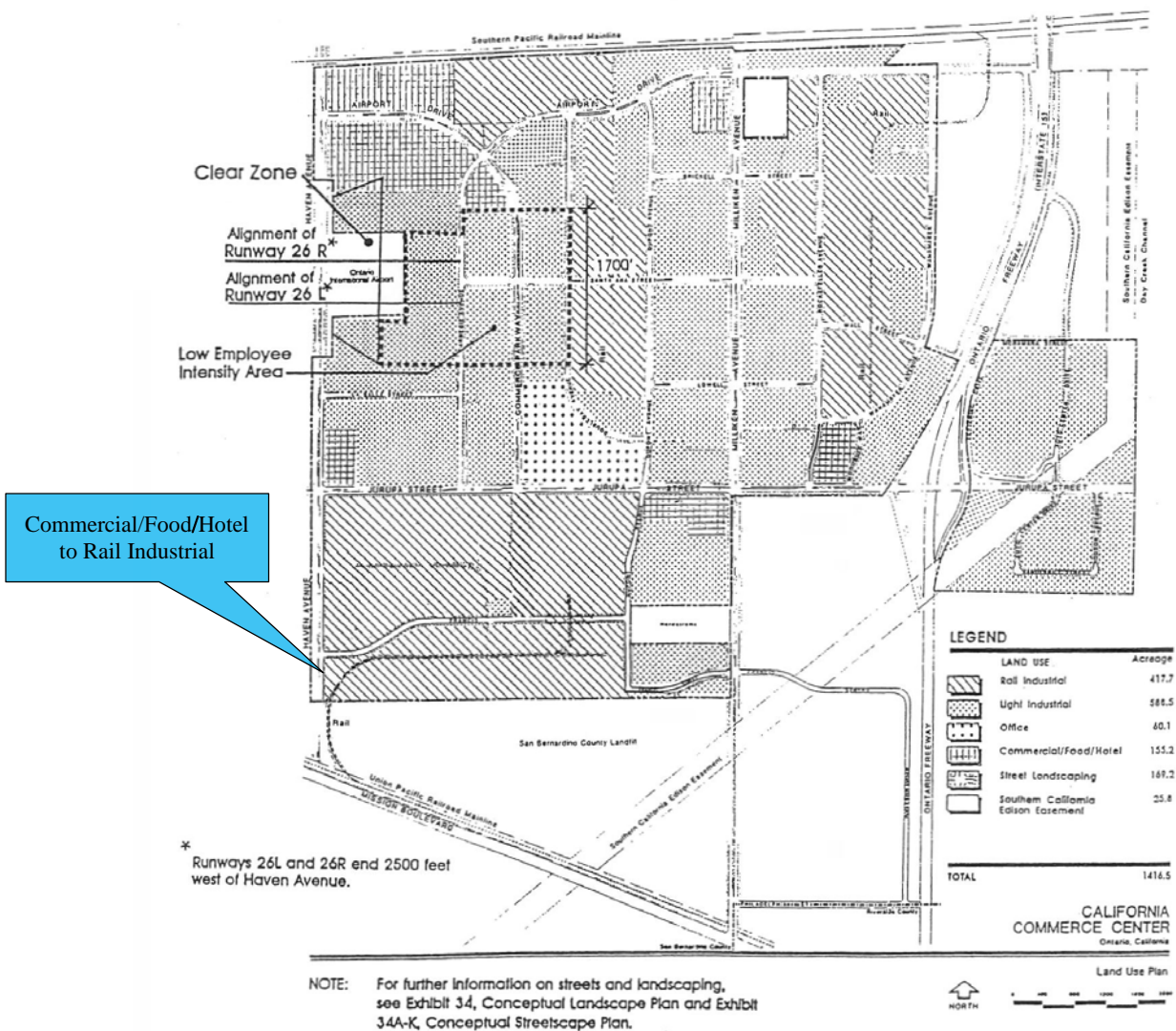
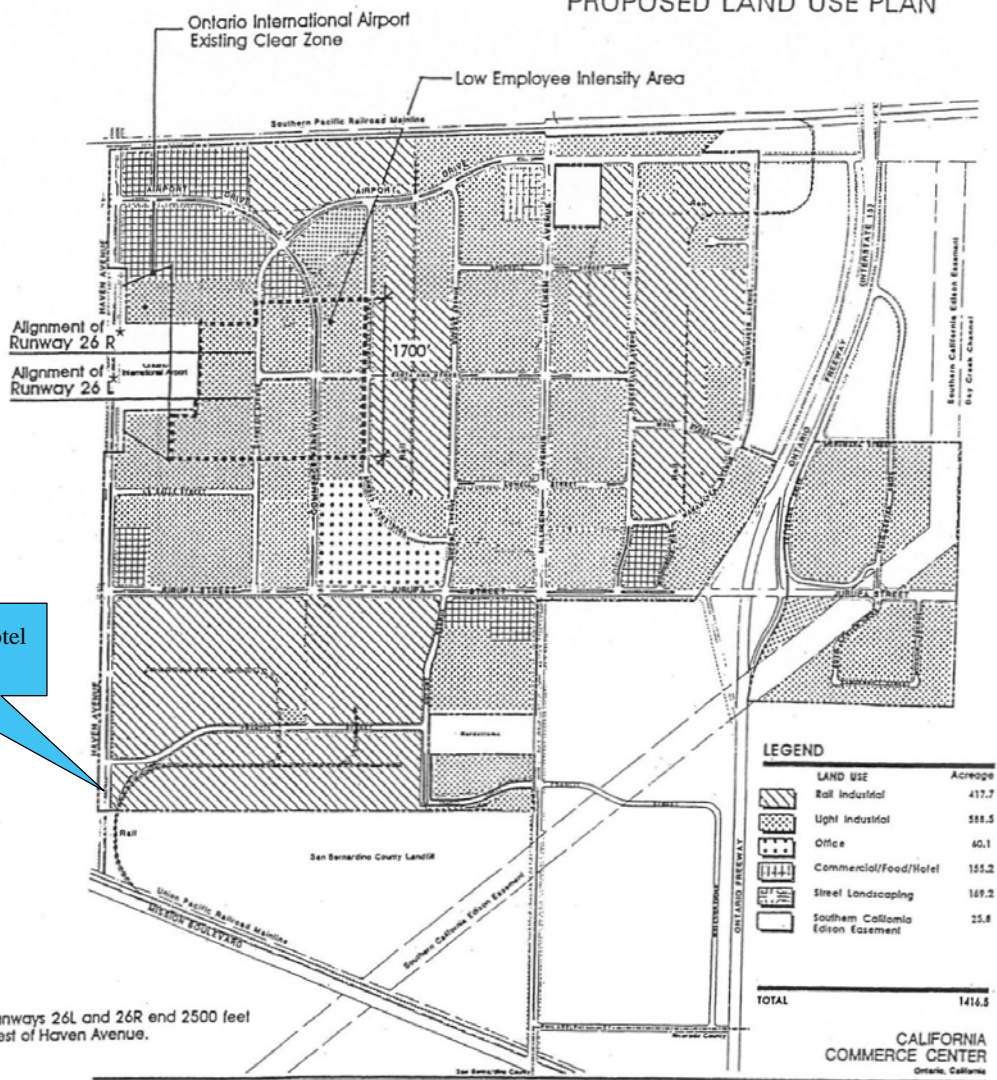


Exhibit C (cont.) PSPA18-002 California Commerce Center Specific Plan Proposed Changes

EXHIBIT 17A

AIRPORT RELATED ALTERNATIVE PROPOSED LAND USE PLAN



* Runways 26L and 26R end 2500 feet west of Haven Avenue.

NOTE: For further information on streets and landscaping, see exhibit 34, Conceptual Landscape Plan and 34A-K.

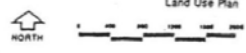
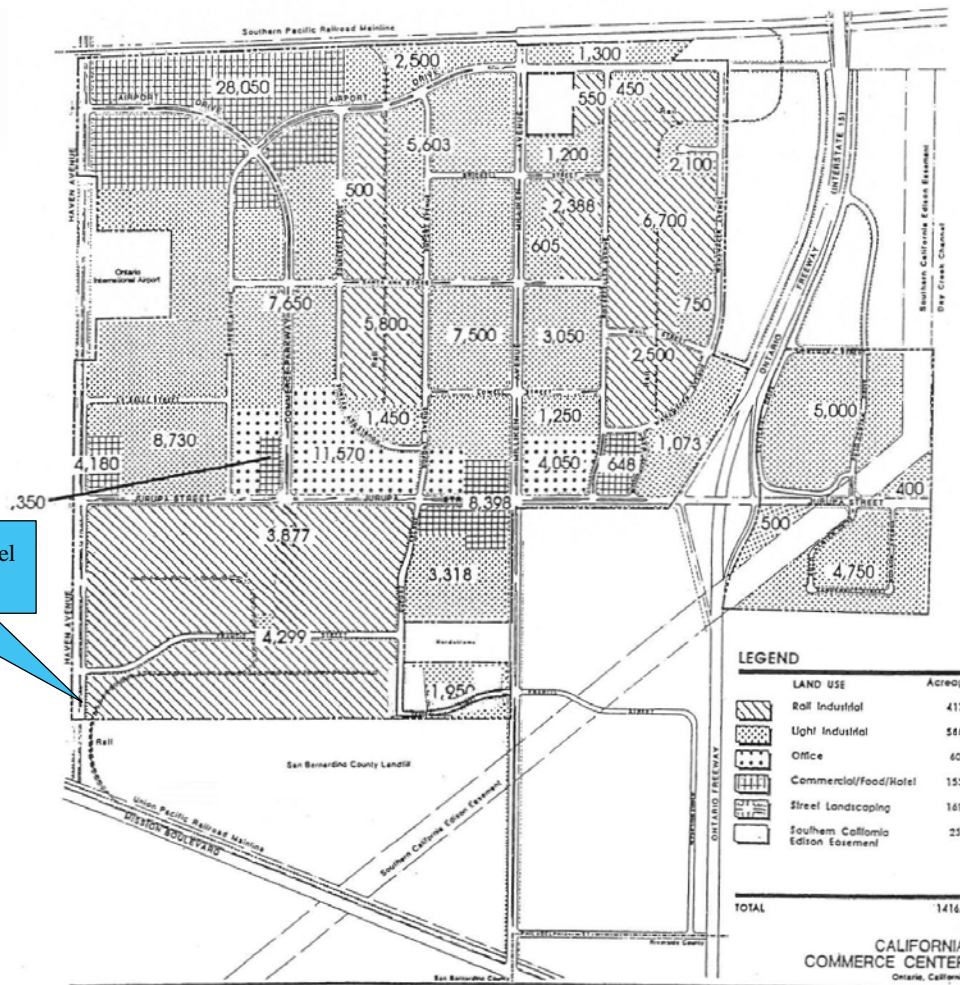


Exhibit C (cont.) PSPA18-002 California Commerce Center Specific Plan Proposed Changes

EXHIBIT 20

DAILY TRIP GENERATION
 (By Project Site Sub Area)



SOURCE: Updated January, 1991, based on trip generation factors provided by Donald Frischer and Associates.

NOTE: For further information on streets and landscaping, see Exhibit 34, Conceptual Landscape Plan and 34A-K.

For current land use, see exhibit 17.

Exhibit C (cont.) PSPA18-002 California Commerce Center Specific Plan Proposed Changes



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PGPA18-001, A REQUEST TO:

- 1) MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATION SHOWN ON THE LAND USE PLAN MAP (EXHIBIT LU-1) FOR ONE 2.05 ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET FROM OFFICE COMMERCIAL TO INDUSTRIAL; AND
- 2) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE; AND MAKING FINDINGS IN SUPPORT THEREOF—APN: AS SHOWN IN EXHIBIT A (ATTACHED). (LAND USE ELEMENT CYCLE 2 FOR THE 2018 CALENDAR YEAR).

WHEREAS, SRG Archibald, LLC ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies one 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street; and

WHEREAS, the properties to the north, south, and east of the Project site are within the Rail Industrial land use designation of the California Commerce Center Specific Plan and are within the General Plan land use designation of Industrial and are developed with industrial uses. The property to the west is within the Business Park land use designation of the ACCO Business Center Specific Plan and is within the General Plan land use designation of Office Commercial, and is developed with an office building; and

WHEREAS, the proposed changes to Figure LU-01 Official Land Use Plan include a change to land use designation of the property from Office Commercial to Industrial as shown in Exhibit A (attached); and

WHEREAS, Figure LU-03 Future Buildout specifies the likely buildout for Ontario with the adopted land use designations. The proposed changes to Figure LU-01 Official Land Use Plan will require Figure LU-03 Future Buildout to be modified, as shown in Exhibit B (attached), to be consistent with LU-01 Official Land Use Plan; and

WHEREAS, a related Specific Plan Amendment (File No. PSPA18-002) is being processed concurrently with this application to change the California Commerce Center Specific Plan land use designation from Commercial/Food/Hotel to Rail Industrial for the parcel; and

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

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

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

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

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

WHEREAS, as the first action on the Project, on April 24, 2018, the Planning Commission approved a resolution recommending City Council adoption of an Addendum to a previous Environmental Impact Report prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of less than significant; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to The Ontario Plan (TOP) Environmental Impact Report, the initial study, and the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission recommends the City Council find as follows:

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

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

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

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the approving body; and

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

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

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission recommends the City Council find 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, that shows any of the following:

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

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

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

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

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

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts

of current and future airport activity. As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, recommends the City Council find and determine that the Project, when implemented, will be consistent with the policies and criteria set forth within the ALUCP.

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

a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment and Specific Plan Amendment coordinates with the existing industrial uses of the properties to the north, south and east of the subject site and the future development of the project site will be analyzed for quality that is comparable with the surrounding area, which will not increase adverse impacts on the office development to the west.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

The proposed General Plan and Specific Plan Amendments are consistent with the adopted Airport Land Use Compatibility Plan for Ontario Airport.

S4-6 Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The subject properties are located within the 60 to 65 CNEL Noise Impact area and the proposed industrial land use designation is compatible with the Noise Impact area.

b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because the proposed land use is compatible with the land uses in the area.

c. The Land Use Element is a mandatory element of the Policy Plan (General Plan) component of The Ontario Plan, which, pursuant to GC Section 65358, may be amended up to four times per calendar year, and the proposed General Plan Amendment is the second cycle amendment to the Land Use Element within the 2018 calendar year.

d. During the amendment of the Policy Plan (General Plan) component of The Ontario Plan, opportunities for the involvement of citizens, California Native American Indian tribes (pursuant to GC Section 65352.3), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means, were implemented consistent with GC Section 65351.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as detailed in “Exhibit A” and “Exhibit B” attached hereto, and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April, 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore
















EXHIBIT A:

**File No. PGPA18-001
General Plan Amendments to Land Use Plan Map
(Exhibit LU-1)**

(Proposed General Plan Amendments follow this page)

Exhibit A PGPA18-001 Proposed General Plan Amendment

TOP Legend:

	Rural Residential		Neighborhood Commercial		Airport		Public Facility
	Low Density Residential		General Commercial		Land Fill		Public School
	Low-Medium Density Residential		Office Commercial		Open Space - Parkland		COM Overlay
	Medium Density Residential		Hospitality		Open Space - Water		BP Overlay
	High Density Residential		Business Park		Open Space - Non-Recreation		IND Overlay
	Mixed Use		Industrial		Rail		

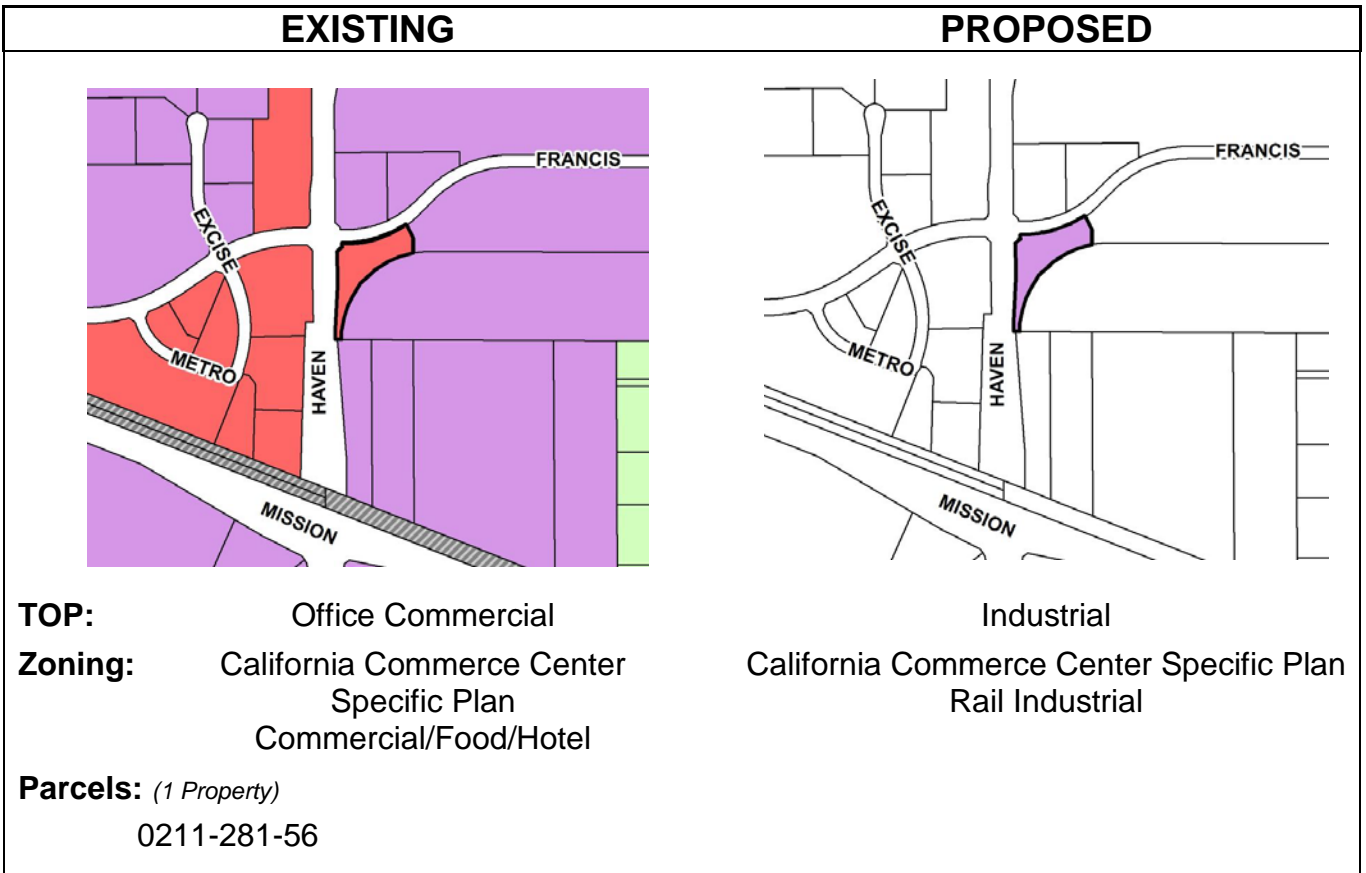


EXHIBIT B:

**File No. PGPA18-001
General Plan Amendments to Future Buildout Table
(Exhibit LU-03)**

(Proposed changes to TOP Exhibit LU-03 follow this page)

LU-03 Future Buildout



Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	999	8.5 du/ac	8,492	33,941		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
<i>Subtotal</i>	10,864		84,750	315,679		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5. FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.5 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.7 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
<i>Subtotal</i>	1,668		15,129	30,257	34,922,836	72,383

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	533	0.30 FAR			6,964,199	6,470
Office/Commercial	516 514	0.75 FAR			16,872,748 16,805,775	37,418 37,269
Hospitality	141	1.00 FAR			6,157,642	7,060
<i>Subtotal</i>	1,472 1,470				33,666,174 33,599,200	59,831 59,682
Employment						
Business Park	1,554	0.40 FAR			27,081,583	47,514
Industrial	6,321 6,323	0.55 FAR			151,427,425 151,476,539	133,047 133,090
<i>Subtotal</i>	7,875 7,877				178,509,009 178,558,122	180,561 180,604
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland ⁶	950	Not applicable				
Open Space–Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
<i>Subtotal</i>	9,906					
Total	31,784		99,878	345,936	247,098,018 247,080,159	312,775 312,669

- Notes
- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
 - Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
 - Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
 - Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
 - To view the factors used to generate the number of employees by land use category, access the Methodology report.
 - Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PSPA18-002, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION ON 2.05 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO RAIL INDUSTRIAL, LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET., AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-281-56.

WHEREAS, SRG Archibald, LLC ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies one 2.05 acre undeveloped parcel located at the southeast corner of Haven Avenue and Francis Street; and

WHEREAS, the properties to the north, south, and of the Project site are within the Rail Industrial land use designation of the California Commerce Center Specific Plan and are within the General Plan land use designation of Industrial and are developed with industrial uses. The property to the west is within the Business Park land use designation of the ACCO Business Center Specific Plan and is within the General Plan land use designation of Office Commercial, and is developed with Office Buildings; and

WHEREAS, the Specific Plan Amendment proposes to change the California Commerce Center Specific Plan land use designation from Commercial/Food/Hotel to Rail Industrial for the subject parcel; and

WHEREAS, a related General Plan Amendment (File No. PGPA18-001) is being processed concurrently with this application to change the General Plan land use designation from Office Commercial to Industrial for the parcel; and

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

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

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

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

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

WHEREAS, as the first action on the Project, on April 24, 2018, the Planning Commission approved a resolution recommending City Council adopt an Addendum to a previous Environmental Impact Report prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to The Ontario Plan (TOP) Environmental Impact Report, the initial study, and the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission recommends the City Council find as follows:

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

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

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

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the approving body; and

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

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

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission recommends the City Council find that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

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

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

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

(1) The proposed Specific Plan amendment, 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.

LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment and Specific Plan Amendment coordinates with the existing industrial uses of the properties to the north, south and east of the subject site and the future development of the project site will be analyzed for quality that is comparable with the surrounding area, which will not increase adverse impacts on the office development to the west.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

The proposed General Plan and Specific Plan Amendments are consistent with the adopted Airport Land Use Compatibility Plan for Ontario Airport.

S4-6 Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The subject properties are located within the 60 to 65 CNEL Noise Impact area and the proposed industrial land use designation is compatible with the Noise Impact area.

(2) The proposed Specific Plan amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because the proposed land use is compatible with the land uses in the area.

(3) The proposed Specific Plan amendment will not adversely affect the harmonious relationship with adjacent properties and land uses because the surrounding properties to the north south and east have the same land use designation and the allowed use of the property will be similar to other properties in the area.

(4) The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the requested land use change to Rail Industrial and to the anticipated future development with industrial uses.

SECTION 6: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as detailed in "Exhibit A" attached hereto, and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April, 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

EXHIBIT A:

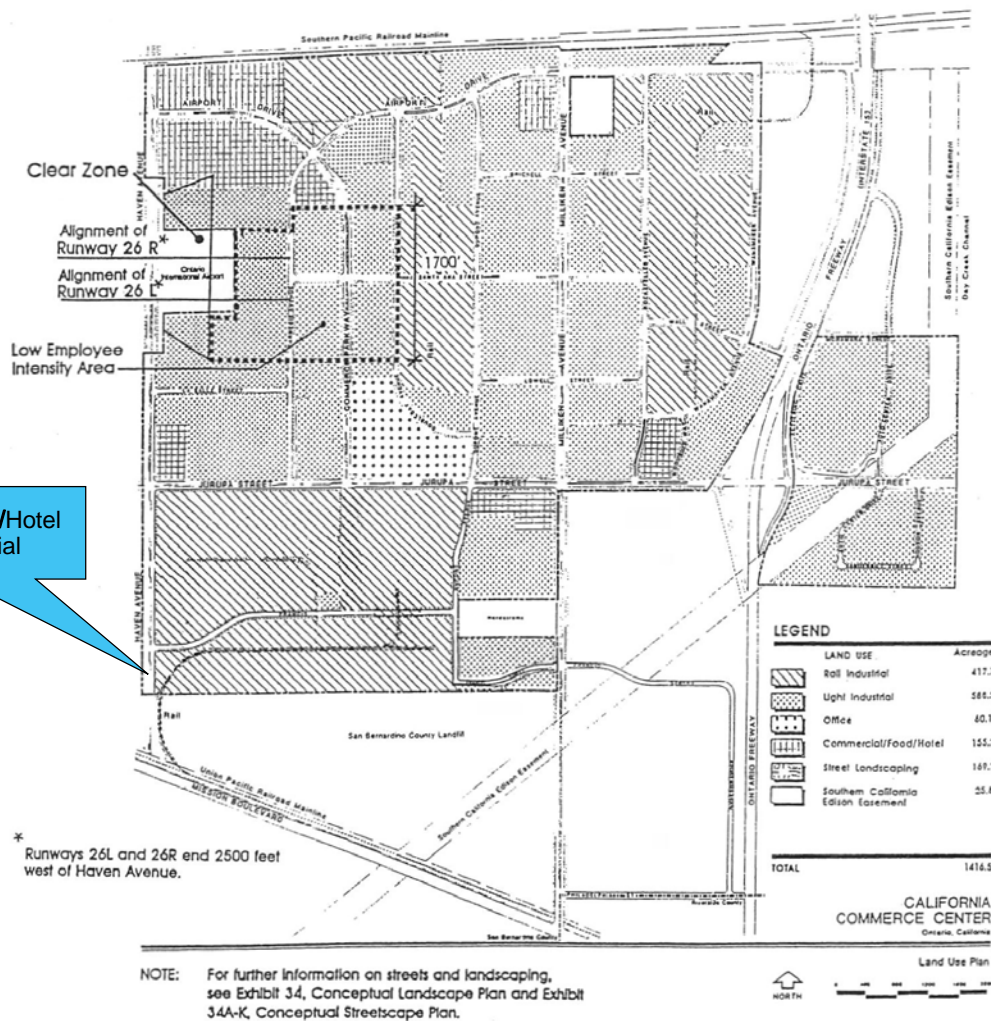
**File No. PSPA18-001
Proposed Specific Plan Amendment to
California Commerce Center Specific Plan**

(Proposed Specific Plan Amendment to follows this page)

Exhibit A PSPA18-002 California Commerce Center Specific Plan Amendment

EXHIBIT 17

LAND USE PLAN

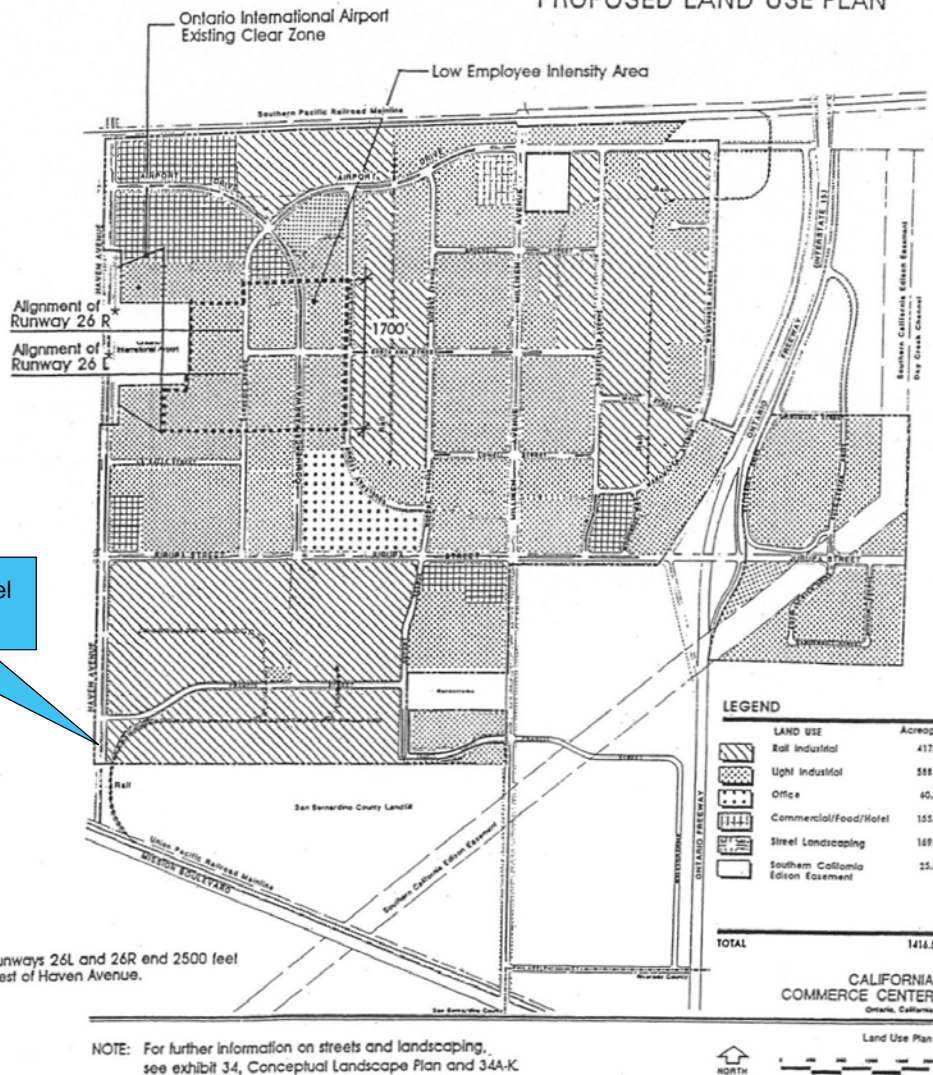


Commercial/Food/Hotel
to Rail Industrial

Exhibit A (cont.) PSPA18-002 California Commerce Center Specific Plan Amendment

EXHIBIT 17A

AIRPORT RELATED ALTERNATIVE PROPOSED LAND USE PLAN

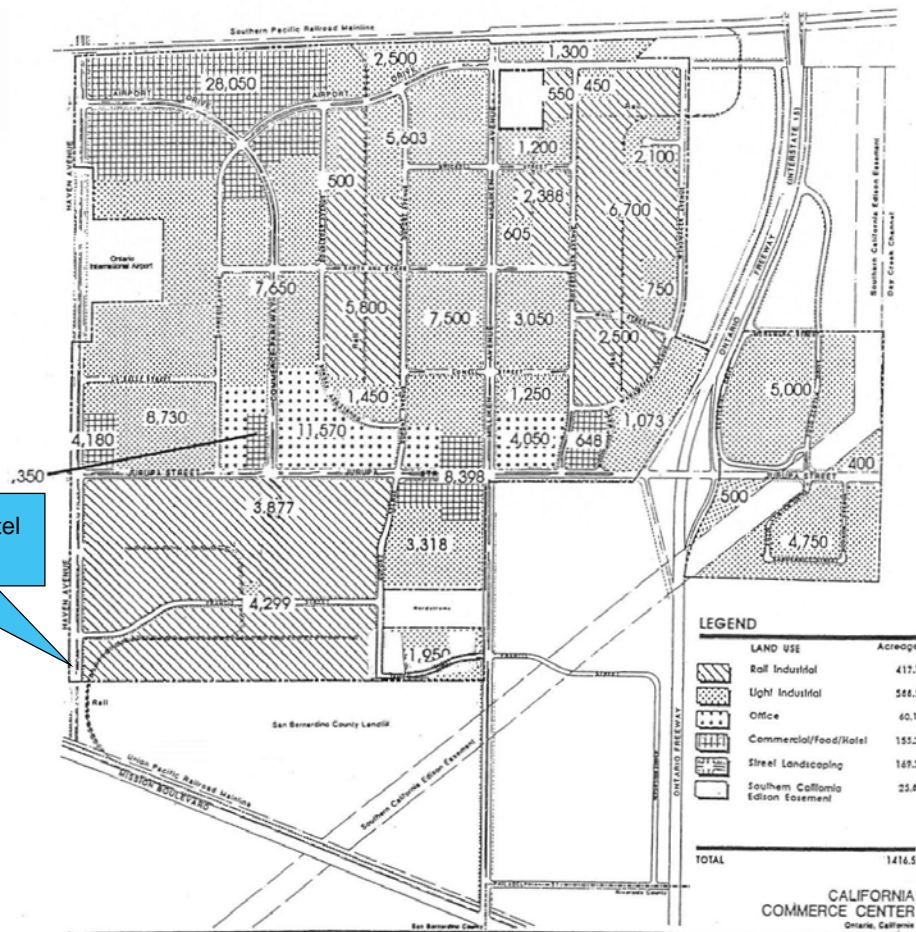


Commercial/Food/Hotel
to Rail Industrial

Exhibit A (cont.) PSPA18-002 California Commerce Center Specific Plan Amendment

EXHIBIT 20

DAILY TRIP GENERATION
 (By Project Site Sub Area)



Commercial/Food/Hotel
to Rail Industrial

SOURCE: Updated January, 1991, based on trip generation factors provided by Donald Fischer and Associates.

NOTE: For further information on streets and landscaping, see Exhibit 34, Conceptual Landscape Plan and 34A-K.
 For current land use, see exhibit 17.

Exhibit A (cont.) PSPA18-002 California Commerce Center Specific Plan Amendment





PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A Development Agreement Amendment (Second Amendment) between the City of Ontario and Western Pacific Housing, Inc., File No. PDA07-001, to extend the term of the agreement to serve Tract Map No. 18419. The project is located within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan, located at the southeast corner of Archibald Avenue and Schaefer Avenue. **Submitted by Western Pacific Housing, Inc.** City Council action is required.

PROPERTY OWNER: Western Pacific Housing Inc.

RECOMMENDED ACTION: That the Planning Commission recommend City Council adopt an ordinance approving the Amendment to the Development Agreement (File No. PDA07-001) between Western Pacific Housing Inc., and the City of Ontario.

PROJECT SETTING: The project site is comprised of 59.82 acres of land generally located at southeast corner of Archibald Avenue and Schaefer Avenue, within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan, and is depicted in **Figure 1: Project Location**, below. The project site gently slopes from north to south and is currently rough graded.

PROJECT ANALYSIS:

Background — In December 9, 2006, the City Council approved The Avenue Specific Plan (File No. PSP05-003) and certified the Environmental Impact Report (EIR) for the specific plan.

On May 22, 2007, the Planning Commission approved Tentative Tract Map No. 18419 for the development of 229 single family lots on the subject property. On June 19, 2007, the City Council approved the Development Agreement between the City of Ontario and Distinguished Land

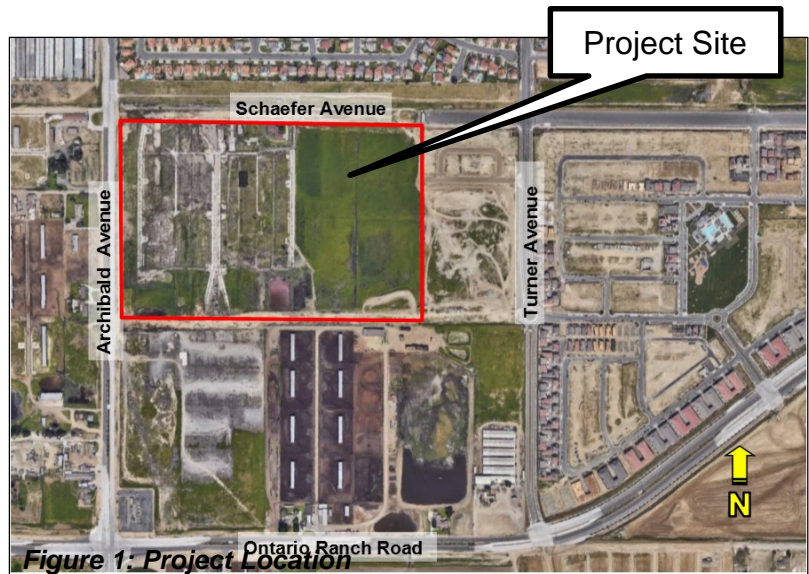


Figure 1: Project Location

Case Planner:	Rudy Zeledon, Principal Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	02/23/2018	ZA			
Hearing Deadline:	N/A	PC	04/24/18		Recommend
		CC			Final

Development, Inc., the original applicant for the property. In December of 2010, Ontario Schaefer Holdings LLC acquired the property from Distinguished Land Development, Inc.

On March 4, 2014, the City Council approved a First Amendment to the Development that included updates to certain provisions of the Development Agreement to conform to the construction agreement within NMC Builders.

On October 3, 2017, Ontario Schaefer Holdings LLC, transferred the property to Lennar Western Pacific Housing, Inc., and assigned certain rights and obligations of the original Development Agreement to Western Pacific Housing, Inc.

As the current owner of the property, Western Pacific Housing, Inc., desires to amend the term of the provisions to the original Development Agreement to extend the term of the original Development Agreement for an additional 5-year period.

State law and Section 2.5 of the existing Development Agreement provide the amendments may be made to the Development Agreement, upon the mutual agreement of the parties, using the same process and procedures as for the consideration and approval of the original Development Agreement.

[1] Site Analysis — The proposed Amendment continues to apply to the same area as the original Development Agreement and propose to extend the terms of the Development Agreement for an additional five (5) period to serve Tentative Tract Map No. 18419.

The main points of the original agreement addressing Development Impact Fees (DIF); public service funding; Community Facilities District (CFD) for maintenance of public facilities; park/open space requirements; affordable housing fees; and, school facilities requirements remain in force.

Staff finds that the Second Amendment is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application for the Second Amendment to the Planning Commission. If the Commission finds the Second Amendment acceptable, a recommendation of approval to the City Council would be appropriate.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

[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.

Governance.

Decision Making:

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

[3] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

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

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

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

Housing Element:

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

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

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

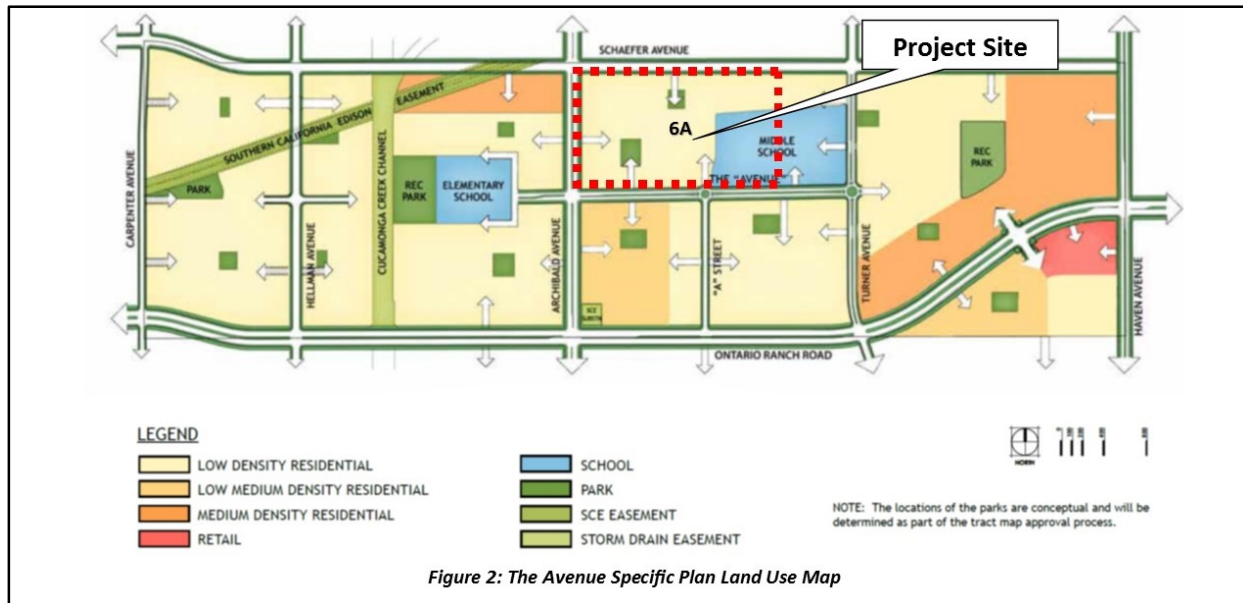
HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (229) and density (3.83 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,552 dwelling units with an overall density range of 2-12 DU/AC.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were analyzed in a previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

EXHIBIT A

The Avenue Specific Plan Land Use Plan



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA07-001, BETWEEN THE CITY OF ONTARIO AND WESTERN PACIFIC HOUSING, INC., TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO. 18419. THE PROJECT IS LOCATED WITHIN THE LOW DENSITY RESIDENTIAL DISTRICT OF PLANNING AREA 6A OF THE AVENUE SPECIFIC PLAN, LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND SCHAEFER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-201-15 AND 0218-201-44.

WHEREAS, CALIFORNIA GOVERNMENT CODE SECTION 65864 NOW provides, in pertinent part, as follows:

“The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development.”

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

“Any city ... may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article ...”

WHEREAS, California Government Code Section 65865.2. provides, in part, as follows:

“A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of the land for the uses and to the density of intensity of development set forth in this Agreement ...”

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on the 19th day of June 2007, the City Council of the City of Ontario, adopted Ordinance No. 2862, approving a Development Agreement between Distinguished Land Development, and the City; and

WHEREAS, on December 14, 2010, Ontario Schaefer Holdings LLC acquired the property from Distinguished Land Development; and

WHEREAS, on March 4, 2014, the City Council of the City of Ontario, adopted Ordinance No. 2986, approving a First Amendment to the Development Agreement between Ontario Schaefer Holdings LLC, and the City; and

WHEREAS, on October 3, 2017, Ontario Schaefer Holdings LLC, transferred the property to Lennar Western Pacific Housing, Inc., and assigned certain rights and obligations of the originally Development Agreement to Western Pacific Housing, Inc.; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed Second Amendment to the Development Agreement Western Pacific Housing, Inc., and the City of Ontario, File No. PDA07-001. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan, for which an Environmental Impact Report (SCH #2005071109) was certified by the City Council on December 9, 2006. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date;

and

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

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Ontario as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted EIR for The Avenue Specific Plan (SCH #2005071109) was certified by the City Council on December 9, 2006, and supporting documentation. Based upon the facts and information contained in the addendum to The Avenue Specific Plan EIR (SCH #2005071109) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with The Avenue Specific Plan EIR (SCH# 2005071109), certified by the City of Ontario City Council on December 9, 2006, in conjunction with File No. PSP05-003.

(2) The previous The Avenue Specific Plan EIR (SCH# 2005071109) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous The Avenue Specific Plan EIR (SCH# 2005071109), was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous The Avenue Specific Plan EIR (SCH# 2005071109) 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 The Avenue Specific Plan EIR (SCH# 2005071109), and all mitigation measures previously adopted with The Avenue Specific Plan EIR (SCH# 2005071109), are incorporated herein by this reference

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental to The Avenue Specific Plan EIR (SCH# 2005071109) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to The Avenue Specific Plan EIR (SCH# 2005071109) that will require major revisions to The Avenue Specific Plan EIR (SCH# 2005071109) 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 Avenue Specific Plan EIR (SCH# 2005071109) was prepared, that will

require major revisions to The Avenue Specific Plan EIR (SCH# 2005071109) 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 Avenue Specific Plan EIR (SCH# 2005071109) was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in The Avenue Specific Plan EIR (SCH# 2005071109); or

(b) Significant effects previously examined will be substantially more severe than shown in The Avenue Specific Plan EIR (SCH# 2005071109); 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 Avenue Specific Plan EIR (SCH# 2005071109) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. *Housing Element Consistency.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and proposed project is consistent with the maximum number of dwelling units (229) and density (3.83 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan Specific Plan overall is required to provide 2,552 dwelling units.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport

Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5. Concluding Facts and Reasons. Based upon substantial evidence presented to the Planning Commission during the above-referenced hearing on April 24, 2018, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to 59.82 acres of land generally located at southeast corner of Archibald Avenue and Schaefer Avenue, within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan and is presently mass graded; and

b. The properties to the north of the Project site are within the Low Density Residential (2.1 to 5 du/ac) zoning designation and are developed with single family homes. The property to the south of the project site is within Planning Area 7 of The Avenue Specific Plan, planned for single family residential development and currently being mass graded. The property to the east is within Planning Areas 6B and 9A of The Avenue Specific Plan, is planned for single family residential development and a middle school and is vacant. The property to the west is within Planning Areas 4 and 5 of The Avenue Specific Plan, is planned for single family residential development and is vacant; and

c. The Second Amendment continues to apply to the same area as the original Development Agreement and propose to extend the terms of the Development Agreement for an additional five (5) period to serve Tentative Tract Maps No. 18419. The main points of the original agreement addressing Development Impact Fees (DIF); public service funding; Community Facilities District (CFD) for maintenance of public facilities; park/open space requirements; affordable housing fees; and, school facilities requirements remain in force; and

d. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously adopted addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006, and supporting documentation. This application introduces no new significant environmental impacts; and

e. All adopted mitigation measures of the related EIR shall be a

condition of project approval and are incorporated herein by reference.

SECTION 6. *Planning Commission Action.* Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, 4 and 5 above, the Planning Commission hereby RECOMMENDS APPROVAL of the Second Amendment of the Development Agreement, File No. PDA07-001, to the City Council.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

Planning Commission Resolution
File No. PDA07-001
April 24, 2018
Page 7

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. **PC** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Planning Commission Resolution
File No. PDA07-001
April 24, 2018
Page 8

Exhibit "A"
Second Amendment to the Development Agreement
Between The City of Ontario and Western Pacific Housing, Inc.
File No. PDA07-001
(Document follows this page)

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Ontario
303 East "B" Street
Ontario California, California 91764
Attn: City Clerk

Exempt from Fees Per Gov. Code § 6103

Space above this line for Recorder's Use Only

**SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF ONTARIO
AND
WESTERN PACIFIC HOUSING, INC.**

This Second Amendment to the Development Agreement (hereinafter "Second Amendment") is entered into as of the _____ day of _____ 2018 by and between the CITY OF ONTARIO, a California municipal corporation (hereinafter "CITY"), and WESTERN PACIFIC HOUSING, INC., a Delaware corporation (hereinafter "OWNER").

RECITALS

WHEREAS, the CITY and Distinguished Land Development, Inc., a California corporation, as predecessor in interest of OWNER, previously entered into a Development Agreement pursuant to Section 65864, et seq., of the Government Code, (hereinafter the "Original Development Agreement") and such Original Development Agreement was recorded in the County of San Bernardino on June 20, 2007 as Document No. 2007-0428993; and

WHEREAS, Ontario Schaefer Holdings LLC acquired the Property from Distinguished Land Development Inc. on December 14, 2010; and

WHEREAS, under the terms of the sale and transfer of the Property to Ontario Schaefer Holdings LLC, Ontario Schaefer Holdings LLC expressly and unconditionally assumed all the rights, duties and obligations of Distinguished Land Development Inc. under the Original Development Agreement, including, without limitation, all of the general rights, duties and obligations of OWNER under the Original Development Agreement; and

WHEREAS, CITY has approved the transfer and assignment of the "Original Development Agreement" from Distinguished Land Development Inc. to , Ontario Schaefer Holdings LLC.; and

WHEREAS, Ontario Schaefer Holdings LLC has transferred the Property to Western Pacific Housing, Inc. and Western Pacific Housing, Inc. has been assigned certain rights and obligations of the Original Development Agreement, and Western Pacific Housing, Inc. has accepted such rights and obligations under the provisions of the Conditional Assignment and Assumption Agreement between Ontario Schaefer Holdings LLC and Western Pacific Housing, Inc. dated October 3, 2017; and

WHEREAS, under the terms of the Conditional Assignment and Assumption Agreement between Ontario Schaefer Holdings LLC and Western Pacific Housing, Inc., Western Pacific Housing, Inc. agreed to apply to CITY and diligently pursue an application to amend the Original Development Agreement to extend the term of the Original Development Agreement; and

WHEREAS, CITY and Ontario Schaefer Holdings LLC have previously entered into that certain First Amendment to the Original Development Agreement, which had an "Effective Date" of March 4, 2014; and

WHEREAS, the current OWNER of the Property, Western Pacific Housing, Inc. desires to amend the term provisions of the Original Development Agreement to provide for the extension of the term of the Original Development Agreement for an additional 5-year period; and

WHEREAS, Section 2.5 of the Original Development Agreement specifies that the Original Development Agreement may be amended, in whole or in part, only in the manner provided for in Government Code Section 65868.1 and the procedure for adopting and entering into an amendment to the Original Development Agreement shall be the same as the procedure for adopting and entering into the Original Development Agreement.

AGREEMENTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual agreements hereinafter contained, the parties agree as follows:

1. MODIFICATIONS TO DEVELOPMENT AGREEMENT

1.1 Modifications to Section 2.3 Term. Section 2.3 of the Original Development Agreement shall be removed and replaced with the following:

"2.3 Term. The term shall commence on the Effective Date of this Development Agreement and shall continue for an initial term of 10 years unless this term is modified or extended pursuant to the provisions of this agreement. The term of this Agreement shall be extended for an additional

5 years following the date that the ordinance adopting this Second Amendment becomes effective.”

2. INTEGRATION.

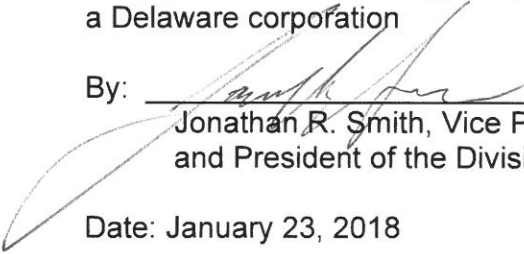
2.1 Integration of Previous Understandings and Clarifications. This Second Amendment reflects the complete understanding of the parties with respect to the subject matter hereof. To the extent this Second Amendment conflicts with the Original Development Agreement, or the First Amendment, this Second Amendment supersedes the Original Development Agreement and the First Amendment. In all other respects, the parties hereto re-affirm and ratify all other provisions of the Original Development Agreement. This Second Amendment shall be recorded against the Property following its full execution.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as of the date the ordinance adopting this Second Amendment becomes effective.

**SIGNATURE PAGE
TO
SECOND AMENDMENT TO DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF ONTARIO
AND
WESTERN PACIFIC HOUSING, INC.**

"OWNER"

Western Pacific Housing, Inc.,
a Delaware corporation

By:  _____
Jonathan R. Smith, Vice President
and President of the Division

Date: January 23, 2018

"CITY"

CITY OF ONTARIO

By: _____
Scott Ochoa, City Manager

Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

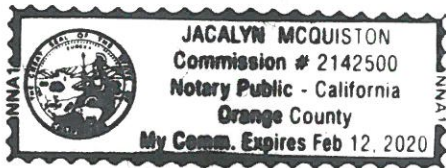
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of RIVERSIDE)
On JANUARY 24, 2018 before me, JACALYN MCQUISTON,
Date Here Insert Name and Title of the Officer
personally appeared JONATHAN R. SMITH
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Jacalyn McQuiston
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____



PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A Development Agreement Amendment (Second Amendment) between the City of Ontario, GDC Investments 6 L.P. and Lennar Homes of California to amend Development Agreement, File No. PDA14-003, to extend the term of the agreement to serve Tract Map No's. 17931, 17932 and 17933. The project is located on the northeast and southeast corners of Mill Creek Avenue and Eucalyptus Avenue, within Planning Areas 8, 9, and 10 of the Esperanza Specific Plan. **Submitted by GDC Investments 6 L.P. and Lennar Homes of California.** City Council action is required.

PROPERTY OWNER: GDC Investments 6 L.P. and Lennar Homes of California

RECOMMENDED ACTION: That the Planning Commission recommend City Council adoption of an ordinance approving the Amendment to the Development Agreement (File No. PDA14-003) between GDC Investments 6 L.P. and Lennar Homes of California and the City of Ontario.

PROJECT SETTING: The project site is comprised of 73.8 acres of generally located on the northeast and southeast corners of Mill Creek Avenue and Eucalyptus Avenue, within Planning Areas 8, 9, and 10 of the Esperanza Specific Plan, and is depicted in Figure 1: Project Location. The project site currently being mass graded.

PROJECT ANALYSIS:

Background — In February 2007, the City Council approved the Esperanza Specific Plan (File No. PSP05-002) and certified the Environmental Impact Report (EIR) for the specific plan. On March 27, 2007, the Planning Commission approved Tentative Tract Map No's. 17931, 17932, and 17933 for the development of 289 single family lots on the subject property. On February 20, 2007,



Figure 1: Project Location

Case Planner:	Rudy Zeledon, Principal Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	02/23/2018	ZA			
Hearing Deadline:	N/A	PC	04/24/18		Recommend
		CC			Final

the City Council approved the Development Agreement (File No. PDA06-003) between the City of Ontario and Armada Ontario Associates, the original applicant for the property.

On September 2, 2014, the City Council approved a First Amendment (File No. PDA14-003) to the Development that included updates to certain provisions of the Development Agreement to conform to the construction agreement within NMC Builders.

On September 5, 2017, GDC Investments 6 L.P. transferred a portion of the project area to Lennar Homes of California, Inc., and partially assigned certain rights and obligations of the originally Development Agreement to Lennar Homes of California, Inc. Under the terms of the Partial Agreement and Assumption Agreement between GDC Investments 6 L.P. and Lennar Homes of California, Inc., Lennar Homes of California, Inc., agreed to apply to the City to pursue an application to amend the original Development Agreement to extend the term of the original Development Agreement. Therefore, a Second Amendment to the Development Agreement to extend the term of the Development Agreement for an additional 5-year period has been submitted.

State law and Section 2.5 of the existing Development Agreement provide the amendments may be made to the Development Agreement, upon the mutual agreement of the parties, using the same process and procedures as for the consideration and approval of the original Development Agreement.

[1] Site Analysis — the proposed Amendment continues to apply to the same area as the original Development Agreement and propose to extend the terms of the Development Agreement for an additional five (5) period to serve Tentative Tract Maps No's 17931, 17932 and 17933.

The main points of the original agreement addressing Development Impact Fees (DIF); public service funding; Community Facilities District (CFD) for maintenance of public facilities; park/open space requirements; affordable housing fees; and, school facilities requirements remain in force.

Staff finds that the Second Amendment is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application for the Second Amendment to the Planning Commission. If the Commission finds the Second Amendment acceptable, a recommendation of approval to the City Council would be appropriate.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

[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.

Governance.

Decision Making:

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

[3] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

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

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

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

Housing Element:

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

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

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and proposed project is consistent with the maximum number of dwelling units (289) and density (7.5 DU/AC) specified within Esperanza Specific Plan. Per the Available Land Inventory, the Esperanza Specific Plan Specific Plan overall is required to provide 1,410 dwelling units.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were reviewed in a previous Addendum to Esperanza Specific Plan EIR (SCH#2002061047) certified by the City Council on September 2, 2014. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

EXHIBIT A ESPERANZA SPECIFIC PLAN MAP

Section 1. EXECUTIVE SUMMARY

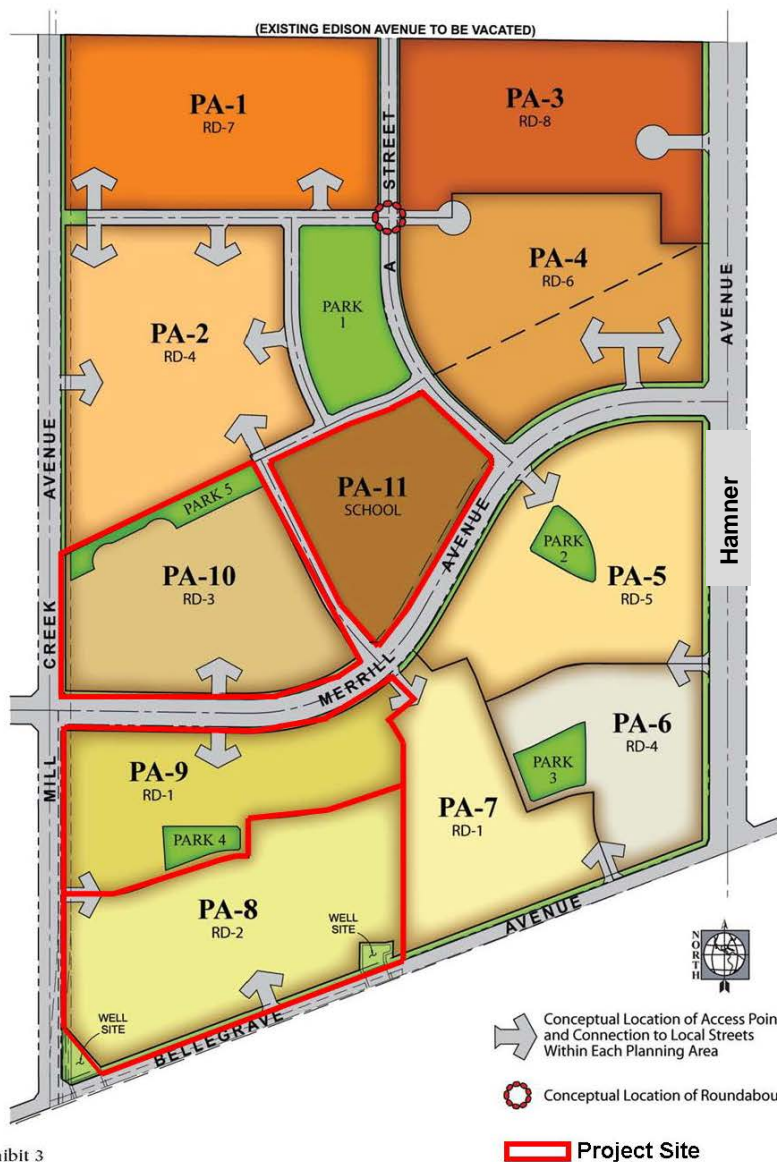


Exhibit 3
 Land Use Plan

Ontario Esperanza Specific Plan

1.5

RESOLUTION NO. PC18-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA14-003, BETWEEN THE CITY OF ONTARIO AND GDC INVESTMENTS 6 L.P., AND LENNAR HOMES OF CALIFORNIA TO AMEND DEVELOPMENT AGREEMENT, FILE NO. PDA14-003, TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S. 17931, 17932 AND 17933. THE PROJECT IS LOCATED ON THE NORTHEAST AND SOUTHEAST CORNERS OF MILL CREEK AVENUE AND EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 8, 9, AND 10 OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-332-12 AND 0218-252-16.

WHEREAS, CALIFORNIA GOVERNMENT CODE SECTION 65864 NOW provides, in pertinent part, as follows:

“The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development.”

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

“Any city ... may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article ...”

WHEREAS, California Government Code Section 65865.2. provides, in part, as follows:

“A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of the land for the uses and to the density of intensity of development set forth in this Agreement ...”

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on the 20th day of February 2007, the City Council of the City of Ontario, adopted Ordinance No. 2856, approving a Development Agreement (File No. PDA 06-003) between Armada Ontario Associates, and the City; and

WHEREAS, on December 14, 2010, GDC Investments 6 L.P. acquired the Property from Armada Ontario; and

WHEREAS, on September 2, 2014, the City Council of the City of Ontario, adopted Ordinance No. 2997, approving a First Amendment to the Development Agreement (File No. PDA 14-003) between GDC Investments 6 L.P. and the City; and

WHEREAS, on September 5, 2017, GDC Investments 6 L.P., transferred a portion of the project area to Lennar Homes of California, Inc., and partially assigned certain rights and obligations of the originally Development Agreement to Lennar Homes of California, Inc.; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed Second Amendment to the Development Agreement between GDC Investments 6 L.P., Lennar Homes of California, Inc., and the City of Ontario, File No. PDA14-003. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the environmental impacts of this project were reviewed in a previous Addendum to Esperanza Specific Plan Environmental Impact Report (SCH#2002061047) certified by the City Council on September 2, 2014. This project introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

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

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Ontario as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted addendum to the Esperanza Specific Plan (SCH#2002061047) that was adopted by the City Council on September 4, 2018, and supporting documentation. Based upon the facts and information contained in the addendum to the Esperanza Specific Plan EIR (SCH#2002061047) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the previously adopted addendum to the Esperanza Specific Plan EIR (SCH#2002061047) that was adopted by the City Council on September 4, 2018. This application introduces no new significant environmental impacts; and

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

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

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

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

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

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

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects; and

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

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

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

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

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

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

SECTION 3. Housing Element Consistency. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and proposed project is consistent with the maximum number of dwelling units (294) and density (7.5 DU/AC) specified within Esperanza Specific Plan. Per the Available Land Inventory, the Esperanza Specific Plan Specific Plan overall is required to provide 1,410 dwelling units.

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which

encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5. Concluding Facts and Reasons. Based upon substantial evidence presented to the Planning Commission during the above-referenced hearing on October 24, 2017, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to approximately 91 acres of land generally located at the northwest and southwest corners of Hamner Avenue and Eucalyptus Avenue, within Planning Areas 5 and 6 of the Esperanza Specific Plan and is presently mass graded; and

b. The properties to the north of the Project site are within Planning Area 4 of Esperanza Specific Plan and planned for single family development and developed dairy/agriculture uses. The property to the south of the project site is within the City of Eastvale and developed with single family residential development. The property to the east is within the City Eastvale and developed with industrial uses. The property to west is located within Planning Area 4 of Esperanza Specific Plan and planned for single family development and currently vacant; and

c. The Second Amendment continues to apply to the same area as the original Development Agreement and propose to extend the terms of the Development Agreement for an additional five (5) period to serve Tentative Tract Maps No's 17931, 17932, and 17933. The main points of the original agreement addressing Development Impact Fees (DIF); public service funding; Community Facilities District (CFD) for maintenance of public facilities; park/open space requirements; affordable housing fees; and, school facilities requirements remain in force; and

d. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously adopted addendum to Esperanza Specific Plan EIR (SCH#2002061047) that was adopted by the City Council on September 4, 2014, and supporting documentation. This application introduces no new significant environmental impacts; and

e. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference.

SECTION 6. Planning Commission Action. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, 4 and 5 above, the Planning Commission hereby RECOMMENDS APPROVAL of the Second Amendment of the Development Agreement, File No. PDA14-003, to the City Council.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

Planning Commission Resolution
File No. PDA14-003
April 24, 2018
Page 8

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. **PC18-xxx** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit “A”
Second Amendment to the Development Agreement
Between
The City of Ontario, GDC Investments 6 LP., and Lennar Homes of California
File No. PDA14-003
(Document follows this page)

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Ontario
303 East "B" Street
Ontario California, California 91764
Attn: City Clerk

Exempt from Fees Per Gov. Code § 6103

Space above this line for Recorder's Use Only

**SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF ONTARIO
AND
GDC INVESTMENTS 6 L.P.
AND
LENNAR HOMES OF CALIFORNIA, INC.
(ESPERANZA WEST)**

This Second Amendment (hereinafter "Second Amendment") is entered into as of the ____ day of _____ 2018 by and between the City of Ontario, a California municipal corporation (hereinafter "CITY"), and GDC Investments 6 L.P., a Delaware limited partnership and Lennar Homes of California, Inc., a California Corporation (hereinafter collectively referred to for purposes of this Second Amendment as "OWNERS").

RECITALS

WHEREAS, the CITY and the previous Owner, Armada Ontario Development L.L.C. ("Armada Ontario") previously entered into that certain Armada Ontario – Esperanza Development Agreement (No. PDA 06-003) dated February 20, 2007 pursuant to Section 65864, *et seq.*, of the Government Code, (hereinafter the "Original Development Agreement"); and

WHEREAS, one of the current Owners, GDC Investments 6 L.P. acquired the Property from Armada Ontario on December 14, 2010; and

WHEREAS, under the terms of the sale and transfer of a portion of the Property to GDC Investments 6 L.P., GDC Investments 6 L.P. was assigned and has expressly and unconditionally assumed all the rights, duties and obligations of Armada Ontario under the Original Development Agreement, including, without limitation, all of the general rights, duties and obligations of OWNER under the Original Development Agreement; and

WHEREAS, CITY has approved the transfer and assignment of the “Original Development Agreement” from Armada Ontario to GDC Investments 6 L.P.; and

WHEREAS, Section 2.5 of the Original Development Agreement specifies that the Development Agreement may be amended in whole or in part only in the manner provided for in Government Code Section 65868.1 and the procedure for adopting and entering into an amendment to the Original Development Agreement shall be the same as the procedure for adopting and entering into the Original Development Agreement; and

WHEREAS, CITY and GDC Investments 6 L.P. have previously entered into that certain First Amendment to the Original Development Agreement, which had an “Effective Date” of September 2, 2014; and

WHEREAS, GDC Investments 6 L.P. has transferred a portion of the Property to Lennar Homes of California, Inc., and Lennar Homes of California, Inc. has been partially assigned certain rights and obligations of the Original Development Agreement and Lennar Homes of California, Inc. has accepted such rights and obligations under the provisions of the Partial Assignment and Assumption Agreement between GDC Investments 6 LP and Lennar Homes of California, Inc. dated September 5, 2017; and

WHEREAS, under the terms of the Partial Assignment and Assumption Agreement between GDC Investments 6 LP and Lennar Homes of California, Inc., Lennar Homes of California, Inc. agreed to apply to CITY and diligently pursue an application to amend the Original Development Agreement to extend the term of the Original Development Agreement; and

WHEREAS, both OWNERS of the Property desire to amend the term provisions of the Original Development Agreement to provide for the extension of the term of the Original Development Agreement for an additional 5-year period.

AGREEMENTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual agreements hereinafter contained, the parties agree as follows:

1. MODIFICATIONS TO DEVELOPMENT AGREEMENT

1.1 Modifications to Section 2.3 Term. Section 2.3 of the Original Development Agreement shall be removed and replaced with the following:

“2.3 Term. The term shall commence on the Effective Date of this Original Development Agreement and shall continue for an initial term of 10 years unless this term is modified or extended pursuant to the provisions of this agreement. The term of this Agreement shall be extended for an additional 5 years following the date that the ordinance adopting this Second Amendment becomes effective.”

2. INTEGRATION.

2.1 Integration of Previous Understandings and Clarifications. This Second Amendment reflects the complete understanding of the parties with respect to the subject matter hereof. To the extent this Second Amendment conflicts with the Original Development Agreement, or the First Amendment, this Second Amendment supersedes the Original Development Agreement and the First Amendment. In all other respects, the parties hereto re-affirm and ratify all other provisions of the Original Development Agreement. This Second Amendment shall be recorded against the Property following its full execution.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as of the date the ordinance adopting this Second Amendment becomes effective.

**SIGNATURE PAGE TO SECOND AMENDMENT TO DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF ONTARIO AND GDC INVESTMENTS 6, L.P. AND
LENNAR HOMES OF CALIFORNIA**

"OWNER"

GDC Investments 6 L.P.,
a Delaware limited partnership

By:
Name:
Its:

Date: _____

"OWNER"

**Lennar Homes of California, Inc. a
California Corporation**

By: 
Name: *Geoffrey Smith*
Its: *Vice President*

Date: 2/28/18

"CITY"

CITY OF ONTARIO

By: _____
Scott Ochoa, City Manager

Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

City Attorney

California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

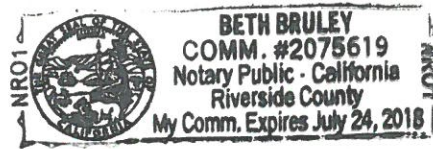
On February 28, 2018 before me, Beth Bruley, Notary Public,
personally appeared Geoffrey Smith

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Beth Bruley



(Seal)



PLANNING COMMISSION STAFF REPORT

April 24, 2018

SUBJECT: A Development Agreement Amendment (Second Amendment) between the City of Ontario, GDC-RCCD, L.P., and Lennar Homes of California to amend Development Agreement, File No. PDA14-004, to extend the term of the agreement to serve Tract Map No's. 17749, 17935, 17936, 18876 and 18878. The project is located on the northwest and southwest corners of Hamner Avenue and Eucalyptus Avenue, within Planning Areas 4, 5, 6, and 7 of the Esperanza Specific Plan. **Submitted by GDC-RCCD, L.P., and Lennar Homes of California.** City Council action is required.

PROPERTY OWNER: GDC-RCCD, L.P., and Lennar Homes of California

RECOMMENDED ACTION: That the Planning Commission recommend City Council adoption of an ordinance approving the Amendment to the Development Agreement (File No. PDA14-004) between GDC-RCCD, L.P., and Lennar Homes of California and the City of Ontario.

PROJECT SETTING: The project site is comprised of 91 acres of generally located at the northwest and southwest corners of Hamner Avenue and Eucalyptus Avenue, within Planning Areas 5 and 6 of the Esperanza Specific Plan, and is depicted in Figure 1: Project Location, below. The project site currently being mass graded.

PROJECT ANALYSIS:

Background — In February 2007, the City Council approved the Esperanza Specific Plan (File No. PSP05-002) and certified the Environmental Impact Report (EIR) for the specific plan. On February 27, 2007, the Planning Commission approved Tentative Tract Map No's. 17935 and 17936 for the development of 154 single family lots on the subject property. On February 06, 2007, the



Figure 1: Project Location

Case Planner:	Rudy Zeledon, Principal Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	02/23/2018	PC	04/24/18		Recommend
Hearing Deadline:	N/A	CC			Final

City Council approved the Development Agreement (File PDA06-002) between the City of Ontario and Regent Ontario, LLC, the original applicant for the property. In December of 2010, GDC-RCCD, L.P. acquired the property from Regent Ontario.

On July 22, 2014, the City Council approved a First Amendment to the Development Agreement (File No. PDA14-004) that included updates to certain provisions of the Development Agreement to conform to the construction agreement within NMC Builders and the incorporation of Tentative Tract Maps 18876 and 18878, within Planning Areas 4 and 5 of the Specific Plan, which results the addition of 217 residential units and 27.23 acres of land.

On September 5, 2017, GDC-RCCD, L.P., transferred a portion of the project area to Lennar Homes of California, Inc., and partially assigned certain rights and obligations of the originally Development Agreement to Lennar Homes of California, Inc. Under the terms of the Partial Agreement and Assumption Agreement between GDC-RCCD, L.P., and Lennar Homes of California, Inc., Lennar Homes of California, Inc., agreed to apply to the City to pursue an application to amend the original Development Agreement to extend the term of the original Development Agreement. Therefore, a Second Amendment to the Development Agreement to extend the term of the Development Agreement for an additional 5-year period has been submitted.

State law and Section 2.5 of the existing Development Agreement provide the amendments may be made to the Development Agreement, upon the mutual agreement of the parties, using the same process and procedures as for the consideration and approval of the original Development Agreement.

[1] Site Analysis — The proposed Amendment continues to apply to the same area as the original Development Agreement and propose to extend the terms of the Development Agreement for an additional five (5) period to serve Tentative Tract Maps No's 17935, 17936, 18878, and 18876.

The main points of the original agreement addressing Development Impact Fees (DIF); public service funding; Community Facilities District (CFD) for maintenance of public facilities; park/open space requirements; affordable housing fees; and, school facilities requirements remain in force.

Staff finds that the Second Amendment is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application for the Second Amendment to the Planning Commission. If the Commission finds the Second Amendment acceptable, a recommendation of approval to the City Council would be appropriate.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan

(General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

[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.

Governance.

Decision Making:

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

[3] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

➤ LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

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

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

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

Housing Element:

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

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

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and proposed project is consistent with the maximum number of dwelling units (371) and density (7.5 DU/AC) specified within Esperanza Specific Plan. Per the Available Land Inventory, the Esperanza Specific Plan Specific Plan overall is required to provide 1,410 dwelling units.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were reviewed in a previous Addendum to Esperanza Specific Plan Environmental Impact Report (SCH#2002061047) certified by the City Council on September 2, 2014. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent

projects are adequately analyzed. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

EXHIBIT A ESPERANZA SPECIFIC PLAN MAP

Section 1. EXECUTIVE SUMMARY

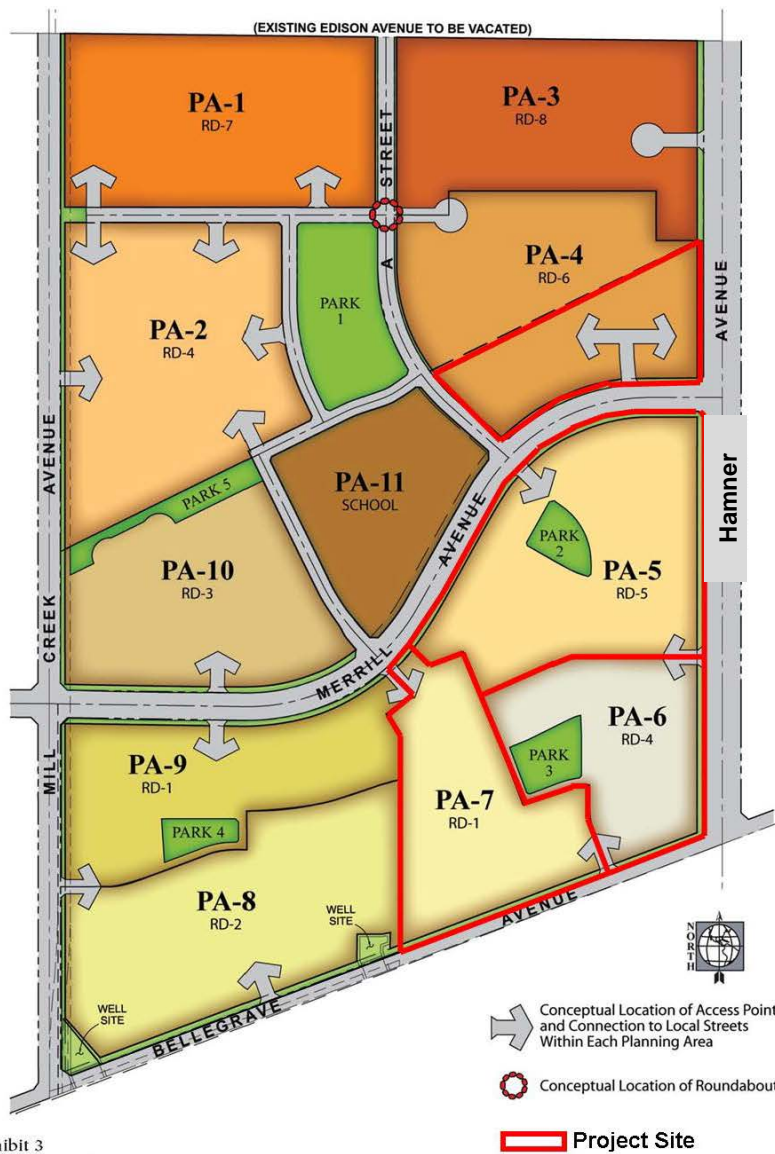


Exhibit 3
 Land Use Plan

Ontario Esperanza Specific Plan

1.5

RESOLUTION NO. PC18-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA14-004, BETWEEN THE CITY OF ONTARIO AND GDC-RCCD, L.P., AND LENNAR HOMES OF CALIFORNIA, TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S. 17749, 17935, 17936, 18876 AND 18878. THE PROJECT IS LOCATED ON THE NORTHWEST AND SOUTHWEST CORNERS OF HAMNER AVENUE AND EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 4, 5, 6, AND 7 OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-332-01 AND 0218-252-17.

WHEREAS, CALIFORNIA GOVERNMENT CODE SECTION 65864 NOW provides, in pertinent part, as follows:

“The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development.”

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

“Any city ... may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article ...”

WHEREAS, California Government Code Section 65865.2. provides, in part, as follows:

“A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of the land for the uses and to the density of intensity of development set forth in this Agreement ...”

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on November 7, 2006, the City Council of the City of Ontario, adopted Ordinance No. 2855, approving a Development Agreement (File No. PDA16-003) between Regent Ontario, LLC and the City; and

WHEREAS, on December 10, 2010, GDC-RCCD, L.P. acquired the Property from Regent Ontario; and

WHEREAS, on September 2, 2014, the City Council of the City of Ontario, adopted Ordinance No. 2998, approving a First Amendment to the Development Agreement (File No. PDA14-004) between GDCI RCCD, L.P. and the City; and

WHEREAS, on September 5, 2017, GDC-RCCD, L.P., transferred a portion of the project area to Lennar Homes of California, Inc., and partially assigned certain rights and obligations of the originally Development Agreement to Lennar Homes of California, Inc.; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed Second Amendment to the Development Agreement between GDC-RCCD, L.P., Lennar Homes of California, Inc., and the City of Ontario, File No. PDA14-004. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the environmental impacts of this project were reviewed in a previous Addendum to Esperanza Specific Plan Environmental Impact Report (SCH#2002061047) certified by the City Council on September 2, 2014. This project introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

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

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Ontario as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted addendum to the Esperanza Specific Plan (SCH#2002061047) that was adopted by the City Council on September 4, 2018, and supporting documentation. Based upon the facts and information contained in the addendum to the Esperanza Specific Plan EIR (SCH#2002061047) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the previously adopted addendum to the Esperanza Specific Plan EIR (SCH#2002061047) that was adopted by the City Council on September 4, 2018. This application introduces no new significant environmental impacts; and

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

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

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

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

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

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

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects; and

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

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

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

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

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

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

SECTION 3. Housing Element Consistency. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and proposed project is consistent with the maximum number of dwelling units (371) and density (7.5 DU/AC) specified within Esperanza Specific Plan. Per the Available Land Inventory, the Esperanza Specific Plan Specific Plan overall is required to provide 1,410 dwelling units.

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which

encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5. Concluding Facts and Reasons. Based upon substantial evidence presented to the Planning Commission during the above-referenced hearing on October 24, 2017, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to approximately 91 acres of land generally located at the northwest and southwest corners of Hamner Avenue and Eucalyptus Avenue, within Planning Areas 5 and 6 of the Esperanza Specific Plan and is presently mass graded; and

b. The properties to the north of the Project site are within Planning Area 4 of Esperanza Specific Plan and planned for single family development and developed dairy/agriculture uses. The property to the south of the project site is within the City of Eastvale and developed with single family residential development. The property to the east is within the City Eastvale and developed with industrial uses. The property to west is located within Planning Area 4 of Esperanza Specific Plan and planned for single family development and currently vacant; and

c. The Second Amendment continues to apply to the same area as the original Development Agreement and propose to extend the terms of the Development Agreement for an additional five (5) period to serve Tentative Tract Maps No's 17935, 17936, 18878, and 18876. The main points of the original agreement addressing Development Impact Fees (DIF); public service funding; Community Facilities District (CFD) for maintenance of public facilities; park/open space requirements; affordable housing fees; and, school facilities requirements remain in force; and

d. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously adopted addendum to t Esperanza Specific Plan EIR (SCH#2002061047) that was adopted by the City Council on September 4, 2014, and supporting documentation. This application introduces no new significant environmental impacts; and

e. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference.

SECTION 6. Planning Commission Action. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, 4 and 5 above, the Planning Commission hereby RECOMMENDS APPROVAL of the Second Amendment of the Development Agreement, File No. PDA14-004, to the City Council.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of April 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Assistant Planning Director
Secretary of Planning Commission

Planning Commission Resolution
File No. PDA14-004
April 24, 2018
Page 8

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. **PC18-xxx** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 24, 2018 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit "A"
Second Amendment to the Development Agreement
Between
The City of Ontario, GDC-RCCD L.P., and Lennar Homes of California
File No. PDA14-004
(Document follows this page)

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Ontario
303 East "B" Street
Ontario California, California 91764
Attn: City Clerk

Exempt from Fees Per Gov. Code § 6103

Space above this line for Recorder's Use Only

**SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF ONTARIO
GDC - RCCD , L.P.
AND
LENNAR HOMES OF CALIFORNIA, INC.
(ESPERANZA EAST)**

This Second Amendment (hereinafter "Second Amendment") is entered into as of the _____ day of _____ 2018 by and between the City of Ontario, a California municipal corporation (hereinafter "CITY"), and GDC - RCCD L.P., a Delaware limited partnership and Lennar Homes of California, Inc., a California Corporation (hereinafter collectively referred to for purposes of this Second Amendment as "OWNERS").

RECITALS

WHEREAS, the CITY and the previous Owner, Regent Ontario L.L.C. ("Regent Ontario") previously entered into that certain Regent Ontario (Esperanza) Development Agreement (No. PDA 06-003) dated February 20, 2007 pursuant to Section 65864, et seq., of the Government Code, (hereinafter the "Original Development Agreement"); and

WHEREAS, one of the current Owners, GDC – RCCD L.P., acquired the Property from Regent Ontario on December 10, 2010; and

WHEREAS, under the terms of the sale and transfer of the Property, to GDC - RCCD L.P., GDC - RCCD L.P. was assigned and expressly and unconditionally assumed all the rights, duties and obligations of Regent Ontario under the Original Development Agreement, including, without limitation, all of the general rights, duties and obligations of OWNER under the Original Development Agreement; and

WHEREAS, CITY approved the transfer and assignment of the “Original Development Agreement” from Regent Ontario to GDC - RCCD L.P.; and

WHEREAS, Section 2.5 of the Original Development Agreement specifies that the Original Development Agreement may be amended in whole or in part only in the manner provided for in Government Code Section 65868.1 and the procedure for adopting and entering into an amendment to the Original Development Agreement shall be the same as the procedure for adopting and entering into the Original Development Agreement; and

WHEREAS, CITY and GDC – RCCD L.P. have previously entered into that certain First Amendment to the Original Development Agreement, which had an “Effective Date” of September 2, 2014; and

WHEREAS, GDC - RCCD L.P. has transferred a portion of the Property to Lennar Homes of California, Inc., and Lennar Homes of California, Inc. has been partially assigned certain rights and obligations of the Original Development Agreement and Lennar Homes of California, Inc. has accepted such rights and obligations under the provisions of the Partial Assignment and Assumption Agreement between GDC - RCCD LP and Lennar Homes of California, Inc., dated September 5, 2017; and

WHEREAS, under the terms of the Partial Assignment and Assumption Agreement between GDC - RCCD LP and Lennar Homes of California, Inc., Lennar Homes of California, Inc. agreed to apply to CITY and diligently pursue an application to amend the Original Development Agreement to extend the term of the Original Development Agreement; and

WHEREAS, both OWNERS of the Property desire to amend the term provisions of the Original Development Agreement to provide for the extension of the term of the Original Development Agreement for an additional 5-year period.

AGREEMENTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual agreements hereinafter contained, the parties agree as follows:

1. MODIFICATIONS TO DEVELOPMENT AGREEMENT

1.1 Modifications to Section 2.3 Term. Section 2.3 of the Original Development Agreement shall be removed and replaced with the following:

“2.3 Term. The term shall commence on the Effective Date of this Development Agreement and shall continue for an initial term of 10 years unless this term is modified or extended pursuant to the provisions of this agreement. The term of this Agreement shall be extended for an additional 5 years following the date that the ordinance adopting this Development Agreement becomes effective.”

2. INTEGRATION.

2.1 Integration of Previous Understandings and Clarifications. This Second Amendment reflects the complete understanding of the parties with respect to the subject matter hereof. To the extent this Second Amendment conflicts with the Original Development Agreement, or the First Amendment, this Second Amendment supersedes the Original Development Agreement and the First Amendment. In all other respects, the parties hereto re-affirm and ratify all other provisions of the Original Development Agreement. This Second Amendment shall be recorded against the Property following its full execution.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date the ordinance adopting this Second Amendment becomes effective.

**SIGNATURE PAGE TO SECOND AMENDMENT TO DEVELOPMENT AGREEMENT BY
AND BETWEEN THE CITY OF ONTARIO AND GDC - RCCD, L.P. AND LENNAR HOMES
OF CALIFORNIA, INC.**

"OWNER"


GDC - RCCD L.P.,
a Delaware limited partnership

By:
Name:
Its:

Date: _____

"OWNER"

**Lennar Homes of California, Inc. a
California Corporation**

By: 
Name: *Geoffrey Smith*
Its: *Vice President*

Date: 2/28/18

"CITY"

CITY OF ONTARIO

By: _____
Scott Ochoa, City Manager

Date: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

City Attorney

California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

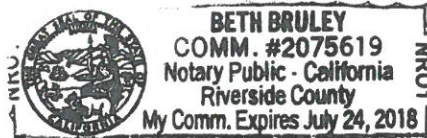
On February 28, 2018 before me, Beth Bruley, Notary Public,
personally appeared Geoffrey Smith

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Beth Bruley



(Seal)



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Assistant Planning Director *CW*

DATE: April 24, 2018

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF MARCH 2018

Attached, you will find the Planning Department Monthly Activity Report for the month of March 2018. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications>, and actions taken on applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions>.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of March 2018

DEVELOPMENT ADVISORY BOARD MEETING

March 5, 2018

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-002:

A Development Plan to add a 1,500 square foot addition and a 55' by 55' service drive shade canopy to an existing 82,347 square foot auto dealership (Mercedes Benz) on 8.17 acres of land located at 3787 East Guasti Road, within the Auto land use district of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-005, for which an Environmental Impact Report (SCH#2006091039) was certified by the City Council on June 19, 2007. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 210-212-55) **submitted by Fletcher Jones III.**

Action: The Development Advisory Board approved the project subject to conditions.

ZONING ADMINISTRATOR MEETING

March 5, 2018

ENVIRONMENTAL ASSESSMENT AND DETERMINATION OF USE APPLICATION FOR AN EXTENSION OF LEGAL NONCONFORMING STATUS FOR FILE NO. PDET17-003:

A Zoning Administrator Determination for an Extension of Legal Nonconforming Status to rebuild an 8,380 square-foot industrial building that was damaged by fire on 1.15 acres of land located at 146 South Granite Avenue, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA guidelines. The project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-141-17) **submitted by Aaron Avila - CA Construction.**

Action: The Zoning Administrator approved the project subject to conditions.

CITY COUNCIL MEETING

March 6, 2018

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA08-001:

A Development Agreement Amendment (First Amendment – File No PDA08-001) between the City of Ontario and True North Management Group to extend the term of the development agreement allowing for the construction of up to 870,000 square feet of class “A” mixed use office park and the required infrastructure, on approximately 24.8 acres of land within the Guasti Specific Plan, for property located north of Guasti Road and south of the I-10 Freeway, between Turner Avenue and Archibald Avenue. The Environmental Impacts of this project were previously

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of March 2018

reviewed in conjunction with File Nos. PDEV06-001 & PMTT06-019 for which a Mitigated Negative Declaration was adopted by the Planning Commission on May 23, 2006. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-022-02, 0218-563-01 through 04, 0218-022-10 and 11, 0218-554-01 through 68, 218-573-01 through 06, 0218-033-01 through 06, 0218-583-01, and 0218-014-01 through 07); submitted by True North Management Group. The Planning Commission recommended approval of this item on January 23, 2018, with a vote of 6 to 0.

Action: The City Council approved an ordinance approving the first amendment to the Development Agreement.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA13-003: A Development Agreement Amendment (Third Amendment – File No PDA13-003) between the City of Ontario and SL Ontario Development Company LLC, to clarify and update the phasing of the construction of public infrastructure to serve Tract Map No’s 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913. The project is generally located north of Riverside County Line Channel (Bellegrave Flood Control Channel), south of Eucalyptus Avenue, east of Archibald Avenue, and west of the SCE utility corridor, within Planning Areas 4 through 27, of the Subarea 29 Specific Plan (Park Place Community). The environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-022-02, 0218-563-01 through 04, 0218-022-10 and 11, 0218-554-01 through 68, 218-573-01 through 06, 0218-033-01 through 06, 0218-583-01, and 0218-014-01 through 07) **submitted by SL Ontario Development Company, LLC.** The Planning Commission recommended approval of this item on January 23, 2018, with a vote of 6 to 0.

Action: The City Council approved an ordinance approving the third amendment to the Development Agreement.

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA16-005, AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-003: An Amendment to the Policy Plan (general plan) component of The Ontario Plan to: [1] modify the Land Use Map (Exhibit LU-01), changing the land use designation on a portion of a lot totaling 2.8 acres, from Industrial to Business Park, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change on a portion of the project site, from IG (General Industrial) to IL (Light Industrial), to bring property zoning into consistency with the Policy Plan. Staff is recommending the adoption of an Addendum to an Environmental

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Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-382-05 and 1049-172-01) **City Initiated**. The Planning Commission recommended approval of this item on January 23, 2018, with a vote of 6 to 0.

Action: The City Council approved the General Plan Amendment (File No. PGPA16-005), and introduced and waived further reading of an ordinance approving the Zone Change (File No. PZC16-003).

ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO.

PGPA17-001: A City initiated request to: [1] Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City; and [2] Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. 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). (Cycle 1 General Plan Amendment for the Land Use Element for 2018) (Related File PZC17-001) (APNs: Various, see attached map and details per Exhibit A attached to the resolution); **City Initiated**. The Planning Commission recommended approval of this item on January 23, 2018, with a vote of 6 to 0.

Action: The City Council approved the General Plan Amendment.

ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC17-001:

A City initiated request to change the zoning designations on approximately 800 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and utility corridors located mostly on the east and south sides of the City, and additional areas located throughout the City, in order to make the zoning consistent with The Ontario Plan (TOP) Land Use Designations of the properties. The environmental impacts of this project were previously analyzed in an Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (Related File: PGPA17-001) (APNs: Various, see attached map and details per Exhibit A attached to the resolution); **City initiated**. The Planning Commission recommended approval of this item on January 23, 2018, with a vote of 5 to 1.

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Action: The City Council introduced and waived further reading of an ordinance approving the Zone Change.

DEVELOPMENT ADVISORY BOARD MEETING

March 19, 2018

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT

REVIEW FOR FILE NO. PDEV17-033 AND PCUP17-015: A Development Plan (File No. PDEV17-033) and Conditional Use Permit (File No. PCUP17-015) to construct and establish a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 3,233 square feet on 0.81 acres of land, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1008-431-21) **submitted by Raising Cane's Chicken Fingers**. Planning Commission action is required.

Action: The Development Advisory Board continued the project at the request of the Applicant.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT AND DEVELOPMENT PLAN

REVIEW FOR FILE NOS. PCUP17-021 AND PDEV17-046: A Development Plan (File No. PDEV17-046) to construct a 4,500 square-foot self-service carwash (Fast 5 Xpress) in conjunction with a Conditional Use Permit (File No. PCUP17-021) to establish and operate the drive-thru carwash, on 0.93 acres of land, within the Commercial land use designation of the Grove Avenue Specific Plan, located at 2345 S. Grove Avenue. 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: 0216-081-25) **submitted by Fast 5 Xpress Car Wash**. Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW

FOR FILE NO. PDEV18-003 & PCUP18-001: A Development Plan (File No. PDEV18-003) to construct a 5,781-square foot, 70-foot high commercial building in conjunction with a Conditional Use Permit (File No. PCUP18-001) to establish and operate an automotive sales facility (Carvana) on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue, within the CR (Regional Commercial) zoning district. The project is categorically

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exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-551-01) **submitted by Carvana, LLC.** Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE

PERMIT FOR FILE NO. PDEV17-061 AND FILE NO. PCUP18-007: A Development Plan (File No. PDEV17-061) and Conditional Use Permit (File No. PCUP18-007) to construct and establish a non-stealth wireless telecommunications facility for T-Mobile (65 feet high), attached to an existing SCE tower, and equipment enclosure totaling 484 square feet on 10.17 acres of land, located at 13434 South Ontario Avenue, within the SP/AG (Specific Plan/Agriculture Overlay) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-122-06) **submitted by T-Mobile. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-056:

A Development Plan to construct 229 single-family homes on 59.8 acres of land located within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan, located at the southeast corner of Archibald Avenue and Schaefer Avenue. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-201-15 and 0218-201-44) **submitted by Western Pacific Housing, Inc., DBA: D.R. Horton.** Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

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ZONING ADMINISTRATOR MEETING

March 19, 2018

Meeting Cancelled

CITY COUNCIL MEETING

March 20, 2018

HOUSING ELEMENT ANNUAL PROGRESS REPORT REVIEW FOR FILE NO. PADV18-001: Housing Element Annual Progress Report for Calendar Year 2017. The Housing Element Annual Report is Categorically Exempt from California Environmental Quality Act (CEQA), as amended in accordance with Section 15306 (Information Collection).

Action: The City Council authorized staff to transmit the 2017 Housing Element Annual Progress Report to the California Department of Housing and Community Development and the Office of Planning and Research

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA05-001: A Development Agreement Amendment (Second Amendment) by and between the City of Ontario and Edenglen Ontario, to clarify and update the timing of the construction of public infrastructure, the development impact fee provisions, and the extension of the term of the agreement to serve Tract Map No's 17392, 17558, 17559, 17560, 17561, 17562, 17563, 17564, 18789, 18790, and 18791, generally located north of Chino Avenue, south of Riverside Drive, east of Mill Creek Avenue, and west of the SCE utility corridor, within Planning Areas 1 through 8 of the Edenglen Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Edenglen Specific Plan Environmental Impact Report (SCH# 2004051108) that was adopted by the City Council on November 5, 2005. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-171-15; 0218-921-07, 08, 16, 19, 22, and 30; 0218-931-01 through 25; 218-931-75 through 89; 0218-932-01 through 21; 0218-933-01 through 17; 0218-934-01 through 24; 0218-935-01- through 04; 0218-935-12 through 19; 0218-935-22 through 38; 0218-941-01 through 39; 0218-941-55 through 93; 0218-951-01 through 70; 0218-952-19 through 82; 0218-954-01 through 42; 0218-955-01 through 42; 0218-956-01 through 58; 0218-961-07 through 88) **submitted by Edenglen Ontario, LLC.** The Planning Commission recommended approval of this item on February 27, 2018 with a vote of 5 to 0.

Action: The City Council approved an ordinance approving the second amendment to the Development Agreement, and waived further reading of the ordinance.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA16-002: A Development Agreement by and between the City of Ontario and CVRC Ontario Investments, LLC, for the potential development of up to 480 residential units (File No. PMTT16-004/TT 19966) on

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111.10 acres of land within the Residential Single Family district of Planning Areas 2, 3, 4 and 5 of the Armstrong Ranch Specific Plan, located on the southwest corner of Riverside Drive and Ontario Avenue. The environmental impacts of this project were previously reviewed in conjunction with the Armstrong Ranch Specific Plan (File No. PSP15-002), for which an Environmental Impact Report (SCH# 2016111009) was adopted by the Ontario City Council on December 5, 2017. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-101-01, 218-101-02, 218-101-07, 218-101-08, 218-102-10, 218-102-11) **submitted by CVRC Ontario Investments, LLC.** The Planning Commission recommended approval of this item on February 27, 2018 with a vote of 6 to 0.

Action: The City Council approved an ordinance approving the Development Agreement, and waived further reading of the ordinance.

ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-003: A Zone Change from IG (General Industrial) to IL (Light Industrial) on a portion of a lot totaling 2.8 acres, located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street, to bring property zoning into consistency with the Policy Plan. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-382-05 and 1049-172-01) **City Initiated.**

Action: The City Council approved an ordinance approving the Zone Change and waived further reading of the ordinance.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING

March 27, 2018

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-056: A Development Plan (File No. PDEV17-056) to construct 229 single-family homes on 59.8 acres of land within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan, located at the southeast corner of Archibald Avenue and Schaefer Avenue. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan

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(ALUCP); (APNs: 0218-201-15 and 0218-201-44) **submitted by Western Pacific Housing, Inc., DBA: D.R. Horton.**

Action: The Planning Commission approved the project subject to conditions.

EIGHTEENTH ANNUAL MODEL COLONY AWARDS FILE NO. PHP18-003: A request for the Historic Preservation Commission to accept the nominations for the Eighteenth Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**

Action: The Historic Preservation Commission accepted the Eighteenth Annual Model Colony Awards nominations and forwarded the nominations to the City Council for the presentation of awards.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT AND DEVELOPMENT PLAN

REVIEW FOR FILE NOS. PCUP17-021 AND PDEV17-046: Development Plan (File No. PDEV17-046) to construct a 4,500 square-foot self-service carwash (Fast 5 Xpress) in conjunction with a Conditional Use Permit (File No. PCUP17-021) to establish and operate the drive-thru carwash, on 0.93 acres of land, within the Commercial land use designation of the Grove Avenue Specific Plan, located at 2345 S. Grove Avenue. 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: 0216-081-25) **submitted by Fast 5 Xpress Car Wash.** Continued from February 27, 2018 meeting.

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT

REVIEW FOR FILE NO. PDEV17-033 AND PCUP17-015: A Development Plan (File No. PDEV17-033) and Conditional Use Permit (File No. PCUP17-015) to construct and establish a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 3,233 square feet on 0.81 acres of land, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1008-431-21) **submitted by Raising Cane's Chicken Fingers.**

Action: The Planning Commission continued the project to the next regular meeting on April 24, 2018.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE

PERMIT FOR FILE NO. PDEV17-061 AND FILE NO. PCUP18-007: A Development Plan (File No.

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PDEV17-061) and Conditional Use Permit (File No. PCUP18-007) to construct and establish a non-stealth wireless telecommunications facility for T-Mobile (65 feet high), attached to an existing SCE tower, and equipment enclosure totaling 484 square feet on 10.17 acres of land, located at 13434 South Ontario Avenue, within the SP/AG (Specific Plan/Agriculture Overlay) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-122-06) **submitted by T-Mobile.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT, SPECIFIC PLAN REVIEW FOR FILE NO. PSP16-003 AND WILLIAMSON ACT CANCELLATION FOR FILE NO. PWIL18-002: A public hearing to consider certification of the Environmental Impact Report, (SCH#2017031048) including the adoption of a Statement of Overriding Considerations, for File No. PSP16-003 and a Specific Plan (Colony Commerce Center East) request (File No. PSP16-003) to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 94 acres of land, which includes the potential development of 2,362,215 square feet of industrial and business park development and a petition to cancel William Act Contract 70-159. The project site is bounded by Archibald Avenue to the east, the San Bernardino/Riverside County boundary to the south, the Cucamonga Creek Flood Control Channel to the west and Merrill Avenue to the north. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the ONT Airport and Chino Airport Land Use Compatibility Plans (ALUCP). (APNs: 218-311-02, 218-311-03, 218-311-07, 218-311-08, 218-311-10 & 218-311-13); **submitted by CapRock Partners Land & Development Fund I, L.P.** City Council action is required.

Action: The Planning Commission recommended the City Council approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT CODE AMENDMENT AND ZONE CHANGE REVIEW FOR FILE NOS. PDCA18-001 & PZC18-001: A Development Code Amendment (File No. PDCA18-001) to allow used vehicle automobile dealers in the CR (Regional Commercial) zoning district, subject to the approval of a Conditional Use Permit, and a Zone Change (File No. PZC18-001) from OH (High Intensity Office) to CR (Regional Commercial) on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140), certified by the City of Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001. This project introduces no new significant environmental impacts. The proposed project is located within the

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Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-551-01) **submitted by Carvana, LLC**. City Council action is required.

Action: The Planning Commission recommended the City Council approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND VARIANCE REVIEW FOR FILE NO. PDEV18-003, PCUP18-001 & PVAR18-002: A Development Plan (File No. PDEV18-003) and Conditional Use Permit to construct and operate a 5,781-square foot, 70-foot high automotive sales facility (Carvana), and a Variance to deviate from the maximum number of allowed wall signs on a commercial building, from 3 signs to 4 signs, on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue, within the CR (Regional Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-551-01) **submitted by Carvana, LLC**.

Action: The Planning Commission approved File Nos. PDEV18-003 and PCUP18-001 subject to conditions, and denied File No. PVAR18-002.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT16-003 (TT 20012): A Tentative Tract Map (File No. PMTT16-003 (TT 20012)) to subdivide 37.47 acres of land into 176 numbered lots and 47 lettered lots for public streets, landscape neighborhood edge areas and common open space purposes, for property generally located north of Ontario Ranch Road and approximately 400 feet west of Turner Avenue, within the Low Density Residential (LDR) district of Planning Area 8A of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-201-20, 0218-201-26 and 0218-201-27); **submitted by Ontario Avenida Associates, LLC**.

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA17-007: A Development Agreement between the City of Ontario and Ontario Avenida Property OWNER LLC,

City of Ontario Planning Department
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for the potential development of up to 176 residential units (File No. PMTT16-003/TT 20012) on 37.47 acres of land, for property generally located north of Ontario Ranch Road and approximately 400 feet west of Turner Avenue, within the Low Density Residential (LDR) district of Planning Area 8A of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on December 9, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-201-20, 0218-201-26 and 0218-201-27) **submitted by Ontario Avenida Property Owner, LLC**. City Council Action is required.

Action: The Planning Commission recommended the City Council approve the project.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT FILE NO. PDCA18-

002: A Development Code Amendment proposing various modifications, clarifications and updates to certain provisions of the Ontario Development Code, including Chapter 2.0, Table 2.02-1 (Review Matrix), Chapter 5.0 (Zoning and Land Use), Chapter 8.0 (Sign Regulations) as it relates to the ONT (Ontario International Airport) zoning designation, generally located north of Mission Boulevard, south of Airport Drive, east of Grove Avenue, and west of Haven Avenue; The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The 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 set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated**. City Council action is required.

Action: The Planning Commission recommended the City Council approve the project.

Monthly Activity Report—New Applications

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PCUP18-009: **Submitted by GracePoint Brethren in Christ**

A Conditional Use Permit to establish a 5,454 square foot church (GracePoint Brethren in Christ) on 0.193 acres of land located at 215 West G Street, within the MU-1 (Downtown Mixed Use) zoning district (APN: 1048-351-03).

PCUP18-010: **Submitted by S.S Heritage Inn of Onatrio, LLC**

A Conditional Use Permit establish alcohol beverage sales (Type 70 ABC license, On-Sale General Restrictive Service) in conjunction with a 72,468 square foot, 4-story Marriott Springhill Suites (126 rooms), located at 3595 East Guasti Road, within the Entertainment zoning district of the Ontario Gateway Specific Plan (APN: 0210-212-58).

PCUP18-011: **Submitted by NEW CREATION CHRISTIAN FELLOWSHIP**

A Conditional Use Permit to expand an existing 2,184-square foot church (approved under File No. PCUP03-016) into an adjacent 2,184-square foot suite, on 1.8 acres of land located at 1235 East Francis Street, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-33). Related Files: PCUP03-016 and PDET02-011.

PCUP18-012: **Submitted by MANTRA RESTAURANTS INC**

A Conditional Use Permit to establish alcoholic beverage sales for consumption on the premises (Type 41 ABC license, On-Sale Beer and Wine for Bona Fide Public Eating Place), in conjunction with an existing 2,800-square foot restaurant on 1.8 acres of land located at 990 North Ontario Mills Drive, within the Commercial/Office land use district of the Ontario Mills Specific Plan (APN: 0238-014-03).

PDA-18-001: **Submitted by Richland Communities**

A Development Agreement by and between the City of Ontario and Richland Communities, LLC, for the development of up to 435 dwellings units (TT 18929 and TT 18930) on 104.26 acres of land located at the southwest corner of Archibald Avenue and Eucalyptus Avenue, within Planning Area 1 of The Subarea 29 Specific Plan (APNs: 0218-271-11 and 0218-271-19).

PDA-18-002: **Submitted by CapRock**

A Development Agreement by and between the City of Ontario and CapRock Land & Development Fund I, LP, for the potential development of 2,362,215 square feet of industrial and business park development on 94 acres of land bordered by Archibald Avenue to the east, the San Bernardino/Riverside County boundary to the south, the Cucamonga Creek Flood Control Channel to the west, and Merrill Avenue to the north (APNs: 0218-311-02, 0218-311-03, 0218-311-08, and 0218-311-10).

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PDCA18-002:

Submitted by City of Ontario

A Development Code Amendment proposing various modifications, clarifications and updates to certain provisions of the Ontario Development Code, including Chapter 2.0, Table 2.02-1 (Review Matrix), Chapter 5.0 (Zoning and Land Use), Chapter 8.0 (Sign Regulations) as it relates to the ONT (Ontario International Airport) zoning designation.

PDET18-001:Submitted by Prosperity Spring International Investment Management Corp.

A Determination of Use to establish whether the catering/food manufacturing is similar to, and of no greater intensity than, other allowed permitted or conditionally permitted uses within the Business Park land use district of the Grove Avenue Specific Plan.

PDEV18-009:

Submitted by KB Home Southern California

A Development Plan to construct 51 single-family dwellings on 9.26 acres of land located at the northwest side of Chino Avenue and Archibald Avenue, within Neighborhood 4 (RD-5,000) of the Countryside Specific Plan (APNs: 0218-111-54 and 0218-111-55). Related File: PMTT13-003 (TT 18810).

PDEV18-010:

Submitted by Chris Voss

A Development Plan to assess plan check and inspection fees for an existing AT&T slimline monopole (permitted 11/14/97, under permit no. 112120, archived under HIST-B3018 for 2401 S. Vineyard Ave.). All radio equipment is hidden within painted 2'-4" radome; pole is 59' to top; with existing equipment enclosure.

PDEV18-011:Submitted by Prosperity Spring International Investment Management Corp.

A Development Plan to construct a 6,944-square foot commercial building with 14 commercial kitchens for catering/food manufacturing purposes, on 0.5 acre of land located at 1030 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 1049-392-04). Related File: PDET18-001.

PDEV18-012:

Submitted by T-MOBILE USA

A Development Plan to construct a wireless telecommunications facility (T-Mobile) on an existing 139-foot tall SCE transmission tower on 12.3 acres of land generally located on the north side of Francis Avenue, approximately 1,000 feet of Milliken Avenue, within the UC (Utilities Corridor) zoning district (APN: 0238-121-44).

PHP-18-013:

Submitted by City of Ontario

A Tier Determination for a single-story commercial building located at 400 West Holt Boulevard, within the MU-1 (Downtown Mixed-Use) zoning district (APNs: 1048-573-05 and 1048-573-06).

Monthly Activity Report—New Applications

Month of March 2018

PLFD18-001:

Submitted by Marisela Turenz

A Large Family Daycare facility located at 210 West J Street.

PMISC-00006:

Submitted by Miguel Najera

10-foot wide driveway approach for RV Access located at 1516 West Stoneridge Court.

PSGN18-032:

Submitted by Cindy's Signs & Consulting Inc

A Sign Plan for the installation of two monument signs for the PASEOS AT ONTARIO apartment complex, located at 2505 through 2645 East Date Palm Paseo.

PSGN18-033:

Submitted by Machan Sign Co.

A Sign Plan for the installation of three wall signs (north, east, and west elevations), two murals (south and east elevations), and a monument sign for SIZZLER, located at 2228 South Mountain Avenue.

PSGN18-034:

Submitted by Architectural Design & Signs Inc.

A Sign Plan for the installation of a monument sign located at the northeast corner of Vineyard Avenue and Inland Empire Boulevard for MEREDITH INTERNATIONAL CENTRE pursuant to the requirements of the Meredith International Centre Specific Plan.

PSGN18-035:

Submitted by Williams Sign Co.

A Sign Plan for a temporary "Now Hiring" sign (west elevation) for RAISING CANE'S, located at 4360 East Mills Circle, for the period 5/7/2018 through 6/7/2018.

PSGN18-036:

Submitted by Williams Sign Co.

A Sign Plan for the installation of two wall signs for UPS EMPLOYEES FCU (north and south elevations), located at 3110 East Inland Empire Boulevard.

PSGN18-037:

Submitted by FASTSIGNS

A Sign Plan for the installation of one wall sign (72 SF) for AC ELECTRIC COMPANY, located at 4651 East Airport Drive.

PSGN18-038:

Submitted by Duralum Products, Inc.

A Sign Plan for the installation of one wall sign (south elevation) for DURALUM PRODUCTS, located at 4001 East Greystone Drive.

PSGN18-039:

Submitted by Signs of Success

A Sign Plan for the installation of two wall signs (south and east elevations – 60 SF each) for O'REILLY AUTO PARTS, located at 2910 South Archibald Avenue.

Monthly Activity Report—New Applications

Month of March 2018

PSGN18-040: **Submitted by National Sign & Marketing**

A Sign Plan for the installation of one wall sign (southeast corner elevation) for STAR HARDWARE, located at 201 North Ponderosa Avenue.

PSGN18-041: **Submitted by Cristobol Quintanilla**

A Sign Plan for the installation of one wall sign for LUCKY POOL SUPPLY, located at 1945 East Riverside Drive.

PSGN18-042: **Submitted by Electricore Signs**

A Sign Plan for the installation of one wall sign for BARBERSHOP (east elevation), located at 415 North Euclid Avenue.

PSGP18-001: **Submitted by Refined Signs & Mailboxes**

A Sign Program amendment to the Ontario Town Square Townhomes, located at 380 East Bluebird Privado.

PTUP18-012: **Submitted by Circus Vargas**

A Temporary Use Permit for a Circus Event (Circus Vargas) at the Ontario Mills Mall, 1 East Mills Circle. Event to be held 4/5/2018 through 4/16/2018.

PTUP18-013: **Submitted by Ontario Elks Lodge #1419**

A Temporary Use Permit for a Yard Sale event hosted by the Ontario Elks Lodge, at 1150 West Fourth Street. The one-day event will be held 5/5/2018, 8:00AM to 2:00PM, with set-up and take-down to occur same-day.

PTUP18-014: **Submitted by Montecito Baptist Church**

A Temporary Use Permit to operate an Annual Ladies Conference event, hosted by the Montecito Baptist Church, at 2560 South Archibald Avenue. The two-day event will be held 4/6/2018 and 4/7/2018.

PTUP18-015: **Submitted by Candyland Amusements**

A Temporary Use Permit to operate a carnival at 1848 South Euclid. Event to be held 4/12/2018 through 4/15/2018.

PTUP18-016: **Submitted by American Legion Post 112**

A Temporary Use Permit for a "Choir Boys" fundraising event hosted by American Legion, located at 310 West Emporia Street. One-day event will be held 4/21/2018, 10:00AM to 4:00PM.

Monthly Activity Report—New Applications

Month of March 2018

PTUP18-017: **Submitted by Mental Health Systems**

A Temporary Use Permit for an Open-House/ mental health event, located at 316 East E Street, hosted by Mental Health Systems. The one-day event will be held on 4/18/2018.

PTUP18-018: **Submitted by Miguel's Jr.**

A Temporary Use Permit for a temporary modular office Hiring Event, hosted by Miguel's Jr, located at 2250 South Haven Avenue. Event will be held 4/2/2018 through 4/13/2018.

PTUP18-019: **Submitted by Danielle Garcia**

A Temporary Use Permit for a 5K Walk and Run held at the Citizen's Business Bank Arena, located at 4000 East Ontario Center Parkway. Event to be held 4/8/2018.

PTUP18-020: **Submitted by The Arbor Venture LLC**

A Temporary Use Permit for a grand opening event for The Arbor Venture, for their model homes opening located at 275 West Via Presido. Event to be held 4/21/2018.

PTUP18-021: **Submitted by Golden Retriever Club of America**

A Temporary Use Permit for a Dog Show/ RV parking at the Ontario Convention Center, located at 4000 East Ontario Center Parkway. Event to be held 10/22/2019 through 10/26/2019.

PTUP18-022: **Submitted by American Lung Association**

A Temporary Use Permit for a temporary alcohol sales event hosted by the American Lung Association, located at 3546 Concours Street. Event will be held 5/3/2018.

PTUP18-023: **Submitted by Pixel Vault**

A Temporary Use Permit for a retail sales event for Pixel Vault, located at 501 West Holt Boulevard. Event to be held 4/8/2018, 9:00AM to 3:00PM.

PVER18-008: **Submitted by Stephanie Romero**

A Zoning Verification for 4501 through 4582 East Brickell Privado

PVER18-009: **Submitted by Lea Hernandez**

A Zoning Verification for 1310 West Francis Street.

PVER18-010: **Submitted by Sheneetra Scroggins**

A Zoning Verification for 1383 South Cucamonga Avenue.

PVER18-011: **Submitted by Armada Analytics, Inc.**

A Zoning Verification for 1701 East D Street

City of Ontario Planning Department
Monthly Activity Report—New Applications
Month of March 2018

PVER18-012: Submitted by Success Financial Group

A Zoning Verification for 237 North Miramonte Avenue.

PVER18-013: Submitted by Lydia Ochoa

A Zoning Verification for 1121 South Campus Avenue

PVER18-014: Submitted by Luis Rojas

A Zoning Verification for 143 North Campus Avenue

PVER18-015: Submitted by Gene Hunt

A Zoning Verification for 4651 East Brickell Street.

PWIL18-003: Submitted by Richland Real Estate Found, LLC

A Williamson Act Land Conservation Contract (#77-515) Cancellation on 52.12 acres of land located at the southwest corner of Archibald and Eucalyptus Avenue, within Planning Area 1 of the Subarea 29 Specific Plan (APN: 218-271-11).

PWIL18-004: Submitted by REDA, OLV

A Williamson Act Land Conservation Contract #70-219 Cancellation on 14.46 acres of land located on the south side of Eucalyptus Avenue, west of the Cucamonga Creek Channel, at 9391 East Eucalyptus Avenue, within the West Ontario Commerce Center Specific Plan (APN: 0218-271-13).