

# CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

May 28, 2019

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

6:30 PM

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**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.*

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## **ROLL CALL**

DeDiemar \_\_ Downs \_\_ Gage \_\_ Gregorek \_\_ Reyes \_\_ Willoughby \_\_

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

**ANNOUNCEMENTS**

- 1)    Agenda Items
- 2)    Commissioner Items

**PUBLIC COMMENTS**

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

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

**CONSENT CALENDAR ITEMS**

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

**A-01. MINUTES APPROVAL**

Planning/Historic Preservation Commission Minutes of April 23, 2019, approved as written.

**A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW**

**FOR FILE NO. PDEV18-037:** A Development Plan to construct 176 single-family homes (72 lane-loaded units and 104 conventional units), located on the north side of Ontario Ranch Road, west of Turner Avenue, within Planning Area 8A (Low Density Residential) of The Avenue Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan (File No. PSP05-003) EIR (SCH # 2005071109) certified by the City Council on February 16, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-201-26 and 0218-201-27) **submitted by Lennar Homes of CA, INC.**

**A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW**

**FOR FILE NO. PDEV19-010:** A Development Plan to construct 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land located at the northeast corner



of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan File (No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by the City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

**A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW**

**FOR FILE NO. PDEV19-011:** A Development Plan to construct 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan File (No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

**A-05. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW**

**FOR FILE NO. PDEV19-012:** A Development Plan to construct 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan File (No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

**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 MINOR VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR18-006 AND PDEV18-025:**

A Minor Variance (File No. PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66 (TM17931), in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (PSP05-002), Environmental Impact Report (SCH#. 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-252-16) **submitted by Christopher Development Group, Inc.** This item was continued from the April 23, 2019 Planning Commission meeting.

**1.    CEQA Determination**

No action necessary – use of previous EIR

**2.    File No. PVAR18-006 (Variance)**

Motion to Approve/Deny

**3.    File No. PDEV18-025 (Development Plan)**

Motion to Approve/Deny

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

A Development Plan (File No. PDEV18-027) to construct an 83,500-square foot hotel with conference rooms, fitness center, pool, and restaurant in conjunction with a Conditional Use Permit (File No. PCUP18-028) to establish: 1) a 124-room full-service hotel; 2) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption by hotel guests and their visitors (Type 70 ABC License – On-Sale General Restrictive Service); and 3) the sale of alcoholic beverages, including beer,

wine and distilled spirits, for on-premises consumption in conjunction with a restaurant (Type 47 ABC License – On-Sale General for Bona Fide Eating Place), on 2.25 acres of land located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-192-24) **submitted by Cambria Ontario, LLC. City Council action is required.**

**1. CEQA Determination**

No action necessary – use of previous EIR

**2. File No. PCUP18-028 (Conditional Use Permit)**

Motion to recommend Approval/Denial

**3. File No. PDEV18-027 (Development Plan)**

Motion to recommend Approval/Denial

**D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA19-001:**

A Development Code Amendment revising portions of Development Code Chapters 2 (Administration and Procedures), 4 (Permits, Actions and Decisions), 5 (Zoning and Land Use), and 9 (Definitions and Glossary), as they apply to Wireless Telecommunications Facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests. This project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder pursuant to Section 15061(b)(3) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); **City Initiated. City Council action is required.**

**1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15061(b)(3)

**2. File No. PDCA19-001 (Development Code Amendment)**

Motion to recommend Approval/Denial

**MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION**

- 1) Old Business
  - Reports From Subcommittees
    - Historic Preservation (Standing): Did not meet this month.
- 2) New Business
- 3) Nominations for Special Recognition

**DIRECTOR'S REPORT**

- 1) Monthly Activity Report
- 2) Museum Building Assessment and Master Plan


*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 **May 24, 2019**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

  
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Gwen Berendsen, Secretary Pro Tempore

  
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Cathy Wahlstrom, Planning Director  
Planning/Historic Preservation  
Commission Secretary

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

**MINUTES**

**April 23, 2019**

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

**MINUTES**

**April 23, 2019**

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

**COMMISSIONERS**

**Present:** Vice-Chairman DeDiemar, Gage, Gregorek, and Reyes

**Absent:** Downs, Willoughby

**OTHERS PRESENT:** Planning Director Wahlstrom, Assistant Planning Director Zeledon, City Attorney Duran, Principal Planner Mercier, Senior Planner Batres, Senior Planner Mejia, Associate Planner Aguilo, Associate Planner Chen, Assistant Planner Vaughn, Development Administrative Officer Womble, Traffic and Transportation Manager Bautista, and Planning Secretary Berendsen

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Gage.

**ANNOUNCEMENTS**

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

Ms. Wahlstrom stated as there is no quorum for Item D, the item will need to be continued to the May 28, 2019 meeting.

**PUBLIC COMMENTS**

No one responded from the audience.

**CONSENT CALENDAR ITEMS**

**A-01. MINUTES APPROVAL**

Planning/Historic Preservation Commission Minutes of March 26, 2019, approved as written.

*It was moved by Gregorek, seconded by Reyes, to approve the Planning Commission Minutes of March 26, 2019, as written. The motion was carried 4 to 0.*

## PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT18-008:** A Tentative Tract Map (TM 20144) to subdivide one-acre of land into 5 numbered lots and 2 lettered lots, for property located at 2004 South Palmetto Avenue, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In Fill Development) 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: 1014-532-04) **submitted by Toan Nguyen.**

Associate Planner Chen, presented the staff report. He described the project site and surrounding area. He described the proposed subdivision and stated the Small Lot Single Family Residential Development Standards would be utilized, and a condition of approval was added that a development plan is required prior to final map recordation or approved site and design guidelines will be added to the CC&Rs. He stated that mailings were sent to inform residents of the project and one letter and an email were received. He stated the concerns that were addressed were regarding parking, trash pickup, increased traffic and noise levels. He stated that staff is recommending the Planning Commission approve File No. PMTT18-008, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification regarding the zoning of LDR5, that allows them to do smaller lots and if or when the zoning was changed.

Mr. Chen stated the zoning has historically been single-family residential.

Mr. Reyes wanted to know if the Fire Department was agreeable with the 20 foot drive isle and the hammer head for turn-around.

Mr. Chen stated yes the Fire Department is agreeable to it, as long as the curbs are painted red on both sides of the drive isle.

Mr. Reyes wanted clarification if the noticing included the church to the north on Mountain.

Mr. Chen stated yes they were notified and nothing was received from them.

Mr. Gage wanted clarification regarding parking on the drive isle.

Mr. Chen stated that because of the drive isle only being 20 feet instead of 24 feet, no additional parking would be allowed here.

Mr. Gage wanted to know if there will be additional parking on Palmetto.

Mr. Chen stated there will be a red curb painted in front of this property, however to the south and north of the property there is parking. He stated Engineering is not in favor of any parking along the front of this property on Palmetto.

## PUBLIC TESTIMONY

Mr. David Boyle, the representative for the applicant, appeared and stated there will be “No Parking” signs posted on the drive isle and it will have red painted curbs, as per the plans. He stated there are two guest parking spots in the front, right of the drive isle.

Mr. Gage wanted to know if Mr. Boyle agreed to the COAs.

Mr. Boyle stated yes as adjusted after the Development Advisory Board.

Mr. Reyes wanted to know if the intent is to build at one time or sell them out individually.

Mr. Boyle stated the intent was to build all of them at one time.

Mr. Reyes asked if the builder will build them and sell them off as a finished product.

Mr. Boyle stated yes that is correct.

Mr. Lawrence Jowdy, the resident one house south of the proposed development, stated he is opposed to 5 dwellings going on the property, as all of these dwellings will be facing his backyard and he loses all his privacy and sense of security. He stated if the project was approved he would like to recommend an 8 foot block wall on his side, to add privacy. He stated that he doesn't see how a red zone can be enforced on private property, and that residents of the dwellings will most likely park on the drive isle. He stated that most families have at least three vehicles and he discussed the permitted parking south of the development for the cars that would be on the street. He stated the traffic on Palmetto is absurd with the high school across the street and there is a 25 MPH speed limit that is rarely enforced by Ontario PD. He discussed the difficulty of an average of 15 cars coming in and out of one driveway, especially with all the traffic already there on Palmetto, at school start and dismissal times. He explained how in the letter he sent, he had mentioned the problem with trash pickup at the street and all the trash cans there, but being that the trash would be picked up on the property, this meant a trash truck going down the drive isle which will add more noise for him. He stated that he would like to request water trucks to keep the dust to a minimum during construction. He stated he would recommend 2 dwellings, not 5 on the proposed property.

Mr. Steven Castillo, the resident in the house north of the property, stated he had the same concerns about privacy and would like an 8 foot wall on the north side too. He stated his concerns regarding the parking on Palmetto, which is right in front of where the high school traffic turns out and that the cars being parked there could cause more accidents. He also wanted to know if the proposed houses would be one or two stories.

Mr. Chen stated it was up to the developer and it could be either or both, one or two story homes.

Mr. Castillo thanked staff and stated those were all the concerns he had.

Mr. Boyle stated the existing driveway is only 12 foot, not the 29 feet being proposed, which includes 5 foot of landscape and a 4 foot sidewalk. He stated this isn't a little driveway, as it was



being pointed out.

As there was no one else wishing to speak, Vice-Chairman DeDiemar closed the public testimony

Mr. Gage wanted clarification on the size of house at 1484 square feet and the setback were what was being approved by the commission.

Ms. Wahlstrom clarified that they are only approving the tract map that will allow for the subdivision to occur, which would include the 5 numbered lots and the 2 letter lots. Ms. Wahlstrom also addressed the concerned about privacy and stated a 6 foot block wall along the south property was being proposed.

Mr. Reyes wanted to thank the people that came up to voice their concerns, as they do take those into consideration. He stated the traffic is tough in this area and agrees there is a lot of traffic from the school and it is difficult if you live on this street. He stated that regarding privacy he would recommend the applicant work with staff regarding the 5 foot landscape area and maybe put some vertical scrubs that would grow beyond the 6 foot wall. He also stated that he could see how the high school traffic racing out of there could be an issue and offered the option of the applicant working with traffic engineering about a right turn only exit, if that is an option that would help with traffic.

Mr. Gage wanted clarification regarding the current composite of the existing fence on the north side of the property.

Mr. Chen stated that is looked like it was currently wooden fencing that was approximately 4 and a half foot high.

Mr. Jowdy stated from the audience, that it is currently built according to code so he can see when he is exiting his driveway, so it starts at 4 foot and progresses to 6 foot of composite wood fencing, which is insufficient for privacy in his backyard.

Mr. Gage wanted clarification regarding the width of the drive isle.

Mr. Chen stated the total drive isle width is 29 feet including the 5 foot landscape and 4 foot sidewalk, but 20 feet of that is just for the vehicular drive isle.

Mr. Gage wanted to know the proposed setback for the homes.

Mr. Chen stated the minimum setback is 18 feet for small lot subdivisions.

Mr. Gage wanted clarification that the houses themselves will need to be approved at a later date.

Mr. Chen stated that was correct.

Ms. Wahlstrom wanted to clarify that this was the tract map that will provide for the plotting of the land with the 5 numbered lots and 2 lettered lots and the applicant is required to conceptualize the placement of the proposed homes, so that we can make sure there are adequate setbacks for the development. She stated that the design of the homes is yet to be decided and

because there are over four homes proposed, that at a later date the design will come before the planning commission, which will include the elevations, size and architecture.

Mr. Gage wanted clarification as to how large the homes could be when they come back with the designs.

Ms. Wahlstrom stated that the homes would need to fit on the lot and meet the required development standards and they could be either 1 or 2 story homes.

Mr. Gage stated he realizes there is the 29 foot drive isle and 18 foot setback and the house to the south has a driveway on the north side of the property which should allow for adequate distance from the homes. He stated that eyes on the isle allows for better safety within the community. He stated he feels good about passing this and can see this working and when we get the elevations we need to consider these concerns and add quality materials to the project.

Mr. Gregorek stated that the 6 foot block wall should be adequate and that this is typical height and amount of privacy in residential areas. He stated he feels it's well designed for what it is zoned, as it is not meant for estate lots. He stated that he likes what Mr. Reyes recommended regarding the scrubs along the wall that would grow a little higher. He stated he thinks it is a good project that is well thought out for being a tract map on this size of the land and it's better than vacant land being there.

Ms. Wahlstrom stated the city traffic engineer was present and available to answer any questions regarding traffic.

Mr. Reyes wanted some insight from the traffic engineer regarding the traffic on Palmetto.

Mr. Jay Bautista, the Traffic and Transportation Manager for the City of Ontario, stated Palmetto is a two lane road way, with a lane going in each direction and the concentration of traffic is during the morning when the high school starts and in the afternoon when it gets out, which is typical around any school sites next to a roadway. He stated that the suggestion of restricting right out only exits for a two lane roadway, is very difficult to implement.

Mr. Reyes wanted clarification regarding the parking on Palmetto.

Mr. Bautista stated that there is currently permit parking on the west side of the frontage of Palmetto. He stated that they would need to either restrict parking or maintain the current permit parking, but that the conditions of approval were silent on the parking on the frontage of the project.

Mr. Gage stated that when we get the designs for this project back we need to make sure to approve a quality project and look at all the details from landscaping, pavers and the homes.

Mr. Reyes stated he would like to include in the motion for approval that the applicant work with staff to put vertical shrubs along the proposed block wall. Mr. Gregorek and Mr. Gage agreed with this motion.

## **PLANNING COMMISSION ACTION**

*It was moved by Gage, seconded by Gregorek, to adopt a resolution to approve the Tentative Tract Map, File No., PMTT18-008, subject to conditions of approval. Roll call vote: AYES, DeDietmar, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-023:** A Development Plan to construct a 62,000 square foot industrial building on approximately 2.6 acres of land, located at 1260 East Airport Drive within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0113-211-05, 0113-211-06, 0113-211-07) **submitted by Safety Investment Company.**

Senior Planner Batres, presented the staff report. He described the location and the surrounding area, the land use and zoning. He stated the proposed three parcels would be combined into one by a lot line adjustment. He described the proposed project and the site plan, parking ingress and egress and architectural design. He stated there is non-conforming residential to the west of the property so they took that into consideration with regards to placement, architectural design and screening of the project. He did explain that a mailing went out and the residents are concerned with additional noise and traffic and that staff and the applicant have tried to mitigate these concerns with the wall height and placement of project. He stated the hours of operation are restricted to nothing after 5 pm. He stated that staff is recommending the Planning Commission approve File No. PDEV18-023, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification if the owner to the west of the proposed project was approached by the applicant, to purchase the property to make it a bigger project.

Mr. Batres stated he had given the applicant's information to the owner of the property to the west, but from what he understands the owner was never approached by the developer to sell their property.

Mr. Reyes wanted clarification regarding the truck docks being internal.

Mr. Batres stated they will park inside.

## **PUBLIC TESTIMONY**

Jason Tolleson of Serrano Development, appeared and stated staff presented the project well, but he wanted to reiterate that a significant effort was taken to mitigate this project, with regard to the building size, interior truck docks to help with noise, and even light shielding. He stated that this is an industrial project in an industrial zone, but they want to be good neighbors and be sensitive to the community.

Mr. Reyes wanted to know if the applicant talked with the owner of the adjacent property and if they had any interest in purchasing the land.

Mr. Tolleson stated his understanding from the broker is that an outreach was made to the owner but were not able to talk until recently and that the conversation is so preliminary that it would not affect the project they are proposing.

Mr. Gage asked if Mr. Tolleson agreed to all the COA's.

Mr. Tolleson stated yes.

Ms. Maria Machuca and Mr. Alex Machuca, owners of property next door, appeared and stated that she had tried to reach out but nobody ever got back to her and nothing was ever posted on the property, so she didn't have an opportunity to reach out. She stated there are 15 families on this property that will be affected and some of them have lived there for 30 years, so the noise and trucks will be a big impact for them. She stated that when the zoning was changed they were told it wouldn't affect their property. She stated she has approached the city about her property being retrofitted and was told it was in-line for acquisition and there was no money to purchase it. Ms. Machuca wanted to know how she is going to be able to preserve the value of the property with the trains and airplanes and now trucks that are going to be able to operate 24 hours. She pointed out that where the trucks come in, is right where the school bus picks the kids up from those homes and that is very dangerous and has that been taken into consideration. She stated that they should be compensated for impacts and they should purchase her property because it will seriously affect them. Mr. Machuca stated his concern is a lot of trucks and the traffic which will affect them because they will less tenants. He stated they should retrofit the homes because of the airport and its getting louder and more trucks and he understands its industrial, but is concerned about his property. He stated that there wasn't any signage before regarding the property or the project. He also stated his concerns of how much are we going to lose when our tenant move out and the trucking driveway is really close to their driveway which will affect their tenants coming into and out of the property. Ms. Machuca wanted clarification what can be done on her side to accommodate them.

Ms. Junnich Carrasco a resident on the adjacent property, appeared and spoke regarding the 15 families that would be affected and that no signage was ever posted. She stated how the noise level is going to quadruple and other environmental issues that would affect them. She stated they are trying to protect their investments and are totally opposed to this project. She stated that she understands they moved the building away from the property but she doesn't believe an 8 foot wall is going to cover the constant large truck noise or the construction impacts. She stated she hasn't gotten anything in writing regarding the length of the project and feels that a dialogue with applicant would help. She stated that it hasn't been taken into consideration the bus area or for the tenants that work at night with construction and she wants some answers regarding these issues.

Mr. Tolleson clarified the project timeline and will share more details with the neighbors and

also clarified the reason for the driveway orientation and that the proposed driveway is 100 feet between the closest residents.

As there was no one else wishing to speak, Vice-Chairman DeDiemar closed the public testimony

Mr. Gage wanted clarification from staff regarding school bus drop off and the truck entry.

Ms. Wahlstrom stated bus stops are fairly fluid and the school district will look for an appropriate place to pickup and drop-off if the area would be displaced, but the school district would look at that and determine the best location, not city staff.

Mr. Gage wanted to know if there will be restrictions on truck times coming in and out.

Ms. Wahlstrom stated the type of use isn't specific yet, because they don't know the tenant or if a CUP will be required. She stated its general industrial and this is a noisy area with the railway, airport and Grove Avenue traffic at peak times but industrial general is not our heaviest use, so we will need to look at the use and what requirements are needed.

Mr. Gage wanted clarification regarding environmental concerns and hazardous or flammable materials.

Ms. Wahlstrom stated that as with any business license being requested within the city, the fire department would look at a business plan and review for safety requirements.

Mr. Reyes wanted clarification on no posting of signage and is that a requirement.

Ms. Wahlstrom stated we don't post on-site notices, but that we send our public notices directly to property owners, not the tenants.

Mr. Reyes wanted clarification regarding what nonconforming means for the property to the west.

Ms. Wahlstrom stated the zoning is industrial general, and has been for some time and that any new development would need to conform to that zoning. She stated that non-conforming residential uses can make certain improvements but no new units would be allowed, because we want to minimize people's exposure to the higher noise level in this vicinity. She stated the quiet home program, which the resident mentioned, works to insulate housing from exterior noise, and is aimed at homes that are already there and are in residential zones. LAWA did put an acquisition program in place using federal funds and this property probably would have been eligible and most likely predated the current owner, however, this program is not funded currently. She stated this location would not be eligible for insulation because it is not zoned residential.

Mr. Reyes wanted to know if the homes to the west have any code violations.

Ms. Wahlstrom and Mr. Batres stated they do not know.

Vice-Chairman DeDiemar opened the public testimony

Ms. Machuca stated they just came to do inspections this year and the year before, with no violations. She also commented on where the school bus would stop as there is all industrial around there.

Ms. Wahlstrom stated that the bus does stop near the driveway and because of that we required tubular steel fencing to allow visibility for the bus and trucks as they enter the residential area.

Vice-Chairman DeDiemar closed the public testimony

Mr. Gage wanted to know how long it has been zoned industrial and residents non-conforming.

Ms. Wahlstrom stated she believes the homes were built in 20s and 30s and the industrial zone change has been in place for 20 years.

Mr. Reyes stated that he wished the developer and owners could have talked and his biggest concern is that staff work with property owners before they propose any projects on the property to the west, and to work with homeowners and school district regarding bus stop to help as much as we can.

Mr. Gage stated this is tough for homeowners that are in an industrial zone that is being built up around them, but we have zoning laws to regulate residents within an industrial area and allows the uses that are more appropriate.

Mr. Gregorek stated that he would like staff to work with school district regarding the bus stop.

**PLANNING COMMISSION ACTION**

*It was moved by Gregorek, seconded by Gage, to adopt a resolution to approve the Development Plan, File No., PDEV18-023, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

**D. ENVIRONMENTAL ASSESSMENT AND MINOR VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR18-006 AND PDEV18-025:**

A Minor Variance (File No. PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66 (TM17931), in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 of the Esperanza Specific Plan. The Minor Variance is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines. The environmental impacts of the Development Plan were previously reviewed in conjunction with the Esperanza Specific Plan (PSP05-002), Environmental Impact Report (SCH# 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located

within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-252-16) **submitted by Christopher Development Group, Inc.**

### **PLANNING COMMISSION ACTION**

*It was moved by Reyes, seconded by Gage, to continue the Variance, File No., PVAR18-006 and the Development Plan, File No., PDEV18-025, to the May 28, 2019 meeting, due to lack of quorum. The motion was carried 3 to 0.*

- E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-032:** A Development Plan to construct a 64 foot tall stealth wireless telecommunications facility (monopine) and 280 square foot equipment enclosure on 12.8 acres of land located at 2450 South Vineyard Avenue, within the CC (Community Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0216-401-63) **submitted by Verizon Wireless.**

Associate Planner Aguilo, presented the staff report. She described the location and the surrounding area and the parking provided. She stated that she had received concerns from the adjacent property owner regarding loitering and the 10 foot SCE easement prior to the Development Advisory Board meeting, and these items have been addressed. She stated that staff is recommending the Planning Commission approve File No. PDEV18-032, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification regarding the support trees proposed around the monopine.

Ms. Aguilo stated three afghan pines are proposed.

### **PUBLIC TESTIMONY**

John Detrich of Core Development Services, appeared and agreed to the COAs.

As there was no one else wishing to speak, Vice-Chairman DeDiemar closed the public testimony

Mr. Gregorek stated that instead of a monopalm, he likes the monopine as it is denser and he would like to make sure staff works to make it resemble a tree as much as they can.

Mr. Gage wanted clarification regarding the loitering and if it affected the project.

Ms. Aguilo stated that the Arco station had mentioned that it had been an issue because of the close proximity to a recycle center but that code enforcement is actively working to remove

those issues.

### **PLANNING COMMISSION ACTION**

*It was moved by Gage, seconded by Gregorek, to adopt a resolution to approve the Development Plan, File No. PDEV18-032, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, and Reyes, NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

#### **F. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW**

**FOR FILE NO. PMTT17-013:** A Tentative Tract Map (File No. PMTT17-013/TTM 20134) to subdivide 80.61 acres of land into 15 numbered lots and 15 lettered lots for residential and public/private streets, landscape neighborhood edges and common open space purposes for a property located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Area 5A, 5B, 5C, 5D and 5E (Residential – Small Lot SFD & SCE Easement) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan (File No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Richland Communities.** This item was continued from the March 26, 2019 Planning Commission meeting.

#### **G. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEWS**

**FOR FILE NO'S. PMTT17-014, PMTT17-015 AND PMTT17-016:** A request for the following Tentative Tract Map entitlements: 1) File No. PMTT17-014 (TTM 20135) to subdivide 6.22 acres of land into 10 numbered lots and 13 lettered lots for residential and private streets; 2) File No. PMTT17-015 (TTM 20136) to subdivide 8.52 acres of land into 100 numbered lots and 20 lettered lots for residential, private streets and landscape neighborhood edges; and 3) File No. PMTT17-016 (TTM 20137) to subdivide 9.10 acres of land into 18 numbered lots and 13 lettered lots for residential and private streets for a property located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Area 5A, 5C and 5D (Residential – Small Lot SFD) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan (File No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Richland Communities.** This item was continued from the March 26, 2019 Planning Commission meeting.



**H. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA18-005:** A Development Agreement (**File No. PDA18-005**) between the City of Ontario and Haven Ontario NMC 1, LLC, a Florida limited liability company and Haven Ontario NMC 2, LLC, a Florida limited liability company, to establish the terms and conditions for the development of Tentative Tract Map No. 20134 (File No. PMTT17-013), for property located on the north east corner of Haven and Schaefer Avenues within the Planning Area 5A, 5B, 5C, 5D and 5E (Residential – Small Lot SFD & SCE Easement) land use designation of the Rich-Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan (File No. PSP05-004) EIR (SCH #2006051081) certified by City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Richland Communities. City Council Action is required.** This item was continued from the March 26, 2019 Planning Commission meeting.

Senior Planner Mejia, presented the staff report. She described the location and the surrounding area. She described the proposed entitlements and the proposed subdivision for each tract map, and park and open space areas and the parking plan for the overall area. She described the key points of the development agreement to establish the terms and conditions of the development. She stated that staff is recommending the Planning Commission approve File Nos. PMTT17-013, PMTT17-014, PMTT17-015 and PMTT17-016, and recommend to City Council approval of File No. PDA18-005, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gage wanted clarification on the parking surplus.

Ms. Mejia stated the surplus is provided as on street parking and alley parking, as they wanted to make sure parking didn't interfere with trash pickup.

Mr. Gage wanted clarification on how the parking on the street is counted.

Ms. Mejia stated they plot out the location of all the parking throughout and she went over the breakdown of the parking for each tract map.

### **PUBLIC TESTIMONY**

Mr. Craig Cristina with Richland Communities, appeared and stated he was glad to finally be here tonight and after all the designs around trash pickup and parking.

Ms. DeDiemar asked if Mr. Cristina agrees to the COAs.

Mr. Cristina stated yes he does.

As there was no one else wishing to speak, Vice-Chairman DeDiemar closed the public testimony

There was no Planning Commission deliberation.

**PLANNING COMMISSION ACTION**

*It was moved by Reyes, seconded by Gregorek, to adopt resolutions to approve the Tentative Tract Maps, File Nos., PMTT17-013, PMTT17-014, PMTT17-015, and PMTT17-016, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

*It was moved by Gage, seconded by Reyes, to recommend adoption of a resolution to approve the Development Agreement, File No., PDA18-005, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

- I. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT FOR FILE NO. PDA05-002:** A Development Agreement Amendment (Third Amendment - File No. PDA05-002) between the City of Ontario and SC Ontario Development Company, LLC to release approximately 2.43 acres of land and change the legal description in conjunction with the lot line adjustment (File No. LLA18-010) and sale of Eucalyptus Avenue right-of-way, and a remainder parcel to Ontario Land Ventures, LLC. The project site is located at the northeast corner of Eucalyptus Avenue and Carpenter Avenue, within Planning Area 9 (Multi-Family Attached) land use designation of the Parkside Specific Plan. The environmental impacts of this project were previously analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074) certified by the City Council on July 3, 2018. This application is consistent with the EIR and introduces no new significant environmental impacts. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. 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 (APN: 0218-231-09, 10-22, 30-31, 39 and 0218-221-06, 08-10). **Submitted by SC Ontario Development Company, LLC. City Council action is required.**
- J. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT FOR FILE NO. PDA17-003:** A Development Agreement Amendment (First Amendment - File No. PDA17-003) between the City of Ontario and Ontario Land Ventures, LLC for the acquisition of approximately 2.43 acres of land and change the legal description for Tentative Parcel Map No. 19738 (File No. PMTT17-011) in conjunction with the lot line adjustment (File No. LLA18-010) and sale of Eucalyptus Avenue right-of-way, and a remainder parcel from SC Ontario Development Company,

LLC. The project site is located at the northeast corner of Eucalyptus Avenue and Carpenter Avenue, within Planning Area 1 (Business Park) land use designation of the West Ontario Commerce Center Specific Plan. The environmental impacts of this project were analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074) certified by the City Council on July 3, 2018. This application is consistent with the EIR and introduces no new significant environmental impacts. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. 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, 22, 23, 32, 0218-271-04, 08, 10, 13, 18, 0218-221-09) **Submitted by Ontario Land Ventures, LLC. City Council action is required.**

Development Administrative Officer Womble, presented the staff report. He described the location and described the proposed amendments to update the legal descriptions of the development agreements, to reflect the lot line adjustment and sale of land. He stated that staff is recommending the Planning Commission recommend approval to City Council for File Nos. PDA05-002 and PDA17-003, 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**

Damon Gascon with SC Ontario Development Company, appeared and offered to answer any question of the commission.

As there was no one else wishing to speak, Vice-Chairman DeDiemar closed the public testimony

There was no Planning Commission deliberation.

### **PLANNING COMMISSION ACTION**

*It was moved by Gage, seconded by Gregorek, to recommend adoption of a resolution to approve the Development Agreement Amendment, File No., PDA05-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

*It was moved by Gregorek, seconded by Reyes, to recommend adoption of a resolution to approve the Development Agreement Amendment, File No., PDA17-003, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

**K. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA19-002:** A Development Code Amendment revising certain provisions of the City of Ontario Development Code, including:

- The addition of provisions to Section 4.03.015 (Administrative Use Permits) establishing reasons and procedures for the suspension and revocation of Administrative Use Permits and the issuance of administrative fines;
- Revisions to Table 5.02-1 (Land Use Matrix) to allow certain uses in the MU-1 (Downtown Mixed Use) zoning district, which are less than 10,000 square feet in area, as an administratively permitted land use, including: alcoholic beverage manufacturing facilities; live entertainment in conjunction with a bona fide restaurant or alcoholic beverage manufacturing facility tasting room; and alcoholic beverage sales for on-premises consumption in conjunction with a bona fide restaurant or alcoholic beverage manufacturing facility tasting room;
- The addition of alcoholic beverage manufacturing facilities regardless of size, as a permitted land use in the IL (Light Industrial), IG (General Industrial) and IH (Heavy Industrial) zoning districts;
- The addition of Section 5.03.023 (Alcoholic Beverage Manufacturing) setting forth land use standards for the establishment of alcoholic beverage manufacturing facilities; and
- Revisions to Section 5.03.025 (Alcoholic Beverage Sales), amending certain provisions pertaining to on-sale and off-sale alcoholic beverage sales, and “public convenience or necessity” determination criteria.

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, in that the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The project affects properties located within the Airport Influence Area of the Ontario International Airport, and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required.**

Principal Planner Mercier, presented the staff report. He described the four components to this proposed amendment that are designed to help growth in the mixed-use downtown area. He stated that staff is recommending the Planning Commission recommend approval to City Council for 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. Reyes wanted clarification on how the number of 1000 square feet came about for patios.

Mr. Mercier stated they looked at other cities with similar ordinances and 1000 square feet seemed to be the standard cut off, and some allowed for larger patios with a conditional use permit.

Mr. Reyes stated he had seen some places where part of the patios were used for games and not just food and beverage. He also wanted clarification on the chart regarding drinking places (alcohol beverages) and if anything not listed on the chart would be considered a drinking place.

Mr. Mercier stated no, they were addressed separately on the line below on the chart.

Mr. Gregorek wanted to know if we have any applications in the works.

Mr. Mercier stated not at this time.

Mr. Gage wanted clarification on wine tasting and beer tasting being regulated by ABC and Ontario PD.

Mr. Mercier stated yes they would be involved.

### **PUBLIC TESTIMONY**

No one responded.

As there was no one else wishing to speak, Vice-Chairman DeDiemar closed the public testimony

Mr. Gage stated this is great initiative from the city for the downtown to be more vibrant and he will be in support of this use.

### **PLANNING COMMISSION ACTION**

*It was moved by Gregorek, seconded by Gage, to recommend adoption of a resolution to approve the Development Code Amendment, File No., PDCA19-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, and Reyes; NOES, none; RECUSE, none; ABSENT, Downs and Willoughby. The motion was carried 4 to 0.*

### **MATTERS FROM THE PLANNING COMMISSION**

#### **Old Business Reports from Subcommittees**

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

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

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

#### **New Business**

- Subcommittee Appointments for May 2019 – April 2020: Mr. Gage will replace Mr. Delman on Historic Preservation Subcommittee and Mr. Reyes will replace Mr. Delman on the Airport Land Use Subcommittee.

- Mr. Reyes stated he would like to plan a field trip to south Ontario area for the Planning Commissioners to see the new development projects going on.

**NOMINATIONS FOR SPECIAL RECOGNITION**

None at this time.

**DIRECTOR'S REPORT**

Ms. Wahlstrom stated the Monthly Activity Reports are in their packet and that there is an invitation before them for the Inaugural Arts and Culture Awards event on April 25, 2019.

**ADJOURNMENT**

Gregorek motioned to adjourn, seconded by Gage. The meeting was adjourned at 9:02 PM.

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Secretary Pro Tempore

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Chairman, Planning Commission



# PLANNING COMMISSION STAFF REPORT

May 28, 2019

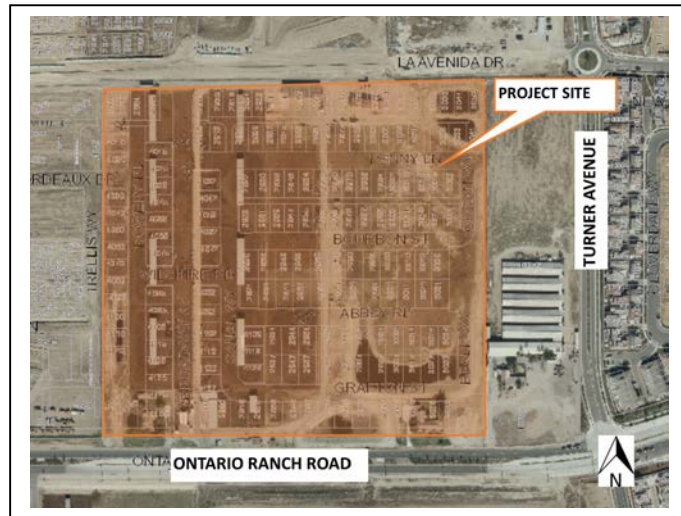
**FILE NO.:** PDEV18-037

**SUBJECT:** A Development Plan to construct 176 single-family homes (72 lane-loaded units and 104 conventional units) on 37.47 acres of land located on the north side of Ontario Ranch Road, approximately 340 feet west of Turner Avenue, within Planning Area 8A (Low Density Residential) of The Avenue Specific Plan. (APNs: 0218-201-26 and 0218-201-27); **submitted by Lennar Homes of CA, Inc.**

**PROPERTY OWNER:** Lennar Homes of CA, Inc.

**RECOMMENDED ACTION:** That the Planning Commission consider and approve File No. PDEV18-037, 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 37.47 acres of land located on the north side of Ontario Ranch Road, approximately 340 feet west of Turner Avenue, within Planning Area 8A (Low-Density Residential) land use designation of The Avenue Specific Plan, and is depicted in Figure 1: Project Location, below. The land to the north of the project site is vacant, and is located within Planning Areas 6B and 9B (School) of The Avenue Specific Plan. The land to the south of the project site is vacant, and is located within Planning Area 9 (Elementary School) of the Grand Park Specific Plan. The land to the east of the project site is agricultural, and is located within Planning Area 8B (Low Density Residential) of The Avenue Specific Plan. The land to the west of the project site is located within Planning Area 7 (Low-Medium Density Residential) and is currently under development for multiple-family residential.



**Figure 1: Project Location**

**PROJECT ANALYSIS:**

[1] Background — The Avenue Specific Plan and the Environmental

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	11/28/18

Hearing Body	Date	Decision	Action
DAB	05/20/19	Approve	Recommend
PC	05/28/19		Final
CC			

Impact Report (EIR; SCH# 2005071109) were approved by the City Council on February 16, 2007. The Specific Plan established the land use designations, development standards, and design guidelines, which includes the potential development of 4,010 dwelling units and up to 172,240 square feet of commercial uses for the Specific Plan Area.

On March 27, 2018, the Planning Commission approved Tentative Tract Map 20012 (PMTT16-003), which subdivided 37.47 acres of land into 176 numbered lots (Planning Area 8A--Low Density Residential; 72 lane-loaded units and 104 conventional units) and 47 lettered lots for public streets, landscape neighborhood edge areas, and common space purposes (see Exhibit B—Site Plan, attached). The lots range in size from 5,000 to 6,974 square feet, with an average lot size of 5,987 square feet.

On November 28, 2018, the Applicant submitted a Development Plan application for the construction of 176 single-family homes, at a density of 4.7 dwellings per acre.

On May 20, 2019, the Development Advisory Board reviewed the project and recommended approval to the Planning Commission.

[2] Site Design/Building Layout — The proposed homes are all oriented toward the street (architectural forward). Three two-story floor plans are proposed for the lane-loaded product type and four two-story floor plans are proposed for the conventional product type, each with three elevations per floor plan (see Exhibit C—Typical Plotting and Exhibit E—Floor Plans, attached). The home designs are characterized as follows:

“Beacon” – Lane-Loaded Product:

- Plan 1: 2,479 square feet, 3 bedrooms, bonus room/optional 4th bedroom, and 2.5 baths
- Plan 2: 2,746 square feet, 4 bedrooms, and 3.5 baths
- Plan 3: 2,929 square feet, 4 bedrooms, and 3.5 baths. Includes an integrated 456 square-foot studio, with 1 bedroom, sitting room, and 1 bath.

“Monument” - Conventional Product:

- Plan 1: 2,532 square feet, 4 bedrooms, den, and 3 baths
- Plan 2: 3,046 square feet, 5 bedrooms, loft, and 3 baths
- Plan 3: 3,156 square feet, 3 bedrooms, loft, and 2.5 baths. Includes an integrated guest suite with 1 bedroom, living room, and 1 bath.
- Plan 4: 3,173 square feet, 5 bedrooms, loft, and 3.5 baths.

All plans incorporate various features and design elements, such as single- and second-story massing, varied entries, porches, second floor laundry facilities, and a great room. Additionally, all homes will have a three-car garage. To minimize visual impacts of



garages, varied massing, second-story projections over garages, and varied rooflines are proposed.

[3] Site Access/Circulation — The project street frontage improvements along Ontario Ranch Road were partially constructed by the adjacent New Haven Community (Planning Area 10A) of The Avenue Specific Plan. The project site will have access from Ontario Ranch Road and La Avenida Drive, which runs east and west along the northern and southern frontages of the project site (see Exhibit A—Project Location Map, attached). The developer will construct the remaining Ontario Ranch Road improvements (i.e. last lane, parkway, and neighborhood edge) along the southern frontage of the project site. In addition, the developer will construct La Avenida Drive along the northern frontage of the project site and the interior neighborhood streets to serve the project.

[4] Parking — The proposed conventional single-family homes will provide an enclosed three-car garage (2 side-by-side spaces and one tandem space) and a standard two-car driveway. The proposed lane-loaded homes will provide a three-car (side-by-side) garage. Each proposed product type meets The Avenue Specific Plan and Development Code parking requirements. Additionally, the project will provide 241 on-street parking spaces for visitors. As demonstrated within Table 1 below, the parking analysis concluded that there will be an average of 5.55 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking needs.

Table 1: Summary of Parking Analysis							
Product	Number of Units	Garage	Driveway Parking	On-Street Parking	Total Provided	Req. Per Unit	+/- Parking
	<b>Parking Per Unit</b>						
<b>SF Conventional</b>	<b>104</b>	<b>3</b>	<b>2</b>	<b>128</b>	<b>648</b>	<b>208</b>	
<b>Alley Loaded</b>	<b>72</b>	<b>3</b>		<b>113</b>	<b>329</b>	<b>144</b>	
<b>Total</b>	<b>176</b>			<b>241</b>	<b>977</b>	<b>352</b>	<b>+625</b>
					<b>5.55 spaces per unit</b>		

[5] Architecture — The project proposes to utilize three architectural styles for each product type, including Spanish, Craftsman, and Cottage for the lane-loaded product, and Spanish, Bungalow, and Tuscan for the conventional product. The styles complement one another through the overall scale, massing, proportions, and details. Additionally, the proposed home designs are consistent with the design guidelines of the Specific Plan.

The architectural styles proposed will include the following features (see Exhibit D—Exterior Elevations, attached):

- Spanish: Varying gable, hipped, and shed roofs with “S” tile roof, stucco exterior, arched entry openings, shutters, wrought-iron detailing, decorative clay pipe and tile elements, and pot shelves.
- Craftsman/Bungalow: Varying gable, hipped, and shed roofs with concrete flat tile roof, vertical and horizontal wood siding details, stone veneer, enhanced window trim details, and outlookers.
- Cottage: Varying gable, hipped, and shed roofs with flat concrete roof tiles, siding at gable ends, arched entry opening with brick trim, corbels, and shutters.
- Tuscan: Gable and shed roofs with “S” tile roof, outlookers, stone veneer, pot shelves, shutters, arched entry openings with stone trim, enhanced window trim, gable-end detailing, outlookers, and stucco exterior.

[6] Landscaping/Park and Paseos — The Development Plan features sidewalks separated from the street by landscaped parkways, which provide visual interest and promotes pedestrian mobility. All homes will be provided with front yard 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 yard landscape improvements. The homeowner’s association will be responsible for the maintenance of landscaping and irrigation within all common areas and parkways of all local streets (see Exhibit C: Typical Plotting).

Decorative 6-foot high slump-block walls with pilasters are proposed for all public-facing front, side, and rear yard walls. The interior property line privacy walls will be 6 feet in height and consist of precision block in an integral color matching the perimeter slump-block walls.

The approved Tentative Tract Map (TM 20012) facilitated the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 1.34-acre park to meet the minimum TOP private park requirement. To satisfy the requirement, the applicant is constructing four neighborhood parks that will total 1.39 acres of park area and are strategically located throughout the project site to provide residents a variety of park options within walking distance of all proposed homes. The pocket parks will contain passive open space and leisure areas, picnic areas, a kinetic sculpture, and a small playground (**See Exhibit F – Conceptual Park Plans**).

Overall, The Avenue Specific Plan provides approximately 21.6 acres of parkland spread throughout approximately 12 neighborhood parks within the Specific Plan area. The residents will have access to the neighborhood park system, in addition to the pedestrian corridors which connect the neighborhoods to the schools, parks, and regional trail

system (see Exhibit A—Project Location Map, attached, for conceptual siting of schools, trails, and park areas).

**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 (176) and density (4.4 du/ac) specified in The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,875 homes with a 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, and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

**ENVIRONMENTAL REVIEW:** The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-003, a Specific Plan (The Avenue) for which an Environmental Impact Report (SCH# 2005071109) was previously adopted by the City Council on February 16, 2007. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

**CONDITIONS OF APPROVAL:** See attached department reports.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

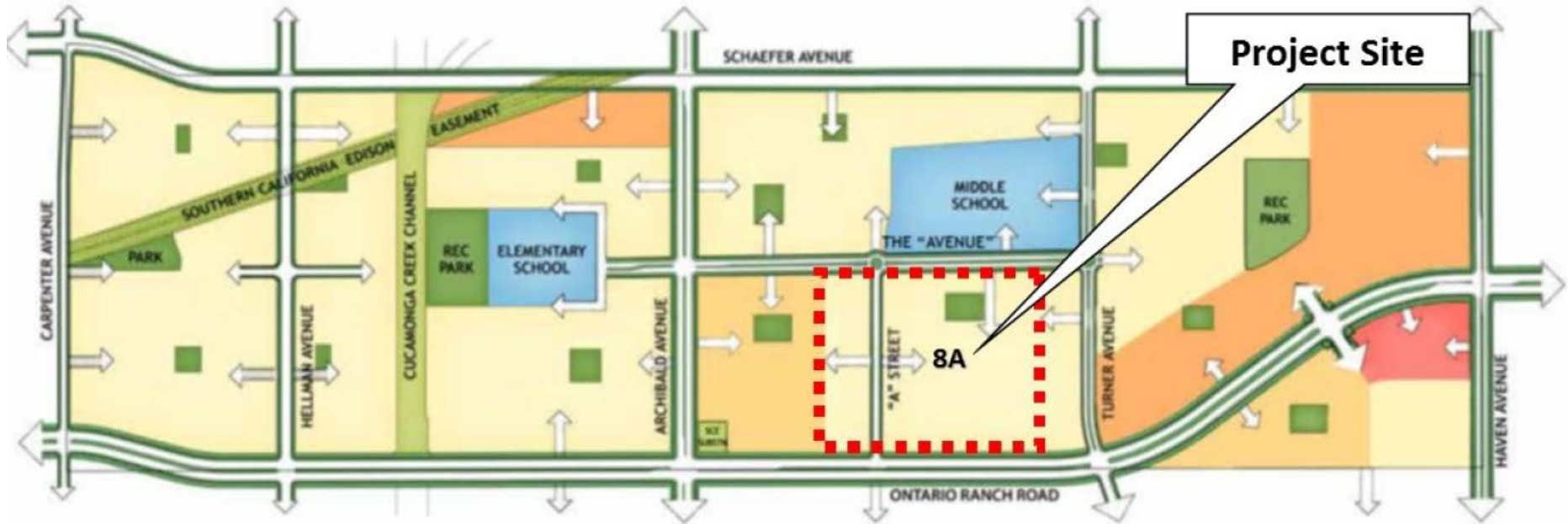
	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Rough Graded	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Planning Area 8A (Low-Density Residential)
<i>North</i>	Vacant	Public School	The Avenue Specific Plan	Planning Area 6B and 9B (School)
<i>South</i>	Vacant	Public School	Grand Park Specific Plan	Planning Area 9 (Elementary School)
<i>East</i>	Agricultural	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Planning Area 8B (Low-Density Residential)
<i>West</i>	Multiple-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Planning Area 7 (Low-Medium Density Residential)

**General Site & Building Statistics**

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	55%	31% - 48%	Y
<i>Minimum lot size (in SF):</i>	5,500 SF (Product Type 1A - Conventional) 2,380 SF (Product Type 2 – Alley Loaded Lots)	5,520 – 6,517 SF 5,000 – 6,974 SF	Y
<i>Front yard setback (in FT):</i>	20 FT (Product Type 1A - Conventional) 10 FT (Product Type 2 – Alley Loaded Lots)	20 FT 12 FT	Y
<i>Side yard setback (in FT):</i>	5 FT (Product Type 1A - Conventional) 5 FT (Product Type 2 – Alley Loaded Lots)	5 FT 5 FT	Y
<i>Rear yard setback (in FT):</i>	15 FT (Product Type 1A - Conventional) 3 FT (Product Type 2 – Alley Loaded Lots)	15 FT 5 FT	Y
<i>Maximum height (in FT):</i>	35 FT	29 FT	Y
<i>Parking – resident:</i>	352 spaces	736 spaces	Y
<i>Parking – guest:</i>	0 spaces	241 spaces	Y



**Exhibit A—PROJECT LOCATION MAP**



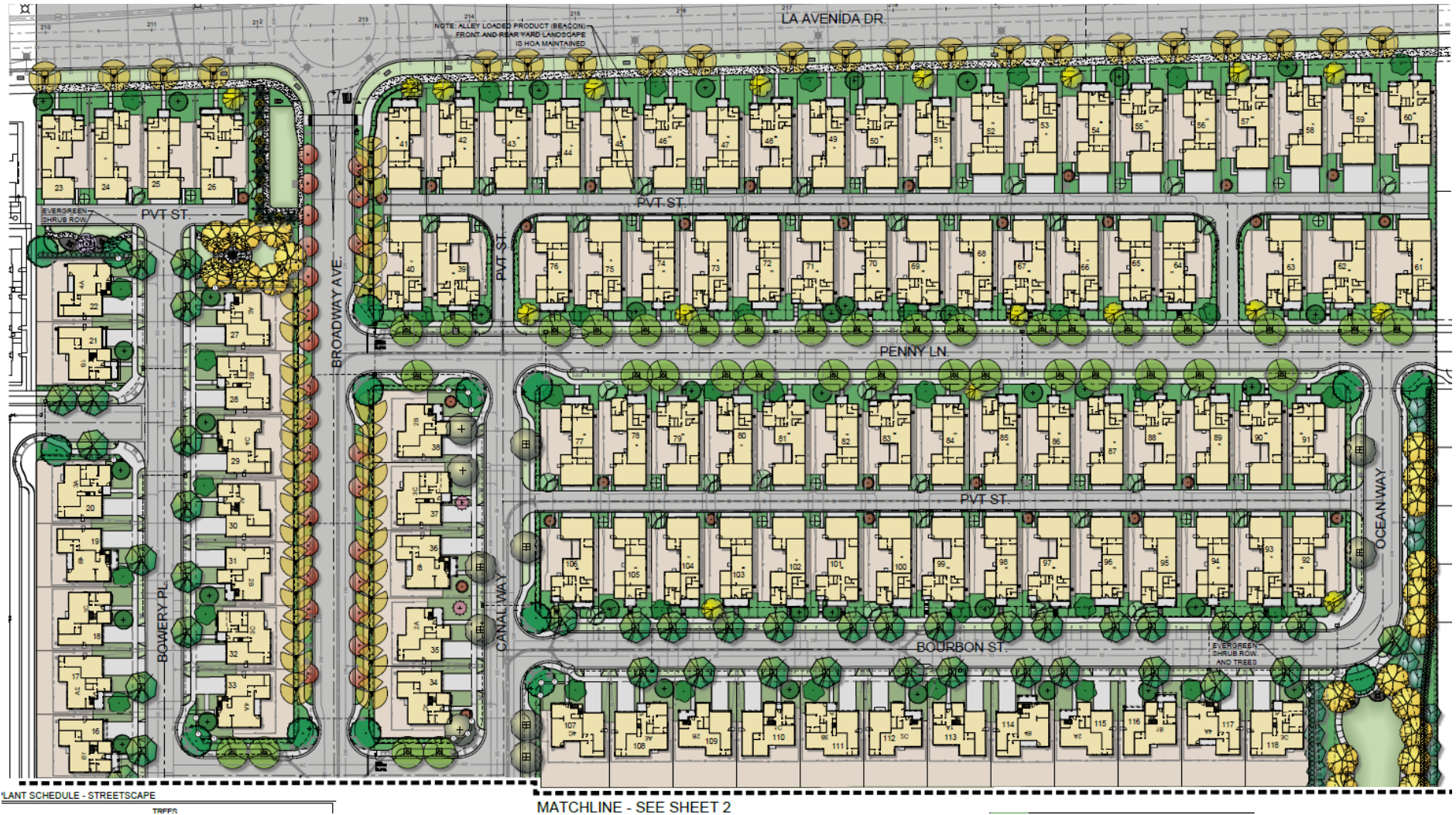
**LEGEND**

- |  |  |
|--|--|
|  LOW DENSITY RESIDENTIAL        |  SCHOOL               |
|  LOW MEDIUM DENSITY RESIDENTIAL |  PARK                 |
|  MEDIUM DENSITY RESIDENTIAL     |  SCE EASEMENT         |
|  RETAIL                         |  STORM DRAIN EASEMENT |



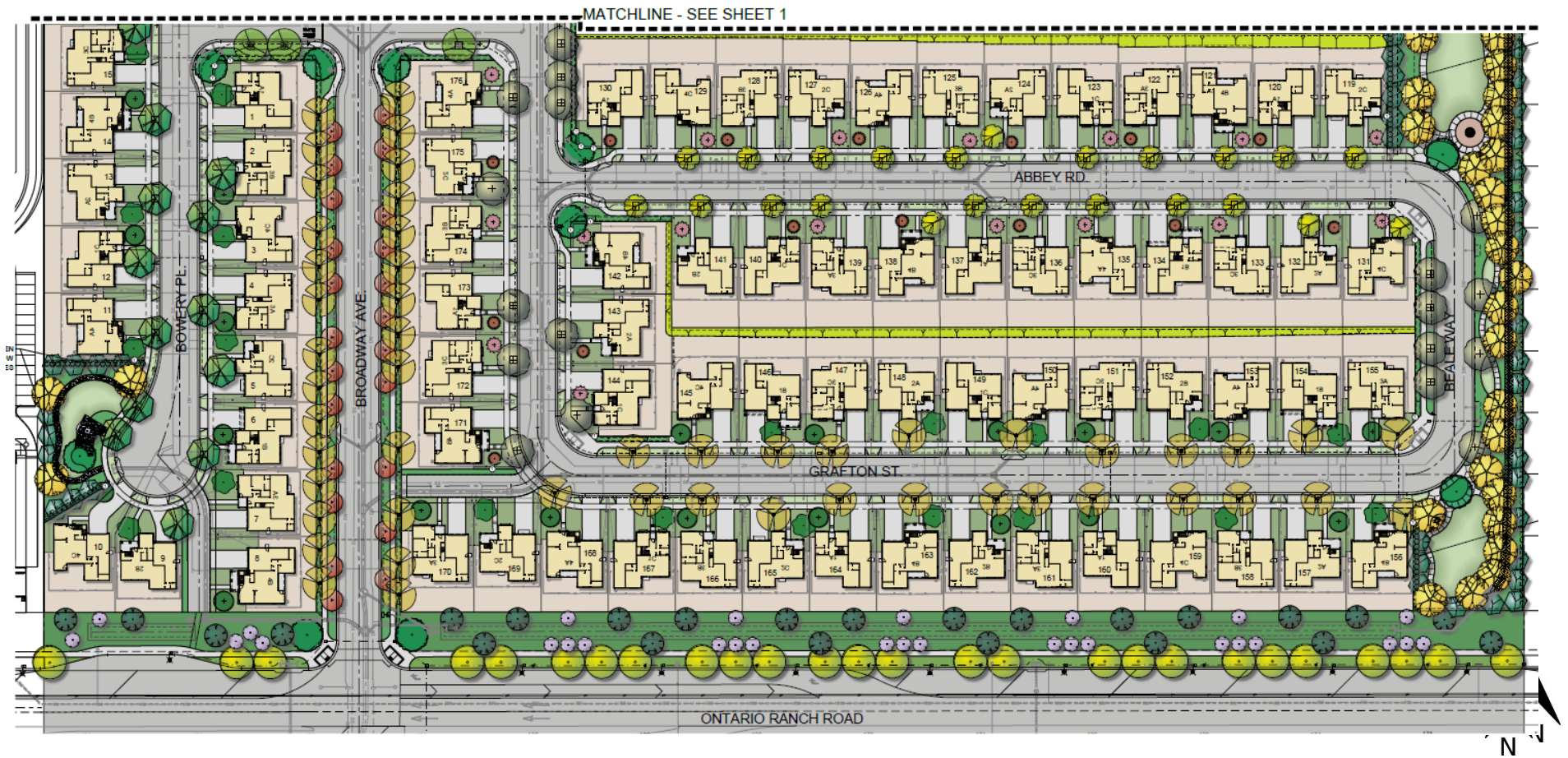
NOTE: The locations of the parks are conceptual and will be determined as part of the tract map approval process.

**Exhibit B—SITE PLAN**

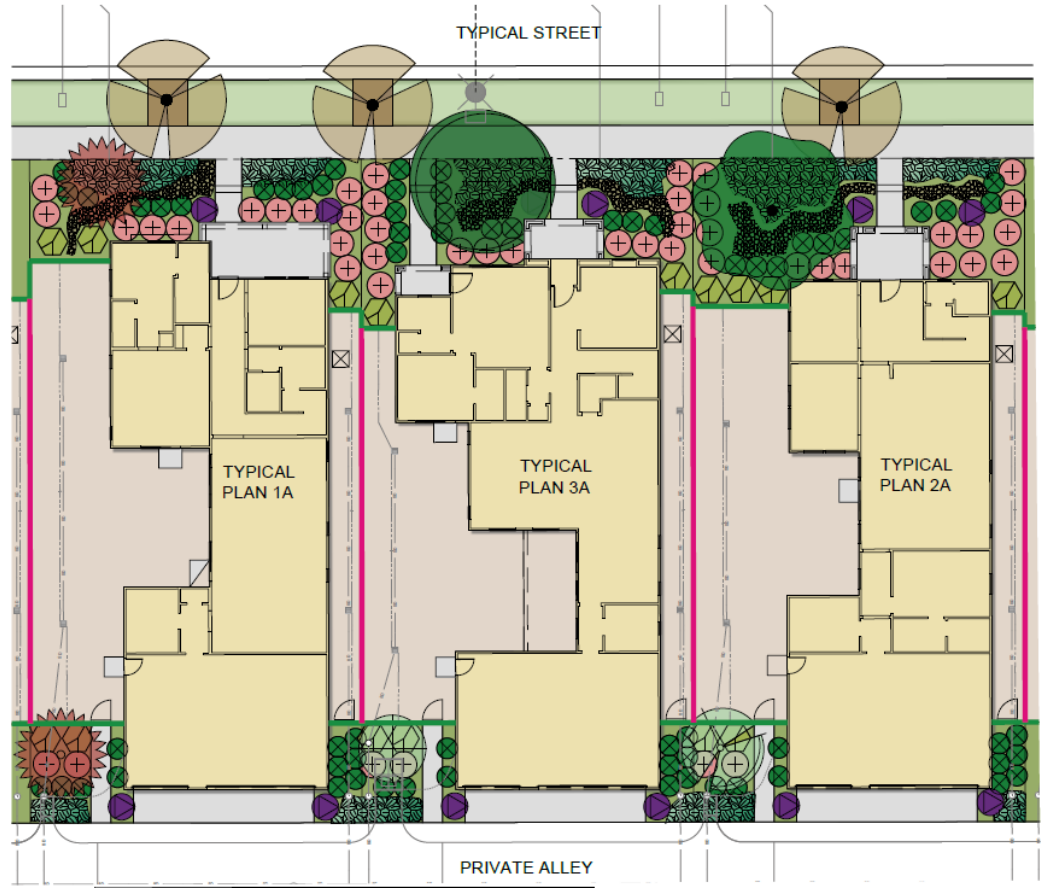
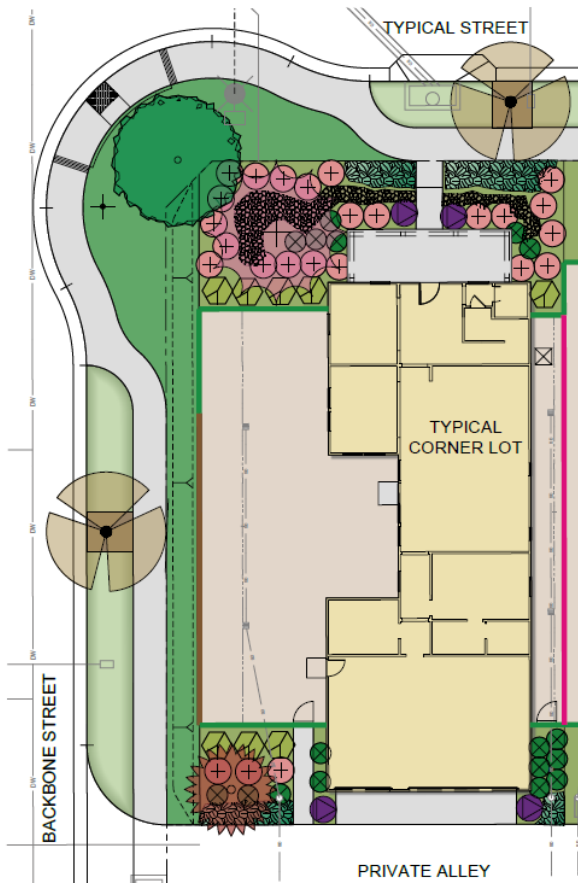




**Exhibit B—SITE PLAN (CONTINUED)**

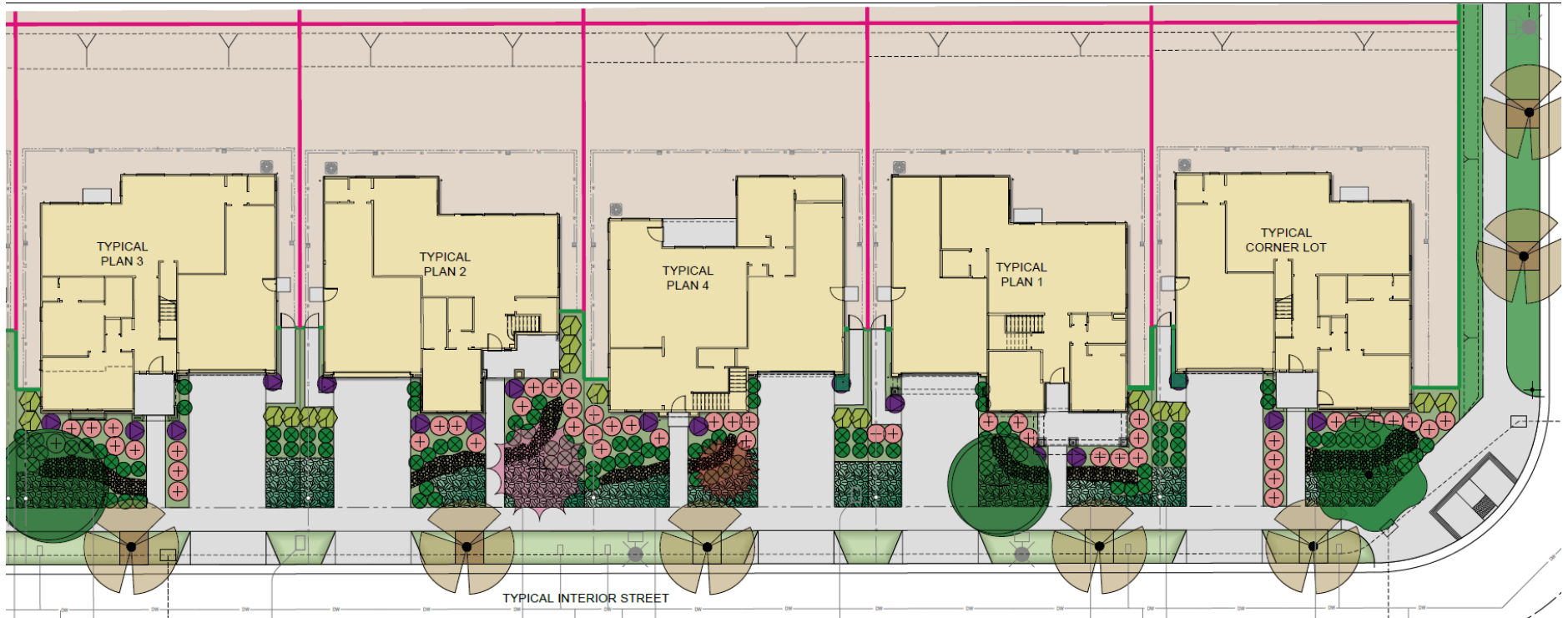


**Exhibit C—TYPICAL PLOTTING**



**Lane-Loaded Dwellings**

**Exhibit C—TYPICAL PLOTTING (CONTINUED)**



**Conventional Dwellings**

**Exhibit D—EXTERIOR ELEVATIONS**



© 2018 Kevin L. Crook Architect, Inc.

Refer to landscape drawings for wall, tree, and shrub locations

SPANISH 'A'



© 2018 Kevin L. Crook Architect, Inc.

Refer to landscape drawings for wall, tree, and shrub locations

CRAFTSMAN BUNGALOW 'B'



© 2018 Kevin L. Crook Architect, Inc.

Refer to landscape drawings for wall, tree, and shrub locations

COTTAGE 'C'

**"Beacon" (Lane-Loaded Product) Plan 1**



**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



© 2018 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT

**MATERIALS LEGEND**

- ROOF: LOW PROFILE CONCRETE "S" TILE
- FASCIA: 2x6 WOOD
- BARGE: N/A
- WALL: STUCCO
- WINDOWS: VINYL WITH DIVIDED LITES
- TRIM: STUCCO OVER RIGID FOAM
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- SHUTTERS: DECORATIVE FOAM
- DETAILS: WROUGHT IRON ELEMENTS  
CLAY PIPES  
ORCO BLOCK INSET DETAILS



REAR



COLOR SCHEME #1

LEFT

**"Beacon" (Lane-Loaded Product) Plan 1 Spanish Elevations**

***Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)***



© 2018 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

SPANISH 'A'



© 2018 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

CRAFTSMAN BUNGALOW 'B'



© 2018 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

COTTAGE 'C'

***"Beacon" (Lane-Loaded Product) Plan 2***



**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



© 2018 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations.

FRONT



RIGHT

**MATERIALS LEGEND**

- ROOF: CONCRETE FLAT TILE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE: BOARD & BATTEN W/  
OUTLOOKERS
- WALL: STUCCO / LAP SIDING / BRICK
- WINDOWS: VINYL WITH DIVIDED LITES
- TRIM: STUCCO OVER RIGID FOAM
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL



REAR



COLOR SCHEME #5

LEFT

**“Beacon” (Lane-Loaded Product) Plan 2 Craftsman Bungalow Elevations**

**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



© 2018 Kevin L. Crook Architect, Inc.

Refer to landscape drawings for wall, tree, and shrub locations

SPANISH 'A'



© 2018 Kevin L. Crook Architect, Inc.

Refer to landscape drawings for wall, tree, and shrub locations

CRAFTSMAN BUNGALOW 'B'



© 2018 Kevin L. Crook Architect, Inc.

Refer to landscape drawings for wall, tree, and shrub locations

COTTAGE 'C'

**"Beacon" (Lane-Loaded Product) Plan 3**

**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



© 2018 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations.

FRONT



RIGHT

**MATERIALS LEGEND**

- ROOF: CONCRETE FLAT TILE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE: LAP SIDING
- WALL: STUCCO
- WINDOWS: VINYL WITH DIVIDED LITES
- TRIM: STUCCO OVER RIGID FOAM
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- SHUTTERS: DECORATIVE FOAM
- DETAILS: WOOD POSTS & CORBELS  
BRICK ACCENTS  
PORCH RAILINGS



REAR



COLOR SCHEME #9

LEFT

**“Beacon” (Lane-Loaded Product) Plan 3 Cottage Elevations**

***Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)***



RIGHT

***“Beacon” (Lane-Loaded Product) Plan 3 Cottage Elevations – Sample Enhanced Elevation***



***Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)***



***Spanish***



***Craftsman/Bungalow***



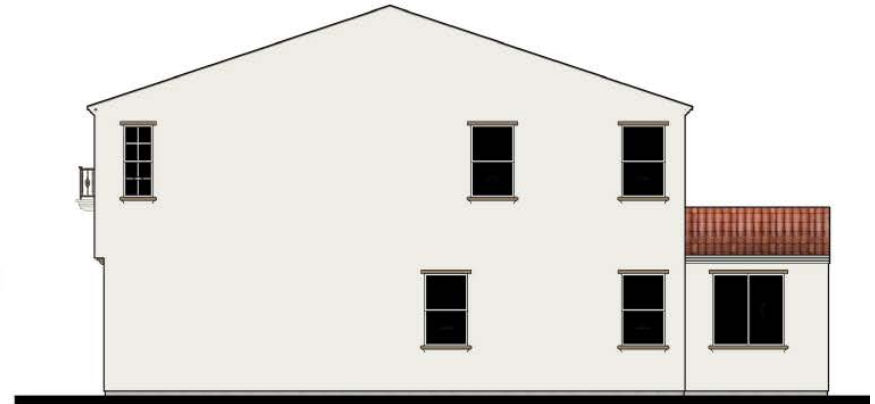
***Tuscan***

***“Monument” (Conventional Product) Plan 1***

**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



FRONT



RIGHT



REAR

PLAN 2532 - SPANISH  
STUCCO  
'S' TILE ROOF  
SHUTTERS  
FOAM TRIM  
FOAM CORBEL  
FOAM CORNICE  
WROUGHT IRON BALCONY  
ACCENT LIGHTING



LEFT

**“Monument” (Conventional Product) Plan 1 Spanish Elevations**

***Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)***



***Spanish***



***Craftsman/Bungalow***



***Tuscan***

***“Monument” (Conventional Product) Plan 2***



**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



FRONT



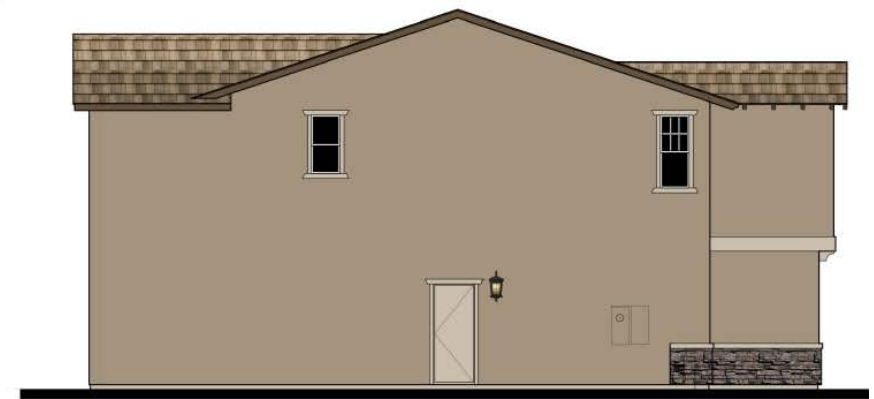
RIGHT

PLAN 3046 - BUNGALOW

- STUCCO
- FLAT TILE ROOF
- SHUTTERS
- FOAM AND WOOD TRIM
- WOOD RAFTER TAILS
- WOOD OUTLOOKER
- WOOD POTSHELF
- WOOD COLUMN
- LAP SIDING
- STONE VENEER
- ACCENT LIGHTING



REAR



LEFT

**“Monument” (Conventional Product) Plan 2 Bungalow Elevations**



***Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)***



***Spanish***



***Craftsman/Bungalow***



***Tuscan***

***“Monument” (Conventional Product) Plan 3***

**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



FRONT

RIGHT

PLAN 3156 - TUSCAN  
 STUCCO  
 'S' TILE ROOF  
 SHUTTERS  
 FOAM AND BRICK TRIM  
 WOOD RAFTER TAILS  
 METAL AWNING  
 STONE VENEER  
 GABLE END DETAIL  
 ACCENT LIGHTING



REAR



LEFT

**"Monument" (Conventional Product) Plan 3 Tuscan Elevations**

***Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)***



***Spanish***



***Craftsman/Bungalow***



***Tuscan***

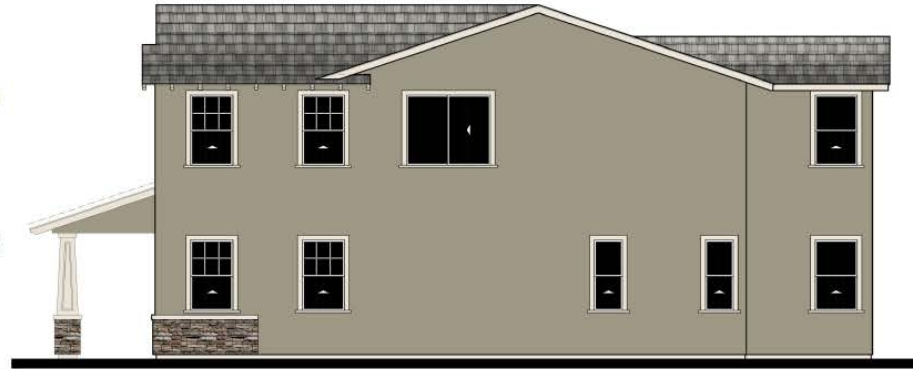
***“Monument” (Conventional Product) Plan 4***



**Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)**



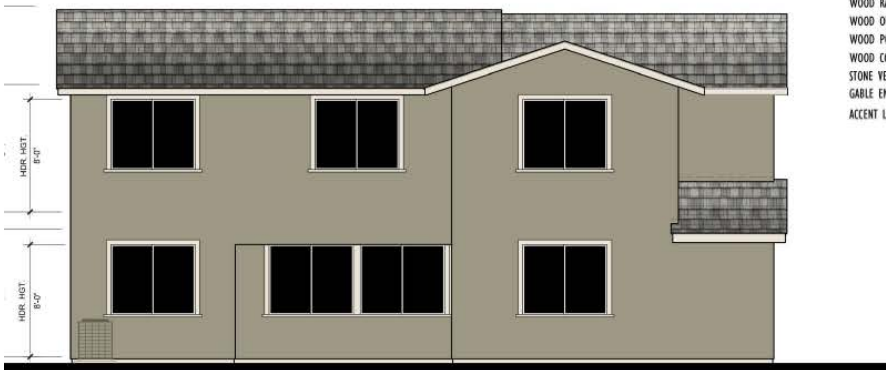
FRONT



RIGHT

**PLAN 3173 - BUNGALOW**

- STUCCO
- FLAT TILE ROOF
- SHUTTERS
- FOAM AND WOOD TRIM
- WOOD RAFTER TAILS
- WOOD OUTLOOKER
- WOOD POTSHelf
- WOOD COLUMN
- STONE VENEER
- GABLE END DETAIL
- ACCENT LIGHTING



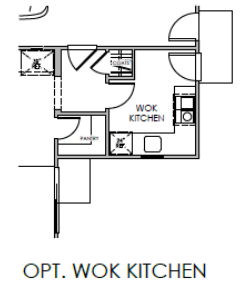
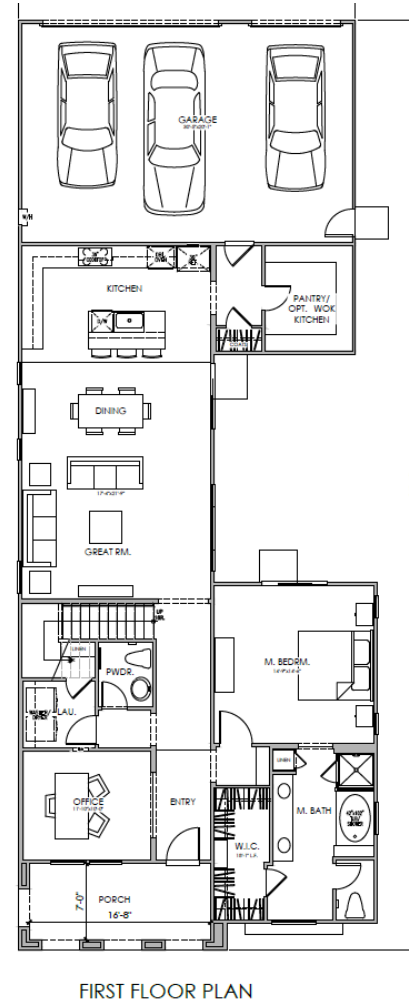
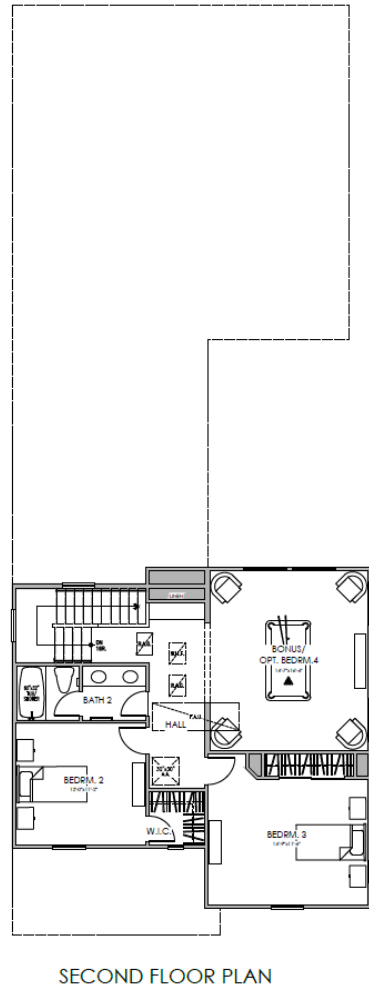
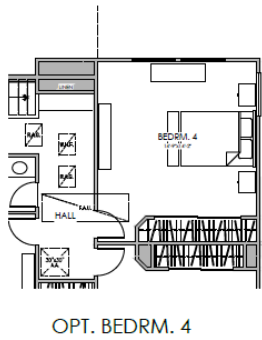
REAR



LEFT

**“Monument” (Conventional Product) Plan 4 Bungalow Elevations**

**Exhibit E—FLOOR PLANS**

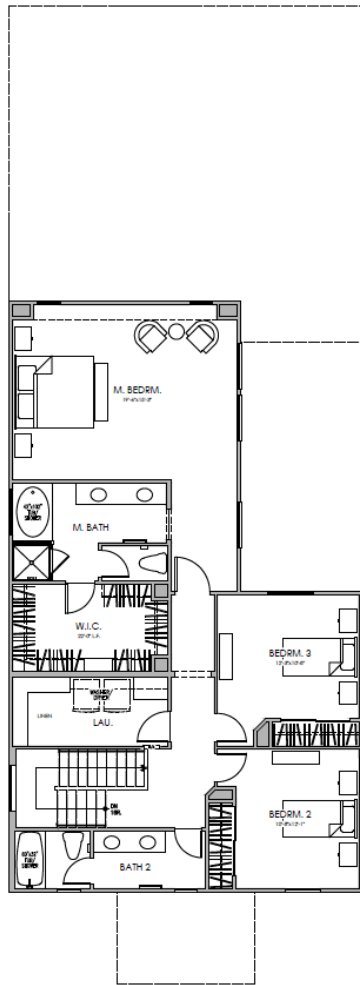


**AREA TABULATION**

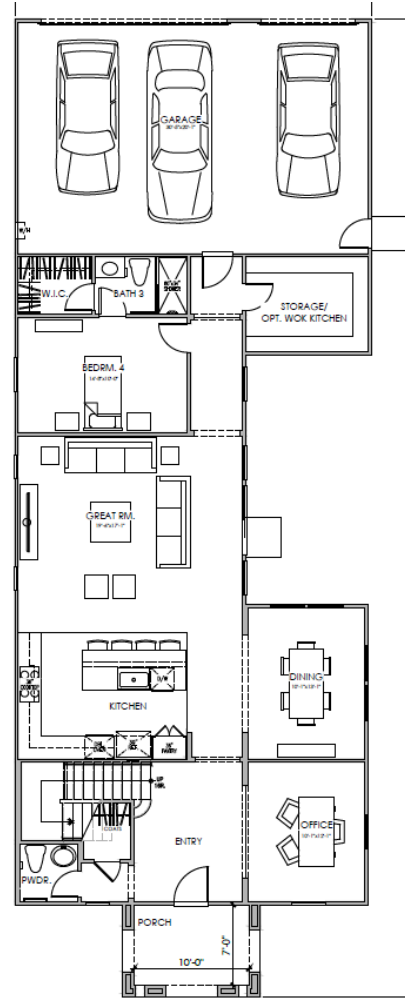
CONDITIONED SPACE	
FIRST FLOOR AREA	1
SECOND FLOOR AREA	1
TOTAL DWELLING	2
UNCONDITIONED SPACE	
GARAGE	
PORCH 'A'	

**"Beacon" (Lane-Loaded Product) Plan 1**

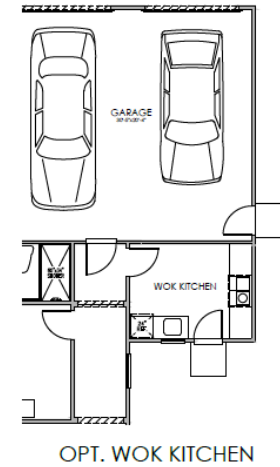
**Exhibit E—FLOOR PLANS (CONTINUED)**



SECOND FLOOR PLAN



FIRST FLOOR PLAN

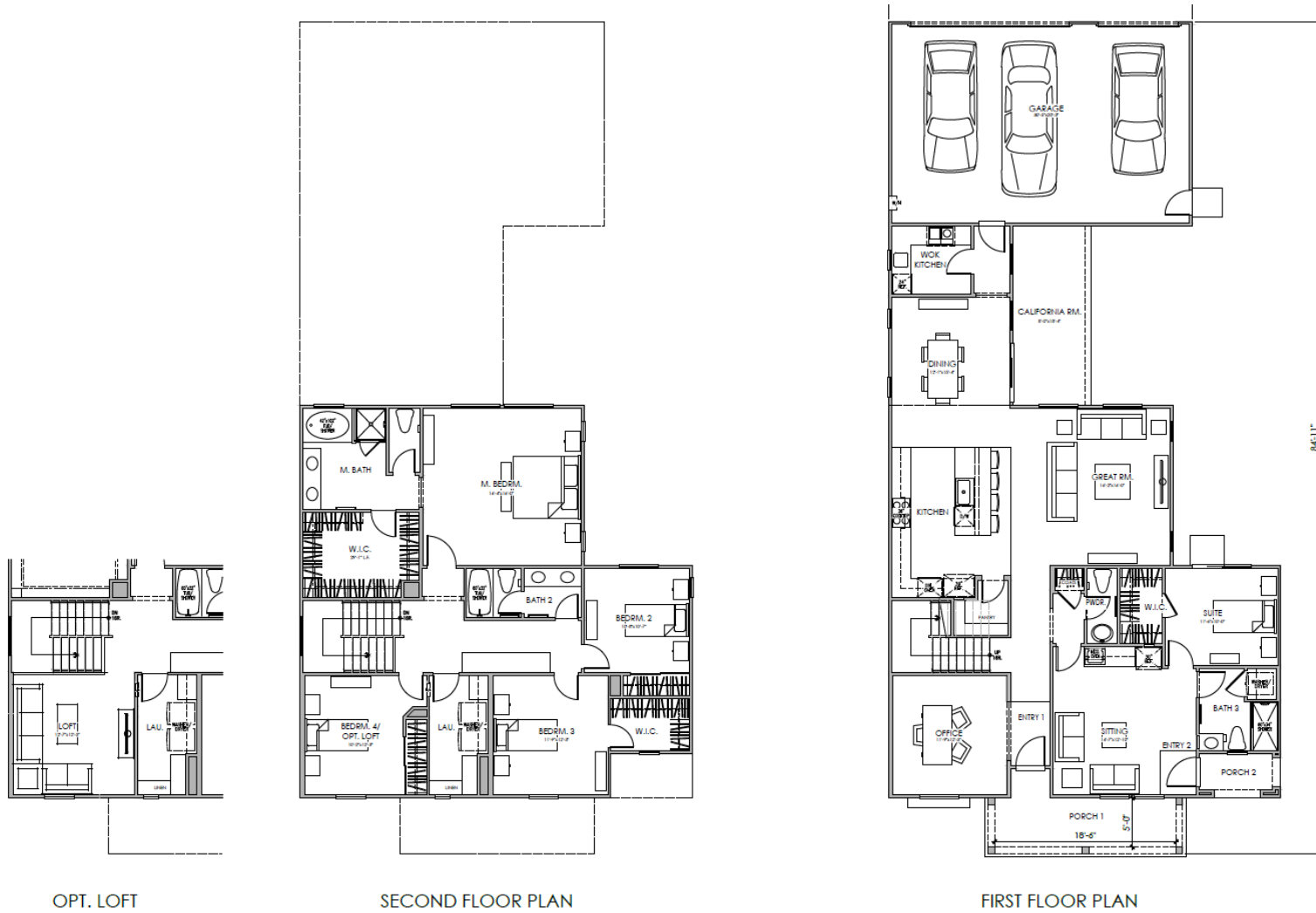


**AREA TABULATION**

CONDITIONED SPACE	
FIRST FLOOR AREA	1,508 SQ.
SECOND FLOOR AREA	1,238 SQ.
TOTAL DWELLING	2,746 SQ.
UNCONDITIONED SPACE	
GARAGE	631 SQ.
PORCH 'A'	96 SQ.

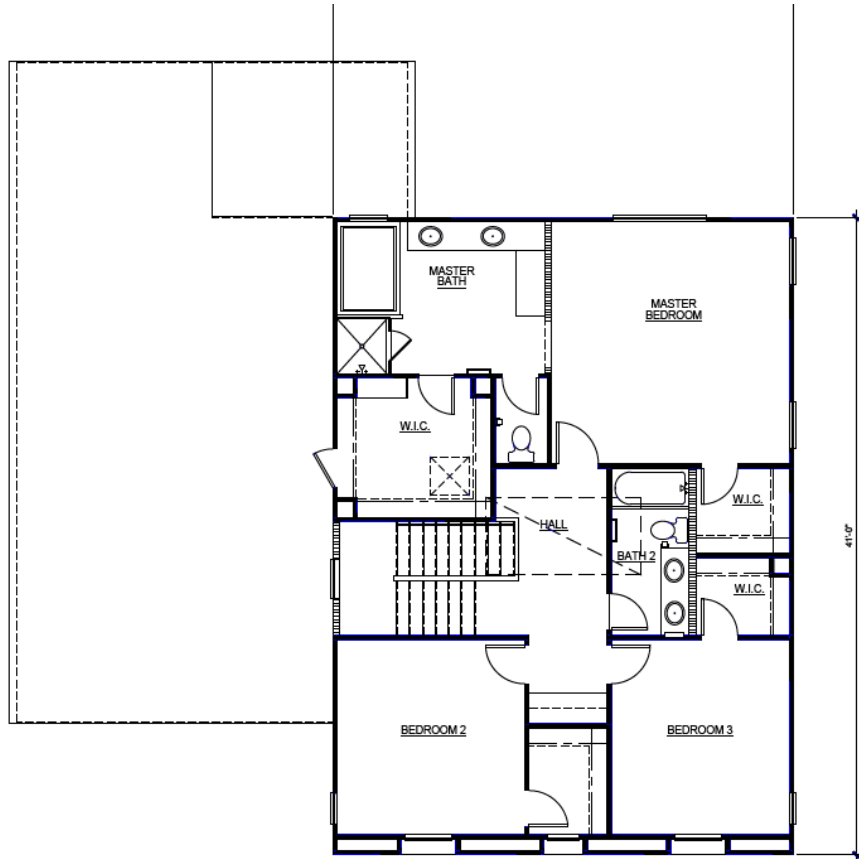
**"Beacon" (Lane-Loaded Product) Plan 2**

**Exhibit E—FLOOR PLANS (CONTINUED)**

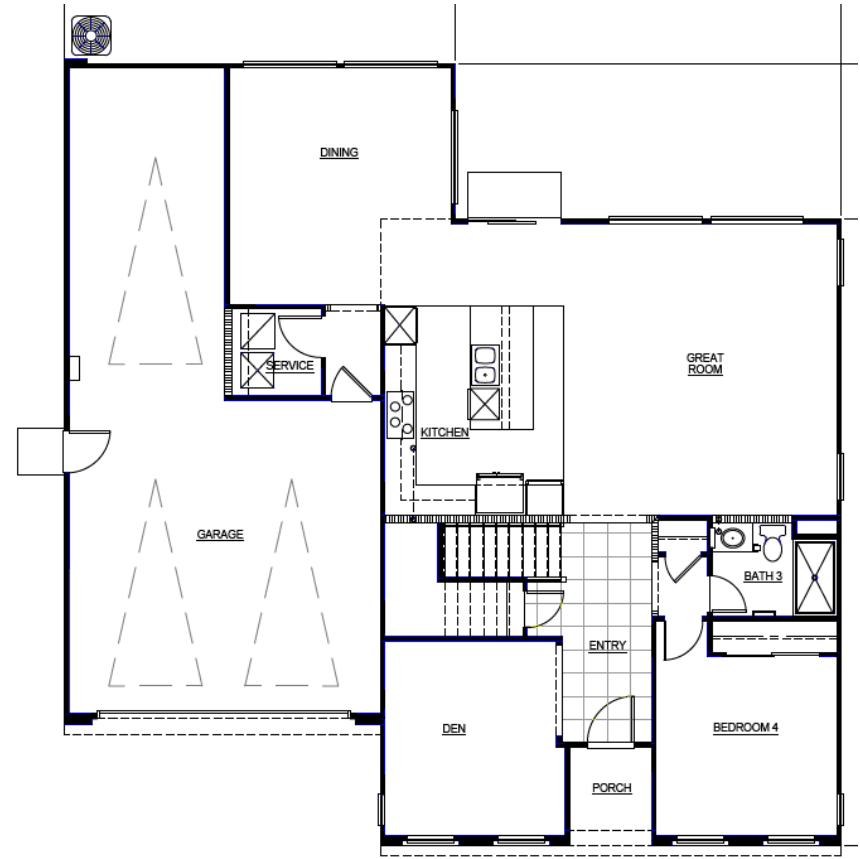


**"Beacon" (Lane-Loaded Product) Plan 3**

**Exhibit E—FLOOR PLANS (CONTINUED)**



**Second Floor**

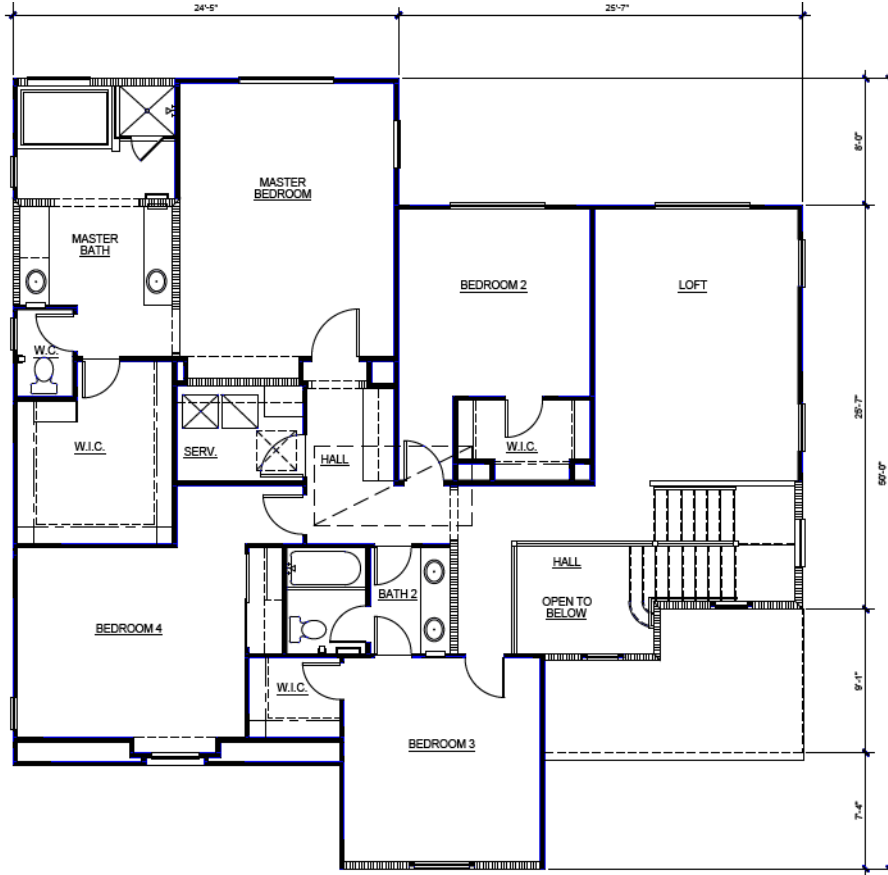


**First Floor**

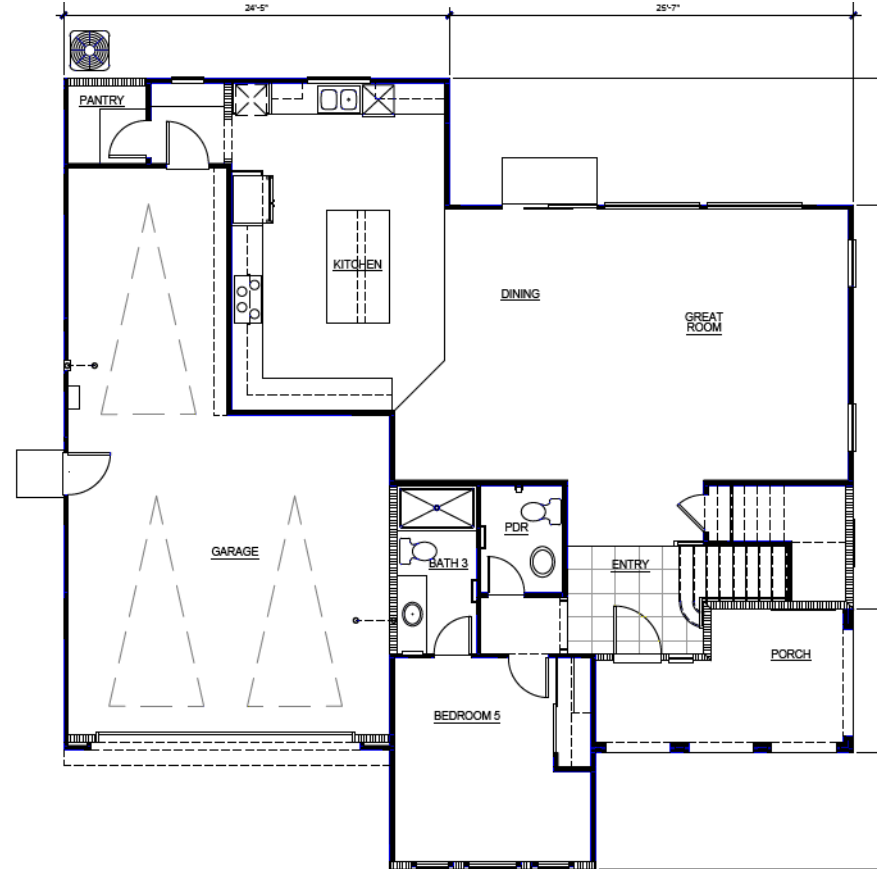
**"Monument" (Conventional Product) Plan 1**



**Exhibit E—FLOOR PLANS (CONTINUED)**



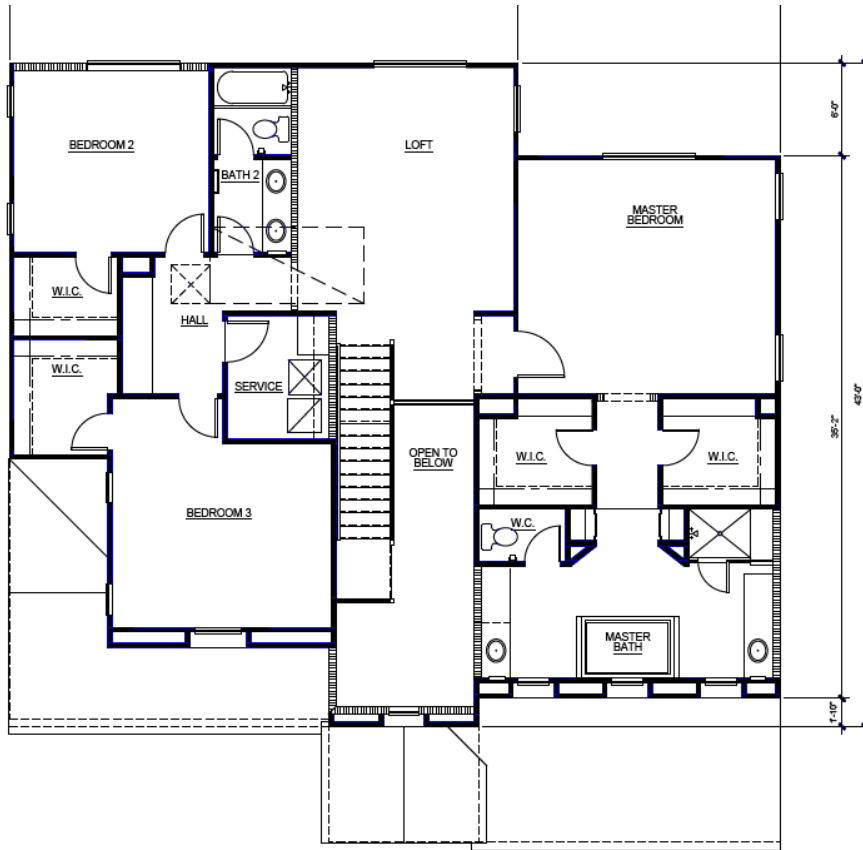
**Second Floor**



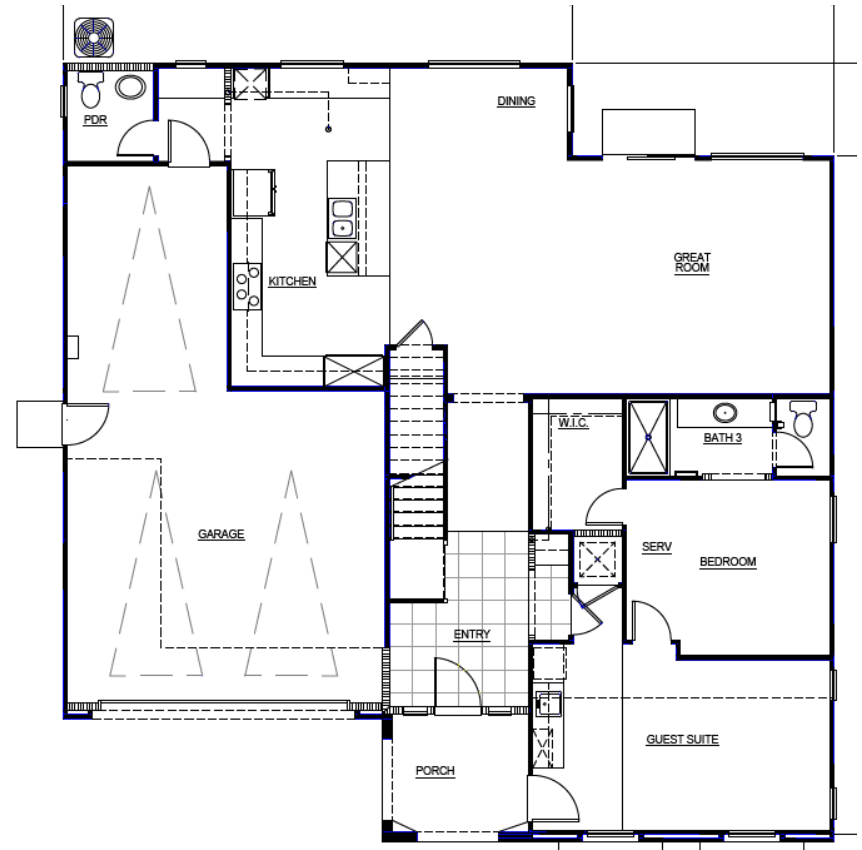
**First Floor**

**"Monument" (Conventional Product) Plan 2**

**Exhibit E—FLOOR PLANS (CONTINUED)**



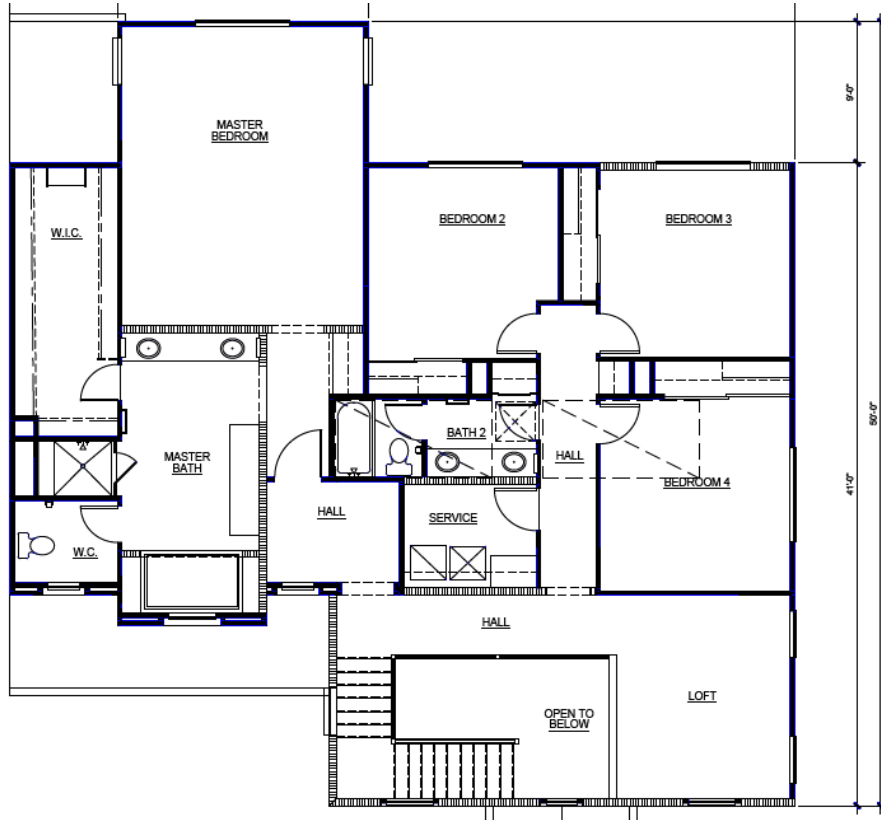
**Second Floor**



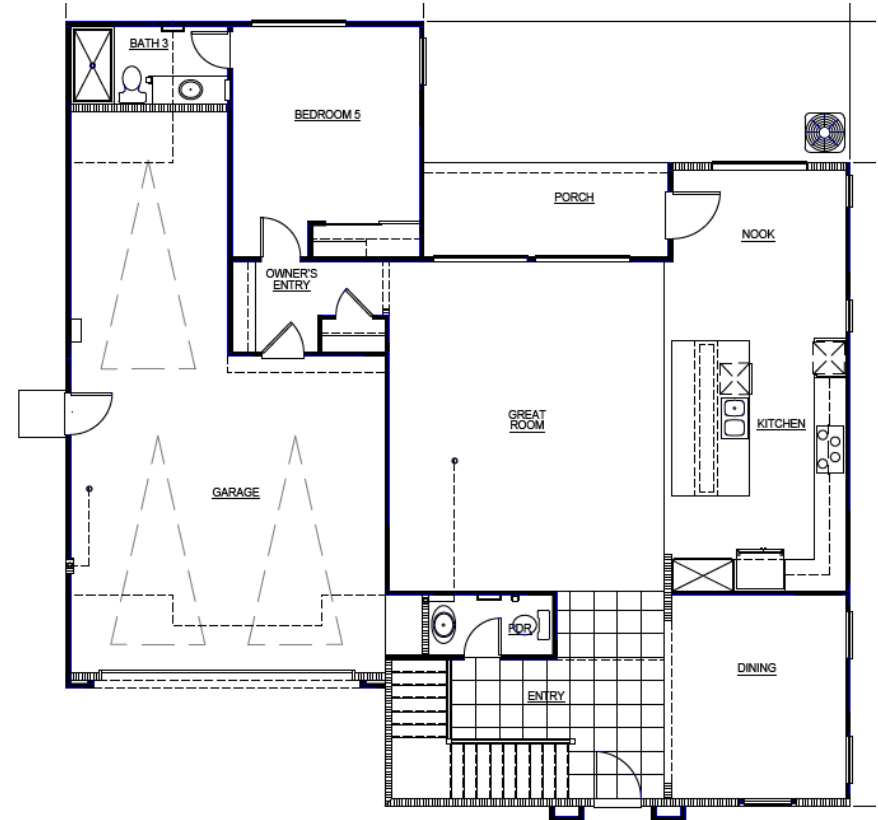
**First Floor**

**"Monument" (Conventional Product) Plan 3**

**Exhibit E—FLOOR PLANS (CONTINUED)**



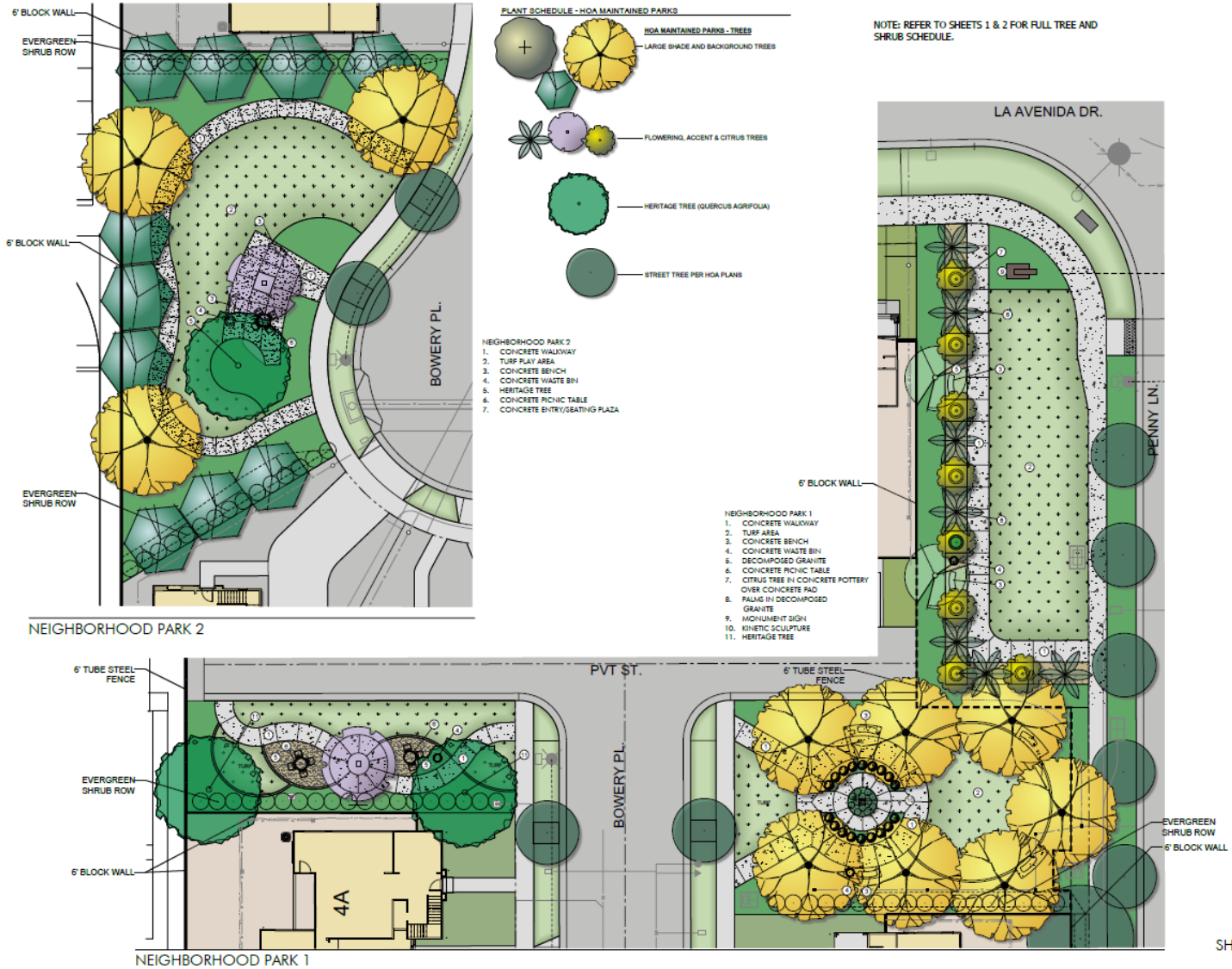
**Second Floor**



**First Floor**

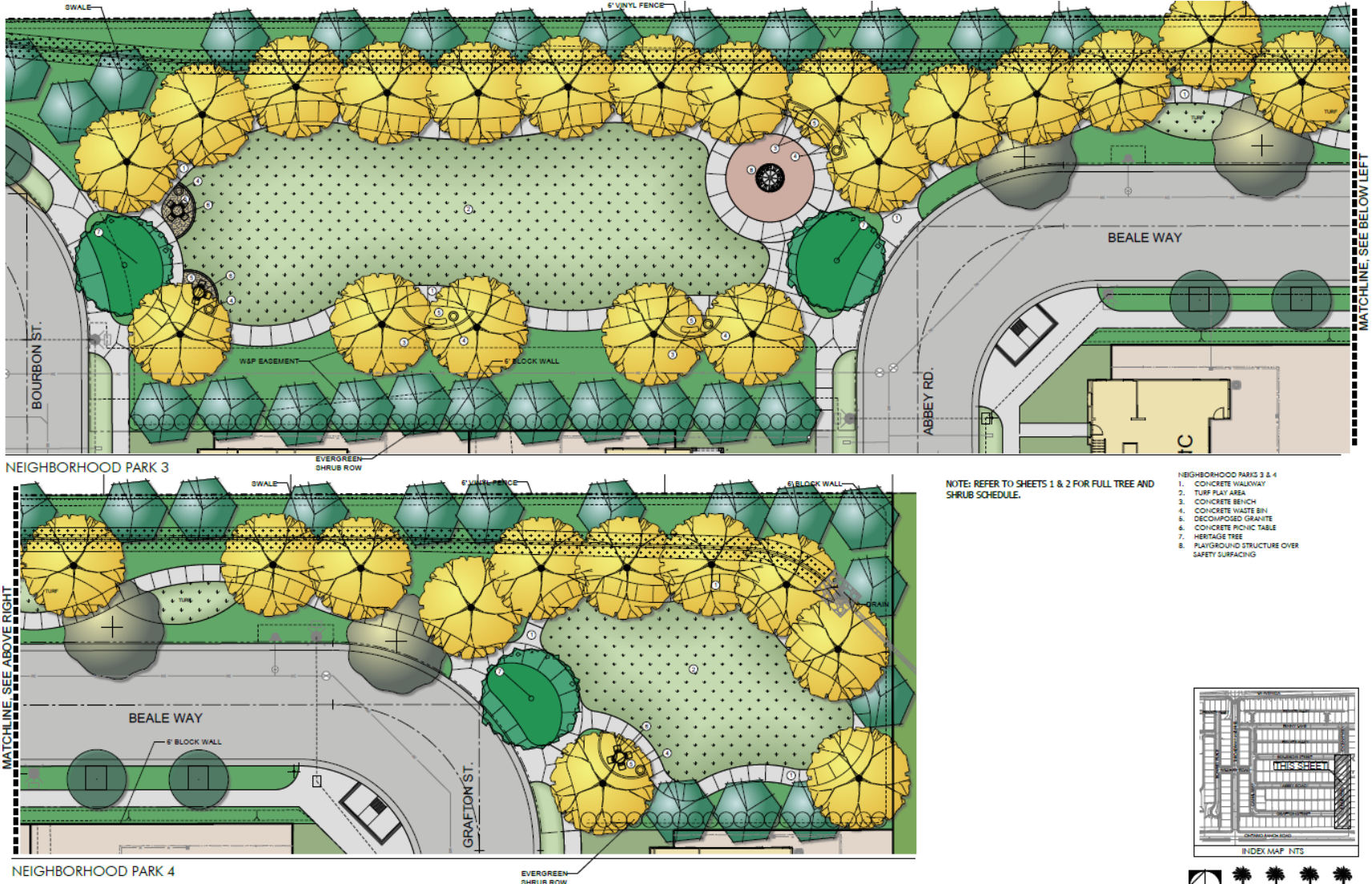
**"Monument" (Conventional Product) Plan 4**

**Exhibit F—CONCEPTUAL PARK PLANS**



SHE 3

**Exhibit F—CONCEPTUAL PARK PLANS (CONTINUED)**





**Exhibit F—CONCEPTUAL PARK PLANS (CONTINUED)**



PRECAST CONCRETE ROUND FOOD COURT TABLE SET  
42" DIAMETER TABLE TOP & 4 BENCHES  
MODEL: QR42FC COLOR: LATTE  
QUICK CRETE PRODUCTS



PRECAST CONCRETE ROUND FOOD COURT TABLE SET W/  
42" x 56" EXTENDED TABLE TOP & 3 BENCHES  
MODEL: QR42FC COLOR: LATTE  
QUICK CRETE PRODUCTS



PRECAST CONCRETE HOURGLASS BENCH, 83-7/8" LENGTH  
MODEL: Q2HG84B COLOR: LATTE  
QUICK CRETE PRODUCTS



PRECAST CONCRETE CASCADE SERIES WASTE CONTAINER  
30" DIA. x 36" HT. MODEL: QRCE3036WA25 COLOR: LATTE  
QUICK CRETE PRODUCTS



GLOBAL MOTION - ROTATING PLAYGROUND NET CLIMBER  
26'-5" DIA. PLAY AREA REQUIRED  
LANDSCAPE STRUCTURES INC.



KINETIC SCULPTURE

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-037, A DEVELOPMENT PLAN TO CONSTRUCT 176 SINGLE-FAMILY HOMES (72 LANE-LOADED UNITS AND 104 CONVENTIONAL UNITS), LOCATED ON THE NORTH SIDE OF ONTARIO RANCH ROAD, APPROXIMATELY 340 FEET WEST OF TURNER AVENUE, WITHIN PLANNING AREA 8A (LOW-DENSITY RESIDENTIAL) OF THE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-201-26 AND 0218-201-27.

WHEREAS, LENNAR HOMES OF CA, INC. ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-037, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 37.47 acres of land generally located on the north side of Ontario Ranch Road, approximately 340 feet west of Turner Avenue, within Planning Area 8A (Low-Density Residential) land use designation of The Avenue Specific Plan, and is presently rough graded; and

WHEREAS, the land to the north of the project site is vacant, and is located within Planning Areas 6A and 9B (School) of The Avenue Specific Plan. The land to the south of the project site is vacant, and is located within Planning Area 9 (Elementary School) of the Grand Park Specific Plan. The land to the east of the project site is agricultural, and is located within Planning Area 8B (Low Density Residential) of The Avenue Specific Plan. The land to the west of the project site is currently under development for multiple-family residential; and

WHEREAS, The Development Plan proposes to construct 176 single-family homes (72 lane-loaded units and 104 conventional units). The lots range in size from 5,000 to 6,974 square feet, with an average lot size of 5,987 square feet, which meets the minimum lot size of 2,380 for the lane-loaded product and 5,500 square feet for the conventional product, required by the Planning Area 8A (Low-Density Residential) development standards of The Avenue Specific Plan; and

WHEREAS, The Development Plan proposes three two-story floor plans are proposed for the conventional product type and four two-story floor plans are proposed for the conventional product type, each with three elevations per floor plan. The floor plans range in size from 2,479 square feet to 3,173 square feet; and

WHEREAS, the architectural styles of the proposed lane-loaded product include Spanish, Craftsman, and Cottage, and the architectural styles of the proposed conventional product include Spanish, Bungalow, and Tuscan; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-003, a Specific Plan (The Avenue) for which an Environmental Impact Report (SCH# 2005071109) was previously adopted by the City Council on February 16, 2007, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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

WHEREAS, on May 20, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that



date, voting to issue Decision No. DAB19-020, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-003, a Specific Plan (The Avenue) for which an Environmental Impact Report (SCH# 2005071109) was previously adopted by the City Council on February 16, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 3: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (176) and density (4.4 du/ac) specified in The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,875 homes with a 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission therefore finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Low-Density Residential (2.1-5 du/ac) land use district of the Policy Plan Land Use Map, and Planning Area 8A (Low-Density Residential) 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; 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 Planning Area 8A (Low-Density Residential) of The Avenue 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 176 single-family homes. The related Tentative Tract Map 20012 (File No. PMTT16-003), which subdivided the land, was approved by the Planning Commission on March 27, 2018; 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 Planning Commission has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code and 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. The Development Plan will facilitate the construction of 176 single-family homes. The environmental impacts of this project were analyzed in the EIR (SCH#2005071109), prepared for The Avenue Specific Plan (File No. PSP05-003). 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 Development Code and 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 (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 Development Code and The Avenue Specific Plan.

**SECTION 6: Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby] APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

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

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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 28th day of May, 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV18-037  
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:** May 28, 2019  
**File No:** PDEV18-037  
**Related Files:** PMTT16-003; Tract 20012

**Project Description:** A Development Plan to construct 176 single-family homes (72 lane-loaded units and 104 conventional units), located on the north side of Ontario Ranch Road, west of Turner Avenue, within Planning Area 8A (Low Density Residential) of The Avenue Specific Plan. (APN(s): 0218-201-26 and 0218-201-27); **submitted by Lennar Homes of CA, INC.**

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

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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 Avenue Specific Plan.

(e) All applicable conditions of approval of The Avenue Specific Plan (File No. PSP05-003) shall apply to this Development Plan.

(f) All applicable conditions of approval of the related TM 20012 (File No. PMTT16-003) 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) All walls visible from the public right-of-way (including, but not limited to, streets, paseos, and parks) shall consist of decorative block (i.e. split-face block) with a decorative pre-cast concrete cap or approved equal.

(c) Walls shall be six feet in height, 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.

(d) Walls located within a required front yard setback shall be reduced to 3 feet in height.

(e) 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) shall be permitted in front or corner side yards. No RV street parking shall be permitted 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.

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

## **2.7** Mechanical and Rooftop Equipment.

(a) All 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) Applied decorative materials (i.e. wainscot, siding) 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** Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

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

(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.)

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

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

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

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

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

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

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

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

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

**2.13** Disclosure Statements. 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:

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

(b) 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.

(c) 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.

**2.14** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-003, a Specific Plan (The Avenue) for which an Environmental Impact Report (State Clearinghouse No. 2005071109 was previously adopted by the City Council on February 16, 2007. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

**2.16** Additional Fees.

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

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

**2.17** Additional Requirements.

(a) All elevations facing public rights-of-way, including streets, parks, paseos, etc. shall be provided with enhancements. A final site plan indicating enhancements shall be subject to approval by the Planning Department.

(b) Driveways within an alley shall be a maximum of 5 feet in length or a minimum of 18 feet in length. Driveways at hammerhead condition (end of alleys) may be 15 feet to center line of the alley; however, no parking shall be allowed on these driveways.

(c) The HOA shall enforce “no parking” on alley-loaded driveways which are less than 18 feet in length.

(d) Window detailing (i.e. framing, sills, mullions) shall be consistent across all elevations of a building.

(e) Architectural details shall be subject to final review and approval by the Planning Department. Adjustments may be made in plan check or in field visits.

(f) Provide samples of stone/brick treatments for Planning Department review during plan check.

(g) The parks/paseos shall be constructed prior to certificate of occupancy issuance for the 88th home.



# CITY OF ONTARIO MEMORANDUM

## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

**DAB MEETING DATE:** May 6<sup>th</sup>, 2019

**PROJECT:** PDEV18-037, a Development Plan to construct 176 single family, 72 alley loaded and 104 standard configuration dwellings within Planning Area 8A of The Avenue Specific Plan (TM 20012)

**APN:** 0218-201-26 & 0218-201-27

**LOCATION:** North side of Ontario Ranch Road, East of Archibald Avenue

**PROJECT ENGINEER:** Bryan Lirley, P.E., Principal Engineer *bl* (909) 395-2137

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

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

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department.
3. Inherited Requirements and Conditions of Approval: This project is subject to all the Requirements and Conditions of Approval of the PMTT16-003 (TTM-20012) and PSP05-003 The Avenue Specific Plan, as amended.
4. Ground Water Wells: Prior to issuance of any permits, Developer shall submit to the Ontario Municipal Utilities Company documentation that all existing ground water wells within the project site boundary have been abandoned per County of San Bernardino requirements, unless timing of abandonment is modified by formal agreement with the City. No ground water shall be used for grading, construction, or other purposes without expressed authorization from the City through a "Well Water Use Agreement" between the City and the Developer.
5. Final Utility Systems Map (USM): The Tract Map shall follow the TTM20012 USM, dated January 2019, and any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.



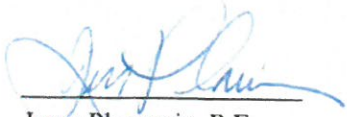
6. CC&Rs: The CC&R document for the Tract Map shall include the following provisions:
- a. Common Use and Private Utilities: Identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance of these facilities.
  - b. Solid Waste Collections: The Solid Waste Handling Plan, shall be included in the CC&R's with a provision that the HOA will enforce the can collections placement requirements of this Plan.

***Recycled Water Conditions:***

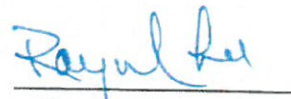
7. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be install throughout the Tract to meet this requirement, as approved by the City.
8. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:
- a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
    - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
    - ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
  - b. Prior to Occupancy Release/Finalizing:
    - i. Pass start-up and cross-connection test successfully.
    - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

***Solid Waste Conditions:***

9. Solid Waste Collections: The Developer shall provide the buyers of Lots 39, 40, 41, 42, 59, 60, 61, and 62, an informational disclosure with map exhibit showing the designated can placement locations for collections for these lots, based upon the designated collections locations on the Solid Waste Handling Plan, revision 4/3/2019. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
10. Final Solid Waste Handling Plan (SWHP): The Tract Map shall follow the TTM20012 SWHP, dated 4/3/2019, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan.

  
\_\_\_\_\_  
Jesus Plasencia, P.E.  
Senior Associate Civil Engineer

4/30/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Raymond Lee, P.E.  
Assistant City Engineer

5/2/19  
\_\_\_\_\_  
Date





**PROJECT LOCATION**

VICINITY MAP  
NOT TO SCALE

**ABBREVIATIONS:**  
 A/D CONCEAL DAILY DEMAND  
 C/DC CONCRETE  
 M/D MAXIMUM DAILY DEMAND  
 W/L WALK  
 P/C POLYETHYLENE CONSTRUCTION CONNECTION  
 P/CP POLYETHYLENE COLLECTOR PIPE  
 W/W WATER WALK  
 W/R/W RECYCLED WATER  
 S/S STORM SEWER  
 S/S/S STORM DRAIN  
 W/S/W WASTEWATER  
 W/S/WP WASTEWATER PIPE

**NOTE:**  
 ALL ON-SITE WALKS HAVE BEEN ABANDONED PER COUNTY REGULATIONS AND WILL BE COMPLETED SEPARATELY PER ORD NO. 144005 & 1511201 (2011/08/01) AND 1513550 & 1537517 (2011/08/01)

**LEGEND:**  
 --- TRACT BOUNDARY  
 --- RIGHT OF WAY  
 --- LOT LINE  
 --- PROPOSED CURB & GUTTER  
 --- PROPOSED WATER LINE  
 --- PROPOSED WALK  
 --- PROPOSED STORM DRAIN  
 --- WATER LINE PER 2008 WWSR 10.01.05(A) & WWSR 10.01.05(B)  
 --- STORM DRAIN PER 2008 WWSR 10.01.14(A) & 10.01.14(B)  
 --- STORM DRAIN PER 2008 WWSR 10.01.14(C)  
 --- PROPOSED SEWER  
 --- LATERAL  
 --- PROPOSED DOMESTIC WATER SERVICE  
 --- WATER MAIN  
 --- WATER MAIN  
 --- WALK  
 --- WATER METER  
 --- PROPOSED FIRE HYDRANT  
 --- PROPOSED AIR VAC ASSEMBLY  
 --- PROPOSED BUMP-OUT ASSEMBLY  
 --- PROPOSED WATER QUALITY STRUCTURE  
 --- ABANDONED WELL SITE



SCALE: 1" = 80'  
 DATE: MARCH, 2019

**UTILITY SYSTEMS MAP**  
**TRACT MAP NO. 20012**

**WILSHIRE ROAD**  
 N.T.S.

**BOWERY PLACE**  
 N.T.S.

**BROADWAY AVENUE**  
 N.T.S.

**CANAL WAY**  
 N.T.S.

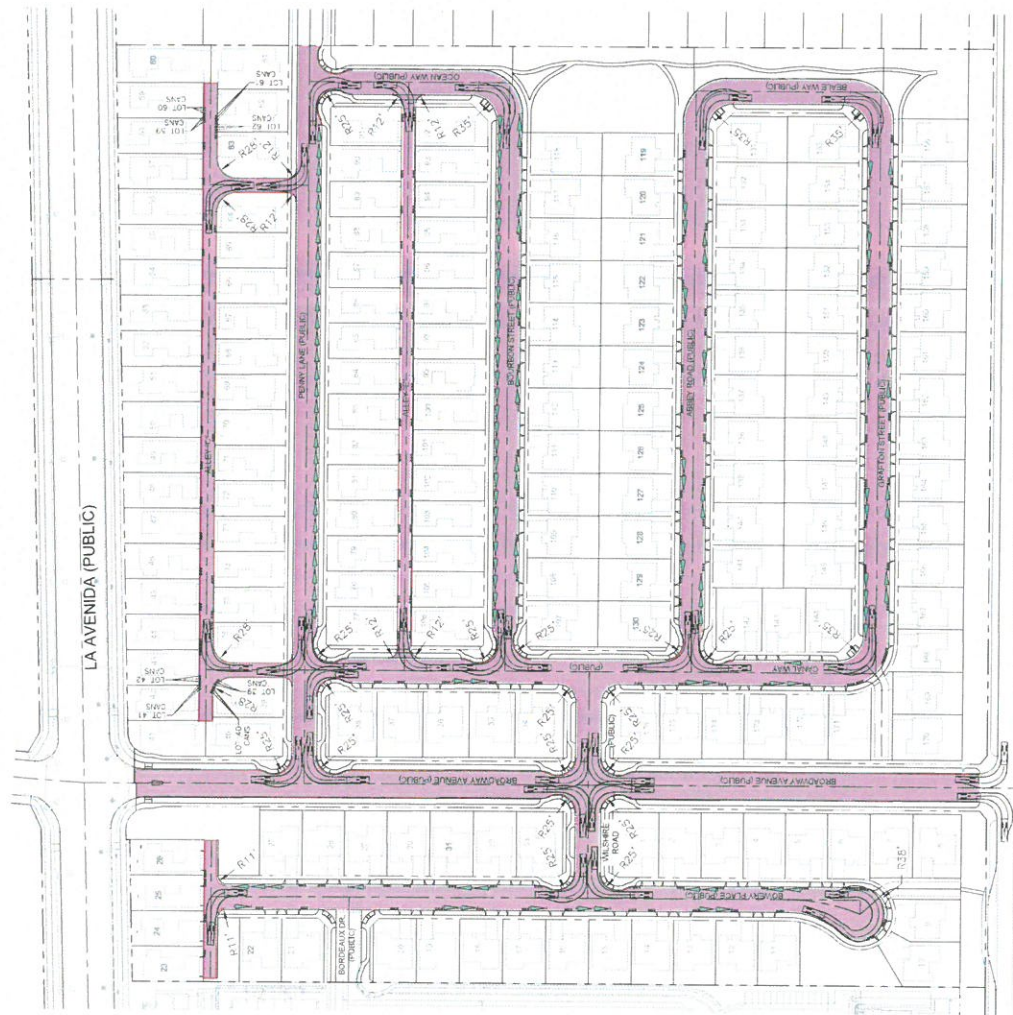
**PENNY LANE, BOURBON STREET, ABBEY ROAD & GRAFTON STREET**  
 N.T.S.

**WATER DEMAND TABLE**

LAND USE	LOTS	UNITS (U)	ACRES	DECKT (D)/P/DCR	UNIT DEMAND FACTOR (DF)	WATER DEMAND (GPM/100)	PROJECT WATER USE (GPM)	ACCRETION FE WATER USE (GPM)	POWELL UNIT (GPM)
LOW DENSITY RESIDENTIAL	178	37.47	2.466	0.57	91.807	96,734	100.3		

**FUSCOE CONSULTING**  
 2850 Inland Empire Blvd., Suite 8  
 Redlands, CA 92374  
 Tel: 626-881-9110 Fax: 626-881-9198  
 www.fuscoec.com





**LEGEND:**

- TRACT BOUNDARY
- RIGHT OF WAY
- LOT LINE
- PROPOSED CURB & GUTTER
- TRUCK TURNING TEMPLATE CORNER PATH
- TRUCK MOBT. LISTED
- ADDITIONAL PARKING
- TRASH BIN LOCATION
- 15' MIN. WIDE TRUCK TRAVEL LANE
- CURBS AND AREAS DESIGNATED AND SIGNED AS "NO PARKING"

**TRUCK TURNING TEMPLATE CORNER PATH**

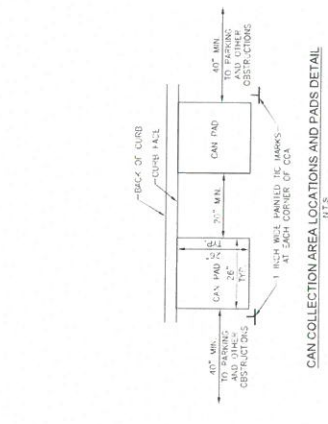
**TRUCK MOBT. LISTED**

**ADDITIONAL PARKING**

**TRASH BIN LOCATION**

**15' MIN. WIDE TRUCK TRAVEL LANE**

**CURBS AND AREAS DESIGNATED AND SIGNED AS "NO PARKING"**



**SERVICE REQUIREMENTS**

- 176 570 AUTOMATED CANS (3 PA)
- RESIDUAL AVG 64 CAL CANS = 11,264 CAL X 1 WEEKLY PICKUP
- GREEN: AVG 64 CAL CANS = 11,264 CAL X 1 WEEKLY PICKUP
- GREEN: AVG 64 CAL CANS = 11,264 CAL X 1 WEEKLY PICKUP

**SOLID WASTE DEMAND TABLE**

LANDUSE	UNITS	# OF REUSABLE BROWN CANS (64 GAL)	# OF RECYCLING (BLUE) CANS (64 GAL)	# OF RECYCLING (GREEN) CANS (64 GAL)	TOTAL CANS (64 GAL)
LOW DENSITY RESIDENTIAL (LDR)	176	176	176	176	528

ONTARIO RANCH ROAD (PUBLIC)



DATE: 4/20/2019

**SOLID WASTE HANDLING PLAN**  
TRACT MAP NO. 20012



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Henry Noh, Senior Planner  
Planning Department

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

**DATE:** December 10, 2018

**SUBJECT:** PDEV18-037 - A Development Plan to construct 176 single-family homes, 74 alley-loaded homes and 104 standard configuration homes, within Planning Area 8A of The Avenue Specific Plan, located on the north side of Ontario Ranch Road, east of Archibald Avenue. Related File: PMTT16-003 (TT 20012)

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

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies, 2,532 Sq Ft. to 3,173 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](http://www.ontarioca.gov), click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

### 3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

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

### 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:** PLANNING DEPARTMENT, Henry Noh  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** December 4, 2018  
**SUBJECT:** PDEV18-037

- 
- 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: Scott Murphy, Development Director  
Cathy Wahlstrom, Planning Director  
Diane Ayala, Advanced Planning Division  
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, Airport Planning  
Eric Woosley, Engineering/NPDES  
Joe De Sousa, Code Enforcement (Copy of memo only)  
Jimmy Chang, IT Department

FROM: Henry Noh, Senior Planner

DATE: December 03, 2018

SUBJECT: FILE #: PDEV18-037

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, December 17, 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 176 single family homes, 74 alley loaded & 104 standard configuration, within Planning Area 8A of The Avenue Specific Plan located east of Archibald Avenue on the north side of Ontario Ranch Road. Related File: PMTT16-003 (T20012)

- 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: Scott Murphy, Development Director  
 Cathy Wahlstrom, Planning Director  
 Diane Ayala, Advanced Planning Division  
 Charity Hernandez, Economic Development  
 Kevin Shear, Building Official  
 Khoi Do, Assistant City Engineer  
 Carolyn Bell, Landscape Planning Division  
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 Lorena Mejia, Airport Planning  
 Eric Woosley, Engineering/NPDES  
 Joe De Sousa, Code Enforcement (Copy of memo only)  
 Jimmy Chang, IT Department

FROM: Henry Noh, Senior Planner

DATE: December 03, 2018

SUBJECT: FILE #: PDEV18-037 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, December 17, 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 176 single family homes, 74 alley loaded & 104 standard configuration, within Planning Area 8A of The Avenue Specific Plan located east of Archibald Avenue on the north side of Ontario Ranch Road. Related File: PMTT16-003 (T20012)

- 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

1/3/19  
Date



# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: March 13, 2019

SUBJECT: FILE #: PDEV18-037 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 27, 2019**.

**PROJECT DESCRIPTION:** A Development Plan to construct 176 single-family, 72 alley-loaded, and 104 standard configuration dwellings, located on the north side of Ontario Ranch Road, east of Archibald Avenue, within Planning Area 8A of The Avenue Specific Plan (APNs: 0218-201-26 and 0218-201-27). Related File: PMTT16-003 (TT 20012).

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.

4/12/19  
Landscape Planning Cathy Bell S. 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 Architect

4/12/19  
 Date

Reviewer's Name:  
**Carolyn Bell, Sr Landscape Architect**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
 PDEV18-037

Case Planner:  
 Henry Noh

Project Name and Location:  
 The Avenue SP – LandMark / Lennar, SF and Alley loaded Homes, Models, Parks and parkways  
 SEC Euclid and Eucalyptus Avenues  
 Applicant/Representative:  
 Lennar Homes of California, INC.  
 980 Montecito Drive, Suite 206  
 Corona CA 92879

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 3/13/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.**  
**Landscape construction plans with plan check number may be emailed to:**  
[landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

Civil/ Site Plans

1. Show utilities (light standards, fire hydrants, water, drainage and sewer lines, pull boxes) at the min setback to avoid conflict with required tree locations. Coordinate civil plans with landscape plans. Provide a min 8' wide space for street trees at 30' oc. Revise Typical Layout Sht C-1 & C-8. Move fire hydrants out of narrow parkway between driveways. Show drain lines adjacent to driveway apron edge. **Not corrected**
2. Provide min 8' of soil cover over underground infiltration system instead of 'varies'. Show manholes with equal spacing to provide access and maintenance.
3. Show transformers located in planter areas, set back 5' from paving all sides. **Not corrected**
4. Show backflow devices shall be located in planter areas, set back 4' from paving all sides. Locate on level grade. Coordinate with landscape plans. **Not corrected**
5. Show corner ramp and sidewalk per city standard drawing 1213 Section A-A, max 10 ramp and sidewalk total. Do not show paving to fill to ROW line. See Lots 14,155,131 and all other locations. **Not corrected**
6. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken



by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

#### Landscape Plans – Production and Model homes.

7. Coordinate civil utility plans with landscape plans so light standards, fire hydrants, water and sewer lines to not conflict with required tree locations at 30' oc. Add trees where missing.
8. See all civil items above and coordinate on plans. Move drain lines to 12" from paving edge instead of as shown under tree locations (see model plan)
9. Remove decorative rock in front yards and show landscape. Or limit to 5% of front yard landscape. Currently shown at 20%
10. Provide min 10' planter area for park trees in paving instead of 5-6'.
11. Lot 26 models change CA pepper shown 2' from paving a 2' from a wall to smaller evergreen trees such as Fruitless Olive, (min 6' space) or similar, or change paving to provide min 10' space for large trees. Models plan is missing street trees 30'oc. Coordinate to move utilities.
12. Call out type of proposed irrigation (dripline and pop up stream spray tree bubblers w PCS).
13. Irrigation at single family homes to include front yard trees on shrub drip-line system with Xeri-pop tree bubblers with SQ full nozzles 3' from trunk or similar.
14. Note all plants and drip line must be min 3' clear of tree trunks, 4' clear in turf areas (8' dia.).
15. Separate plant palettes for north and east facing exp. (mod. water ok) must be shade tolerant
16. Replace short lived, high maintenance or poor performing plants: Lantana, Rhus, Rhapsiolepis majestic beauty tree form, Lauris nobilis-tall shrub not a tree, Remove Magnolia except dwarf Green Gem due to pods. Consider Arbutus, Osmanthus, Cercis Forest Pansy.
17. Ontario Ranch road: change HOA to CFD Streetscape: provide masses of tall shrubs against walls such as Elaeagnus or similar: move Pines to 7' from walls, limit quantity of ornamental grasses (high maintenance and poor winter appearance), consider Dietes, or Dianella in sections; show street trees 15' from street lights and 30 oc. match streetscape master plan for tree pattern and spacing. Triangulate street trees with edge trees.
18. Show front yard trees coordinated with parkway trees: use evergreen trees as background to deciduous street trees or reverse. **Not corrected**
19. Coordinate front yard tree location, alternate evergreen with deciduous, with street trees.
20. Provide more play or fitness equipment in the parks. Consider precast logs, forest animals and boulders along edges of walks for sitting and climbing.
21. Provide appropriate plants or hydroseed plant mix for water quality swales; keep max 50% of landscape area width.
22. Note to provide agronomical soil testing from an independent soil lab and include report on landscape construction plans. For phased projects, a new report is required for each phase or a min of every 6 homes.
23. Show concrete mowstrips to identify property lines or separate maintenance areas between private property and HOA maintained landscape. Missing on lots 77,91, 92, 106, 107.
24. Show a paved path from driveways to adjacent front yard walks
25. Parks: show backflow devices with 36" high strappy leaf shrub screening; transformers, a 4'-5' high evergreen hedge screening.
26. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
27. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
28. Provide phasing map for multi-phase projects on CD's.
29. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape

plan check and inspections for each type of project at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres .....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase) .....	<u>\$278.00</u>
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Development Director  
Cathy Wahlstrom, Planning Director  
Diane Ayala, Advanced Planning Division  
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, Airport Planning  
Eric Woosley, Engineering/NPDES  
Joe De Sousa, Code Enforcement (Copy of memo only)  
Jimmy Chang, IT Department

FROM: Henry Noh, Senior Planner

DATE: December 03, 2018

SUBJECT: FILE #: PDEV18-037

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, December 17, 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 176 single family homes, 74 alley loaded & 104 standard configuration, within Planning Area 8A of The Avenue Specific Plan located east of Archibald Avenue on the north side of Ontario Ranch Road. Related File: PMTT16-003 (T20012)

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

Broadband Operations Anna Vaca

Sr. Systems Analyst

4/8/2019

Department

Signature

Title

Date

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

**CONDITIONS OF APPROVAL**

Sign Off

04/08/2019

Reviewer's Name	Phone
<b>Anna Vaca, Senior Systems Analyst</b>	<b>909-395-2349</b>
File #	Project Engineer:
<b>PDEV18-037 (TM-20012)</b>	<b>Unknown</b>
Project Name and Location:	
The Avenue Specific Plan located east of Archibald avenue on the north side of Ontario Ranch Road.	
Sent to:	
Henry Noh, Senior Planner	

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

Notes Req'd on Plans	CONDITIONS OF APPROVAL - {PDEV18-037 (TM-20012)}	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Project shall be designed and constructed to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole in the Right-of-Way (ROW) and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Hand holes - Design and install OntarioNet fiber optic hand hole HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively Newbasis Part # PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5 foot minimum clearance from existing/proposed utilities.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
<input type="checkbox"/>	<input type="checkbox"/>	6. ROW Conduit - Design and Install all Fiber Optic Conduit at a Minimum Depth of 36". Trenching Shall be Per City Standard 1306. (1) 7-way Microduct (Duraline - Orange) 13/16mm tubes and (1) 2" HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.

Notes Req'd on Plans	CONDITIONS OF APPROVAL - {PDEV18-037 (TM-20012)}	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Building Entrance (Multi-family and Commercial) - 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 type="checkbox"/>	<input checked="" type="checkbox"/>	8. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	14. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
<input type="checkbox"/>	<input type="checkbox"/>	15. Developer to install 3 inch SCE conduit stub for future City fiber optic meter pedestal within an 8-foot wide, 5-foot deep reserved area for City fiber optic network cabinet. A 3-foot clearance must be maintained around the cabinet and the meter. HH4 shall be placed near the reserved area for cable entrance to network cabinet. The pedestal and network cabinet will be supplied and installed by the City. The service submittal to SCE will be coordinated by the City.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16. Multi-family dwellings are considered commercial property.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18. Please contact City's Fiber Team at <a href="mailto:OntarioNet@ontarioca.gov">OntarioNet@ontarioca.gov</a> for conduit design assistance.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	19. For additional information please refer to the City's Fiber Optic Master Plan.
<input type="checkbox"/>	<input type="checkbox"/>	20. Please see attached corrections.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	21. Please provide plans in digital format (PDF) on future revisions.



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-037

Address: Northwest Corner of Ontario Ranch Road & Turner Avenue

APN: Multiple

Existing Land Use: Vacant/Mass graded for residential land uses

Proposed Land Use: Development Plan to build a 176 single family homes

Site Acreage: 37.47 ac Proposed Structure Height: 30 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT and Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 3/28/2019

CD No.: 2018-091

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: 200 FT +

## CONSISTENCY DETERMINATION

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

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

The proposed project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the policies and criteria as established by the California Airport Land Use Planning Handbook for Chino Airport.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2018-091

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: Scott Murphy, Development Director  
 Cathy Wahlstrom, Planning Director  
 Diane Ayala, Advanced Planning Division  
 Charity Hernandez, Economic Development  
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 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, Airport Planning  
 Eric Woosley, Engineering/NPDES  
 Joe De Sousa, Code Enforcement (Copy of memo only)  
 Jimmy Chang, IT Department

*Clarice*

FROM: Henry Noh, Senior Planner

DATE: December 03, 2018

SUBJECT: FILE #: PDEV18-037

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, December 17, 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 176 single family homes, 74 alley loaded & 104 standard configuration, within Planning Area 8A of The Avenue Specific Plan located east of Archibald Avenue on the north side of Ontario Ranch Road. Related File: PMTT16-003 (T20012)

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

*Ad. Planning*

Department

*Clarice Burch*

Signature

*Assoc. Planner*

Title

*12/19/18*

Date



**PLANNING COMMISSION  
STAFF REPORT**  
May 28, 2019

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

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

**PROPERTY OWNER:** Brookcal Ontario, LLC

**RECOMMENDED ACTION:** That the Planning Commission approve File Nos. PDEV19-010, PDEV19-011 and PDEV19-012, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

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



**Figure 1: Project Location**

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

Hearing Body	Date	Decision	Action
DAB	5/20/19	Approve	Recommend
PC	5/28/19		Final
CC			

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

The areas surrounding the project site are comprised of vacant properties to the south and east, which are located within Mixed Use Districts PA 9A, PA 9B, and PA 6B, respectively, of the Rich Haven Specific Plan, and are intended for development with a mix of single-family and multiple-family residential development. The area north of the project site is located within the Rich Haven Specific Plan and is identified as a SCE Easement/Gas Easement. The area west of the project site The Avenue Specific Plan is within the Medium Density Residential district of The Avenue Specific Plan and is developed with a mix of single-family and multiple-family dwellings. The zoning land uses surrounding the project site are summarized in the Technical Appendix of this staff report.

### **PROJECT ANALYSIS:**

[1] Background — On December 4, 2007, the City Council approved the Rich Haven Specific Plan (File No. PSP05-004) and certified the Environmental Impact Report (EIR) for the Specific Plan. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office.

In 2010, The Ontario Plan (TOP) was adopted by City Council. TOP Policy Plan (General Plan) Land Use Plan (Policy Plan Exhibit LU-01) changed the land use designations within certain areas of the Rich Haven Specific Plan. To bring the Rich Haven Specific Plan into conformance with TOP Policy Plan, an amendment to the Rich Haven Specific Plan (File No. PSPA16-001) was processed and approved by the Ontario City Council on March 15, 2016. The Amendment included updates to the Rich Haven Specific Plan Land Use Plan, the housing product types, exhibits and language to reflect the proposed land use changes and overall TOP Policy Plan consistency.

On February 20, 2018, the City Council approved an Amendment to the Rich Haven Specific Plan (File No. PSPA16-005) for the annexation of 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use district of the Rich Haven Specific Plan. The amendment included updates to the development standards, exhibits and text changes to reflect the proposed annexation and overall TOP Policy Plan compliance. The amendment also allowed the combining of units between Planning Areas 6A and 9A (Brookcal owned parcels) and Planning Areas 6B and 9B (Richland owned parcels) to meet residential density requirements (14.0 – 50 du/ac) (see Figure 2: The Rich Haven Specific Plan Land Use Plan).

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

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

On May 20, 2019, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the proposed projects, subject to the departmental conditions of approval included with this report. The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.

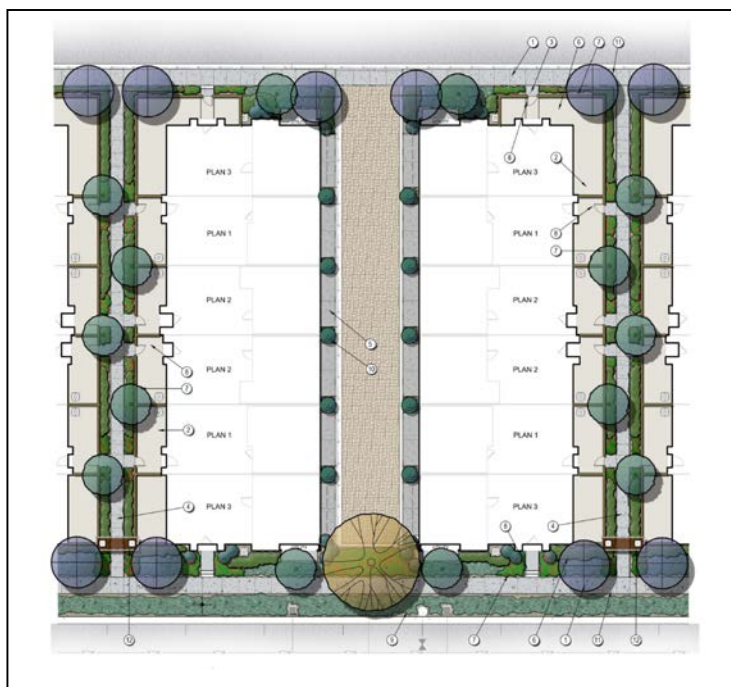
[2] Site Design/Building Layout/Architecture — The proposed Development Plans are to allow for the construction of the 6-Plex Rowtown, 6-Pack Cluster and the 14-Plex Courtyard Townhome product types and are discussed further below:

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

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

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

All plans incorporate design features such as horizontal and vertical building articulation, varied entry designs, private patios, and second floor laundry facilities. All homes will have a two-car garage, and to minimize the visual impact of garages, the



**Figure 3: Row Town Homes (Typical Plotting)**



applicant proposes access off a private lane that includes varied massing, second story projections over garages, recessed garage doors, landscaped finger planters, and varied roof lines.

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

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



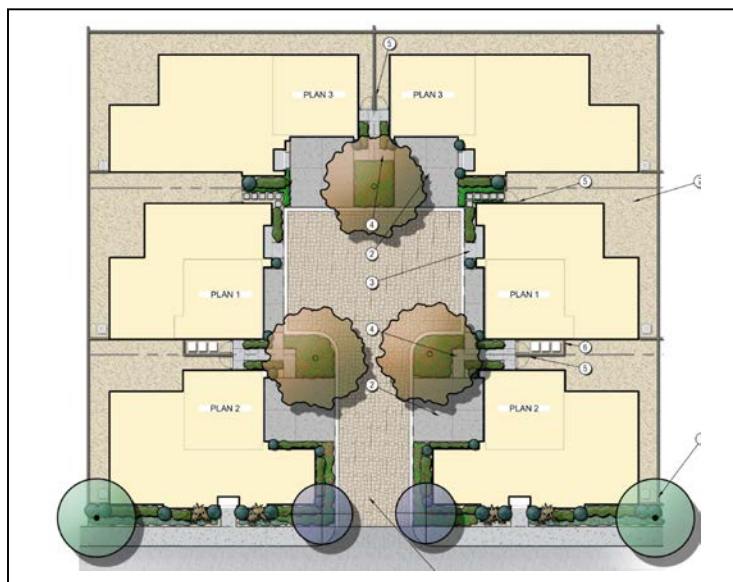
**Figure 4: Rowtown Homes (Spanish Paseo Perspective)**

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



**Figure 5: Rowtown Homes (Farmhouse Paseo Perspective)**

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



**Figure 6: 6-Pack Cluster (Typical Plotting)**

- Plan 1 (Center Lots): 1,943 square feet, 3 bedrooms, 1 loft, 2.5 baths, and two-car garage;
- Plan 2 (Front Street Facing Lots): 2,129 square feet, 3 bedrooms (optional 4th bedroom/den), 2.5 baths, and two-car garage; and
- Plan 3 (Rear Lots): 2,331 square feet, 4 bedrooms, 1 loft, 3 baths, and two-car garage.

In a 6-Pack Cluster configuration, not all front building elevations are visible from the public street. Plan 2 units are oriented toward the public street, with front entry and walk facing the street and garage access taken from the private lane. The rectangular floor plan is configured with the living areas oriented toward the street and private yards. Plan 1 units, the center lots, front onto the private lane, with front door and garage access to the unit taken from the private lane. The floor plan is square in shape, with the living areas oriented toward the private yards, and feature use easements that extend the side yard areas into Plan 3, creating a more useable yard area. Plan 3, the rear lots, feature a long, rectangular shaped floor plan, with the front entry and garage access taken from the private lane.

The development meets the minimum setback standards of the Specific Plan. The varied entryways in combination with the various architectural styles create an attractive diverse streetscape along both the private lane and the public street. Enhanced architectural treatment was required for properties located on corner lots and for units adjacent to public streets. All three plans have an open concept, with the main living and kitchen areas oriented towards the rear yards, providing opportunities to extend the living areas into outdoor patio rooms.



***Figure 7: Craftsman, Farmhouse and Spanish Architectural Styles***

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

- Spanish Abstract: Varying gable and shed roofs with flat concrete roof tiles; first and second story pop-out features; smooth stucco exterior; arched entry openings; decorative clay pipes below gable ends; square window openings with stucco trim; decorative window sills; vertical siding, recessed windows and corbels.
- Farmhouse Abstract: Varying gable roofs with flat concrete roof tile; a moderate roof overhang; first and second story pop-out features; stucco



exterior; square entry openings; enhanced gable ends; brick veneer; decorative window sills; and vertical siding.

- Craftsman Abstract: Varying low pitched gable roofs with flat tile; roof overhangs; first and second story pop-out features; outlookers; horizontal siding, stucco exterior; gable and shed front entries; and multi-paned windows with decorative window sills.

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

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



**Figure 8: Courtyard Townhomes (Typical Plotting)**

The proposed Courtyard Townhome product has garage access from an autocourt, with main entrances of units fronting the street or a paseo. The primary access into each unit will be from a paseo landscaped with accent trees and landscape planters to provide visual interest and promote pedestrian mobility (see Figure 8: Courtyard Townhomes (Typical Plotting)).

All plans incorporate various design features such as horizontal and vertical building articulation, varied entry designs, private patios, second floor laundry facilities, and second floor decks/balconies. All homes will have a two-car garage, with the exception of Plan 1, which will have a one-car garage. To minimize the visual impact of garages, the

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

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



***Figure 9: Courtyard Townhomes (Prairie Paseo Facing Elevation)***

- Prairie: Varying hip roofs with flat concrete roof tiles; tower features that provide articulation on all four elevations; smooth stucco exterior; arched and square entry openings; square window openings with stucco trim; horizontal siding, recessed multi-paned windows, wood railings, and entryways treated with a stone veneer (see Figure 9: Courtyard Townhomes (Prairie Paseo Facing Elevation)).
- Farmhouse: Varying gable and shed roofs with flat concrete roof tile; first and second story pop-out features; stucco exterior; square entry openings with a trim surround; enhanced gable ends; multi-paned windows with trim surround; recessed windows and vertical and horizontal siding (See Figure 10: Courtyard Townhomes (Farmhouse Paseo-Facing Elevation)).



***Figure 10: Courtyard Townhomes (Farmhouse Paseo Facing Elevation)***

[4] Site Access/Circulation — The previously approved related Tentative Tract Map 20081, facilitated the construction of the backbone streets, internal public/private streets and primary access points into Planning Area 6A of the Rich Haven Specific Plan, from Ontario Ranch Road and Haven Avenue, to accommodate all future development within the tract.

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

[a] PDEV19-010 (6-Plex Rowtown). Parking requirements for the attached product are consistent with the Rich Haven Specific Plan, requiring 1.75 spaces (one within a garage) for one-bedroom units, two spaces (one within a garage) for two-bedroom units, and 2.5 spaces (two within a garage) for three or more-bedroom units. Visitor parking is required at the rate of one space for every six units. The proposed Development Plan is required to provide 511 parking spaces and is providing 652 parking spaces. Each unit will provide a two-car garage for a total of 408 enclosed parking spaces. Ten of the proposed Rowtown buildings will provide a two-car driveway for each unit, totaling 120 unenclosed parking spaces. Additionally, the project is providing 122 uncovered parking spaces within the parcels private drive aisles. The project is required to provide 35 visitor parking spaces that will be provided within the driveways and private drive aisles. Based on the Rich Haven Specific Plan parking requirements, the project will be over parked by 141 spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

<b>Parking Summary</b>						
<b>Product Type (No. of Units)</b>	<b>Req. Parking Per Unit</b>	<b>Req. Guest Parking</b>	<b>Total Req. Parking</b>	<b>Garage Space Provided</b>	<b>On-Street/ Drive- Aisle Driveway Parking Spaces</b>	<b>Total Provided</b>
<b>Rowtown - 2 Bedrooms (68 Units)</b>	2 – Including 1-car garage (136 spaces)	1 space per 6 units (11 spaces)	147	2-car garage (136 spaces)	40 Driveway	176
<b>Rowtown - 3 Bedroom (136 Units)</b>	2.5 – Including 1- car garage (340 spaces)	1 space per 6 units (24 spaces)	364	2-car garage (272 spaces)	80 Driveway 116 Drive-aisle	468
<b>Totals (204 units)</b>	<b>476 spaces</b>	<b>35</b>	<b>511</b>	<b>408</b>	<b>236</b>	<b>644</b>
					<b>3.20 spaces per unit</b>	

[b] PDEV19-011 (6-Pack Cluster). The Rich Haven Specific Plan requires a two-car garage for each single-family home, which each unit provides. Additionally, Plans 2 (Front Street Facing Lots) and 3 (Rear Lots) also provide a driveway that accommodates two additional spaces per unit. Based on the Rich Haven Specific Plan parking requirements, the project will be over parked by 82 parking spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

<b>Parking Summary</b>						
<b>Product Type (No. of Units)</b>	<b>Req. Parking Per Unit</b>	<b>Req. Guest Parking</b>	<b>Total Req. Parking</b>	<b>Garage Space Provided</b>	<b>On-Street/ Drive-Aisle Driveway Parking Spaces</b>	<b>Total Provided</b>
<b>Cluster (61 Units)</b>	2 –car garage (122 spaces)	N/A	122	122	82 Driveway	204
<b>Totals (61 units)</b>	<b>122 spaces</b>	<b>N/A</b>	<b>122</b>	<b>122</b>	<b>82</b>	<b>204</b>
					<b>3.3 spaces per unit</b>	

[c] PDEV19-012 (14-Plex Courtyard Townhome). Parking requirements for the attached product are consistent with the Rich Haven Specific Plan, requiring 1.75 spaces (one within a garage) for one-bedroom units, 2 spaces (one within a garage) for two-bedroom units, and 2.5 spaces (two within a garage) for three or more-bedroom units. Visitor parking is required at the rate of one parking space for every six units. The proposed Courtyard Townhomes are required to provide a total of 438 parking spaces and 442 parking spaces are being provided (see Parking Summary shown below). Each complex will provide 26 garage spaces, for a total of 312 covered parking spaces. The project is providing 130 uncovered parking spaces within the parcels private drive aisles. Furthermore, the project is providing a surplus of 36 spaces within its project parcels, independent of the additional parking spaces provided throughout the overall tract.

<b>Parking Summary</b>						
<b>Product Type (No. of Units)</b>	<b>Req. Parking Per Unit</b>	<b>Req. Guest Parking</b>	<b>Total Req. Parking</b>	<b>Garage Space Provided</b>	<b>On-Street/ Drive-Aisle Driveway Parking Spaces</b>	<b>Total Provided</b>
<b>Courtyard Townhome - 1 Bedroom (24 Units)</b>	1.75 – Including 1-car garage (42 spaces)	1 space per 6 units (4 spaces)	46	1-car garage (24 spaces)	130 drive-aisle	154
<b>Courtyard Townhome - 2 Bedrooms (48 Units)</b>	2 – Including 1-car garage (96 spaces)	1 space per 6 units (8 spaces)	104	2-car garage (96 spaces)	N/A	96
<b>Rowtown -3 Bedrooms (96 Units)</b>	2.5 – Including 1-car garage (240 spaces)	1 space per 6 units (16 spaces)	256	2-car garage (192 spaces)	N/A	192
<b>Totals (168 units)</b>	<b>378 spaces</b>	<b>28</b>	<b>406</b>	<b>387</b>	<b>130</b>	<b>442</b>
					<b>2.6 spaces per unit</b>	

[6] Open Space/Landscaping — The previously approved related Tentative Tract Map 20081 will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of two acres of Private Park per 1,000 residents. The overall tract is required to provide 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities. The future park design and amenities will require a separate Development Plan to be submitted for review and approval.

The Rowtown and Courtyard Townhomes will feature landscaped parkways and interior landscaped paseos, which include accent trees and 3.5-foot high decorative patio walls with entry gate designs that will complement the architectural style of each corresponding unit. The private lanes and autocourts are designed with finger planters to soften the massing of the garages. The landscape installation will be the responsibility of the builder and maintenance will be the responsibility of the homeowners' association.

The cluster product will be provided with front yard/private lane courtyard landscaping (lawn, shrubs and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for all rear yard landscape improvements.

[7] CC&R's — The previously approved related Tentative Tract Map required that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site, to ensure on-going maintenance of the common areas and facilities.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
  - Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

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

[2] Vision.

**Distinctive Development:**

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

[3] Governance.

**Decision Making:**

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

[4] Policy Plan (General Plan)

**Land Use Element:**

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



### **Housing Element:**

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

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

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

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

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

### **Community Economics Element:**

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

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

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

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

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



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

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

**Safety Element:**

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

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

**Community Design Element:**

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

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

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

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

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

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

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

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

- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:
  - A pattern of smaller, walkable blocks that promote access, activity and safety;
  - Variable setbacks and parcel sizes to accommodate a diversity of housing types;
  - Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
  - Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
  - Landscaped parkways, with sidewalks separated from the curb.
- CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
- CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

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

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

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

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

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

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

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

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

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

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

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

**HOUSING ELEMENT COMPLIANCE:** The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix,

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

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

**ENVIRONMENTAL REVIEW:** The environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and this Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

**CONDITIONS OF APPROVAL:** See attached department reports.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

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

**General Site & Building Statistics – 6-Pack Cluster:**

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

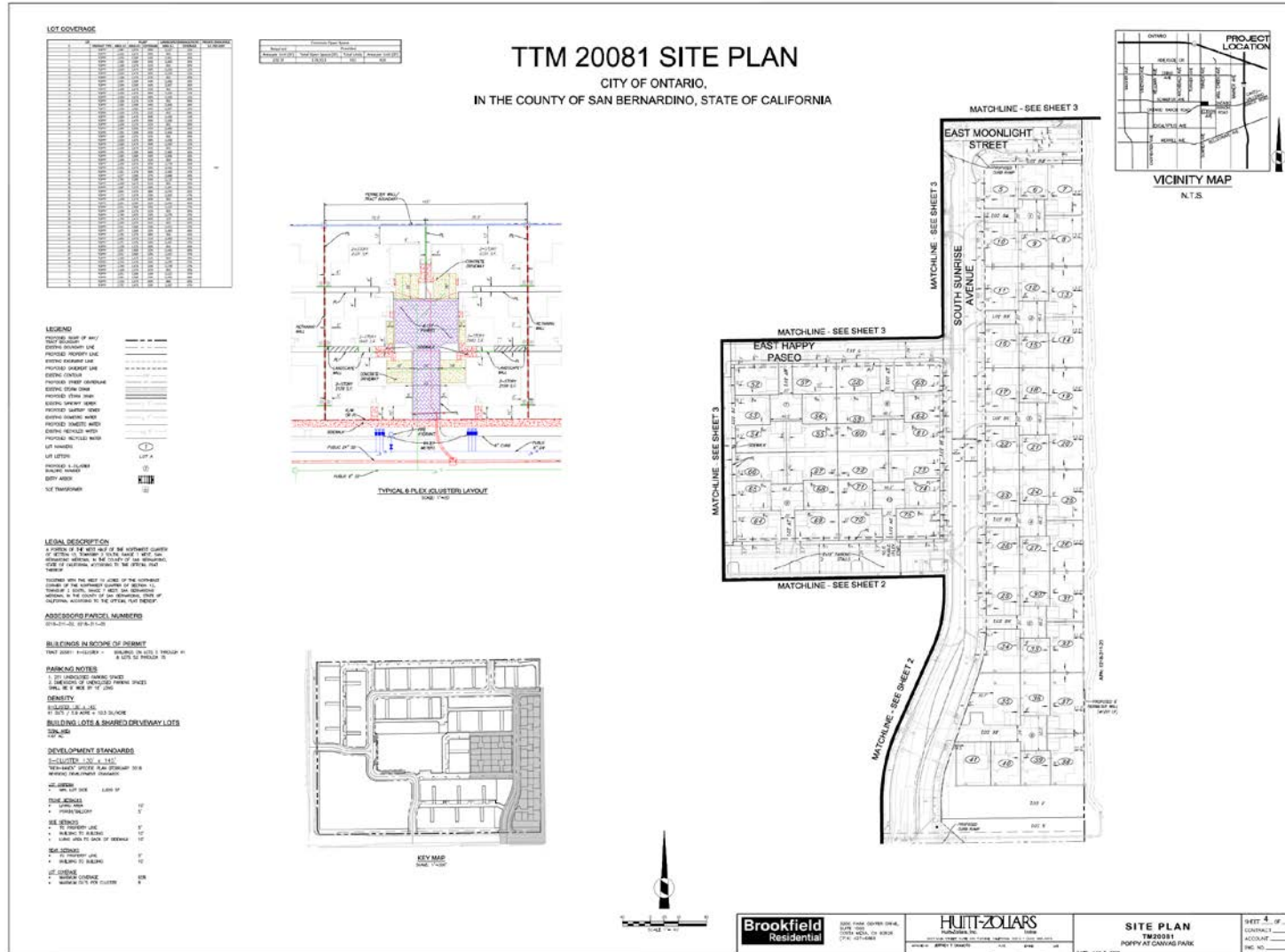
**General Site & Building Statistics – Rowtown and Courtyard Townhome:**

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





**Exhibit A—SITE PLAN**



**6-Pack Cluster Site Plan**





**Exhibit B—Elevations**



**Rowtown – Farmhouse Elevations**

**Exhibit B—Elevations**



**Rowtown – Spanish Elevations**

**Exhibit B—Elevations**



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**POPPY AT REGIONS NORTH**  
 ONTARIO, CA # 2018-0635

CONCEPTUAL DESIGN  
 APRIL 26, 2019



EXTERIOR ELEVATIONS  
 PLAN 1A - SPANISH ABSTRACT

A2.2

**Cluster Plan 1 – Spanish Abstract**



**Exhibit B—Elevations**

**RIGHT**

**REAR**

**LEFT**

**FRONT**

**MATERIAL LIST:**

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

**CONCEPTUAL DESIGN**  
 APRIL 28, 2019

**EXTERIOR ELEVATIONS**  
 PLAN 1B - FARMHOUSE ABSTRACT

**A2.3**

**Cluster Plan 1 – Farmhouse Abstract**

**Exhibit B—Elevations**



**Cluster Plan 1 – Craftsman Abstract**

**Exhibit B—Elevations**



**Cluster Plan 1 – Enhanced Elevations**

**Exhibit B—Elevations**



**Cluster Plan 1 – Enhanced Elevations**

**Exhibit B—Elevations**



**Cluster Plan 2 – Spanish Abstract**

**Exhibit B—Elevations**



**Cluster Plan 2 – Farmhouse Abstract**

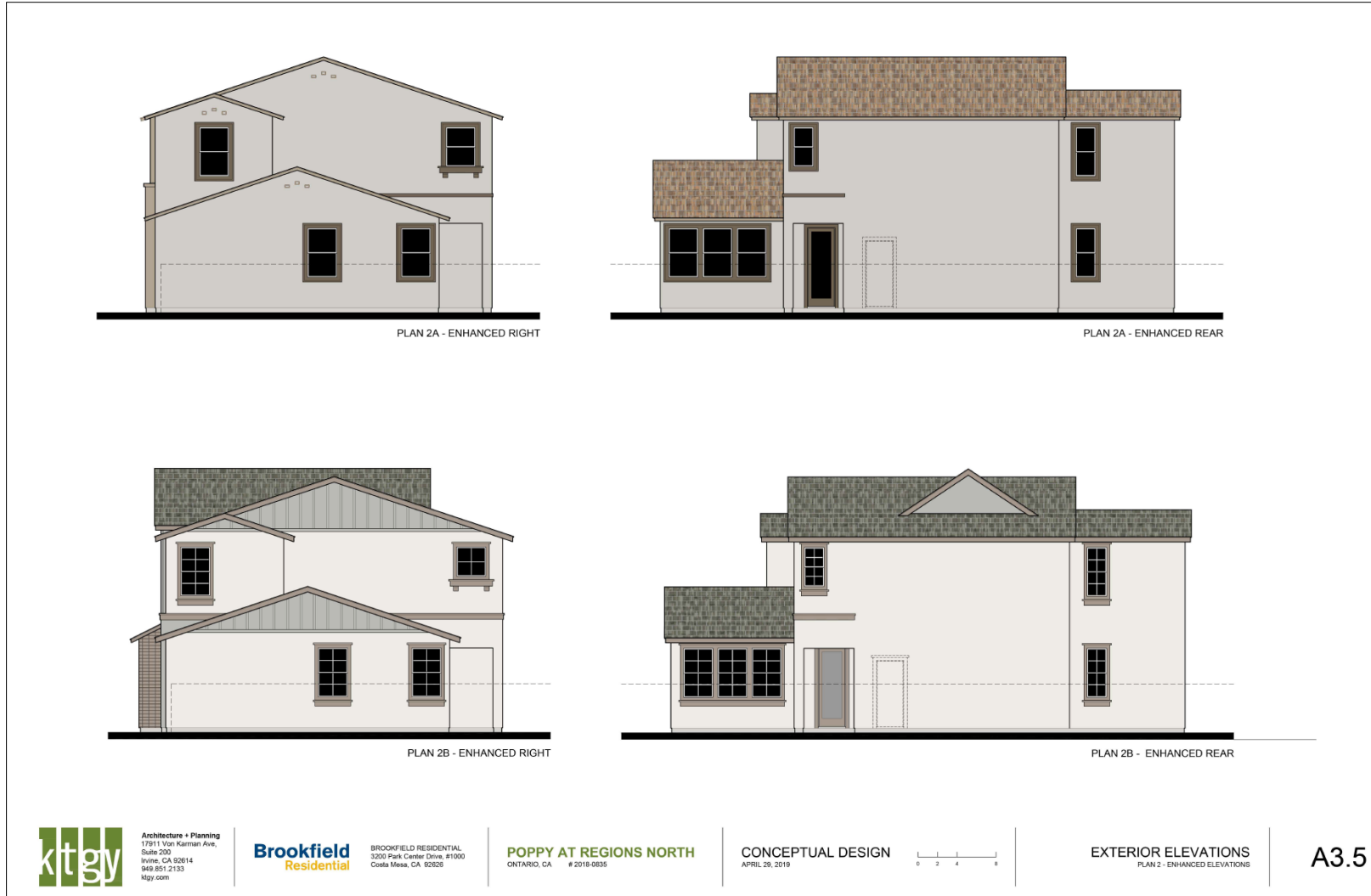


**Exhibit B—Elevations**



**Cluster Plan 2 – Craftsman Abstract**

**Exhibit B—Elevations**



**Cluster Plan 2 – Enhanced Elevations**

**Exhibit B—Elevations**



**Cluster Plan 2 – Enhanced Elevations**

**Exhibit B—Elevations**



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 ONTARIO, CA # 2018-0835

**CONCEPTUAL DESIGN**  
 APRIL 29, 2019

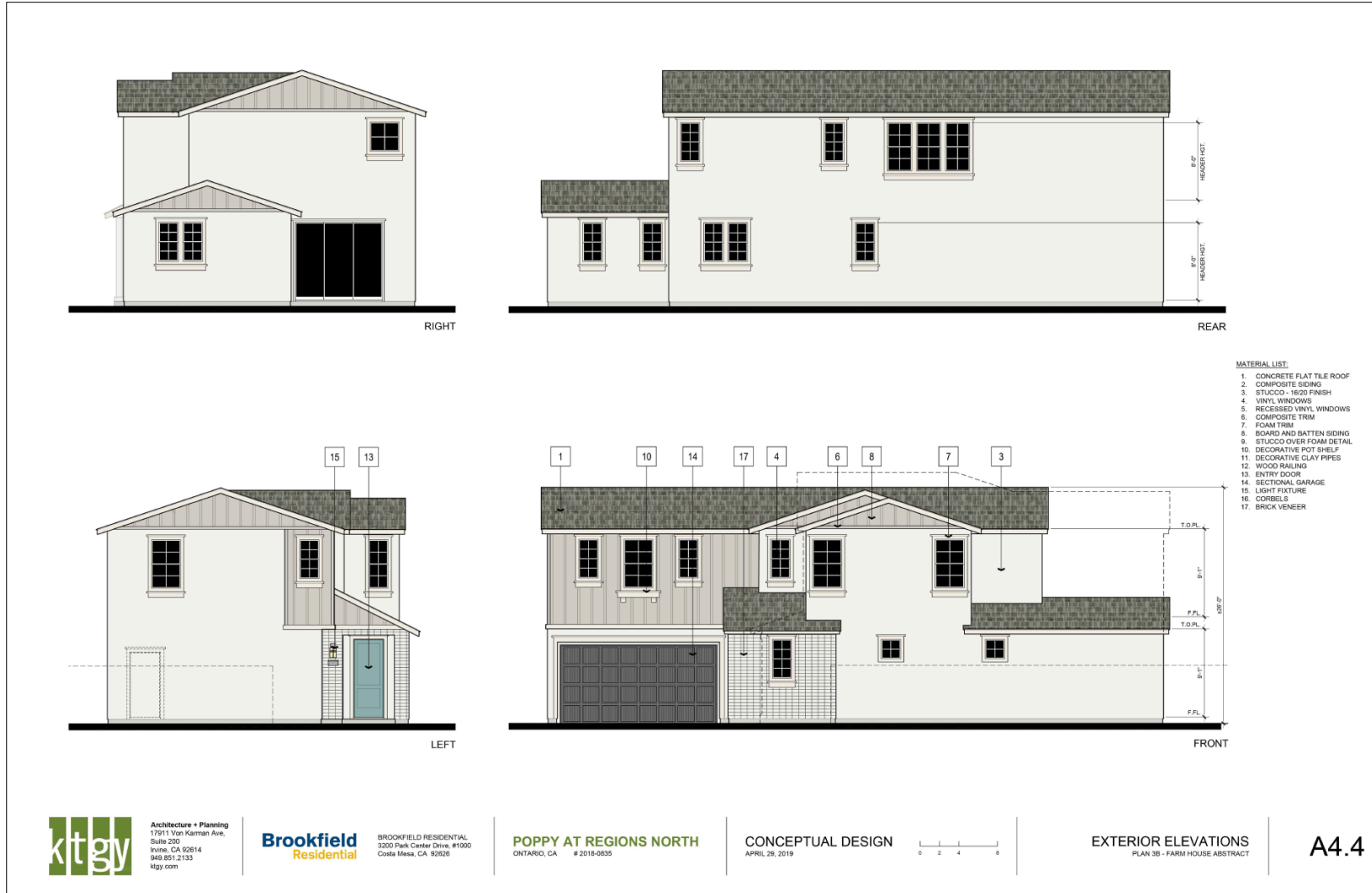


**EXTERIOR ELEVATIONS**  
 PLAN 3A - SPANISH ABSTRACT

**A4.3**

**Cluster Plan 3 – Spanish Abstract**

**Exhibit B—Elevations**



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 ONTARIO, CA # 2019-0835

CONCEPTUAL DESIGN  
 APRIL 29, 2019



EXTERIOR ELEVATIONS  
 PLAN 3B - FARMHOUSE ABSTRACT

A4.4

**Cluster Plan 3 – Farmhouse Abstract**

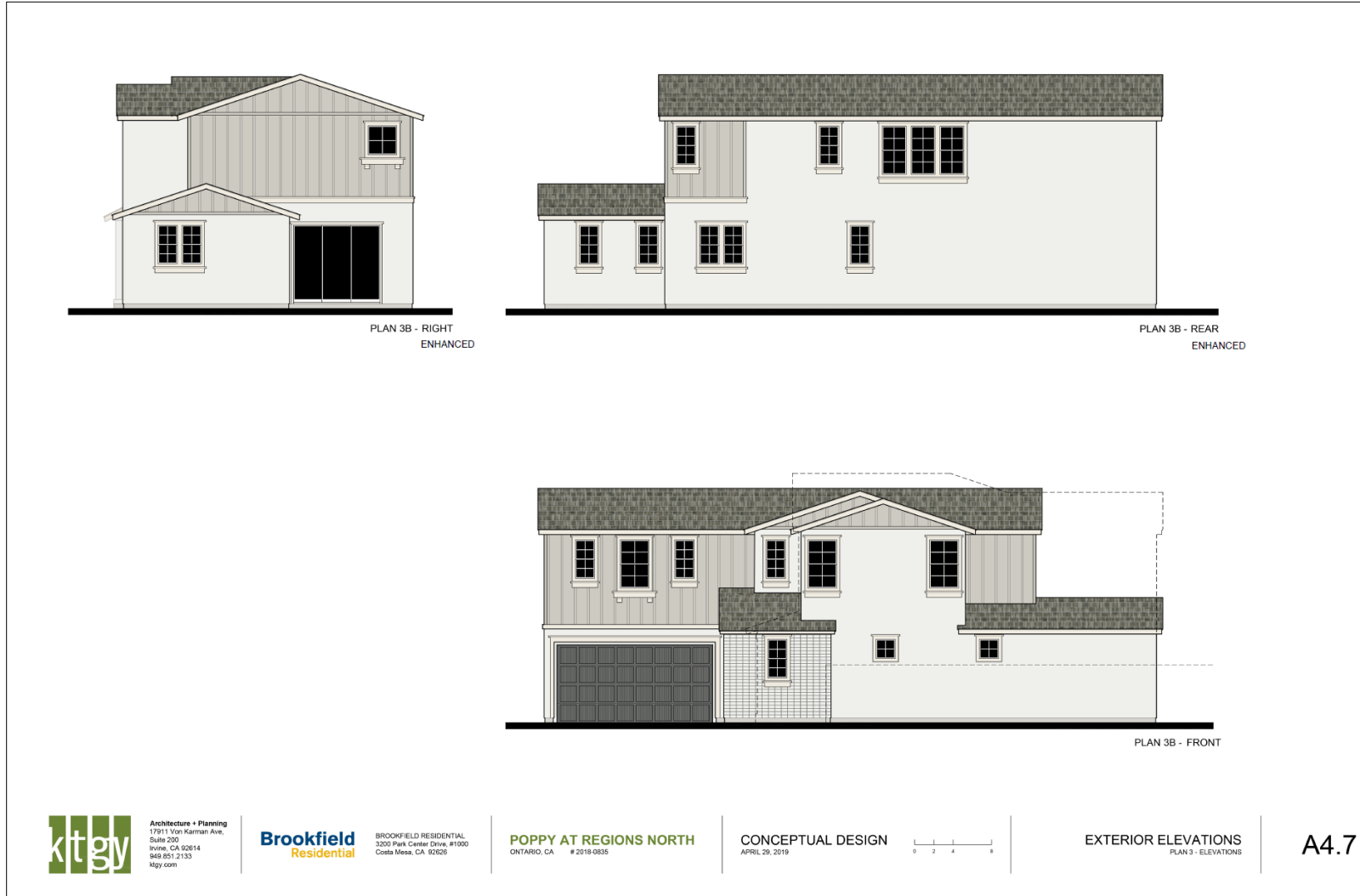
**Exhibit B—Elevations**



**Cluster Plan 3 – Spanish Enhanced Elevations**



**Exhibit B—Elevations**



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 ONTARIO, CA # 2019-0835

CONCEPTUAL DESIGN  
 APRIL 29, 2019



EXTERIOR ELEVATIONS  
 PLAN 3 - ELEVATIONS

**A4.7**

**Cluster Plan 3 – Farmhouse Enhanced Elevations**

**Exhibit B—Elevations**



**Cluster Plan 3 – Craftsman Enhanced Elevations**

***Exhibit B—Elevations***



REAR ELEVATION



FRONT ELEVATION

***Courtyard Townhomes – Prairie Transitional Elevations***

***Exhibit B—Elevations***



***Courtyard Townhomes – Prairie Transitional Elevations***



***Exhibit B—Elevations***



REAR ELEVATION



FRONT ELEVATION

***Courtyard Townhomes – Farmhouse Transitional Elevations***

***Exhibit B—Elevations***

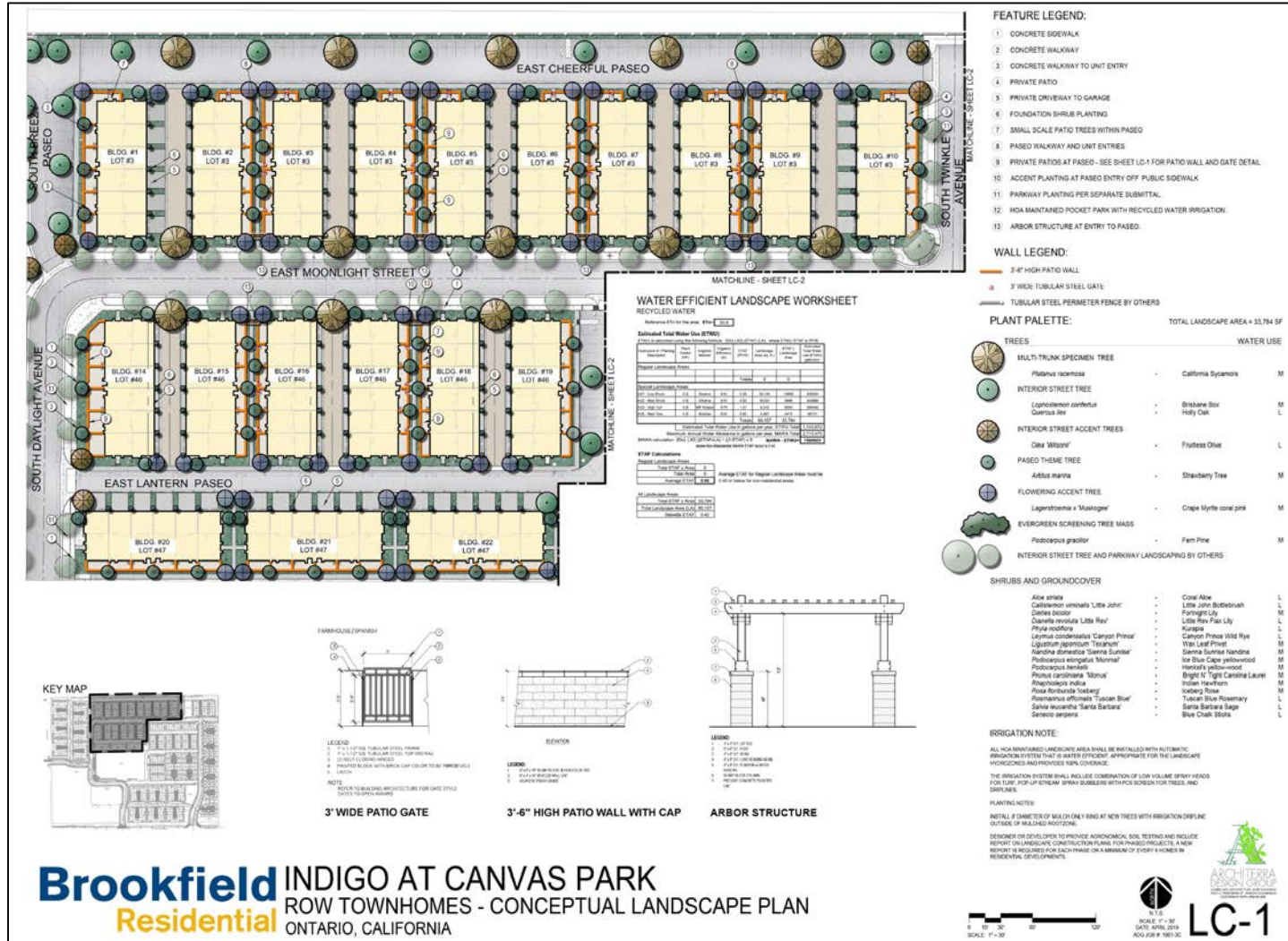


RIGHT ELEVATION (LEFT SIMILAR)

***Courtyard Townhomes – Farmhouse Transitional Elevations***



**Exhibit C—Landscape Plans**



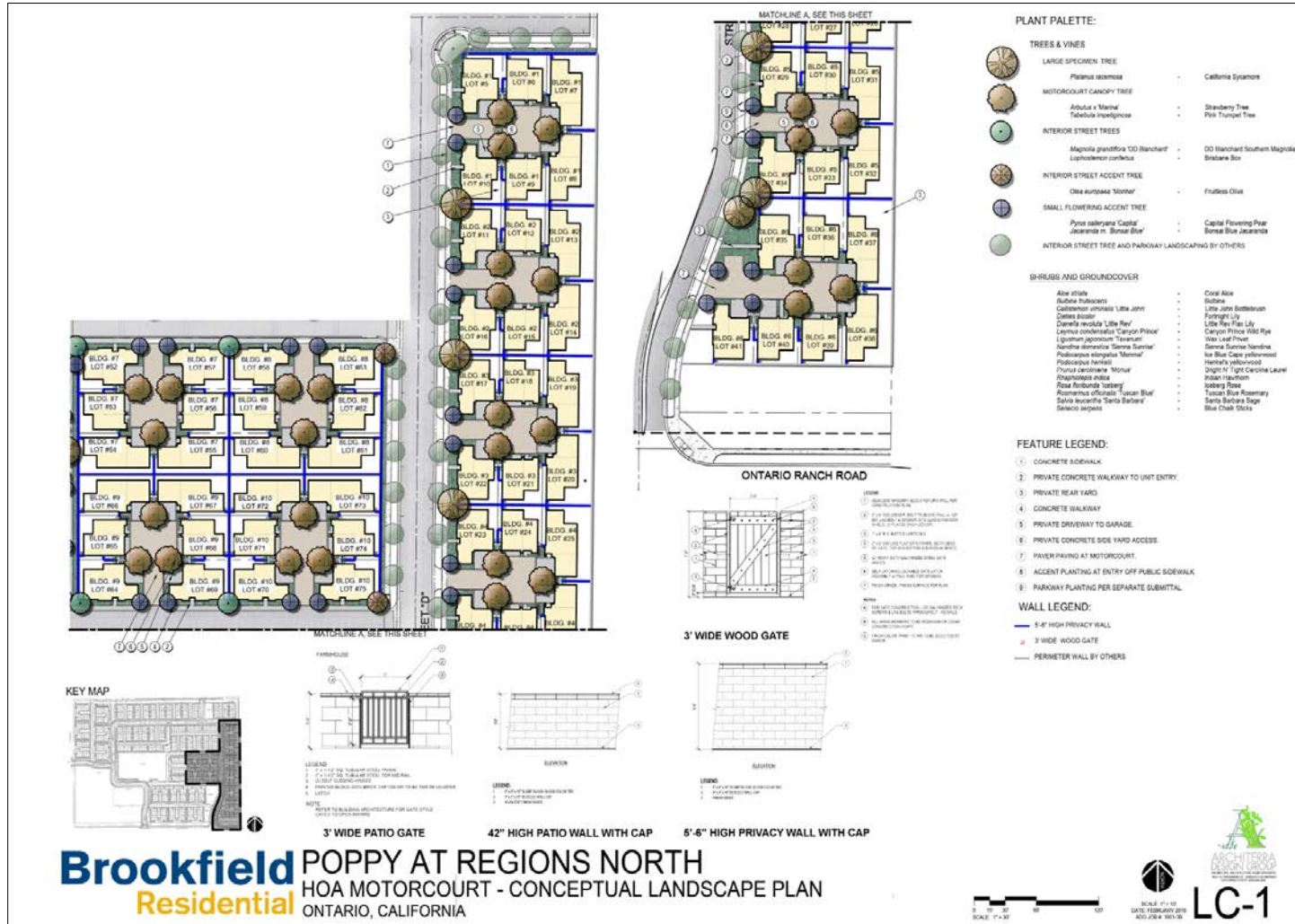
**Rowtown Landscape Plan**

**Exhibit C—Landscape Plans**



**Rowtown Landscape Plan**

**Exhibit C—Landscape Plans**



**6-Pack Cluster Landscape Plan**



**Exhibit C—Landscape Plans**



**Courtyard Townhomes Landscape Plan**

RESOLUTION NO.

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of two acres of Private Park per 1,000 residents. The overall tract is required to provide 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities; and

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



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

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) required that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; and

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

WHEREAS, the environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and this Application introduces no new significant environmental impacts All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference; and

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies

and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on May 20, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-021, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010.

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 3: *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and allocates a total of 4,256 dwelling units for the Rich Haven Specific Plan and 1,524 dwelling units within the Moderate Income range (10-24 du/ac). The project is proposing 204 multiple-family units within the Moderate Income range consistent and within the specified ranges and unit counts allowed within the Available Land Inventory.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Mixed Use land use district of the Policy Plan Land Use Map, and the

Planning Area 6A of the Rich Haven Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Area 6A of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (multiple-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

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

**SECTION 6: Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby

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

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

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

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

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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 28th day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

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

*(Departmental conditions of approval to follow this page)*



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

## ***Planning Department Land Development Division Conditions of Approval***

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**Meeting Date:** May 28, 2019  
**File No:** PDEV19-010  
**Related Files:** PMTT17-003 (TT20081)

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

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

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

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

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

**2.1** Time Limits.

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

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

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

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

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

**2.3** Landscaping.

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

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

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

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

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

**2.5** Parking, Circulation and Access.

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

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

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

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

**2.6** Site Lighting.

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

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

**2.7** Mechanical Equipment.

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

## **2.8** Disclosure Statements.

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

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

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

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

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

## **2.9** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

## **2.11** Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the



requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

#### **2.12** Additional Requirements.

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

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

(c) Prior to the issuance of grading permits, (Rough or Precise Grading). Mitigation Measures (MM), from The Rich Haven Specific Plan EIR, pertaining to Grading Activities must be met prior to issuance of grading permits.

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

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

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

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



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

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

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

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



**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT PLUS COMPLETING THE CONDITIONS OF APPROVAL (COA) FOR TTM20081/PMTT17-003, RICH HAVEN SPECIFIC PLAN AND THE DEVELOPMENT AGREEMENT.**

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:   
 Property line corner 'cut-back' required at the intersection of New Haven Drive and Commercial Entry way (northeast corner) due to a larger curb return improvements.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
 \_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 1.04 Vacate the following street(s) and/or easement(s): \_\_\_\_\_
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.   
 (1) \_\_\_\_\_  
 (2) \_\_\_\_\_
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements specified in the COA for TM18810.





- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us)) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 **New Model Colony (NMC) Developments:** 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) **Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).**
  - 3) **Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).**
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 **Record Parcel Map No. TM20081 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 **Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario Per Tract Map No. \_\_\_\_\_.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_.
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement.
- 2.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.**



The CC&R document shall also include the following provisions:

a) **Common Use and Private Utilities:** Identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance responsibilities of the HOA/POA of these facilities.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA) for connecting to the sewer trunk line in Chino Avenue
  - Southern California Edison for any grading or improvements on SCE easement/property**
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

\_\_\_\_\_ feet on \_\_\_\_\_

Property line corner 'cut-back' required at the intersection of \_\_\_\_\_ and \_\_\_\_\_.
- 2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_ 

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





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

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \_\_\_\_\_, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16 Other conditions: \_\_\_\_\_





**B. PUBLIC IMPROVEMENTS**

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

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Street 1	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation





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

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

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



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 **Other conditions:** 
  - a) **The applicant/developer shall be responsible to design and construct all the in-tract and off-site public improvements specified in the Development Agreement and the Conditions of Approval for tentative tract map TTM20081.**
  - b) **The applicant/developer shall be responsible to design and construct all in-tract public streets in accordance with the City of Ontario General Plan and Master Plan of Streets and Highways, and applicable standards to the satisfaction of the City Engineer. All street improvements shall include pavement, concrete curb and gutter, sidewalk, parkway landscaping and irrigation, utilities, LED street lights, fiber optic system, signing and striping.**
  - c) **Final Utilities Systems Map: The applicant shall submit a Final utilities systems map with each Precise Grading Plan Submittals. The systems map shall comply with the Ontario Municipal Utilities Company requirements which include showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, Monitoring Manholes, etc.), points of connection, and sizes. This shall include private onsite systems to point of connection with public systems. See USM Requirements document for details.**

**C. SEWER**

- 2.23 A\_\_ Inch sewer main is available for connection by this project in \_\_\_\_\_.
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: \_\_\_\_\_

**D. WATER**

- 2.27 A \_\_\_ inch water main is available for connection by this project in \_\_\_\_\_.
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions:**

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





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

#### E. RECYCLED WATER

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

**Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.**

- 2.34 **Other conditions:**

**City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be install throughout the Tract to meet this requirement, as approved by the City.**

#### F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions: \_\_\_\_\_

#### G. DRAINAGE / HYDROLOGY

- 2.38 A \_\_\_ inch storm drain main (SD) is available west of this tract to accept flows from this project. The applicant/developer shall extend the existing SD system in \_\_\_\_\_ easterly and design adequate SD system to serve this tract including the tributary drainage areas located \_\_\_\_\_ as identified in the Master Plan of Drainage.
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.





- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions: \_\_\_\_\_

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.  
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.47 **File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.**
- 2.48 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.49 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located along Chino Avenue at Newton Avenue.**
- 2.50 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.**



**L. Solid Waste**

- 2.51 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.52 Other conditions:

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

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

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





## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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**Project Number: PDEV19-010**

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

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



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

# CITY OF ONTARIO

## MEMORANDUM

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

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

---

### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Lorena Mejia, Senior Planner  
Planning Department

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

**DATE:** March 18, 2019

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

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

### **SITE AND BUILDING FEATURES:**

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

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.



### 3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

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

### 5.0 BUILDING CONSTRUCTION FEATURES

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

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Lorena Mejia, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** March 5, 2019

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

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.

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

**CONDITIONS OF APPROVAL**

**Sign Off**

*Carolyn Bell*

Carolyn Bell, Sr. Landscape Architect

4/24/19

Date

Reviewer's Name:

**Carolyn Bell, Sr Landscape Architect**

Phone:

**(909) 395-2237**

D.A.B. File No.:

PDEV19-010 Rev 2

Case Planner:

Lorena Mejia

Project Name and Location:

Solstice Rowtowns at Regions North, Rich Haven SP  
 NEC Haven and Ontario Ranch Road

Applicant/Representative:

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



**A Preliminary Landscape Plan (dated 4/11/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**



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

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE**

Civil/ Site Plans

1. Provide conceptual grading and utility plans for all parks
2. Utilities including storm water infiltration facilities shall not displace on-site trees or parkway trees with spacing 30' oc. Parks, paseos or recreation areas approved by this department used for storm water management may utilize vegetated basins, swales and sloped grades but shall not exceed 10% of the landscape area, and be no deeper than 3' from the top of adjacent finished grades.
3. Show corners with accessible ramps, parkways or expanded on-site landscape if crossing not allowed.
4. Show and dimension min 3' wide landscape planters adjacent to all patio walls facing landscape and streets; 3.5' wide planters adjacent to patio walls in paseos facing adjacent patios; and 5' wide planters adjacent to 5' high (back yard) walls.
5. Show transformers and dimension set back 5' from paving all sides.
6. Show backflow devices set back 4' from paving all sides. Locate on level grade
7. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees. Show sewer lines in driveways where possible.
8. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
9. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
10. Note and show on plans: all AC units shall be located away from doors and views.
11. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall

be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

#### Landscape Plans

12. Provide conceptual landscape plans for all parks. Include park amenities, cut sheets, images with descriptions or details of conceptual furnishings.
13. Provide conceptual landscape plans for HOA and CFD maintained parkways including street trees and parkway landscape and conceptual irrigation statement.
14. Provide conceptual landscape plans for on-site parkways include street trees spaced 30' apart and groundcovers max 18" high such as *Fragaria*, *Baccharis*, *Lonicera*, *Kurapia* or low water lawn, etc.
15. Show backflow devices with 36" high strappy leaf shrub screening and transformers, a 4'-5' high evergreen hedge screening.
16. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
17. Locate trees for shade on buildings, parking lots, seating areas and paving; screen blank walls; at adjacent properties where missing; accent trees to entries and driveways; provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
18. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
19. Show landscape hydrozones on plan or legend with low water plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations.
20. Replace short lived, high maintenance or poor performing plants: *Magnolia* (pods on sidewalks) consider *Pistachia*, *Quercus agrifolia*, *Q. suber* or *Q. ilex*; reconsider *Cercis* at alley ends to a larger accent tree such as fruitless Olive or *Arbutus* large box size. Consider also *Tristania laurina* or *Pinus canariensis*, *Podocarpus gracilior* along north PL to screen SCE easement. Add tall narrow accent tree/shrub between garages at larger planters. Triangularly space onsite and street trees to avoid conflict.
21. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
22. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
23. Call out all fences and walls, materials proposed and heights along tract perimeters.
24. Show letter lots between sidewalk and single family residence side yard wall, to identify HOA maintained landscape and recycled water irrigation.
25. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
26. Residential projects shall include a stub-out for future back yard irrigation systems.
27. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
28. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
29. Provide phasing map for multi-phase projects.
30. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan



check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres .....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase) .....	<u>\$278.00</u>
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to:

[landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-010

Address: NEC Haven Avenue & Ontario Ranch Road

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

Existing Land Use: Vacant/Agricultural Dairy Farm

Proposed Land Use: Development Plan to construct 214 multi-family units

Site Acreage: 13.9 acres Proposed Structure Height: 32 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 4/22/19

CD No.: 2019-014

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See attached condition.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2019-014  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

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

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

RESOLUTION NO.

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

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

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

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

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

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

WHEREAS, the 6-pack cluster product is characterized by a private lane constructed with decorative pavers that provides both garage and front entry access to each unit. There are three distinct floor plans proposed for each cluster, with three

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

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

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

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

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of two acres of Private Park per 1,000 residents. The overall tract is required to provide 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities; and

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

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) required that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the open space areas, recreation amenities,

drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; and

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

WHEREAS, the environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and this Application introduces no new significant environmental impacts All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference; and

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

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

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

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

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing



procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on May 20, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-022, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010.

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

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

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

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR Addendums, and

all mitigation measures previously adopted with the Certified EIR Addendums, are incorporated herein by this reference.

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

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

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

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

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

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

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

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

**SECTION 3: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one

of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and allocates a total of 4,256 dwelling units for the Rich Haven Specific Plan and 1,524 dwelling units within the Moderate Income range (10-24 du/ac). The project is proposing 61 single-family units within the Moderate Income range consistent and within the specified ranges and unit counts allowed within the Available Land Inventory.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Mixed Use land use district of the Policy Plan Land Use Map, and the Planning Area 6A of the Rich Haven Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Area 6A of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (multi-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

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

**SECTION 6: Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as “Attachment A,” and incorporated herein by this reference.

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

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

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

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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 28th day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission



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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV19-011  
Departmental Conditions of Approval**

*(Departmental conditions of approval to follow this page)*



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

## ***Planning Department Land Development Division Conditions of Approval***

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**Meeting Date:** May 28, 2019  
**File No:** PDEV19-011  
**Related Files:** PMTT17-003 (TT20081)

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

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

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

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

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

**2.1** Time Limits.

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

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

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

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

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

**2.3** Landscaping.

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

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

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

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

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

**2.5** Parking, Circulation and Access.

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

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

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

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

**2.6** Site Lighting.

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

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

**2.7** Mechanical Equipment.

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

## **2.8** Disclosure Statements.

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

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

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

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

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

## **2.9** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

## **2.11** Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the

requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

#### **2.12** Additional Requirements.

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

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

(c) Prior to the issuance of grading permits, (Rough or Precise Grading). Mitigation Measures (MM), from The Rich Haven Specific Plan EIR, pertaining to Grading Activities must be met prior to issuance of grading permits.

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

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

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

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

(h) Rear facing elevations that are adjacent to the public right-of-way shall be treated with enhanced elevations on the buildings 2<sup>nd</sup> story. Construction drawings shall include architectural enhancements.





**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

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

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

<b>CITY PROJECT ENGINEER &amp; PHONE NO:</b>  <b>CITY PROJECT PLANNER &amp; PHONE NO:</b>  <b>DAB MEETING DATE:</b>  <b>PROJECT NAME / DESCRIPTION:</b>    <b>LOCATION:</b>  <b>APPLICANT:</b>  <b>REVIEWED BY:</b>   <b>APPROVED BY:</b>	<b>Naiim Khoury, Associate Engineer</b> <i>NK</i> (909) 395-2152  <b>Lorena Mejia, Senior Planner</b> (909) 395-2429 May 20, 2019  <b>Brookfield Residential at Canvas Park/Regions North. A development project to construct 61 SFR</b>    <b>Northeast corner of Haven Avenue and Ontario Ranch Road</b>  <b>Brookfield/BrookCal Ontario, LLC</b>  <i>[Signature]</i> <u>5/15/19</u> <b>Bryan Lirley, P.E.</b> Date <b>Principal Engineer</b>  <i>[Signature]</i> <u>5/15/19</u> <b>Raymond Lee, P.E.</b> Date <b>Assistant City Engineer</b>
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**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT PLUS COMPLETING THE CONDITIONS OF APPROVAL (COA) FOR TTM20081/PMTT17-003, RICH HAVEN SPECIFIC PLAN AND THE DEVELOPMENT AGREEMENT.**

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:   
 Property line corner 'cut-back' required at the intersection of New Haven Drive and Commercial Entry way (northeast corner) due to a larger curb return improvements.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
 \_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 1.04 Vacate the following street(s) and/or easement(s): \_\_\_\_\_
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.   
 (1) \_\_\_\_\_  
 (2) \_\_\_\_\_
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements specified in the COA for TM18810.





- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us)) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 **New Model Colony (NMC) Developments:** 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map No. TM20081 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario Per Tract Map No. \_\_\_\_\_.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_.
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.



The CC&R document shall also include the following provisions:

a) **Common Use and Private Utilities:** Identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance responsibilities of the HOA/POA of these facilities.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA) for connecting to the sewer trunk line in Chino Avenue
  - Southern California Edison for any grading or improvements on SCE easement/property
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

\_\_\_\_\_ feet on \_\_\_\_\_

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





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

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \_\_\_\_\_, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16 Other conditions: \_\_\_\_\_



**B. PUBLIC IMPROVEMENTS**

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

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Street 1	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation





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

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

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



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 **Other conditions:** 
  - a) **The applicant/developer shall be responsible to design and construct all the in-tract and off-site public improvements specified in the Development Agreement and the Conditions of Approval for tentative tract map TTM20081.**
  - b) **The applicant/developer shall be responsible to design and construct all in-tract public streets in accordance with the City of Ontario General Plan and Master Plan of Streets and Highways, and applicable standards to the satisfaction of the City Engineer. All street improvements shall include pavement, concrete curb and gutter, sidewalk, parkway landscaping and irrigation, utilities, LED street lights, fiber optic system, signing and striping.**
  - c) **Final Utilities Systems Map: The applicant shall submit a Final utilities systems map with each Precise Grading Plan Submittals. The systems map shall comply with the Ontario Municipal Utilities Company requirements which include showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDA's, Monitoring Manholes, etc.), points of connection, and sizes. This shall include private onsite systems to point of connection with public systems. See USM Requirements document for details.**

**C. SEWER**

- 2.23 A \_\_\_ Inch sewer main is available for connection by this project in \_\_\_\_\_.
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: \_\_\_\_\_

**D. WATER**

- 2.27 A \_\_\_ inch water main is available for connection by this project in \_\_\_\_\_.
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 Other conditions: \_\_\_\_\_





**E. RECYCLED WATER**

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

**Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.**

- 2.34 **Other conditions:**  

**City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be install throughout the Tract to meet this requirement, as approved by the City.**

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions: \_\_\_\_\_

**G. DRAINAGE / HYDROLOGY**

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





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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.  
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.47 **File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.**
- 2.48 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.49 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located along Chino Avenue at Newton Avenue.**
- 2.50 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.**

**L. Solid Waste**

- 2.51 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location**





at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

2.52 Other conditions:

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

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

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



## EXHIBIT 'A'

### ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

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Project Number: PDEV19-011

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

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





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

# CITY OF ONTARIO

## MEMORANDUM

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

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

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### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Lorena Mejia, Senior Planner  
Planning Department

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

**DATE:** March 18, 2019

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

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

### **SITE AND BUILDING FEATURES:**

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

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

### **3.0 WATER SUPPLY**

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### **4.0 FIRE PROTECTION SYSTEMS**

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

### **5.0 BUILDING CONSTRUCTION FEATURES**

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



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

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

**CONDITIONS OF APPROVAL**

**Sign Off**

*Carolyn Bell*

Carolyn Bell, Sr. Landscape Architect

4/24/19

Date

Reviewer's Name:  
**Carolyn Bell, Sr Landscape Architect**

Phone:  
**(909) 395-2237**

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

Case Planner:  
 Lorena Mejia

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

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



**A Preliminary Landscape Plan (dated 4/11/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**



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

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE**

Civil/ Site Plans

1. Provide conceptual grading and utility plans for all parks
2. Utilities including storm water infiltration facilities shall not displace on-site trees or parkway trees with spacing 30' oc. Parks, paseos or recreation areas approved by this department used for storm water management may utilize vegetated basins, swales and sloped grades but shall not exceed 10% of the landscape area, and be no deeper than 3' from the top of adjacent finished grades.
3. Show and dimension min 3' wide landscape planters adjacent to all patio walls facing landscape and streets; 3.5' wide planters adjacent to patio walls in paseos facing adjacent patios; and 5' wide planters adjacent to 5' high (back yard) walls.
4. Show transformers and dimension set back 5' from paving all sides.
5. Show backflow devices set back 4' from paving all sides. Locate on level grade
6. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees. Show sewer lines in driveways where possible.
7. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
8. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
9. Note and show on plans: all AC units shall be located away from doors and views.
10. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before

fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

#### Landscape Plans

11. Provide conceptual landscape plans for all parks. Include park amenities, cut sheets, images with descriptions or details of conceptual furnishings.
12. Provide conceptual landscape plans for HOA and CFD maintained parkways including street trees and parkway landscape and conceptual irrigation statement.
13. Provide conceptual landscape plans for on-site parkways include street trees spaced 30' apart and groundcovers max 18" high such as *Fragaria*, *Baccharis*, *Lonicera*, *Kurapia* or low water lawn, etc.
14. Show backflow devices with 36" high strappy leaf shrub screening and transformers, a 4'-5' high evergreen hedge screening.
15. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
16. Locate trees for shade on buildings, parking lots, seating areas and paving; screen blank walls; at adjacent properties where missing; accent trees to entries and driveways; provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
17. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
18. Show landscape hydrozones on plan or legend with low water plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations.
19. Replace short lived, high maintenance or poor performing plants: *Magnolia* (pods on sidewalks) consider *Pistachia*, *Quercus agrifolia*, *Q. suber* or *Q. ilex*; change *Arbutus* motorcourt canopy tree to a larger accent tree such as noted above. Consider also *Tristania laurina* or *Pinus canariensis*, *Podocarpus gracilior* along north PL to screen SCE easement. Add tall narrow accent tree/shrub between garages at larger planters: *Cupressus* 'Tiny Tower' ok provide second type similar size for adjacent motor courts. Triangularly space onsite and street trees to avoid conflict.
20. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
21. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
22. Call out all fences and walls, materials proposed and heights along tract perimeters.
23. Show letter lots between sidewalk and single family residence side yard wall, to identify HOA maintained landscape and recycled water irrigation.
24. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
25. Residential projects shall include a stub-out for future back yard irrigation systems.
26. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
27. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
28. Provide phasing map for multi-phase projects.
29. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:  
 Plan Check—5 or more acres ..... \$2,326.00

Inspection—Construction (up to 3 inspections per phase) ..... \$278.00  
Total.....\$2,604.00  
Inspection—Field – any additional..... \$83.00

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



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Lorena Mejia, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** March 5, 2019

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

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-011

Address: NEC Haven Avenue & Ontario Ranch Road

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

Existing Land Use: Vacant/Agricultural Dairy Farm

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

Site Acreage: 5.9 acres Proposed Structure Height: 28FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 4/22/19

CD No.: 2019-015

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See attached condition.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2019-015  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

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

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

RESOLUTION NO.

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of two acres of Private Park per 1,000 residents. The overall tract is required to provide 3.3 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 2.61-acre neighborhood park that is centrally located within the tract, and 3 pocket parks totaling 0.9 acres, which are a 0.25-acre or larger in size. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the project site, and adjacent communities; and

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

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

WHEREAS, the related Tentative Tract Map 20081 (File No. PMTT17-003) required that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; and

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

WHEREAS, the environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010, and this Application introduces no new significant environmental impacts All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference; and

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San



Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on May 20, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-023, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Mixed Use land use district of the Policy Plan Land Use Map, and the

Planning Area 6A of the Rich Haven Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Area 6A of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (Multiple-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

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

**SECTION 6: Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby

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

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

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

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

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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 28th day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV19-012  
Departmental Conditions of Approval**

*(Departmental conditions of approval to follow this page)*



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

## ***Planning Department Land Development Division Conditions of Approval***

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**Meeting Date:** May 28, 2019  
**File No:** PDEV19-012  
**Related Files:** PMTT17-003 (TT20081)

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

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

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

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

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

**2.1** Time Limits.

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

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

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

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

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

**2.3** Landscaping.

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

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

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

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

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

**2.5** Parking, Circulation and Access.

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

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

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

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

**2.6** Site Lighting.

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

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

**2.7** Mechanical Equipment.

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

## **2.8** Disclosure Statements.

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

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

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

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

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

## **2.9** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007 and an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

## **2.11** Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the



requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

#### **2.12** Additional Requirements.

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

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

(c) Prior to the issuance of grading permits, (Rough or Precise Grading). Mitigation Measures (MM), from The Rich Haven Specific Plan EIR, pertaining to Grading Activities must be met prior to issuance of grading permits.

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

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

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

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



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV19-012</u></b>  <b>RELATED FILE NO(S). <u>PMTT17-003/TTM20081</u></b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

<b>CITY PROJECT ENGINEER &amp; PHONE NO:</b>	Naiim Khoury, Associate Engineer (909) 395-2152 <span style="color: red; font-size: small;">NK</span>
<b>CITY PROJECT PLANNER &amp; PHONE NO:</b>	Lorena Mejia, Senior Planner (909) 395-2429
<b>DAB MEETING DATE:</b>	May 20, 2019
<b>PROJECT NAME / DESCRIPTION:</b>	Brookfield Residential at Canvas Park/Regions North. A development project to construct 168 Townhomes (14-plex layout)
<b>LOCATION:</b>	Northeast corner of Haven Avenue and Ontario Ranch Road
<b>APPLICANT:</b>	Brookfield/BrookCal Ontario, LLC
<b>REVIEWED BY:</b>	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;">             Bryan Lirley, P.E.            Principal Engineer         </div> <div style="text-align: center;"> <u>5/15/19</u>            Date         </div> </div>
<b>APPROVED BY:</b>	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;">             Raymond Lee, P.E.            Assistant City Engineer         </div> <div style="text-align: center;"> <u>5/15/19</u>            Date         </div> </div>



**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT PLUS COMPLETING THE CONDITIONS OF APPROVAL (COA) FOR TTM20081/PMTT17-003, RICH HAVEN SPECIFIC PLAN AND THE DEVELOPMENT AGREEMENT.**

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:   
 Property line corner 'cut-back' required at the intersection of New Haven Drive and Commercial Entry way (northeast corner) due to a larger curb return improvements.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
 \_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 1.04 Vacate the following street(s) and/or easement(s): \_\_\_\_\_
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.   
 (1) \_\_\_\_\_  
 (2) \_\_\_\_\_
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements specified in the COA for TM18810.





- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us)) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 **New Model Colony (NMC) Developments:** 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) **Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).**
  - 3) **Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).**
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 **Record Parcel Map No. TM20081 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 **Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario Per Tract Map No. \_\_\_\_\_.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_.
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement.
- 2.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.**



The CC&R document shall also include the following provisions:

- a) **Common Use and Private Utilities:** Identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance responsibilities of the HOA/POA of these facilities.

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

2.08 **Submit a soils/geology report.**

2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA) for connecting to the sewer trunk line in Chino Avenue
- Southern California Edison for any grading or improvements on SCE easement/property**

2.10 Dedicate to the City of Ontario the right-of-way described below:   
 \_\_\_\_\_ feet on \_\_\_\_\_  
 Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
 and \_\_\_\_\_.

2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_   
 \_\_\_\_\_

2.12 **New Model Colony (NMC) Developments:**

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public





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

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \_\_\_\_\_, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16 Other conditions: \_\_\_\_\_





**B. PUBLIC IMPROVEMENTS**

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

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Street 1	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation





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

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

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



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 **Other conditions:** 
  - a) **The applicant/developer shall be responsible to design and construct all the in-tract and off-site public improvements specified in the Development Agreement and the Conditions of Approval for tentative tract map TTM20081.**
  - b) **The applicant/developer shall be responsible to design and construct all in-tract public streets in accordance with the City of Ontario General Plan and Master Plan of Streets and Highways, and applicable standards to the satisfaction of the City Engineer. All street improvements shall include pavement, concrete curb and gutter, sidewalk, parkway landscaping and irrigation, utilities, LED street lights, fiber optic system, signing and striping.**
  - c) **Final Utilities Systems Map: The applicant shall submit a Final utilities systems map with each Precise Grading Plan Submittals. The systems map shall comply with the Ontario Municipal Utilities Company requirements which include showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDA's, Monitoring Manholes, etc.), points of connection, and sizes. This shall include private onsite systems to point of connection with public systems. See USM Requirements document for details.**

**C. SEWER**

- 2.23 A \_\_\_ Inch sewer main is available for connection by this project in \_\_\_\_\_.
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: \_\_\_\_\_

**D. WATER**

- 2.27 A \_\_\_ inch water main is available for connection by this project in \_\_\_\_\_.
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions:**

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





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

#### E. RECYCLED WATER

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

**Note:** The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.

- 2.34 **Other conditions:**

**City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Tract to meet this requirement, as approved by the City.**

#### F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions: \_\_\_\_\_

#### G. DRAINAGE / HYDROLOGY

- 2.38 A \_\_\_ inch storm drain main (SD) is available west of this tract to accept flows from this project. The applicant/developer shall extend the existing SD system in \_\_\_\_\_ easterly and design adequate SD system to serve this tract including the tributary drainage areas located \_\_\_\_\_ as identified in the Master Plan of Drainage.
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**





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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.  
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.47 **File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.**
- 2.48 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

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



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

#### L. Solid Waste

- 2.51 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

- 2.52 Other conditions:

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

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

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

- 3.02 Complete all requirements for recycled water usage.

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

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

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

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

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

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

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





## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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**Project Number: PDEV19-012**

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

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



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

# CITY OF ONTARIO

## MEMORANDUM

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

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

---

### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Lorena Mejia, Senior Planner  
Planning Department

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

**DATE:** March 18, 2019

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

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

### **SITE AND BUILDING FEATURES:**

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

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.



### **3.0 WATER SUPPLY**

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### **4.0 FIRE PROTECTION SYSTEMS**

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

### **5.0 BUILDING CONSTRUCTION FEATURES**

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

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

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

**CONDITIONS OF APPROVAL**

**Sign Off**

*Carolyn Bell*

Carolyn Bell, Sr. Landscape Architect

4/24/19

Date

Reviewer's Name:  
**Carolyn Bell, Sr Landscape Architect**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
 PDEV19-012 Rev 2

Case Planner:  
 Lorena Mejia

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

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

**A Preliminary Landscape Plan (dated 4/11/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**

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

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE**

Civil/ Site Plans

1. Provide conceptual grading and utility plans for all parks.
2. Utilities including storm water infiltration facilities shall not displace on-site trees or parkway trees with spacing 30' oc. Parks, paseos or recreation areas approved by this department used for storm water management may utilize vegetated basins, swales and sloped grades but shall not exceed 10% of the landscape area, and be no deeper than 3' from the top of adjacent finished grades.
3. Show and dimension min 3' wide landscape planters adjacent to all patio walls facing landscape and streets; 3.5' wide planters adjacent to patio walls in paseos facing adjacent patios; and 5' wide planters adjacent to 5' high (back yard) walls.
4. Show transformers and dimension set back 5' from paving all sides.
5. Show backflow devices set back 4' from paving all sides. Locate on level grade
6. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees. Show sewer lines in driveways where possible.
7. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
8. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
9. Note and show on plans: all AC units shall be located away from doors and views.
10. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before

fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

#### Landscape Plans

11. Provide conceptual landscape plans for all parks. Include park amenities, cut sheets, images with descriptions or details of conceptual furnishings.
12. Provide conceptual landscape plans for HOA and CFD maintained parkways including street trees and parkway landscape and conceptual irrigation statement.
13. Provide conceptual landscape plans for on-site parkways include street trees spaced 30' apart and groundcovers max 18" high such as Fragaria, Baccharis, Lonicera, Kurapia or low water lawn, etc.
14. Show backflow devices with 36" high strappy leaf shrub screening and transformers, a 4'-5' high evergreen hedge screening.
15. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
16. Locate trees for shade on buildings, parking lots, seating areas and paving; screen blank walls; at adjacent properties where missing; accent trees to entries and driveways; provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
17. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
18. Show landscape hydrozones on plan or legend with low water plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations.
19. Replace short lived, high maintenance or poor performing plants: Magnolia (pods on sidewalks) consider Pistachia, Quercus agrifolia, Q suber or Q ilex. Consider also Tristania laurina or Pinus canariensis, Podocarpus gracilior along north PL to screen SCE easement. Triangularly space onsite and street trees to avoid conflict.
20. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
21. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
22. Call out all fences and walls, materials proposed and heights along tract perimeters.
23. Show letter lots between sidewalk and single family residence side yard wall, to identify HOA maintained landscape and recycled water irrigation.
24. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
25. Residential projects shall include a stub-out for future back yard irrigation systems.
26. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
27. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
28. Provide phasing map for multi-phase projects.
29. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

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

Inspection—Field – any additional..... \$83.00

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





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Lorena Mejia, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** March 5, 2019

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

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-012

Address: NEC Haven Avenue & Ontario Ranch Road

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

Existing Land Use: Vacant/Agricultural Dairy Farm

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

Site Acreage: 15.4 acres Proposed Structure Height: 35 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 4/22/19

CD No.: 2019-016

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See attached condition.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2019-016  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

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

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



# PLANNING COMMISSION STAFF REPORT

May 28, 2019

**FILE NOS.:** PVAR18-006 and PDEV18-025

**SUBJECT:** A Minor Variance (File No. PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66, in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 of the Esperanza Specific Plan (TM17931) (APN: 0218-252-16); **submitted by Christopher Development Group, Inc.**

**PROPERTY OWNER:** Christopher Development Group, Inc.

**RECOMMENDED ACTION:** That the Planning Commission consider and approve File Nos. PVAR18-006 and PDEV18-025, 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 16 acres of mass-graded land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 (RD-3, Conventional SFD) of the Esperanza Specific Plan, and is depicted in Figure 1: Project Location, below. The property to the north of the project site is currently vacant, and is located within PA-2 (SFD Cottages) of the Esperanza Specific Plan. The property to the south is currently mass-graded, and is located within PA-9 (SFD 50' x 80') of the Esperanza Specific Plan. The property to the east is currently vacant, and is located within PA-11 (School) of the Esperanza Specific Plan. The property to the west of the project site is located within the SP (AG) zoning district and contains a dairy farm.



**Figure 1: Project Location**

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	06/27/2018

Hearing Body	Date	Decision	Action
DAB	04/15/2019	Approve	Recommend
PC	05/28/2019		Final
CC			

## **PROJECT ANALYSIS:**

[1] Background — The Esperanza Specific Plan (223 acres) and the Environmental Impact Report (EIR) were approved by the City Council on November 7, 2006. The Specific Plan established the land use designations, development standards, and design guidelines, which includes the potential development of 1,410 single-family units and a 13.10-acre school.

On March 27, 2007, the Planning Commission approved Tentative Tract Map 17931 (PMTT06-007), which subdivided 19.92 acres of land into 100 residential lots (PA-10 – RD-3; Conventional SFD) and three lettered lots (pocket park and open space landscaped areas). The lots range in size from 3,580 to 10,372 square feet, with an average lot size of 7,700 square feet.

On June 27, 2018, Christopher Development Group, Inc. submitted a Development Plan application for the construction of the 100 single-family units.

On April 15, 2019, the Development Advisory Board reviewed the project and recommended approval to the Planning Commission.

On April 23, 2019, the Planning Commission continued the item to the May 28, 2019 meeting, due to lack of quorum.

[2] Site Design/Building Layout — The project proposes the development of 100 single-family homes within Planning Area 10 of the Esperanza Specific Plan (see Exhibit A—Site Plan). The homes are all oriented toward the street (architectural forward). Three, two-story floor plans are proposed, each with three elevations per plan, which are further described below:

- Plan 1: 2,507 square feet, 4 bedrooms, bonus room, and 3 baths
- Plan 2: 2,682 square feet, 4 bedrooms, bonus room, and 3 baths
- Plan 3: 2,959 square feet, 4 bedrooms, bonus room, and 3 baths

All plans incorporate various design features, such as single- and second-story massing, varied entries, porches, second floor laundry facilities, and a great room. Additionally, all homes will have a two-car garage. To minimize visual impacts of garages, varied massing, second-story projections over garages, and varied rooflines are proposed. In addition, the garage setbacks vary, with Plan 1 offering a 25- to 30-foot garage setback, and Plans 2 and 3 an 18- to 20-foot garage setback.

[3] Site Access/Circulation — On December 18, 2006, the Planning Commission approved Tentative Tract 18380 (“A” Map) to facilitate the construction of the backbone streets and infrastructure within the southeast portion of the Esperanza Specific Plan, which included the primary access points from Mill Creek Avenue and Eucalyptus



Avenue. The developer will construct the interior neighborhood streets to serve the project.

[4] Parking — The proposed single-family conventional homes will provide an enclosed two-car garage, a standard two-car driveway, and 143 on-street parking spaces. The project is required to provide a total of 200 parking spaces that are within an enclosed garage. The project is providing a total of 543 parking spaces (garage, driveway and on-street parking). Based on the Specific Plan's minimum parking requirements for single-family conventional products, the development will be over parked by 343 parking spaces and will provide 5.43 spaces per unit, which should be more than adequate to accommodate both resident and visitor parking needs.

[5] Architecture — The project proposes to utilize three architectural styles that include Cottage, Spanish, and American 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 features (See Exhibit C—Exterior Elevations for all plans proposed):

- Spanish: Varying gable and hipped rooflines with “S” tile roof, stucco exterior, arched entry openings, recessed arched windows, shutters, a wrought-iron Juliette balcony, decorative clay pipes below gables and a scalloped second-story cantilevered element.
- Cottage: Varying gable, hipped, and shed roofs with flat concrete roof tiles, cantilevered pop-outs and corbels, shutters, pot shelves, stone veneer, and stucco trim.
- American Traditional: Gable roofs with flat concrete roof tiles, gable-end detailing, horizontal siding, stucco exterior, covered porch with square columns, brick veneer, and shutters.

[6] Landscaping/Park and Paseos — The Development Plan features sidewalks separated by landscaped parkways, which provide visual interest and promotes pedestrian mobility. All homes 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. The homeowner's association will be responsible for the maintenance of landscaping and irrigation within all common areas and parkways of all local streets (see Exhibit D—Landscape Plan (Typicals), attached).

Decorative 6-foot high 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 a 6-foot

high colored masonry block material to match. The homes adjacent to the pocket park area may include a low wall or hedge to provide a physical separation from the park.

The Development Plan proposes to construct a 1.25-acre pocket park for the neighborhood. The pocket park will contain passive open space and leisure areas, picnic and barbeque areas, as-well-as a small playground. The residents will also have access to the approximate 7-acre future park planned to the northeast of the development (see Exhibit E: Conceptual Park Plan and Exhibit F: Surrounding Future Parks, attached).

[7] Variance – A Minor Variance has been requested to reduce the front setback from 10 feet to 7.5 feet for lots 65 and 66, in order to accommodate City-imposed street radius standards at the cul-de-sac (Mendocino Avenue) fronting each lot (see Exhibit B—Affected Lots, attached). While the applicant has requested up to a 2.5-foot reduction, it is likely that only an approximate 1.5-foot reduction will be necessary; however, the request for the full 2.5-foot reduction will allow for flexibility. The site had originally been designed to have a temporary cul-de-sac that would punch through to the future neighboring tract to the north (TT 20160). However, both developers have since expressed interest in making the cul-de-sac permanent. As such, the radius was revised to meet the City’s standards for a permanent cul-de-sac, which in turn reduced the front setbacks for the adjacent lots 65 and 66.

The Ontario Development Code allows for a request of up to a 25 percent reduction in setbacks for a Minor Variance. A 2.5-foot reduction qualifies the applicant for a Minor Variance request. The Development Code also requires that the Development Advisory Board review the Minor Variance request and make recommendation to the Planning Commission.

Approval of the Minor Variance request will allow the applicant to address additional requirements from the City that were not present at the time of the Tentative Tract Map’s (TM 17931) original review and approval. Since the map’s original approval, it had been determined by the applicant and the neighboring developer to the north (TT 20160) that establishing a permanent cul-de-sac at this location instead of the originally-planned punch-through would enable each developer to build a safer and more cohesive community. Approval of the requested Minor Variance (File No. PVAR18-006), in conjunction with approval of the related Development Plan (PDEV18-025) to construct 100 single-family homes, will allow for the applicant to meet the required radius as prescribed by the City of Ontario for a permanent cul-de-sac at the terminus of Mendocino Avenue. The 2.5-foot reduction in the front setback for these lots, from 10 feet to 7.5 feet, will also enable the applicant to continue to provide public right-of-way improvements, including sidewalks and parkways.

The Minor 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 Minor 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 facts and findings in support of the Minor Variance have been outlined in the attached Minor Variance 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 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 (100) and density (5.2 DU/AC) specified within the Esperanza Specific Plan. Per the Available Land Inventory, the Esperanza Specific Plan is required to provide 1,410 dwelling units with an overall density of 5-21 DU/AC.

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

**ENVIRONMENTAL REVIEW:** The Minor Variance is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to:

- Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;
- Issuance of minor encroachment permits;
- Reversion to acreage in accordance with the Subdivision Map Act.

The environmental impacts of the Development Plan were previously reviewed in conjunction with File No. PSP05-002, the Esperanza Specific Plan, for which Environmental Impact Report (SCH# 2002061047) was adopted by the City Council on February 6, 2007. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

**CONDITIONS OF APPROVAL:** See attached department reports.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant (mass-graded)	Low-Density Residential (2.1-5 du/ac)	Esperanza Specific Plan	PA-10 (RD-3, Conventional SFD)
<i>North</i>	Vacant	Low-Density Residential (2.1-5 du/ac)	Esperanza Specific Plan	PA-2 (RD-4, SFD Cottages)
<i>South</i>	Vacant (mass-graded)	Low-Density Residential (2.1-5 du/ac)	Esperanza Specific Plan	PA-9 (RD-1, SFD 50' x 80')
<i>East</i>	Vacant	Public School	Esperanza Specific Plan	PA-11 (School)
<i>West</i>	Dairy Farm	Low-Density Residential (2.1-5 du/ac)	SP(AG)	N/A

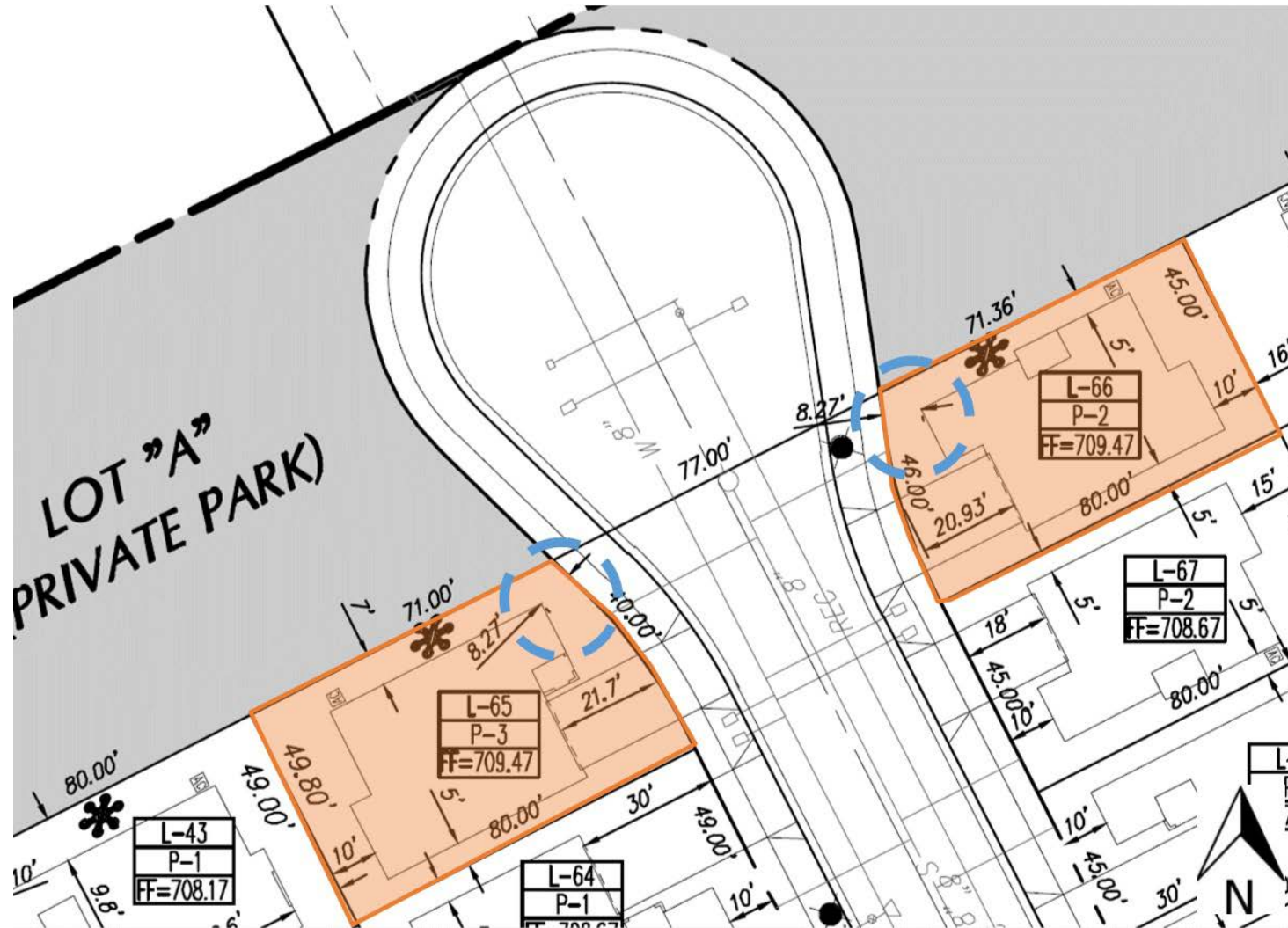
**General Site & Building Statistics**

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	50%	18 – 47%	Y
<i>Minimum lot size (in SF):</i>	3,400 SF	3,475 – 9,524 SF	Y
<i>Front yard setback (in FT):</i>	10'	10'	Y
<i>Side yard setback (in FT):</i>	5'	5'	Y
<i>Rear yard setback (in FT):</i>	10'	10'	Y
<i>Maximum height (in FT):</i>	35'	32'	Y
<i>Parking – resident:</i>	200 spaces	400 spaces	Y
<i>Parking – guest:</i>	n/a	143 spaces	Y

**Exhibit A—SITE PLAN**



**Exhibit B—AFFECTED LOTS**





***Exhibit C—EXTERIOR ELEVATIONS***



SPANISH



COTTAGE



AMERICAN TRADITIONAL

**Plan 1**

***Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)***



SPANISH



COTTAGE



AMERICAN TRADITIONAL

**Plan 2**

***Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)***



SPANISH



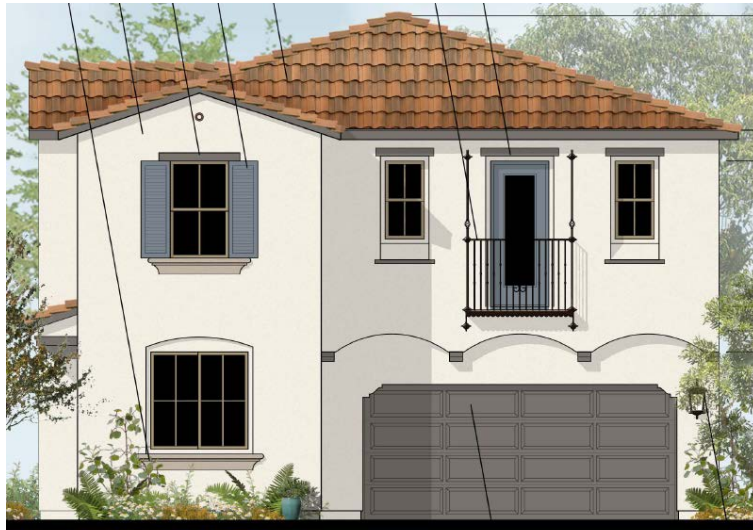
COTTAGE



AMERICAN TRADITIONAL

**Plan 3**

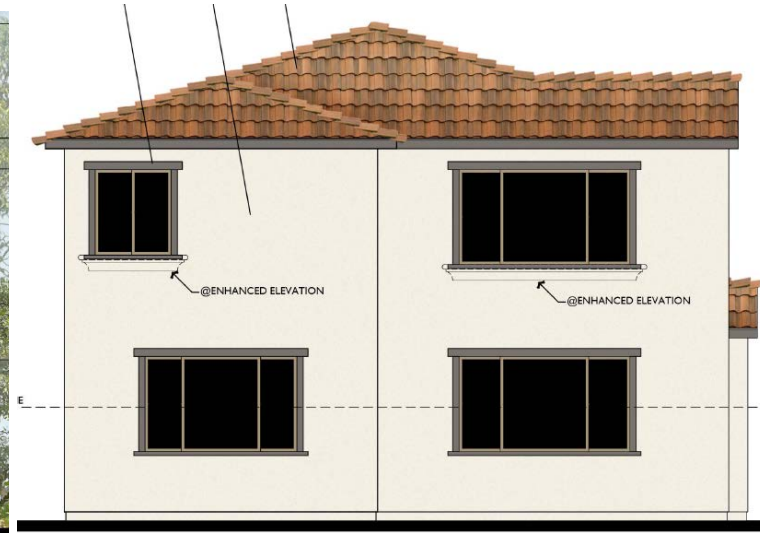
**Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)**



FRONT

(C)

A (F)

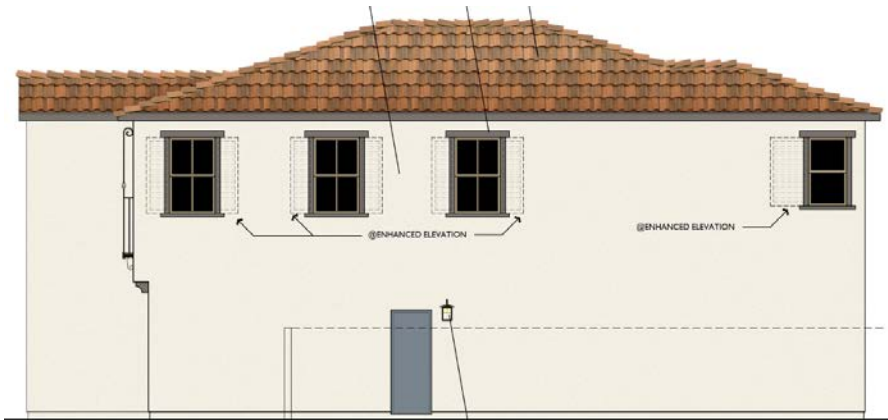


REAR



LEFT

(E)



RIGHT

(E)

**Plan 2 Spanish Details**



**Exhibit D—LANDSCAPE PLAN (TYPICALS)**



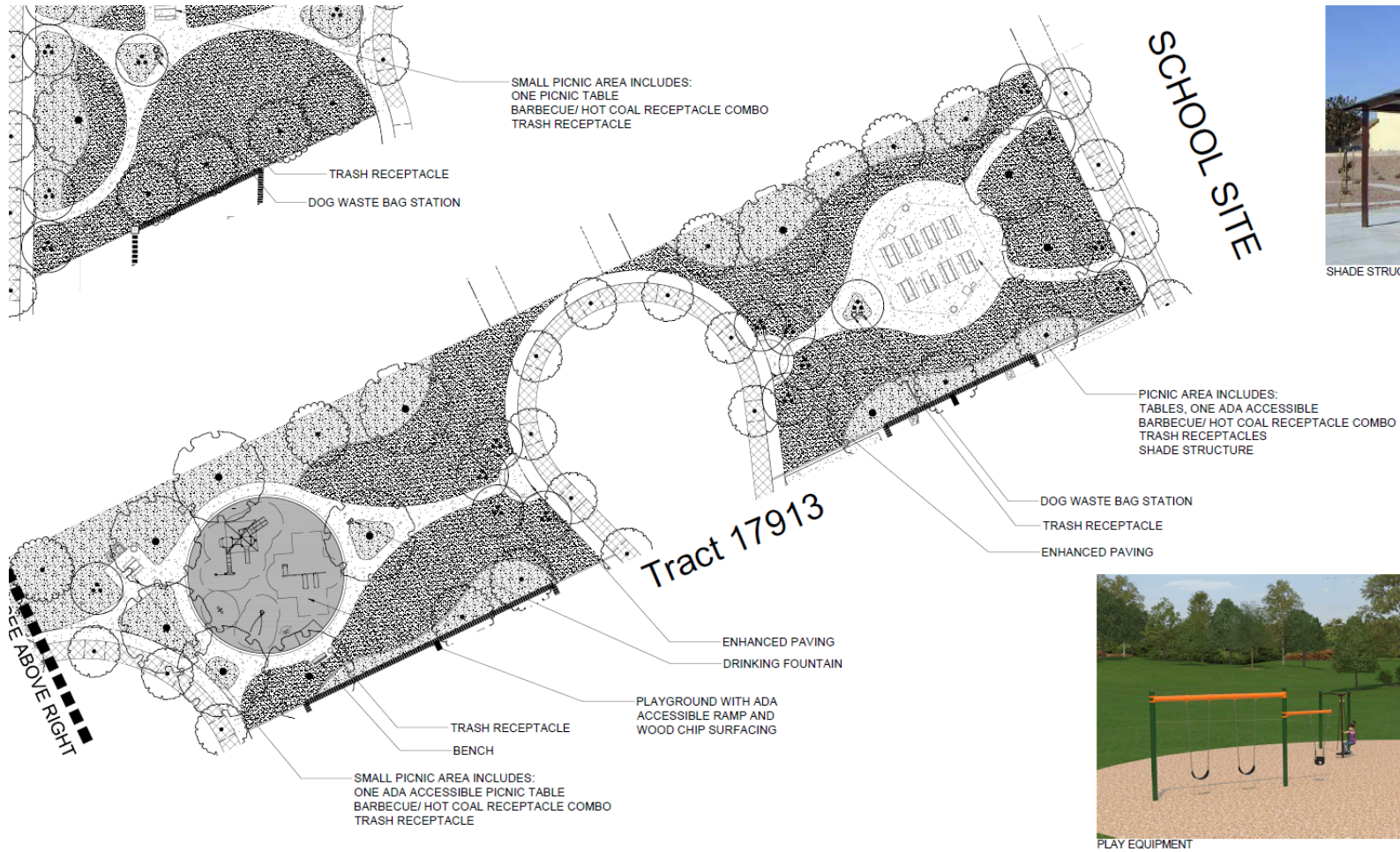


**Exhibit E—CONCEPTUAL PARK PLAN**



**Site Furniture and Westerly Portion of the Park**

**Exhibit E—CONCEPTUAL PARK PLAN (CONTINUED)**



SHADE STRUCTURE

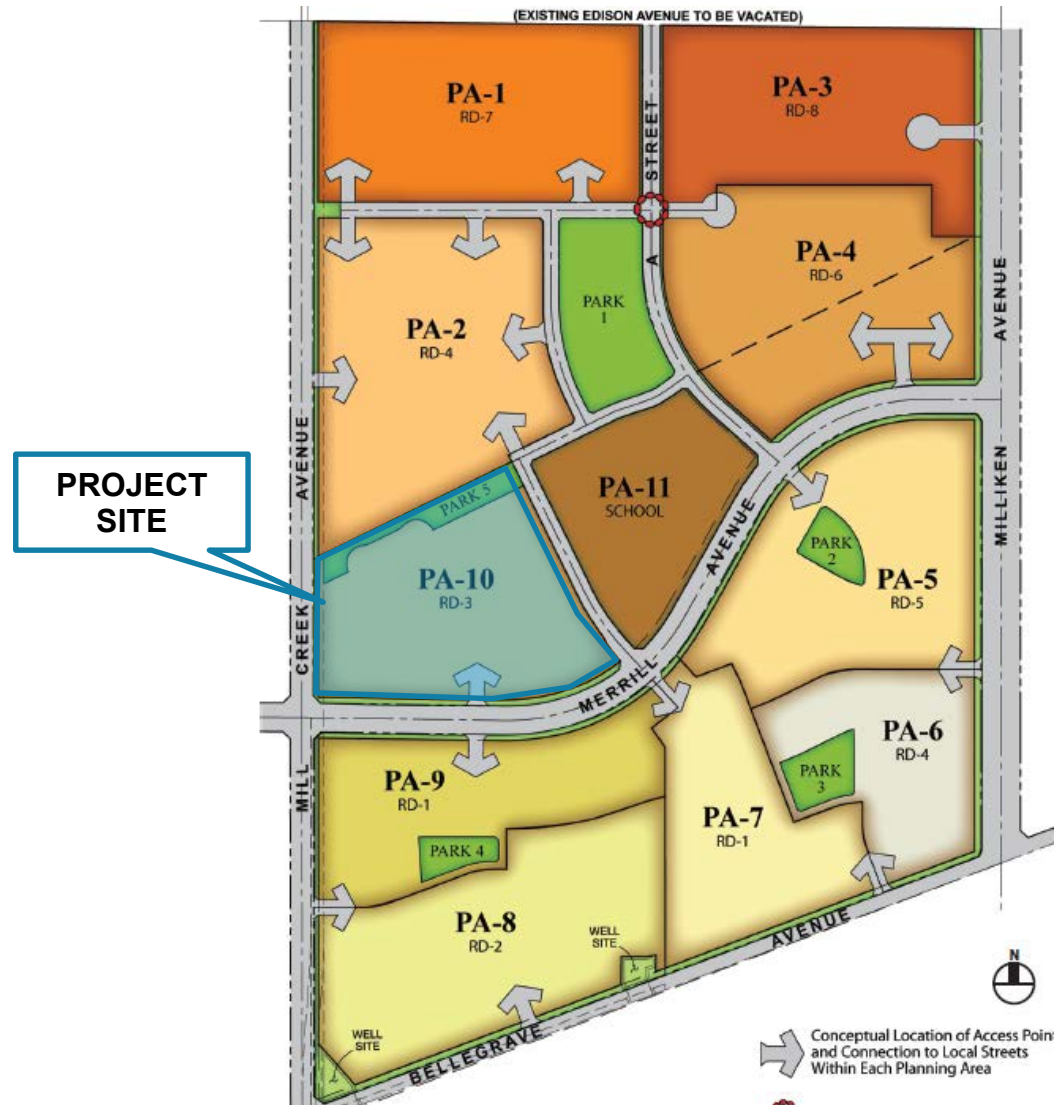


PLAY EQUIPMENT

**Play Structures and Easterly Portion of the Park**



**Exhibit F—SURROUNDING FUTURE PARKS**



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR18-006, A MINOR VARIANCE TO DEVIATE FROM THE MINIMUM BUILDING SETBACK FOR LIVING SPACE, FROM 10 FEET TO 7.5 FEET, ON LOTS 65 AND 66, SUBMITTED IN CONJUNCTION WITH A DEVELOPMENT PLAN TO CONSTRUCT 100 SINGLE-FAMILY DWELLINGS ON 16 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF EUCALYPTUS AVENUE AND MILL CREEK AVENUE, WITHIN PLANNING AREA 10 (RD-3; CONVENTIONAL SFD) OF THE ESPERANZA SPECIFIC PLAN (TM17931), AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-252-16.

WHEREAS, CHRISTOPHER DEVELOPMENT GROUP, INC. ("Applicant") has filed an Application for the approval of a Minor Variance, File No. PVAR18-006, 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 at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 (RD-3; Conventional SFD) of the Esperanza Specific Plan, and is presently mass-graded; and

WHEREAS, the property to the north of the project site is currently vacant, and is located within PA-2 (SFD Cottages) of the Esperanza Specific Plan. The property to the south is currently mass-graded, and is located within PA-9 (SFD 50 feet x 80 feet) of the Esperanza Specific Plan. The property to the east is currently vacant, and is located within PA-11 (School) of the Esperanza Specific Plan. The property to the west of the project site is located within the SP(AG) zoning district and contains a dairy farm; and

WHEREAS, the Minor Variance proposes to reduce the minimum front building setback for living space from 10 feet to 7.5 feet on lots 65 and 66. The Minor Variance was requested in order to accommodate City-imposed radius standards at the Mendocino Avenue cul-de-sac fronting each lot; and

WHEREAS, the Ontario Development Code allows for a request of up to a 25 percent reduction in setbacks for a Minor Variance; and

WHEREAS, the Minor Variance has been filed in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings on 16 acres of land; and

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

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

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

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

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

WHEREAS, on April 15, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-014, recommending the Planning Commission approve the Application; and

WHEREAS, on April 23, 2019, the Planning Commission continued the item to the May 28, 2019 meeting, due to lack of quorum; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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



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

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

(2) The Variance is categorically exempt from environmental review pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

(i) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;

(ii) Issuance of minor encroachment permits;

(iii) Reversion to acreage in accordance with the Subdivision Map Act.; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

(ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

**SECTION 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 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.*** Approval of the requested Minor Variance (File No. PVAR18-006), in conjunction with approval of the related Development Plan (PDEV18-025) to construct 100 single-family homes, will allow for the applicant to meet the required radius as prescribed by the City of Ontario for a permanent cul-de-sac at the terminus of Mendocino Avenue. The 2.5-foot reduction in the front setback for these lots, from 10 feet to 7.5 feet, will also enable the applicant to continue to provide public right-of-way improvements, including sidewalks and parkways and therefore 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 and the Esperanza Specific Plan.

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** There are exceptional or extraordinary circumstances and conditions applicable to Lots 65 and 66. The Approval of the Minor Variance request will allow the applicant to address additional requirements from the City that were not present at the time of the Tentative Tract Map's (TM 17931) original review and approval. Since the map's original approval, it had been determined by the applicant and the neighboring developer to the north (TT 20160) that establishing a permanent cul-de-sac at this location instead of the originally-planned punch-through would enable each developer to build a safer and more cohesive community.

(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 front setback for lots 65 and 66 will allow for greater design flexibility for the related Development Plan (File No. PDEV18-025), and will serve to equalize development rights between the

applicant and owners of property in the same zoning district, located within the area of the project site.

(4) ***The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.*** A thorough review and analysis of the proposed minor 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 and the inclusion of certain architectural design elements on building exteriors for the side elevation of the two affected lots.

(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 Low Density land use district of the Policy Plan Land Use Map, and the Planning Area 10 (RD-3; Conventional SFD) district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

**SECTION 4: Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 3, 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 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.

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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 28th day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore



**ATTACHMENT A:**

**File No. PVAR18-006  
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*

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**Meeting Date:** May 28, 2019

**File No:** PVAR18-006

**Related Files:** PDEV18-025

**Project Description:** A Minor Variance (PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66 (TM17931), in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 of the Esperanza Specific Plan. (APNs: 0218-252-16); **submitted by Christopher Development Group, Inc.**

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

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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** Environmental Review.

(a) 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) of the CEQA Guidelines, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

(i) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;

(ii) Issuance of minor encroachment permits;

(iii) Reversion to acreage in accordance with the Subdivision Map Act.

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

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

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

**2.4** Additional Requirements.

(a) A Variance (File No. PVAR18-006) has been requested to allow deviation from the minimum front setbacks of lots 65 and 66 of Planning Area 10 of the Esperanza Specific Plan, in conjunction with a Development Plan (File No. PDEV18-025) to construct 100 single-family homes on 16 acres of land.

(i) The Variance (File No. PVAR18-006) approval shall heretofore be inseparably tied to the aforementioned Development Plan (File No. PDEV18-025) approval.

(b) All applicable conditions of approval of the related Development Agreement (File Nos. PDA06-002 and PDA14-003), Tract Map (File No. PMTT06-007), and Development Plan (File No. PDEV18-025) shall apply to this project.

## RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-025, A DEVELOPMENT PLAN TO CONSTRUCT 100 SINGLE-FAMILY DWELLINGS, IN CONJUNCTION WITH A MINOR VARIANCE (FILE NO. PVAR18-006) TO DEVIATE FROM THE MINIMUM BUILDING SETBACK FOR LIVING SPACE, FROM 10 FEET TO 7.5 FEET, ON 16 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF EUCALYPTUS AVENUE AND MILL CREEK AVENUE, WITHIN PLANNING AREA 10 (RD-3; CONVENTIONAL SFD) OF THE ESPERANZA SPECIFIC PLAN (TM17931), AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-252-16.

WHEREAS, CHRISTOPHER DEVELOPMENT GROUP, INC. ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-025, 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 at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 (RD-3; Conventional SFD) of the Esperanza Specific Plan, and is presently mass-graded; and

WHEREAS, the property to the north of the project site is currently vacant, and is located within PA-2 (SFD Cottages) of the Esperanza Specific Plan. The property to the south is currently mass-graded, and is located within PA-9 (SFD 50' x 80') of the Esperanza Specific Plan. The property to the east is currently vacant, and is located within PA-11 (School) of the Esperanza Specific Plan. The property to the west of the project site is located within the SP(AG) zoning district and contains a dairy farm; and

WHEREAS, the Development Plan proposes to construct 100 conventional single-family homes. The lots range in size from 3,475 – 9,524 square feet, with an average lot size of 6499.5 square feet, which meets the minimum lot size of 3,400 square feet required by the Planning Area 10 (RD-3; Conventional SFD) development standards of the Esperanza Specific Plan; and

WHEREAS, the Development Plan was submitted in conjunction with a Minor Variance (PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66; and

WHEREAS, the Development Plan proposes three two-story floor plans, each with three elevations per plan. The floor plans range in size from 2,507 square feet to 2,959 square feet; and

WHEREAS, the architectural styles of the proposed single-family homes include Spanish, Cottage, and American Traditional; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, the Esperanza Specific Plan, for which Environmental Impact Report (SCH# 2002061047) was adopted by the City Council on February 6, 2007, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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



WHEREAS, on April 15, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-015, recommending the Planning Commission approve the Application; and

WHEREAS, On April 23, 2019, the Planning Commission continued the item to the May 28, 2019 meeting, due to lack of quorum; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, the Esperanza Specific Plan, for which Environmental Impact Report (SCH# 2002061047) was adopted by the City Council on February 6, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 3: *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (100) and

density (5.2 DU/AC) specified within the Esperanza Specific Plan. Per the Available Land Inventory, the Esperanza Specific Plan is required to provide 1,410 dwelling units with an overall density of 5-21 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Low Density land use district of the Policy Plan Land Use Map, and the Planning Area 10 (RD-3; Conventional SFD) district of the Esperanza Specific Plan. With approval of the related Minor Variance (File No. PVAR18-006), 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.** With approval of the related Minor Variance (File No. PVAR18-006), the Project has been designed consistent with the requirements of the City of Ontario Development Code and the Planning Area 10 (RD-3; Conventional SFD) district, 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 100 single-family homes. The related Tentative Tract Map 17931, which subdivided the land, was approved by the Planning Commission on March 27, 2007; 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 Planning Commission has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code and the Esperanza 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 Esperanza Specific Plan. The Development Plan, in conjunction with approval of the associated Minor Variance (File No. PVAR18-006), will facilitate the construction of 100 single-family homes. The environmental impacts of this project were analyzed in the EIR (SCH# 2002061047), prepared for the Esperanza Specific Plan (File No. PSP05-002). 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 Esperanza Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (single-family residential). As a result of this review, and with approval of the related Minor Variance (File No. PVAR18-006), 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 Esperanza Specific Plan.

**SECTION 6: *Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby

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

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

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

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

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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 28th day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission



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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV18-025  
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:** May 28, 2019

**File No:** PDEV18-025

**Related Files:** PVAR18-006

**Project Description:** A Development Plan (File No. PDEV18-025) to construct 100 single-family dwellings, in conjunction with a Minor Variance (PVAR18-006) to deviate from the minimum building setback for living space, from 10 feet to 7.5 feet, for lots 65 and 66, on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue, within Planning Area 10 of the Esperanza Specific Plan (TM17931) (APN(s): (APNs: 0218-252-16); **submitted by Christopher Development Group, Inc.**

**Prepared By:** Alexis Vaughn, Assistant Planner  
Phone: 909.395.2416 (direct)  
Email: [avaughn@ontarioca.gov](mailto: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 Esperanza Specific Plan.

(e) All applicable conditions of approval of the Esperanza Specific Plan (File No. PSP05-002) shall apply to this Development Plan.

(f) All applicable conditions of approval of the related TM17931 (File No. PMTT06-007), Development Agreement (File Nos. PDA06-002 and PDA14-003), and Minor Variance (File No. PVAR18-006) 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) shall be permitted in front or corner side yards. No RV street parking shall be permitted 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) Applied decorative materials (i.e. wainscot, siding) 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** Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

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

(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.)

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

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

(a) 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.

### **2.13** 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.

### **2.14** Environmental Review.

**(a)** The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002), a Specific Plan for which an EIR (SCH# 2002061047) was previously adopted by the City Council on February 6, 2007. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

**2.16** Additional Fees.

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

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

**2.17** Additional Requirements.

(a) The private linear parks shall be constructed prior to the issuance of the certificate of occupancy of the 50th 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.

(i) The Development Plan (File No. PDEV18-025) approval is contingent upon Planning Commission approval of the related Minor Variance (File No. PVAR18-006) application.



# 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:** March 19, 2019

**DAB MEETING DATE:** April 15, 2019

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

**PROJECT PLANNER:** Alexis Vaughn, Assistant Planner  
909-395-2429

**PROJECT:** PDEV18-025 - A Development Plan to construct 100 single-family dwellings on 16 acres of land within, Esperanza Specific Plan (APN: 0218-252-16)

**APPLICANT:** Christopher Development Group, Inc.

**LOCATION:** NEC of Eucalyptus Avenue and Mill Creek 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. All the required improvements for this tract shall be subject to completion of the required public improvements including public utilities beyond the tract limits as specified in Esperanza Specific Plan, the Development Agreement and the Conditions of Approval for TM-17931.
2. The applicant/developer shall design and construct the following:
  - (a) Amherst Avenue curb to curb including the underground public utilities (domestic water, sewer and storm drain) from Eucalyptus Avenue to Chatham Street.
  - (b) Chatham Street curb to centerline of street including domestic water from Amherst Avenue to Clifton Avenue.
  - (c) Underground public utilities in Clifton Avenue (domestic water, recycled water, storm drain and sewer) from Eucalyptus Avenue to Chatham Street.

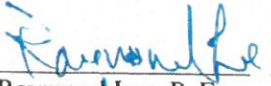


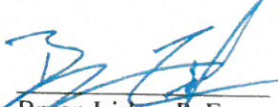
3. The applicant/developer shall prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required. A separate bond shall be submitted for the street improvements on Clifton Avenue (AC, CAB, curb & gutter, catch basins and street lights).
4. The applicant/developer shall provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents) prior to final subdivision map approval.
5. The applicant/developer shall provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability) prior to final subdivision map approval.
6. 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 handhole 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 handhole.
7. The applicant/developer shall design and construct the cul-de-sac on Mendocino Avenue in accordance with City Standard No. 1101.
8. The applicant/developer shall provide documentation of ground water well abandonment prior to approval of the Precise Grading Plans.
9. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:
  - a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
    - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
    - ii. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State.
10. Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations: The Tract Map sewer mains design shall follow the TTM17931 SSAMP, dated 02/21/2019, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval.
11. Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, the Solid Waste Handling Plan submitted on 01/25/2019 with the entitlement package shall be revised into a Final SWHP and be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
12. Final Utility Systems Map (USM): The Development Plan shall follow the USM submitted on 02/26/2019 with the entitlement package and revised into a Final USM. Any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.





13. End of Mains: Any public potable water, recycled water, and sanitary sewer mains along Mendocino Avenue shall terminate at or before the end of the cul-de-sac.

 3/22/19.  
Raymond Lee, P. E.      Date  
Assistant City Engineer

 3/21/19  
Bryan Lirley, P. E.      Date  
Principal Engineer

c:Raymond Lee, P.E., Engineering/Land Development



# CITY OF ONTARIO MEMORANDUM

**TO:** Henry Noh, Senior Planner  
Planning Department

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

**DATE:** July 22, 2018

**SUBJECT:** PDEV18-025 - A Development Plan to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Cleveland Avenue, within Esperanza Specific Plan (APN: 0218-252-16). Related File: TT 17931

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

## **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies 2,500 – 3,00 Sq. Ft. Total
- D. Number of Stories: 2
- E. 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](http://www.ontarioca.gov), click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

### 3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

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

### 5.0 BUILDING CONSTRUCTION FEATURES

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

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Henry Noh  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** July 10, 2018  
**SUBJECT:** PDEV18-025

- 
- 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: Scott Murphy, Development Director  
 Cathy Wahlstrom, Planning Director  
 Diane Ayala, Advanced Planning Division  
 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, Airport Planning  
 Steve Wilson, Engineering/NPDES  
 Joe De Sousa, Code Enforcement (Copy of memo only)  
 Jimmy Chang, IT Department

FROM: Henry Noh, Senior Planner

DATE: July 09, 2018

SUBJECT: FILE #: PDEV18-025

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, July 23, 2018**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Cleveland Avenue, within Esperanza Specific Plan (APN: 0218-252-16). Related File: TT 17931.

- 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: Scott Murphy, Development Director  
 Cathy Wahlstrom, Planning Director  
 Diane Ayala, Advanced Planning Division  
 Charity Hernandez, Economic Development  
 Kevin Shear, Building Official  
 Khoi Do, Assistant City Engineer  
 Carolyn Bell, Landscape Planning Division  
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 Paul Ehrman, Deputy Fire Chief/Fire Marshal  
 Jay Bautista, T. E., Traffic/Transportation Manager  
 Lorena Mejia, Airport Planning  
 Steve Wilson, Engineering/NPDES  
 Joe De Sousa, Code Enforcement (Copy of memo only)  
 Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: October 10, 2018

SUBJECT: FILE #: PDEV18-025 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, October 24, 2018**.

**PROJECT DESCRIPTION:** A Development Plan to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Cleveland Avenue, within Esperanza Specific Plan (APN: 0218-252-16). Related File: TT 17931.

- 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.

11/13/18

Landscape Planning Carolyn Bell Sr Landscape Architect  
 Department Signature Title Date



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

**CONDITIONS OF APPROVAL**

Sign Off

*Carolyn Bell*  
 Carolyn Bell, Sr. Landscape Architect

11/13/18  
 Date

Reviewer's Name:  
**Carolyn Bell, Sr Landscape Architect**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
 PDEV18-025 Rev 1

Case Planner:  
 Henry Noh

Project Name and Location:  
 Christopher Homes - Esperanza SP – Models, Typicals, HOA parkways,  
 NEC Eucalyptus Ave and Cleveland Ave  
 Applicant/Representative:  
 Christopher Homes- Patrick Mc Cabe  
 23 Corporate Plaza Dr. ste 246  
 Newport Beach, CA

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 10/10/18) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE**

Civil/ Site Plans

1. Coordinate with SCE to verify a water Quality swale is acceptable in this area – typically not.
2. Locate utilities including light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Move water meters, drain lines, sewer lines, street lights and all utilities to the minimum spacing to allow an 8' space 30' apart for street trees, coordinate with the landscape architect to avoid tree locations when relocating utilities.
3. Note: All finished grades at 1 1/2" below finished surfaces.
4. Show lot drainage with a catch basin and gravel sump below each before exiting property.
5. Add note to Grading Construction Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

6. Revise hardscape design (irrigation and planting ok on CD's) to include a logical separation

for maintenance on Mill Creek at park; move curved paving west, hardscape to cross PL at mowstrip, at a control joint to define boundary of maintenance responsibilities.

7. Coordinate with civil to avoid tree locations for utilities.
8. Street trees: *Quercus suber* as background tree triangularly spaced between Pistache on Mill Creek. Note 25' tree height limit, 40' limit with SCE permission under transmission lines.
9. Correct Low water plants noted per WUCOLS actually moderate water plants. Use on separate systems in shade or on north and east facing sites: *Bergenia*, *Agapanthus*, *Anigozanthos*, etc.
10. Provide phasing map for multi-phase projects.

Model landscape plans

11. Replace or move wide spreading trees shown adjacent to the PL wall so the neighbor is not burdened with their litter or maintenance. Select a mix of evergreen tall, narrow canopy trees and smaller canopy trees instead. – Show or dimension trees to be 1/2 of canopy diameter; Navel Orange at 6' from PL, *Rhus* and Olive at 12' from PI, or use narrow upright trees min 5' from PL such as *Callistemon salignus*, *Hymenosporum*,
12. Add shade tolerant shrubs and groundcovers to legend to sub for north and east facing sites.
13. Correct note on Mill Creek: CFD on west side within the neighborhood edge. The additional landscape area outside of the neighborhood edge but within the PL shall be HOA maintained with a mow strip defining the edge but landscape to be compatible.
14. Remove or change call out 27, half circle of rock garden. Integrate design to coordinate with home architecture or style of neighborhood and avoid a rock garden in a cottage garden design. Consider Mediterranean or California friendly planting design and omit the rocks.

Park landscape plans

15. Provide unique, challenging play equipment for playground instead of the typical. Consider Nature inspired equipment from Landscape Structures (Sunset Park NV), Play World, etc. Consider a small splash pad in the play area, if possible.
16. 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 provide a phasing map
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

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



# CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director  
 Cathy Wahlstrom, Planning Director  
 Diane Ayala, Advanced Planning Division  
 Charity Hernandez, Economic Development  
 Kevin Shear, Building Official  
 Khoi Do, Assistant City Engineer  
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 Jay Bautista, T. E., Traffic/Transportation Manager  
 Lorena Mejia, Airport Planning  
 Steve Wilson, Engineering/NPDES  
 Joe De Sousa, Code Enforcement (Copy of memo only)  
 Jimmy Chang, IT Department

FROM: Henry Noh, Senior Planner

DATE: July 09, 2018

SUBJECT: FILE #: PDEV18-025 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, July 23, 2018**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct 100 single-family dwellings on 16 acres of land located at the northeast corner of Eucalyptus Avenue and Cleveland Avenue, within Esperanza Specific Plan (APN: 0218-252-16). Related File: TT 17931.

- 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

7/13/18  
Date



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Development Director  
Cathy Wahlstrom, Planning Director  
Diane Ayala, Advanced Planning Division  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
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Lorena Mejia, Airport Planning  
Steve Wilson, Engineering/NPDES  
Joe De Sousa, Code Enforcement (Copy of memo only)  
Jimmy Chang, IT Department

FROM: Henry Noh, Senior Planner

DATE: July 09, 2018

SUBJECT: FILE #: PDEV18-025

Finance Acct#:

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

Department

Airport Planning  
Lorena Mejia  
Signature

Senior Planner  
Title

8/1/18  
Date



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-025

Address: NEC Mill Creek Ave & Eucalyptus Ave

APN: 0218-252-16

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct 100 Single Family Residential homes

Site Acreage: 16 ac Proposed Structure Height: 30 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 8/1/18

CD No.: 2018-060

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## 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.: 2018-060  
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**  
May 28, 2019

**FILE NOS.:** PDEV18-027 and PCUP18-028

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

**PROPERTY OWNER:** Sashant Patel and Amar Patel

**RECOMMENDED ACTION:** That the Planning Commission approves File No. PDEV18-027 and recommends that the City Council approves File No. PCUP18-028, 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 2.25 acres of land located on the south side of Interstate 10, at the northwest corner of Turner Avenue and Guasti Road (535 North Turner Avenue), within the Planning Area 1 of the Guasti Plaza Specific Plan, and is depicted in Figure 1: Project Location, to the right. The property surrounding the Project site is characterized primarily by interstate 10 to the north, Carvana automobile dealership to the east (currently under construction), USPS to the south, and



**Figure 1: Project Location**

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	07/11/2018

Hearing Body	Date	Decision	Action
DAB	05/20/2019	Approved	Recommend
PC	05/28/2019		Final
CC	06/18/2019		

vacant property to the west. The existing surrounding land uses, zoning and general plan land use designations are listed in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.

## **PROJECT ANALYSIS:**

[1] Background — On July 11, 2018, Cambria Hotel, LLC, submitted a Development Plan (File No. PDEV18-027) to construct a 5-story, 124-room, full service hotel (Cambria Hotel), with amenities such as conference rooms, a fitness center, pool, and full service restaurant. The hotel will be located within the Ontario Airport Metro Center Growth Area, an area that TOP envisions to be the most intensive concentration of development in the Inland Empire, which includes the Convention Center and hospitality area along Vineyard Avenue, the Ontario Mills, the Events Center, and Guasti Village.

The hotel’s architecture has been enhanced on all four elevations due to its prominent location and visibility along the Interstate 10 corridor. The hotel’s primary entrance faces south, towards Guasti Road, and features a central tower element that will be visible from Turner Avenue, to the east. The building is situated toward the northern portion of the site, with a 153-foot building setback from Guasti Road, a 67-foot building setback from Turner Avenue, and an 80-foot building setback from Interstate 10. Parking will be primarily situated to the south side of the building (see Exhibit B: Site Plan, attached).

This project was filed in conjunction with a Conditional Use Permit (File No. PCUP18-028) to establish the full-service hotel, as-well-as the sale of alcoholic beverages for on-premises consumption by hotel guests and their visitors, and the sale of alcoholic beverages for on-premises consumption in conjunction with a restaurant.

On May 20, 2019, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report.

[2] Site Access/Circulation — The main hotel entrance faces south and two points of access have been provided to the project site via a 30-foot wide driveway from Guasti Road and a 30-foot wide driveway from Turner Avenue. Guest check-in, drop-off, and pick-up is located along the southern portion of the site, along Guasti Road, at the main entrance of the hotel. In addition, the existing CC&Rs indicate that nonexclusive easements are provided appurtenant to each lot for vehicular and pedestrian access as well as ingress and egress over all driveways and walkways. The Guasti Road driveway access will be shared with the adjacent property west of the project site.

[3] Parking — The Project is required to provide a minimum of 158 off-street parking spaces pursuant to the “Lodging Facilities” and “Restaurant” parking standards specified in the Guasti Plaza Specific Plan, as shown in the table below. With the proposed adjusted west property line shown on Exhibit B: Site Plan, attached, a total of 112 off-street parking

spaces will be provided on-site. The applicant will be required to enter an agreement with the adjacent property to the west to establish shared access and 46 shared parking spaces, thereby allowing the project to meet the required minimum 158 off-street parking spaces. Additionally, the Conditions of Approval require that the existing CC&Rs must be revised to include a shared parking and access agreement between the project site and the adjoining property to the west.

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Lodging Facilities (bed and breakfast inns, boarding and rooming houses, hotels and motels, and residence inns)</i>	83,500 SF 124 Rooms	One space per sleeping room; however, provide no fewer than one space per 2 beds; plus, required parking for associated uses.	124	112 on-site
<i>Restaurant</i>	3,377 SF	10 spaces per 1,000 SF (0.01/SF) of GFA (includes outdoor seating area up to 25 percent of GFA).	34	
<i>Shared Parking</i>				46
<i>TOTAL</i>			158	158

[4] Architecture — The exterior building design is based on the signature Cambria Hotel by Choice Hotels prototype, which incorporates a modern style of clean lines and materials to reflect the upscale and casually tailored model of the hotel brand. The architecture of the building complements the architecture of the Ontario Airport Towers, located at the northeast corner of Archibald Avenue and Guasti Road, and the contemporary design and finishes of the Carvana automobile dealership located east of the project site (currently under construction). The project’s exterior building materials include: smooth stucco wall finishes with a light and dark gray color palette; metal panels that are dark gray and muted red (attar of rose), located at the tower elements, entrance porte cochère and canopies; a dark gray travertine ledge tile placed at the base of the hotel, which wraps around the majority of the building encapsulating the first floor; and a white smooth stucco finish utilized on the upper floors, which provides contrasts with the dark gray materials used throughout the tower and canopy elements.

The hotel’s primary entrance features a central tower element that will be visible from both Guasti Road, directly to the south, and Turner Avenue, to the east. Corresponding design features similar to the central tower element, are integrated into the north and west elevations, facing Interstate 10 and future development, respectively. The primary entrance includes dark gray metal paneling at the center of the tower, with a red finish incorporated into the tower with porte cochère. This treatment is featured on the northern and western towers, facing Interstate 10 and the project’s interior (west) property line, and provides horizontal and vertical changes, which breaks up the massing of each

elevation. In addition to the exterior wall finishes, clear glazing will be utilized throughout the hotel. Furthermore, the restaurant is located at the center of the building, and will be accessed through the main entrance located along the south elevation, facing Guasti Road.

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

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

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

[5] Landscaping — The project provides substantial landscaping along the Guasti Road, Turner Avenue, and Interstate 10 frontages, along the project perimeter, and throughout the pool and patio areas. The development standards of the Guasti Plaza Specific Plan requires a minimum 15 percent landscape coverage, which the project exceeds, providing 22.8 percent landscape coverage. The proposed on-site and off-site landscape improvements will contribute to the creation of a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates a combination of 24-inch and 48-inch box trees along Interstate 10, which includes Coast Live Oak trees, as well as 24-inch box Chinese Flame trees north and east of the pool area. Brisbane trees are placed along Turner Avenue, to the east of the hotel, along with existing pepper trees that will be protected and preserved in place. The landscape plan also indicates 24-inch box trees primarily within the parking lot, including Chinese Flame, Western Redbuds, and Brisbane trees, and Crape Myrtle and Chinese Flame trees will accent the porte cochère. In addition, 5-gallon shrubs will be provided throughout the project site, which includes Dwarf Bottlebrush, Yellow Wave Flax, Texas Privet, Red Carpet Rose, and Bird of Paradise plants. A variety of shrubs and groundcovers will also be provided, which are low water usage or drought tolerant (see Exhibit D: Landscape Plan).

[6] Signage — Upon reviewing the Ontario Airport Towers Sign Program (File No. PSGP12-007), staff has determined that the project will require a Sign Program

Amendment, to include regulations reflecting the amount and location of signage shown on the plans. The Sign Program Amendment may include deviations from the standard signage requirements as allowed by the Development Code, including a limited increase in maximum sign area and the number of signs allowed. Staff will work with the applicant to create a Sign Program Amendment that will contribute to the overall design quality of the site and surrounding area. A separate application will be required to be approved by Planning Department staff prior to any signage installation.

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

[8] Conditional Use Permit for Hotel Land Use — Pursuant to the City of Ontario's Development Code, new hotels are required to be reviewed under a CUP in conjunction with a Development Plan. The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. Development Code Section 4.02.015.A (Purpose) describes Conditional Use Permits as follows:

*Conditional Use Permits are required to establish a procedure to ensure that a degree of compatibility is maintained with respect to certain uses on certain properties, due to their nature, intensity or size, or to compensate for variations and degrees of technological processes and equipment as related to the generation of noise, smoke, dust, fumes, vibration, odors and other practical hazards.*

The approval of a CUP requires that the Planning Commission establish certain findings which show that the proposed use is consistent with: TOP, applicable specific plans, applicable land use and development regulations, and all surrounding land uses. The required findings, along with facts and reasons in support of the project, are listed below:

***FINDING A:*** *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district. The proposed project is consistent with the design guidelines set forth in the Guasti Plaza Specific Plan. The Guasti Plaza Specific Plan explicitly indicates that Planning Area 1 is to be developed with a hotel. In addition, the hotel*



complements the architecture of the Ontario Airport Towers, to the west of the site, and the Carvana automobile dealership, with their contemporary design. Therefore, the proposed project is consistent with the project site and the surrounding area.

***FINDING B:*** *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed project is a compatible use with the project site and the surrounding area. The proposed location of the requested Conditional Use Permit, and the proposed conditions under which it will be operated or maintained, will be consistent with the Policy Plan component of The Ontario Plan and will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The Guasti Plaza Specific Plan explicitly indicates that Planning Area 1 is to be developed with a hotel. The Ontario Plan (TOP) identifies the Ontario Airport Metro Area as a Focused Growth Area. This area is envisioned as the most intensive concentration of development in the Inland Empire and includes the Convention Center and hospitality area along Vineyard Avenue; Ontario Mills; Guasti Village, the Events Center, and major office and urban residential centers. The area benefits from major transportation facilities including the I-10 and I-15 freeways, Ontario International Airport, and a variety of transit options. Therefore, the project is consistent with the goals and policies of the Policy Plan (General Plan).*

***FINDING C:*** *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of this Development Code and the Guasti Plaza Specific Plan. The proposed location of the project is in accord with the objectives and purposes of the Ontario Development Code and Guasti Plaza Specific Plan within which the site is located. The use will be operated in accordance with the Ontario Development Code and the use meets the objectives and purposes as required in the Guasti Plaza Specific Plan. The Guasti Plaza Specific Plan is intended to provide a high quality office, hotel and commercial center with possible residential uses at the Guasti community and attract businesses, residents, airport users, tourists, and local citizens from the greater Ontario area and surrounding region.*

***FINDING D:*** *The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan (ALUCP). The project site is located within the Airport Influence Area of Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.*

***FINDING E:*** *The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and*

*improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.* The project site is located within the Guasti Plaza Specific Plan, for which a hotel is a conditionally permitted use. The project will be conditioned to ensure that it will operate and be properly maintained, therefore the project will not be detrimental or injurious to surrounding property and improvements.

[9] Conditional Use Permit for Alcohol Sales (Type 70 and 47 ABC Licenses) — In addition to establishing the hotel use, the applicant is requesting CUP approval to establish alcoholic beverage sales in conjunction with the proposed Cambria Hotel. The applicant has applied for a Type 70 (On-Sale General — Restrictive Service) ABC license, which authorizes the sale or furnishing of beer, wine, and distilled spirits for consumption on the premises, to the hotel's overnight guests and their invitees. Moreover, they have also applied for a Type 47 (On-Sale General Bona Fide Eating Place) ABC license, for on-premises consumption in conjunction with the hotel's restaurant.

The introduction of alcoholic beverage sales at the proposed location, as an ancillary service to the existing hotel, will not result in any intensification of the hotel or the associated restaurant land uses, as it is being provided as a convenience to patrons. According to the applicant, alcoholic beverages will only be displayed for sale within the hotel market, located within the first floor. The market is a convenience store that is approximately 189 square feet in size, and located at the northwest corner of the welcome lobby area. Alcoholic beverages will be sold from 11:00 a.m. to 12:00 a.m., daily, and will not be provided to individual hotel rooms; however, the Police Department has provided a condition of approval specific to room service should the hotel choose to modify their room conveniences, as-well-as additional conditions addressing alcohol service within the meeting/banquet room and pool area.

The restaurant will utilize the hotel main entrance, located on the south side of the building. As the restaurant operations are still being determined, the Police Department has provided standard conditions of approval for the alcohol service within the restaurant, including conditions for outdoor seating.

The California Department of Alcoholic Beverage Control (ABC) is the State entity responsible for granting, renewing and revocation of all alcoholic beverage licenses. ABC determines how many On-Sale and Off-Sale alcoholic beverage license types should be issued per Census Tract, based upon their population.

The Cambria Hotel is located within Census Tract 127. ABC has determined that three On-Sale and two Off-Sale ABC licenses are allowed within this census tract. Presently, there are eight active On-Sale licenses and eight active Off-Sale licenses in the census tract. Census Tract 127 is within an area envisioned as a mixture of high quality office, lodging, retail, and residential uses that incorporate the historic Guasti Winery. Furthermore, the project site is not located in a high crime area.

The hotel's alcoholic beverage service operates similarly to a "Bona-Fide Public Eating Place;" therefore, the Police Department does not object to the granting of the requested Conditional Use Permit and ABC issuance of the requested Type 70 and Type 47 alcoholic beverage licenses, provided all City and ABC rules, regulations, and conditions are met and followed by the establishment. In addition, all new alcohol beverage serving facilities are required to have their employees attend an L.E.A.D. training class, which is offered by the City of Ontario Police Department, at no cost.

Although the census tract has a high concentration of On-Sale licenses, only one other Type 70 license has been issued within Census Tract 127. In addition, three other Type 47 licenses has been issued within the census tract. The restrictive license is for the benefit of the hotel guests and for the convenience of hotel patrons and their guests. Staff has placed specific conditions of approval on the CUP to ensure the safe operation of the business.

The Business and Professional Code grants authority to local governments to approve additional ABC licenses under certain terms, which includes making certain findings, having low crime levels, and implementation of mitigation measures. As indicated, the Guasti Plaza Specific Plan is intended to provide a high quality office, hotel and commercial center, with the potential for higher density residential uses. As planned, the Guasti community will attract businesses, residents, airport users, tourists, and local citizens from the greater Ontario area and surrounding region. Consequently, more ABC licenses than typical are present. Lastly, the Ontario Police Department has reviewed the CUP request and is also recommending approval, subject to conditions.

[10] Public Convenience and Necessity — State Business and Professions Code Section 23958.4 grants the City the authority to review retail alcoholic beverage license applications proposed within areas having an "undue concentration" (high density of alcoholic beverage sales locations) of ABC licenses, and determine whether public convenience or necessity would be served by license issuance. For On-Sale alcoholic beverage licenses, the City's Development Code provides that an alcoholic beverage license in requested conjunction with a bona fide restaurant (such as the proposed Type 47 ABC license — On-Sale General Bona Fide Eating Place) is deemed to be provided as convenience to business patrons, and the Approving Authority (the Planning Commission in this case) must, therefore, determine that the public convenience would be served by the issuance of an ABC license.

For all other On-Sale alcoholic beverage licenses (such as the proposed Type 70 ABC License – On-Sale General Restrictive Service), it is up to the Planning Commission to determine whether public convenience or necessity would be served by ABC license issuance on a case-by-case basis, upon a thorough review of the facts pertaining to the request. Upon review of the Applicant's request for Type 70 license approval, it is Staff's belief that because the Type 70 license functions much like the Type 47 license, in that

license issuance would authorize the sale of beer, wine, and distilled spirits only for on-premises consumption to the hotel's overnight guests and their invitees, that the public convenience would be served by the issuance of an ABC license. For this reason, it would be appropriate for the Planning Commission to issue appropriate findings related to ABC license issuance, determining that the public convenience would be served.

[11] Market Feasibility Report — Pursuant to Development Code requirements, a market feasibility report is required to be prepared for all new proposed hotels. Bruce Baltin, Managing Director of the CBRE Hotels Advisory, and the City's Economic Development Agency, have provided information based on the projected demand within the various markets and the growing competition from a variety of hotels. The information provided estimates that the proposed hotel would be successful based upon factors such as future growth in the area, including new office and commercial space, as-well-as future airport expansion. The report included discussions of other similar hotels in the area, long-term viability and overall demand due to new businesses and activities in and around the City, are based on the following data:

[a] The total revenue from the transient occupancy tax (TOT) has increased from approximately \$11.1 million in the 2007/2008 fiscal year to approximately \$13.9 million in fiscal year 2016/2017, which is a 2.3 percent compound average annual growth (CAAG) rate.

[b] Demand for rooms, as demonstrated by occupied room nights, grew at a CAAG rate of 2.6 percent from 2013 to 2017.

[c] Commercial demand, approximately 66 percent of the market demand in 2017, accounted for approximately 461,400 room nights and has increased an average 4 percent in 2018, as-well-as a 3 percent estimated increase in 2019.

[d] Both leisure demand (approximately 16 percent of total captured demand in 2017) and group demand (approximately 18 percent of total captured demand in 2017) has increased an average 4 percent in 2018, as well as a 3 percent estimated increase in 2019.

[e] Ontario hotel revenue per available room (RevPAR) growth at a CAAG rate of 8.6 percent over the past 5 years.

[f] Hotel market occupancy rate through June 2018 was 83.6 percent indicating an undersupply of rooms in the surrounding area.

[g] The average daily room (ADR) rate has increased by 5.8 percent on an annual basis over the last five years.

[h] Demand for lodging in the Ontario area has historically been and continues to be dominated primarily by business travelers. The development and improvement of area attractions such as the Citizens Business Bank Arena, Ontario Mills Mall, Victoria Gardens, Auto Club Speedway, Los Angeles County Fairgrounds, and Ontario Convention Center all have the potential to increase visitor traffic as well as generate additional group and leisure room nights in the market.

CBRE and the Economic Development Agency believes that based upon the existing knowledge of the Ontario hotel market coupled with the research relative to the report, opportunity exists for the development of high-quality, full-service hotels to be located in the City. Additionally, based upon the proposed location within close proximity to the region's demand-drivers including the Citizens Business Bank Arena and major transportation channels, the proposed hotel would achieve positive results in the market.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
  - Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

[2] Vision.

**Distinctive Development:**

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

[3] Governance.

**Decision Making:**

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

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

[4] Policy Plan (General Plan)

**Land Use Element:**

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

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

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

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

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

**Community Economics Element:**

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

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

- CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique,



functional and sustainable places that will compete well with their competition within the region.

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

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

▪ Goal CE3: Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.

➤ CE3-1 Fiscal Impact Disclosures. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.

#### **Safety Element:**

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

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

#### **Community Design Element:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

**ENVIRONMENTAL REVIEW:** The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

**CONDITIONS OF APPROVAL:** See attached department reports.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Mixed-Use	Guasti Plaza Specific Plan	Planning Area 1
<i>North</i>	I-10 Freeway	I-10 Freeway	I-10 Freeway	I-10 Freeway
<i>South</i>	Post Office	Mixed-Use	Guasti Plaza Specific Plan	Planning Area 2
<i>East</i>	Carvana (currently in construction)	Commercial Office	Retail Commercial	N/A
<i>West</i>	Vacant	Mixed-Use	Guasti Plaza Specific Plan	Planning Area 1

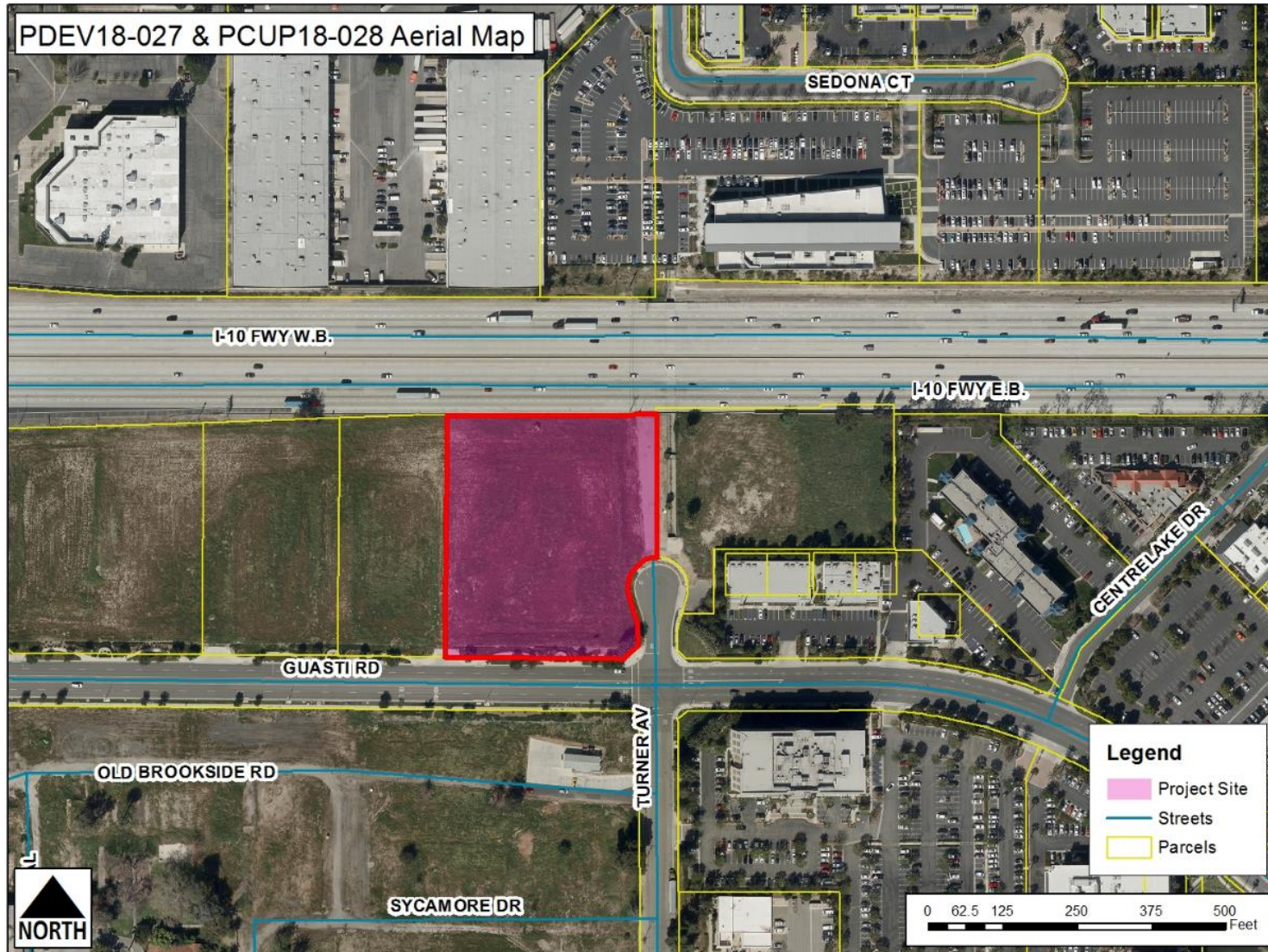
**General Site & Building Statistics**

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	2.25 acres	N/A	Y
<i>Lot/Parcel Size:</i>	98,004 SF	N/A	Y
<i>Building Area:</i>	83,500 SF	50% (Max.)	Y
<i>Floor Area Ratio:</i>	0.85	1.0 (Max.)	Y
<i>Building Height:</i>	56.5 FT (roof), 73 FT (parapet)	100 FT (Max.)	Y

**Off-Street Parking:**

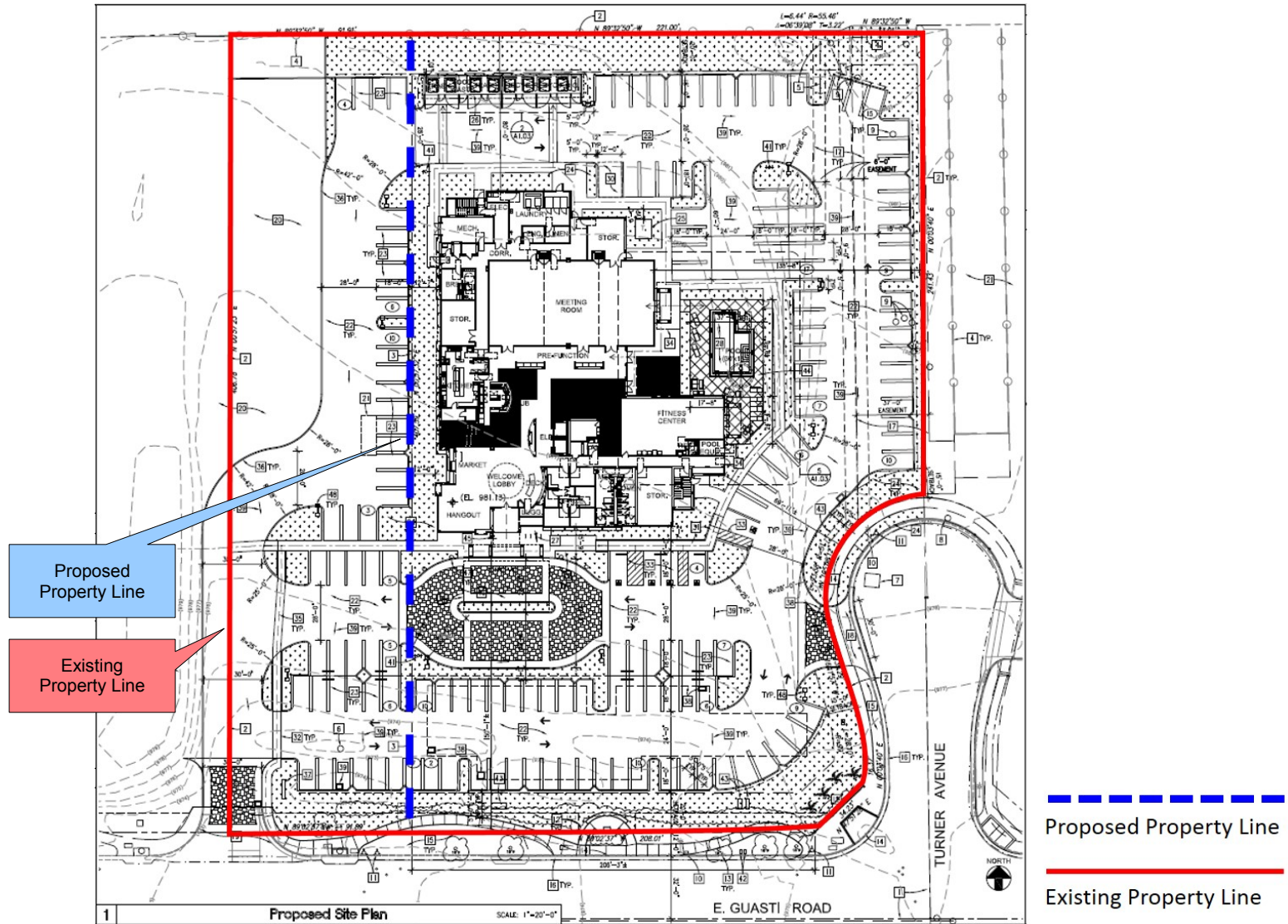
<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Lodging Facilities (bed and breakfast inns, boarding and rooming houses, hotels and motels, and residence inns)</i>	83,500 SF 124 Rooms	One space per sleeping room; however, provide no fewer than one space per 2 beds; plus, required parking for associated uses.	124	112 on-site
<i>Restaurant</i>	3,377 SF	10 spaces per 1,000 SF (0.01/SF) of GFA (includes outdoor seating area up to 25 percent of GFA).	34	
<i>Shared Parking</i>				46
<b>TOTAL</b>			158	158

**Exhibit A—PROJECT LOCATION MAP**





**Exhibit B—SITE PLAN**



**Exhibit C—EXTERIOR ELEVATIONS**



**Exhibit C—EXTERIOR ELEVATIONS (continued)**







RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP18-028, A CONDITIONAL USE PERMIT TO ESTABLISH: 1) A 124-ROOM FULL-SERVICE HOTEL; 2) THE SALE OF ALCOHOLIC BEVERAGES, INCLUDING BEER, WINE AND DISTILLED SPIRITS, FOR ON-PREMISES CONSUMPTION BY HOTEL GUESTS AND THEIR VISITORS (TYPE 70 ABC LICENSE – ON-SALE GENERAL RESTRICTIVE SERVICE); AND 3) THE SALE OF ALCOHOLIC BEVERAGES, INCLUDING BEER, WINE AND DISTILLED SPIRITS, FOR ON-PREMISES CONSUMPTION IN CONJUNCTION WITH A RESTAURANT (TYPE 47 ABC LICENSE – ON-SALE GENERAL FOR BONA FIDE EATING PLACE), ON 2.25 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF TURNER AVENUE AND GUASTI ROAD, AT 535 NORTH TURNER AVENUE, WITHIN PLANNING AREA 1 OF THE GUASTI PLAZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-192-24.

WHEREAS, CAMBRIA ONTARIO, LLC ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. File No. PCUP18-028, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.25 acres of land generally located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the I-10 Freeway, and is developed with an interstate highway. The property to the east is within the Retail Commercial zoning district, and is currently in construction of a Carvana automobile dealership. The property to the south is within Planning Area 2 of the Guasti Plaza Specific Plan, and is developed with a post office. The property to the west is within Planning Area 1 of the Guasti Plaza Specific Plan, and is vacant; and

WHEREAS, a Conditional Use Permit (CUP) to establish an 83,500-square foot, 5-story, 124-room, full service hotel (Cambria Hotel), with amenities such as conference rooms, a fitness center, pool, and full-service restaurant; the sale of alcoholic beverages for on-premises consumption by hotel guests and their visitors; and the sale of alcoholic beverages for on-premises consumption in conjunction with a restaurant; and

WHEREAS, the hotels first floor consists of 19,500 square feet of meeting space, sales office, employee break room, fitness center, coffee house, market (convenience store), lounge area, mechanical/elevator rooms, kitchen, restrooms, laundry room, general manager's office, restaurant, and lobby. The second through fifth floors, feature

the balance of the hotel rooms (124-rooms) and space for laundry/linen storage, elevators, and emergency stairwells; and

WHEREAS, the hotel has been designed to provide maximum exposure to the Turner Avenue and Guasti Road street frontages, and the I-10 Freeway, located directly north of the project site. The hotel's primary entrance faces south, featuring a central tower element that will be visible from both Guasti Road, directly to the south, and Turner Avenue, to the east. Corresponding tower elements are also featured along north and west elevations, facing the I-10 Freeway and future development, respectively. The building is situated toward the northern portion of the site, with a 153-foot building setback from Guasti Road, a 67-foot building setback from Turner Avenue, and an 80-foot building setback from the I-10 Freeway. Parking will be primarily situated to south side of the building (see Exhibit B: Site Plan). This project was filed in conjunction with a Development Plan (File No. PDEV18-027) for the construction of the hotel; and

WHEREAS, pursuant to the City of Ontario's Development Code, new hotels are required to be reviewed under a CUP in conjunction with a Development Plan. The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. Development Code Section 4.02.015.A (Purpose) describes Conditional Use Permits as follows:

*Conditional Use Permits are required to establish a procedure to ensure that a degree of compatibility is maintained with respect to certain uses on certain properties, due to their nature, intensity or size, or to compensate for variations and degrees of technological processes and equipment as related to the generation of noise, smoke, dust, fumes, vibration, odors and other practical hazards.*

WHEREAS, the approval of a CUP requires that the Planning Commission establish certain findings which show that the proposed use is consistent with all City of Ontario development codes, land uses and other applicable requirements. Additionally, the use must be compatible with the other surrounding uses; therefore, approving a CUP is discretionary in nature. The required findings along with facts and reasons in support are listed below:

***FINDING A:*** *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district. The proposed project is consistent with the design guidelines set forth in the Guasti Plaza Specific Plan. The Guasti Plaza Specific Plan explicitly indicates that Planning Area 1 is to be developed with a hotel. In addition, the hotel complements the architecture of the Ontario Airport Towers, to the west of the site,*



and the Carvana automobile dealership, with their contemporary design. Therefore, the proposed project is consistent with the project site and the surrounding area.

***FINDING B:*** *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed project is a compatible use with the project site and the surrounding area. The proposed location of the requested Conditional Use Permit, and the proposed conditions under which it will be operated or maintained, will be consistent with the Policy Plan component of The Ontario Plan and will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The Guasti Plaza Specific Plan explicitly indicates that Planning Area 1 is to be developed with a hotel. The Ontario Plan (TOP) identifies the Ontario Airport Metro Area as a Focused Growth Area. This area is envisioned as the most intensive concentration of development in the Inland Empire and includes the Convention Center and hospitality area along Vineyard Avenue; Ontario Mills; Guasti Village, the Events Center, and major office and urban residential centers. The area benefits from major transportation facilities including the I-10 and I-15 freeways, Ontario International Airport, and a variety of transit options. Therefore, the project is consistent with the goals and policies of the Policy Plan (General Plan).

***FINDING C:*** *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of this Development Code and the Guasti Plaza Specific Plan.* The proposed location of the project is in accord with the objectives and purposes of the Ontario Development Code and Guasti Plaza Specific Plan within which the site is located. The use will be operated in accordance with the Ontario Development Code and the use meets the objectives and purposes as required in the Guasti Plaza Specific Plan. The Guasti Plaza Specific Plan is intended to provide a high quality office, hotel and commercial center with possible residential uses at the Guasti community and attract businesses, residents, airport users, tourists, and local citizens from the greater Ontario area and surrounding region.

***FINDING D:*** *The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.* 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.

***FINDING E:*** *The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and*

*improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.* The project site is located within the Guasti Plaza Specific Plan, for which a hotel is a conditionally permitted use. The project will be conditioned to ensure that it will operate and be properly maintained, therefore the project will not be detrimental or injurious to surrounding property and improvements; and

WHEREAS, in addition to establishing the hotel use, the applicant is requesting approval of a CUP to establish alcoholic beverage sales in conjunction with the Cambria Hotel. The applicant has applied for a Type 70 on-sale general — restrictive service ABC license, which authorizes the sale or furnishing of beer, wine, and distilled spirits for consumption on the premises to the hotel's overnight guests and their invitees. Moreover, they have also applied for a Type 47 on-sale general bona fide eating place ABC license, for on-premises consumption in conjunction with a restaurant; and

WHEREAS, the introduction of alcoholic beverage sales at this location as an ancillary service to the existing hotel will not intensify the land use, as it is being provided as a convenience to patrons. According to the applicant, alcoholic beverages will only be displayed for sale within the hotel market, located within the first floor. The market is a convenience store that is approximately 189 square feet in size, and located at the northwest corner of the welcome lobby area. Alcoholic beverages will be sold from 11:00 a.m. to 12:00 a.m., daily, and will not be provided to individual hotel rooms; however, the Police Department has provided a condition of approval specific to room service should the hotel choose to modify their room conveniences, as-well-as additional conditions addressing alcohol service within the meeting/banquet room and pool area; and

WHEREAS, the restaurant will utilize the main entrance of the hotel located on the south side of the building. As the restaurant operations are still being determined, the Police Department has provided standard conditions of approval for the alcohol service within the restaurant, including conditions for outdoor seating; and

WHEREAS, the California Department of Alcoholic Beverage Control (ABC) is the State entity responsible for granting, renewing and revocation of all alcoholic beverage licenses. ABC determines how many On-Sale and Off-Sale alcoholic beverage license types should be issued per Census Tract, based upon their population; and

WHEREAS, the Cambria Hotel is located within Census Tract 127. ABC has determined that 3 On-Sale and 2 Off-Sale ABC licenses are allowed within this census tract. Presently, there are 8 active On-Sale and 8 Off-Sale. Census Tract 127 is within an area envisioned as a mixture of high quality office, lodging, retail, and residential uses that incorporate the Guasti Winery. Furthermore, the project site is not located in a high crime area; and

WHEREAS, the hotel's alcoholic beverage service operates similarly to a "Bona-Fide Public Eating Place;" therefore, the Police Department does not object to the granting of the requested Conditional Use Permit and ABC issuance of Type 70 and Type 47 alcoholic beverage licenses, provided all City and State Department of Alcohol Beverage Control rules, regulations, and conditions are met and followed by the establishment. In addition, all new alcohol beverage serving facilities are required to have their employees attend an L.E.A.D. training class, which is offered by the City of Ontario Police Department, at no cost; and

WHEREAS, although the census tract has a high concentration of on-sale licenses, only one other Type 70 license has been issued within Census Tract 127. In addition, three other Type 47 licenses has been issued within the census tract. The restrictive license is for the benefit of the hotel guests and can be assumed to be for the convenience of hotel patrons and their guests. Staff has placed specific conditions of approval on the CUP to ensure the safe operation of the business; and

WHEREAS, the Business and Professional Code grants authority to local governments to approve additional ABC licenses under certain terms, which includes making certain findings, having low crime levels, and implementation of mitigation measures. As indicated, the Guasti Plaza Specific Plan is intended to provide a high quality office, hotel and commercial center, with the potential for higher density residential uses. As planned, the Guasti community will attract businesses, residents, airport users, tourists, and local citizens from the greater Ontario area and surrounding region. Consequently, more ABC licenses than typical are present. Lastly, the Ontario Police Department has reviewed the CUP request and is also recommending approval, subject to conditions; and

WHEREAS, For On-Sale alcoholic beverage license types located within over concentrated census tracts (high density of alcoholic beverage sales locations as defined by the Alcoholic Beverage Control Act (commencing with Business and Professions Code Section 23000 et Seq.), the Development Advisory Board hereby makes the following Public Convenience and Necessity ("PCN") findings:

- The proposed retail alcohol license is not located within a high crime area, defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole. The Police Department has reviewed the application and is recommending approval subject to the conditions of approval. The use is consistent with the Planning Area 1 of the Guasti Plaza Specific Plan, and other similar hotels in the area have also received approval of an On-Sale ABC license. The proposed use will also be provided as a convenience to hotel guests that would like to purchase alcoholic beverages.

- The property/building/use has no outstanding Building or Health Code violations or Code Enforcement activity. The subject property will be new construction, so everything on the site will be new when the use is established.
- The site is properly maintained, including building improvements, landscaping, and lighting. The subject property will be new construction, so everything on the site will be new when the hotel is completed.

WHEREAS, pursuant to Development Code requirements, a market feasibility report is required to be prepared for all new proposed hotels. Bruce Baltin, Managing Director of the CBRE Hotels Advisory, and the City's Economic Development Agency, have provided information based on the projected demand within the various markets and the growing competition from a variety of hotels. The information provided estimates that the proposed hotel would be successful based upon factors such as future growth in the area, including new office and commercial space, as-well-as future airport expansion. The report included discussions of other similar hotels in the area, long-term viability and overall demand due to new businesses and activities in and around the City, based on the following data:

- The total revenue from the transient occupancy tax (TOT) has increased from approximately \$11.1 million in the 2007/2008 fiscal year to approximately \$13.9 million in fiscal year 2016/2017, which is a 2.3 percent compound average annual growth (CAAG) rate.
- Demand for rooms, as demonstrated by occupied room nights, grew at a CAAG rate of 2.6 percent from 2013 to 2017.
- Commercial demand, approximately 66 percent of the market demand in 2017, accounted for approximately 461,400 room nights and has increased an average 4 percent in 2018, as-well-as a 3 percent estimated increase in 2019.
- Both leisure demand (approximately 16 percent of total captured demand in 2017) and group demand (approximately 18 percent of total captured demand in 2017) has increased an average 4 percent in 2018, as well as a 3 percent estimated increase in 2019.
- Ontario hotel revenue per available room (RevPAR) growth at a CAAG rate of 8.6 percent over the past 5 years.
- Hotel market occupancy rate through June 2018 was 83.6 percent indicating an undersupply of rooms in the surrounding area.
- The average daily room (ADR) rate has increased by 5.8 percent on an annual basis over the last five years.
- Demand for lodging in the Ontario area has historically been and continues to be dominated primarily by business travelers. The development and improvement of area attractions such as the Citizens Business Bank Arena, Ontario Mills Mall, Victoria Gardens, Auto Club Speedway, Los Angeles County Fairgrounds, and Ontario Convention Center all have the potential to increase

visitor traffic as well as generate additional group and leisure room nights in the market.

WHEREAS, CBRE and the Economic Development Agency believes that based upon the existing knowledge of the Ontario hotel market coupled with the research relative to the report, opportunity exists for the development of high-quality, full-service hotels to be located in the City. Additionally, based upon the proposed location within close proximity to the region's demand-drivers including the Citizens Business Bank Arena and major transportation channels, the proposed hotel would achieve positive results in the market; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts; and

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

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

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

WHEREAS, on May 20, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-018, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996.

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

2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and Planning Area 1 of the Guasti Plaza Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed hotel land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Planning Area 1 land use district of the Guasti Plaza Specific Plan.

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed hotel land use will be located within the Mixed Use land use district of the Policy Plan Land Use Map, and Planning Area 1 of the Guasti Plaza Specific Plan. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan.

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed hotel land use is located with the Mixed Use land use district, and Planning Area 1 of the Guasti Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and Guasti Plaza Specific Plan.

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety,***

**or general welfare of persons residing or working in the surrounding neighborhood.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Guasti Plaza Specific Plan wdare maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

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

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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 28<sup>th</sup> day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PCUP18-028  
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*

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**Meeting Date:** May 28, 2019

**File No:** PCUP18-028

**Related Files:** PDEV18-027

**Project Description:** A Conditional Use Permit (File No. PCUP18-028) to establish: 1) a 124-room full-service hotel; 2) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption by hotel guests and their visitors (Type 70 ABC License – On-Sale General Restrictive Service); and 3) the sale of alcoholic beverages, including beer, wine and distilled spirits, for on-premises consumption in conjunction with a restaurant (Type 47 ABC License – On-Sale General for Bona Fide Eating Place), on 2.25 acres of land located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan; (APN: 0210-192-24) **submitted by Cambria Ontario, LLC.**

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

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

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

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

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

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

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

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

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

### **2.3** Landscaping.

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

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

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

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

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

### **2.5** Parking, Circulation and Access.

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

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

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

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

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

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

**2.6** Outdoor Loading and Storage Areas.

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

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

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

**2.7** Site Lighting.

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

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

**2.8** Mechanical and Rooftop Equipment.

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

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

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

**2.10** Signs.

(a) All Project signage shall comply with the requirements of the Ontario Airport Towers Sign Program (File No. PSGP12-007), Guasti Plaza Specific Plan, and the Ontario Development Code Division 8.1 (Sign Regulations).

(b) A sign program amendment to the Ontario Airport Towers Sign Program (File No. PSGP12-007) shall be submitted to the Planning Department for review and approval. The sign program amendment shall be approved prior to the approval of any individual signs.

(c) Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation.

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

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

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

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

**2.13** Alcoholic Beverage Sales—General.

(a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.

(b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject premises during the prior one year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

(d) Signs shall comply with all City of Ontario sign regulations. No more than 25 percent of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.

(e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.

(f) In the event that security problems occur as a result of the approved subject use and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the subject premises, during such hours and in such number as requested by the Police Department.

(g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training secession sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following commencement of the approved use.

(h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.

(i) Live entertainment shall be prohibited. Any future request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment, are considered live entertainment.

(j) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

(k) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

**2.14** Alcoholic Beverage Sales—Restaurants.

(a) The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code Section 23038. The restaurant shall contain full kitchen facilities for the cooking of an assortment of foods required for ordinary meals. The kitchen shall be open for the serving of meals to guests during all hours the establishment is open. The establishment shall provide an assortment of foods commonly ordered at various hours of the day. The service of sandwiches or salads shall not be deemed in compliance with this requirement.

(b) The sale of alcoholic beverages shall be incidental to the sale of food. The quarterly gross sales of alcoholic beverages shall be less than 50 percent of the restaurants total sales, which includes all food, and alcoholic and non-alcoholic beverages. The owner of the establishment, upon request, shall provide the City of Ontario with an audited report of the sales ratio of food and non-alcoholic beverages to alcoholic beverages.

(c) No alcoholic beverage shall be consumed outside of the enclosed building, except within the approved outdoor eating area, which has been designed so as to be adequately separated from direct public access.

**2.15** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. 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) A Lot Line Adjustment shall be required upon Engineering Department approval.





# CITY OF ONTARIO POLICE DEPARTMENT MEMORANDUM



**TO:** Jeanie Irene Aguilo, Assistant Planner

**FROM:** Officer Erich Kemp, C.O.P.S.

**DATE:** July 24<sup>th</sup>, 2018

**SUBJECT:** FILE NO. PCUP18-028 – CAMBRIA ONTARIO LLC  
Northwest Corner of Guasti Rd. and Turner Ave.

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**The Police Department is placing the following conditions:**

### **RESTAURANT/BAR**

1. Alcohol sales may occur between 6:00 A.M. to 12:00 A.M., seven days a week.
2. No alcohol sales or service to minors.
3. No sales or service to intoxicated patrons.
4. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.
5. No Smoking inside of establishment is permitted.
6. No narcotic sales or usage on the premises at any time.
7. No self serve alcohol displays allowed.
8. The applicant shall be responsible for maintaining premises free of graffiti to the premises over which the applicant has control, and shall be responsible for its removal within 72 hours of its appearance or upon notice of its appearance to the applicant.
9. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.
10. Applicant, security and all employees serving alcohol must attend an Alcohol Beverage Control (ABC) L.E.A.D. training class or a certified responsible beverage service class,

which has been approved by ABC and Ontario Police Department, within three months of this dated conditional use permit. Proof of re-certification is required every 3 years.

11. Roof top numbers shall be installed on the flat part of the roof. The numbers shall be a minimum of 3 feet in length and 1 foot in width. Numbers shall be painted in reflective white paint on a flat black background away from roof obstacles. The bottom of the numbers must face the street in which it belongs.
12. Address to establishment must be illuminated for easy identification of safety personnel.
13. The parking lot lighting must provide adequate lighting from dusk to dawn.
14. Lighting within the establishment must be kept at a reasonable level as determined by city officials.
15. All hallways must be kept clear from merchandise, storage, and patrons blocking pathway.
16. Restrooms must be kept free of graffiti.
17. No pool tables or amusement games permitted inside establishment.
18. A no trespass letter will be on file with the Police Department.

### **POOL AREA CONDITIONS**

1. Alcohol consumption by guest may occur between the hours of 6:00 A.M. to 10:00 P.M., seven days a week in the pool area.
2. Alcoholic beverages may only be consumed out of plastic containers in the pool area.
3. Signs will be posted advising no glass containers allowed in pool area.

### **OUTDOOR SEATING/PATIO CONDITIONS**

1. Patio wall needs to be raised in height to a minimum of 5 feet using Plexiglas or solid block wall, which will allow the sales and consumption of alcohol in patio area.
2. If patio height requirement are not met, alcohol may only be served only if monitored by server or restaurant staff.
3. Patio exits must be gated and closed at all times. Emergency sounding device and panic hardware must be installed on gates.
4. Outdoor tables shall not be removed or rearranged to increase occupancy.
5. No sounds emitted to patio shall be heard outside of the patio area.

### **MEETING ROOM/BANQUET ROOM CONDITIONS**

I contacted the property representative (Roger Barbosa) regarding the meeting room. After speaking with him, he stated the meeting room could be used as a Banquet Room. The following conditions will be placed on the Meeting Room when utilized as a Banquet Room.

1. Entertainment will be allowed in the meeting room between the hours of 7:00 AM to 12:00 AM.
2. An entertainment area must be designated on a plan check and that area will only be allowed for entertainment purposes in the meeting room, restaurant and bar. (live entertainment)
3. Tables shall not be removed or rearranged to increase occupancy, which has been approved on plans submitted with this conditional use permit.

### **SECURITY CONDITIONS**

1. Events held in the meeting rooms with the possible attendance of 500 or more, involving live entertainment (ex. dancing, live musicians, concerts) and/ or alcohol beverages will require the applicant to contact the police department for officers to staff the event.
2. The police department will be given a two week window, in order to have adequate time to determine how many police officers will be needed to staff an event.
3. In the event security problems occur as a result of the use, the Police Department may request a public hearing before the Zoning Administrator to consider modifications to the security including, but not limited to, the addition of security guards, additional hours for security guards, and replacement of security guards with Ontario Police officers. The public hearing process shall be conducted in accordance with the requirements of the City's Development Code.
4. Ontario Police Officers have the right to limit or reduce the occupancy inside the establishment, if situations arise that may compromise the safety of patrons and the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.
5. Security personnel used by the applicant will be required to follow Ontario Municipal Code Article 6, Title 3, Section 3-1.601-621 (security regulations).

### **ROOM SERVICE CONDITIONS**

1. Room service alcohol sales may occur between the hours of 6:00 A.M. to 12:00 A.M., seven days a week.

2. Employees engaged in the delivering of alcoholic beverages to rooms, must be 21 years of age.
3. Sales and service of alcohol beverages will only be to room guests that are 21 and over and have a bona fide ID.

Prior to opening inspection of the premises will be conducted by the Ontario Police Department and the Ontario Planning Department.

The Police Department will conduct a review in six months to determine whether additional conditions are needed.

A copy of the listed conditions of approval must be posted with your ABC license at all times in a prominent place in the interior of the premises.

Any special event outside the scope of the Conditional Use Permit will require a TUP (Temporary Use Permit) which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example a radio station promotion held at the hotel, or an outdoor event with alcoholic beverages would be a special event requiring Police or security personnel, but a community service organization breakfast meeting would not be considered a special event and therefore would not require additional security.)

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated the laws of the State or City are the intent of this action.

If you have any questions please call Officer Erich Kemp at (909) 408-1922.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Assistant Planner  
Planning Department

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

**DATE:** July 22, 2018

**SUBJECT:** PCUP18-028 - A Conditional Use Permit to establish an 83,500-square foot, 124 room hotel (Cambria Hotel) and a Type 47 ABC License (On-Sale General for Bona Fide Public Eating Place) on 2.25 acres of land, located on the northwest corner of Turner Avenue and Guasti Road, within the Mixed-Use zoning district of the Guasti Specific Plan (APN: 0210-192-24).  
Related: PDEV18-027.

- 
- The plan **does** adequately address Fire Department requirements at this time.
- No Comments
-



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Development Director  
 Cathy Wahlstrom, Planning Director  
 Diane Ayala, Advanced Planning Division  
 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, Airport Planning  
 Steve Wilson, Engineering/NPDES  
 Joe De Sousa, Code Enforcement (Copy of memo only)  
 Jimmy Chang, IT Department

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: July 17, 2018

SUBJECT: **FILE #: PCUP18-028** Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, July 31, 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 Conditional Use Permit to establish a 83,500 square foot, 124 room hotel and a Type 47 ABC License (On site general for boni fide public eating place) on 2.25 acres of land, located within the Mixed-Use zoning district of the Guasti Specific Plan, located on the northwest corner of Turner Avenue and Guasti Road. Related

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

Broadband Operations    *Anna Vaca*    Sr. Systems Analyst    07/31/2018  
 Department                          Signature                          Title                          Date





RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-027, A DEVELOPMENT PLAN TO CONSTRUCT AN 83,500-SQUARE FOOT HOTEL WITH CONFERENCE ROOMS, FITNESS CENTER, POOL, AND RESTAURANT, ON 2.25 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF TURNER AVENUE AND GUASTI ROAD, AT 535 NORTH TURNER AVENUE, WITHIN PLANNING AREA 1 OF THE GUASTI PLAZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-192-24.

WHEREAS, CAMBRIA ONTARIO, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-027, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.25 acres of land generally located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the I-10 Freeway, and is developed with an interstate highway. The property to the east is within the Retail Commercial zoning district, and is currently in construction of a Carvana automobile dealership. The property to the south is within Planning Area 2 of the Guasti Plaza Specific Plan, and is developed with a post office. The property to the west is within Planning Area 1 of the Guasti Plaza Specific Plan, and is vacant; and

WHEREAS, a Development Plan to construct a 5-story, 124-room, full service hotel (Cambria Hotel), with amenities such as conference rooms, a fitness center, pool, and full service restaurant. The hotel will be located within the Ontario Airport Metro Center Growth Area, an area that TOP envisions to be the most intensive concentration of development in the Inland Empire, which includes the Convention Center and hospitality area along Vineyard Avenue, the Ontario Mills, the Events Center and Guasti Village; and

WHEREAS, the hotel's architecture has been enhanced on all four elevations due to its prominent location and visibility along the Interstate 10 corridor. The hotel's primary entrance faces south, towards Guasti Road, and features a central tower element that will be visible from Turner Avenue, to the east. The building is situated toward the northern portion of the site, with a 153-foot building setback from Guasti Road, a 67-foot building setback from Turner Avenue, and an 80-foot building setback from Interstate 10. Parking will be primarily situated to the south side of the building; and

WHEREAS, this project was filed in conjunction with a Conditional Use Permit (File No. PCUP18-028) to establish the full-service hotel, as-well-as the sale of alcoholic beverages for on-premises consumption by hotel guests and their visitors, and the sale of alcoholic beverages for on-premises consumption in conjunction with a restaurant; and

WHEREAS, the main hotel entrance faces south and two points of access have been provided to the project site via 30-foot driveway from Guasti Road and a 30-foot driveway from Turner Avenue. Guest check-in, drop-off, and pick-up, is located along the southern portion of the site along Guasti Road, at the main entrance of the hotel. In addition, the existing CC&Rs indicate that nonexclusive easements are provided appurtenant to each lot for vehicular and pedestrian access as well as ingress and egress over all driveways and walkways. The Guasti Road driveway access will be shared with the property to the west of the project site; and

WHEREAS, the Project is required to provide a minimum of 158 off-street parking spaces pursuant to the "Lodging Facilities" and "Restaurant" parking standards specified in the Guasti Plaza Specific Plan, as shown in the table below. With the proposed adjusted west property line shown on Exhibit B: Site Plan, attached, a total of 112 off-street parking spaces will be provided on-site. The applicant will be required to enter an agreement with the adjacent property to the west to establish shared access and 46 shared parking spaces, thereby allowing the project to meet the required minimum 158 off-street parking spaces. Additionally, the Conditions of Approval include a requirement to revise the existing CC&Rs to include a shared parking and access agreement between the project site and the adjoining property to the west; and

WHEREAS, the exterior building design is based on the signature Cambria Hotel by Choice Hotels prototype, which incorporates a modern style of clean lines and materials to reflect the upscale and Casually Tailored model of the hotel brand. The architecture of the building complements the architecture of the Ontario Airport Towers, located on the northeast corner of Archibald Avenue and Guasti Road, and the contemporary design and finishes of the Carvana automobile dealership located east of the project site (currently under construction). The project's exterior building materials include: smooth stucco wall finishes with a light and dark gray color palette; metal panels that are dark gray and muted red (attar of rose), located at the tower elements and entrance porte cochère and canopies; a dark gray travertine ledge tile placed at the base of the hotel, which wraps around most of the building, encapsulating the majority of the first floor; and a white smooth stucco finish utilized on the upper floors, which provides contrasts with the dark gray materials used throughout the tower and canopy elements; and

WHEREAS, the hotel's primary entrance features a central tower element that will be visible from both Guasti Road, directly to the south, and Turner Avenue, to the east. Corresponding design features similar to the central tower element, are integrated into

the north and west elevations to facing Interstate 10 and future development, respectively. The primary entrance includes dark gray metal paneling at the center of the tower, with a red finish incorporated into the tower with porte cochère. This treatment is featured on the northern and western towers, along the I-10 Freeway and interior property line, and provides horizontal and vertical changes, which breaks up the massing of each elevation. In addition to the wall materials, clear glazing will be utilized throughout the hotel. Furthermore, the restaurant is located at the center of the building, and will be accessed through the main entrance located along the south elevation, facing Guasti Road; and

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

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

WHEREAS, the project provides substantial landscaping along the Guasti Road, Turner Avenue, and Interstate 10 frontages, along the project perimeter, and throughout the pool and patio areas. The development standards of the Guasti Plaza Specific Plan require a minimum 15 percent landscape coverage, which the project substantially exceeds (22.8% percent landscape coverage has been provided). The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates a combination of 24-inch and 48-inch box trees along Interstate 10, which includes Coast Live Oak trees, as well as 24-inch box Chinese Flame trees north and east of the pool area. Brisbane trees are placed along Turner Avenue, to the east of the hotel, along with existing pepper trees that will be protected and preserved in place. The landscape plan also indicates 24-inch box trees primarily within the parking lot, including Chinese Flame, Western Redbuds, and Brisbane trees. Crape Myrtle and Chinese Flame trees will accent the porte cochère. In addition, 5-gallon shrubs will be provided throughout the project site, which includes Dwarf Bottlebrush, Yellow Wave Flax, Texas Privet, Red Carpet Rose, and Bird of Paradise plants. A variety of shrubs and groundcovers will also be provided, which are low water usage or drought tolerant; and

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

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts; and

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San

Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on May 20, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-019, recommending the Planning Commission approve the Application; and

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996.

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

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

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

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation



measures previously adopted with the Certified EIR, are incorporated herein by this reference.

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

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

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

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

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

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

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

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

**SECTION 3: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is

not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Mixed-Use land use district of the Policy Plan Land Use Map, and Planning Area 1 of the Guasti Plaza Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Planning Area 1 of the

Guasti Plaza Specific Plan, including standards relative to the particular land use proposed (hotel), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Guasti Plaza 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 Guasti Plaza Specific Plan.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Guasti Plaza 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 ([insert land use]). 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 Guasti Plaza 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.

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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 28<sup>th</sup> day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV18-027  
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*

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**Meeting Date:** May 28, 2019

**File No:** PCUP18-028

**Related Files:** PDEV18-027

**Project Description:** A Development Plan (File No. PDEV18-027) to construct an 83,500-square foot hotel with conference rooms, fitness center, pool, and restaurant, on 2.25 acres of land located at the northwest corner of Turner Avenue and Guasti Road, at 535 North Turner Avenue, within Planning Area 1 of the Guasti Plaza Specific Plan; (APN: 0210-192-24) **submitted by Cambria Ontario, LLC.**

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

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

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

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

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

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

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

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

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

**2.3**     Landscaping.

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

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

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

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

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

**2.5**     Parking, Circulation and Access.

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

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

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

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

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

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

**2.6**     Outdoor Loading and Storage Areas.

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

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

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

**2.7** Site Lighting.

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

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

**2.8** Mechanical and Rooftop Equipment.

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

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

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

**2.10** Signs.

(a) All Project signage shall comply with the requirements of the Ontario Airport Towers Sign Program (File No. PSGP12-007), Guasti Plaza Specific Plan, and the Ontario Development Code Division 8.1 (Sign Regulations).

(b) A sign program amendment to the Ontario Airport Towers Sign Program (File No. PSGP12-007) shall be submitted to the Planning Department for review and approval. The sign program amendment shall be approved prior to the approval of any individual signs.

(c) Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation.

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

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

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

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

**2.13** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan (File No. 4413-SP) EIR (SCH # 1991122009) certified by the City Council on August 20, 1996. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

**2.15** Additional Fees.

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

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

**2.16** Additional Requirements.

(a) A Lot Line Adjustment shall be required upon Engineering Department approval.

(b) The approval of File No. PDEV18-027 shall be final and conclusive upon the approval of File No. PCUP18-028 by the City of Ontario 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
<b>PROJECT FILE NO. <u>PDEV 18-027</u></b>  <b>RELATED FILE NO(S). <u>PCUP 18-028</u></b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u>  </u> / <u>  </u> / <u>  </u>	

CITY PROJECT ENGINEER & PHONE NO:      **Jesus Plasencia, 909-395-2128** *JP*

CITY PROJECT PLANNER & PHONE NO:      **Jeanie I. Aguilo, 909-395-2418**

DAB MEETING DATE:                              **May 20, 2019**

PROJECT NAME / DESCRIPTION:              **A Development Plan to construct an 83,500-square foot, 124-room hotel and restaurant (Cambria Hotel) on 2.25 acres of land**

LOCATION:    **Northwest Corner of Turner Avenue and Guasti Road**

APPLICANT:                                         **Ontario Airport Business Center, LLC**

REVIEWED BY:                                     *[Signature]*      5/2/19  
    **Bryan Lirley, P.E.**      **Date**  
    **Principal Engineer**

APPROVED BY:                                     *[Signature]*      5/3/19  
    **Raymond Lee, P.E.**      **Date**  
    **Assistant City Engineer**



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

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

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





- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](http://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 Parcel Map 19609.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 **Apply for a:**  **Certificate of Compliance with a Record of Survey;**  **Lot Line Adjustment** 
  - Make a Dedication of Easement.**
- 2.06 **Provide (updated) 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](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA): For proposed improvements within their onsite easement.
  - Southern California Gas Company: For proposed improvements within their onsite easement.
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- 2.11 **Dedicate to the City of Ontario the following easement:** 
  1. **Sidewalk/Public Access Easement along proposed new driveway on Turner Avenue (if necessary)**
- 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 \$88,000, 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 record a reciprocal access, cross lot drainage, and utility agreement with the property owner of the adjacent parcel to the west (APN No. 0210-192-23-0000). This agreement shall run with the land and a copy of the recorded agreement shall be submitted to the City prior to the issuance of a building permit.



**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	Guasti Road	Turner Avenue		
<b>Curb and Gutter</b>	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> <b>Replace Damaged<sup>(1)</sup></b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> <b>Replace Damaged<sup>(1)</sup></b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
<b>AC Pavement</b>	<input checked="" type="checkbox"/> <b>Replacement<sup>(2)</sup></b> <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
<b>PCC Pavement (Truck Route Only)</b>	<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
<b>Drive Approach</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> <b>Remove and replace</b>	<input checked="" type="checkbox"/> <b>New</b> <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
<b>Sidewalk</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> <b>Remove and replace at driveway</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> <b>Remove and replace at driveway</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Parkway</b>	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)<sup>(3)</sup></b>	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
<b>Raised Landscaped Median</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Fire Hydrant</b>	<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



<b>Sewer</b> (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water</b> (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Recycled Water</b> (see Sec. 2.E)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Street Light</b> (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Replace existing street light fixtures to current standards	<input type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Replace existing street light fixtures to current standards	<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
<b>Storm Drain</b> (see Sec. 2G)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Fiber Optics</b> (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Other Improvements	_____	_____	_____	_____

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

1. The applicant/developer shall repair/replace public improvements in City right-of-way that are damaged as a result of construction activities. This includes, but is not limited to, curb & gutter, sidewalk, and AC pavement.
2. Trench excavation/backfill and paving for proposed utility connections shall be in accordance with City standards and specifications.
3. The applicant/developer shall install parkway landscape and irrigation on Turner Road along the project frontage.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).
- 2.22 Other conditions: \_\_\_\_\_

### C. SEWER

- 2.23 **A 8-inch sewer main is available for connection by this project in Guasti Road. (Ref: Sewer plan S13887-S13883)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:** 
  1. **The applicant/developer shall construct a sewer main extension on Guasti Road in accordance with City standards if the project's private sewer system cannot be connected to the existing sewer lateral on the adjacent parcel to the west (APN No. 0210-192-23-0000).**
  2. **The applicant/developer shall install an on-site grease interceptor for the proposed project.**
  3. **The applicant/developer shall install a cleanout on the existing sewer lateral, per City standards.**
  4. **The applicant/developer shall apply for a Wastewater Discharge Permit for their proposed project and shall comply with all the requirements of the Wastewater Discharge Permit: <http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>. Requirements of the Wastewater Discharge Permit may include, but are not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater application questions, please contact:**  
  
**Michael Birmelin, Environmental Programs Director**  
[omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)  
**(909) 395-2661**

### D. WATER

- 2.27 **A 12-inch water main is available for connection by this project in Guasti Road (Ref: Domestic Water plan bar code: W13296-13298)**





- 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 12-inch recycled water main is available for connection by this project in Guasti Road. (Ref: Recycled Water plan bar code: P10116-P10123)**
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**   

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

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:** 
  - 1. The Applicant/Developer shall replace existing streetlight fixtures with City-approved LED equivalent fixtures along Turner Avenue and Guasti Road. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street light Plans for LED fixture requirements.**
  - 2. The Applicant/Developer shall be responsible to pay 50% of the total cost for the design and construction of traffic signal at Turner Avenue and Guasti Road, as required by the Guasti Plaza Specific Plan.**
  - 3. Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveways.**
  - 4. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**
  - 5. Note that San Bernardino County Transportation Authority (SBCTA) will likely require right-of-way acquisition and a temporary construction easement for the future I-10 Corridor Project.**



**G. DRAINAGE / HYDROLOGY**

- 2.38 A 24-inch storm drain main is available to accept flows from this project in Guasti Road. (Ref: Storm Drain plan bar code: (D118873-D11890))**
- 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:** 
  - 1. **Activities resulting in land disturbance of one acre or more are required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>**



**J. SPECIAL DISTRICTS**

- 2.47 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.48 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.49 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
- 2.50 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

**L. Solid Waste**

- 2.51 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. A Solid Waste Handling Plan (SWHP) Sheet shall be submitted to the City/OMUC for review and approval. The SWHP Sheet shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>).
  - 2. The project site shall comply with the requirement of State Assembly Bill AM 1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes. Therefore, three 4-cubic yard bins will be required for each trash enclosure, totaling twelve 4-cubic yard bins.



**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. WQMP, etc.).



## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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**Project Number: PDEV 18-027**

**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. **Lot Line Adjustment (See Condition No. 2.05)**
  - 2. **Reciprocal Access and Cross Lot Utility Agreement (See Condition No. 2.16)**
  - 3. **Utility plans included in Precise Grading Plan set showing proposed connections (e.g. domestic water, recycled water, etc.) in City right-of-way.**



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-027 & PCUP18-028

Address: NWC of Guasti Rd & Turner Avenue

APN: 210-192-24

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct an 83,500 SF, Hotel with 124 rooms and restaurant

Site Acreage: 2.25 Proposed Structure Height: 67 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 8/1/18

CD No.: 2018-056

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 100 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 condition of approval below.

Hotel shall incorporate exterior-to-interior noise level reduction (NLR) design features and be capable of attenuating exterior noise to 45 dB interior noise level, acoustical data documenting that the structure will be designed to comply with the criteria must be provided prior to building permit issuance.

Airport Planner Signature: \_\_\_\_\_



CITY OF ONTARIO  
MEMORANDUM

TO: Scott Murphy, Development Director  
Cathy Wahlstrom, Planning Director  
Diane Ayala, Advanced Planning Division  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khor Do, Assistant City Engineer  
Cecilia Bell, Landscape Planning Division  
Anand Aly, Municipal Utility Company  
Doug Sorel, Police Department  
Paul Ehrman, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Airport Planning  
Eric Woosley, Engineering/NPDES  
Joe De Sousa, Code Enforcement (Copy of memo only)  
Jimmy Chang, IT Department

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: December 04, 2018

SUBJECT: FILE #: PDEV18-027 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 **Tuesday, December 18, 2018**.

**PROJECT DESCRIPTION:** A Development Plan to construct an 83,500-square foot, 124-room hotel and restaurant (Cambria Hotel) on 2.25 acres of land located at the northwest corner of Turner Avenue and Guasti Road, within the Office Commercial land use district of the Guasti Plaza Specific Plan (APN: 0210-192-24). Related File: PCUP18-028.

- 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.

1/4/18

Landscape Planning *Cecilia Bell* Sr. Landscape Architect  
 Department Signature Title Date

**CITY OF ONTARIO  
LANDSCAPE PLANNING  
DIVISION**

**303 East "B" Street, Ontario, CA 91764**

**CONDITIONS OF APPROVAL**

Sign Off

*Carolyn Bell*  
Carolyn Bell, Sr. Landscape Architect

1/4/19  
Date

Reviewer's Name:  
**Carolyn Bell, Sr Landscape Architect**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
PDEV18-027 Rev 1

Case Planner:  
Jeanie Irene Aguilo

Project Name and Location:  
Cambria 5 Story Hotel  
NWC of Turner and Guasti Road

Applicant/Representative:  
Milestone Management Roger Barbosa  
9891 Irvine Center Dr ste 200  
Irvine, CA 92618

**A Preliminary Landscape Plan (dated 12/4/18) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**

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

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE**

Civil/ Site Plans

1. Move fire line for DCDA on Turner ave and on Guasti ave outside of tree planter island.
2. Move domestic and irrigation water lines from backflow devices to outside of tree planters.
3. Move light standards outside of required tree locations in center of planter islands and at least 15' away. Coordinate with landscape plans.
4. Show where 0" curb and rip rap proposed per detail and section and limits of any basins or swales max 50% of the landscape area width. A 12' width allows a 6' swale.
5. If corner ramp is rebuilt, show corner ramp and sidewalk per city standard drawing 1213. Change 19' corner ramp and paving to max 13' for a 88' street per detail.
6. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
7. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs, pavers or DG paving with edging where parking spaces are adjacent to planters.
8. Show existing or proposed fences or walls.
9. Show line of separate maintenance area. Call out CFD or name of maintenance association.
10. Add Note to Grading Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12"x12"x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling

in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

#### Landscape Plans

11. Provide a tree inventory for existing trees to include health and structural condition by an arborist or tree expert. Note trees in substandard condition to be replaced. Replace leaning Olive tree. Replace missing Holly Oak trees in parkway and planter behind sidewalk and missing Crepe Myrtle trees at half circle planter. Add tree protection notes on construction and demo plans.
12. Show update base plan with relocated parking lot lights and tree in every tree island planter. Show backflows and DCDA locations with landscape screening 36" high strappy leaf shrubs coordinated with the planting palette.
13. Show appropriate parking lot shade trees with 30' canopy at maturity. Change Koelreuteria in 5' planter islands for parking lot shade trees such as Pistache, etc. in each planter island.
14. All island planters to be 5' inside dimension.
15. Change all evergreen trees along freeway to a mix of deciduous and evergreen to allow visibility from the freeway to proposed signs.
16. Change Cercis in large planter on west side to a larger vertical tree such as Pine or Gingko.
17. Move trees within 6' of pool fences per health dept standard.
18. Change trees type where canopy conflicts with building wall. Dimension trees 5' from curbs or buildings walls in larger planters.
19. Change lawn in parkway on Turner ave to durable groundcover such as Yarrow or Honeysuckle. Add parkway trees.
20. Call out type of proposed irrigation system (dripline with separate pop up tree irrigation stream spray bubblers with PCS).
21. Separate landscape SF on-site from parkway and separate maintenance area SF in MAWA.
22. Show existing mowstrip defining separate landscape area. Show Guasti Rd existing landscape and show landscape restored to original design.
23. Correct plant list to WUCOLS low water plants in all locations. Moderate water plants may be used on north and east sides of buildings.
24. Replace short lived or poor performing plants: Phormium, Hemerocallis, Anigozanthos.
25. Change Myoporum to a durable groundcover such as Lonicera or Baccharis Pigeon Point.
26. Show Plant symbols 2/3 od mature size.
27. Identify building sign locations and adjust tree spacing and shrub height to fit.
28. Show 8' diameter of mulch only at new trees, 12' at existing trees. Show irrigation dripline outside of mulched root zone on detail and CD's.
29. Note for agronomical soil testing and include testing report on landscape construction plans. Note contractor shall take a 2<sup>nd</sup> test to verify amendments were added.
30. Call out all fences and walls, materials proposed and heights.
31. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
32. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 

Plan Check—less than 5 acres .....	\$1,301.00
Inspection—Construction (up to 3 inspections per phase) .....	<u>\$278.00</u>
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

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



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Assistant Planner  
Planning Department

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

**DATE:** July 19, 2018

**SUBJECT:** PDEV18-027 - A Development Plan to construct an 83,500-square foot, 124-room hotel and restaurant (Cambria Hotel) on 2.25 acres of land, located on the northwest corner of Turner Avenue and Guasti Road, within the Mixed-Use zoning district of the Guasti Specific Plan (APN: 0210-192-24).

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

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: III A
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 19,500 Sq. Ft.
- D. Number of Stories: 5
- E. Total Square Footage: 83,500 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): A

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..



### 3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2250 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.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

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

- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 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.

- ☒ 6.3 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:** Jeanie Aguilo, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** August 15, 2018

**SUBJECT:** PDEV18-027- A DEVELOPMENT PLAN TO CONSTRUCT A HOTEL AND RESTAURANT AT THE NORTHEAST CORNER OF TURNER AVENUE AND GUAISTI ROAD

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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. Required lighting 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 numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- First floor stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to call Douglas Sorel at (909) 395-2873 regarding any questions or concerns

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** July 23, 2018  
**SUBJECT:** PDEV18-027

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

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### Conditions of Approval

1. The Site address for this project will be 535 N Turner Ave.

KS:lm



# PLANNING COMMISSION STAFF REPORT

May 28, 2019

**FILE NO.:** PDCA19-001

**SUBJECT:** A Development Code Amendment revising portions of Ontario Development Code Chapters 2 (Administration and Procedures), 4 (Permits Actions and Decisions), 5 (Zoning and Land Use), and 9 (Definitions and Glossary), as they apply to Wireless Telecommunications Facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests.

**PROPERTY OWNER:** N/A

**RECOMMENDED ACTION:** That the Planning Commission recommend that the City Council approve File No. PDCA19-001, as amended, pursuant to the facts and reasons contained in the staff report and attached resolution.

**PROJECT SETTING:** The proposed Development Code Amendment is of Citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south (see Figure 1—Location Map, below). The City of Ontario is substantially built-out with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational land uses. According to the California Department of Finance, the City of Ontario’s 2018 estimated population is 177,589 persons, and it is ranked the 26th largest city in the State in terms of population.

**PROJECT ANALYSIS:** On February 26, 2019, the Planning Commission voted unanimously to issue a resolution recommending the City Council approve a Development Code Amendment, File No. PDCA19-001, revising Development Code Section 5.03.420.A.1 for the purpose of adding provisions governing small cell wireless facilities and the alteration and/or expansion of existing wireless telecommunications facilities, consistent with published FCC Orders. Following the Planning Commission’s action, at the recommendation



**Figure 1—LOCATION MAP**

Case Planner:	Charles Mercier
Planning Director Approval:	
Submittal Date:	N/A

Hearing Body	Date	Decision	Action
PC	5/28/2019		Recommend
CC	6/18/2019		Introduction
CC	7/2/2019		Final



of the City Attorney, Staff made several substantive changes and adjustments to the Development Code Amendment and is now bringing the revised Development Code Amendment back to the Planning Commission for review and action.

As previously reviewed by the Planning Commission, the Development Code Amendment was narrow in its scope, adding provisions governing only the design and placement of small cell wireless facilities within public rights-of-way, and the alteration or expansion of existing wireless telecommunications facilities (Eligible Facilities Requests). The changes proposed by Staff consist of the following:

- Establishes relevant definitions;
- Scope is expanded to address all wireless telecommunications facilities located in public rights-of-way and Eligible Facilities Requests (EFRs);
- Establishes “Wireless Permits,” which are processed as a Development Plan and are subject to Zoning Administrator approval;
  - Wireless Permit approval is required for facilities qualifying as EFRs, or any other type of wireless telecommunications facility expressly allowed in the public right-of-way by state or federal law;
  - The Zoning Administrator’s decision on a Wireless Permit may be appealed to the Planning Commission. An appeal must be filed within two days following issuance of the Zoning Administrator’s written decision;
  - No public hearing is required to act on a Wireless Permit, or the appeal of a Wireless Permit;
  - All wireless telecommunications facilities located in public rights-of-way and facilities qualifying as EFRs are subject to Location Criteria, and Design and Development Standards published and amended, from time to time, by the Zoning Administrator. The Location Criteria, and Design and Development Standards will address the following:

[1] Design and development standards for all wireless facilities in the public right-of-way, including:

- Visual Criteria (such as minimizing view impacts to surrounding properties, compatibility with support structure and surroundings, height limitations, coloring, materials, and equipment stealthing);
- Location Criteria (includes preferred and discouraged locations, prohibited locations, design preferences, and setback requirements);
- Equipment Criteria (for antennas, accessory equipment, electric service, and cables and wiring);
- Security;
- Safety;
- Noise;
- Lighting;
- Signs;
- Landscaping; and
- Modifications to Existing Facilities.

[2] Design and development standards for pole-mounted facilities, including:

- General Requirements (such as maximum dimension of pole-mounted equipment, antenna placement, accessory equipment placement, cable placement, maximum antenna height, and owner authorization);
- Standards for Street Light/Traffic Signal Poles (equipment placement);
- Standards for Utility Poles (equipment placement);
- Standards for Replacement Poles (placement and design); and
- Standards for New Poles (placement and design, and prohibition of new wooden poles).

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[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.

➤ LU1-2 Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.

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

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

### **Community Economics Element:**

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

➤ CE1-5 Business Attraction. We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sectors of the regional and global economy.

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

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

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

### **Community Design Element:**

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

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

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

- 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.

- CD3-4 Ground Floor Usage of Commercial Buildings. We create lively pedestrian streetscapes by requiring the location of uses, such as shopping, galleries, restaurants, etc., on ground floors adjacent to sidewalks.

- 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.

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

**ENVIRONMENTAL REVIEW:** The 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, in that the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

## RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PDCA19-001, A DEVELOPMENT CODE AMENDMENT REVISING PORTIONS OF ONTARIO DEVELOPMENT CODE CHAPTERS 2 (ADMINISTRATION AND PROCEDURES), 4 (PERMITS ACTIONS AND DECISIONS), 5 (ZONING AND LAND USE), AND 9 (DEFINITIONS AND GLOSSARY), AS THEY APPLY TO WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY AND FACILITIES QUALIFYING AS ELIGIBLE FACILITIES REQUESTS, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City of Ontario ("Applicant") has initiated a Development Code Amendment, File No. PDCA19-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in September 2018, the Federal Communications Commission ("FCC") adopted rules regarding the deployment of Wireless Telecommunication Facilities within public rights-of-way. The FCC's rulemaking extends to the City's terms for access and use of its rights-of-way, including areas on, below, or above public roadways, highways, streets, sidewalks, and other similar property. It also addresses terms for use of, or attachment to, City-owned property installed within its rights-of-way, such as light poles, traffic lights, utility poles, and other similar property suitable for hosting wireless facilities; and

WHEREAS, the FCC's declaratory ruling focuses primarily on fees the City may charge for authorization to deploy small cells. However, it also establishes new shot clocks for action on small cells, establishes a new remedy for missed shot clocks, and codifies shot clocks previously established by the FCC's 2014 Wireless Infrastructure Order, which are applicable to collocations on existing wireless facilities and other types of modification to existing wireless facilities that meet certain size limitations (Eligible Facilities Requests); and

WHEREAS, the FCC's declaratory ruling provides guidance on aesthetic requirements, concluding that they are not preempted if they are (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; and (3) objective and published in advance. Aesthetic requirements that are reasonable in that they are technically feasible and reasonably directed to avoiding or remedying the intangible public harm of unsightly or out-of-character deployments are also permissible; and

WHEREAS, revisions have been proposed to the Development Code provisions pertaining to wireless telecommunications facilities that are consistent with the FCC's declaratory ruling; and

WHEREAS, 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, in that the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

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

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

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

WHEREAS, on May 28, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

**SECTION 1: Environmental Determination and Findings.** As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written



and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The 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, in that the activity is covered by the common sense (general rule) exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment; and

(2) The proposed Development Code Amendment will not have a significant effect on the environment, and is not, therefore, subject to CEQA.

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

**SECTION 4: *Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) The proposed Development Code 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. The proposed standards under which wireless telecommunications facilities located in public rights-of-way and Eligible Facilities

Requests will be required to be constructed and maintained have been reviewed for consistency with applicable TOP components, and have been established so as to be 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 Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City, as the proposed Development Code Amendment will revise current land use provisions addressing wireless telecommunications facilities, bringing City standards into consistency with recently adopted FCC orders by adding provisions governing the installation of wireless telecommunications facilities within public rights-of-way, as-well-as adding provisions that govern Eligible Facilities Requests.

**SECTION 5: *Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THAT THE CITY COUNCIL APPROVE the herein described Development Code Amendment, as shown in "Attachment A" of this Resolution, 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.

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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 28th day of May 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Jim Willoughby  
Planning Commission Chairman

ATTEST:

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Cathy Wahlstrom  
Planning Director and  
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. \_\_\_\_ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 28, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDCA19-001  
Development Code Amendment  
Draft Ordinance**

**Please Note:** All additions to existing Development Code text are shown in **yellow highlighted** text and all deletions are shown in **red strikethrough** text.

(The draft ordinance follows this page)

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA19-001, A DEVELOPMENT CODE AMENDMENT REVISING PORTIONS OF ONTARIO DEVELOPMENT CODE CHAPTERS 2 (ADMINISTRATION AND PROCEDURES), 4 (PERMITS ACTIONS AND DECISIONS), 5 (ZONING AND LAND USE), AND 9 (DEFINITIONS AND GLOSSARY), AS THEY APPLY TO WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY AND FACILITIES QUALIFYING AS ELIGIBLE FACILITIES REQUESTS, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City of Ontario, California, a municipal corporation ("City"), has initiated a Development Code Amendment, File No. PDCA19-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, by virtue of the police powers delegated to it by the California Constitution, the City has the authority to enact laws which promote the public health, safety, and general welfare of its citizens, including within the public right-of-way; and

WHEREAS, the City deems it to be necessary and appropriate to provide for certain standards and regulations relating to the location, placement, design, construction and maintenance of telecommunications towers, antennas and other structures within the City, and providing for the enforcement of said standards and regulations, consistent with federal and state law limitations on that authority; and

WHEREAS, on February 26, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue a resolution recommending the City Council approve the Application. Following the Planning Commission's action, at the recommendation of the City Attorney, several substantive changes and adjustments were made to the Development Code Amendment. On May 28, 2019, the Planning Commission conducted a public hearing to consider the revised Development Code Amendment, and concluded said hearing on that date, voting to issue a resolution recommending the City Council approve the Application; and

WHEREAS, on June 4, 2019, the City Council 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 Ordinance have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:



SECTION 1: The foregoing Recitals are adopted as findings of the City Council as though set forth in fully within the body of this Ordinance.

SECTION 2: **Development Code Amendment.** Section 9.02.010.E (Definitions of Words Beginning with the Letter “E”) of the Development Code is amended to add the following definition in correct alphanumeric order:

**“Eligible Facilities Request.** Has meaning as set forth in 47 C.F.R. Section 1.6100(b)(3), or any successor provision.”

SECTION 3: **Development Code Amendment.** Section 9.02.010.P (Definitions of Words Beginning with the Letter “P”) of the Development Code is amended to add the following definition:

**“Public Right-of-Way.** Any public street, alley, sidewalk, street island, median, or parkway that is owned or granted by easement, operated, or controlled by the City.”

SECTION 4: **Development Code Amendment.** Section 9.02.010.S (Definitions of Words Beginning with the Letter “S”) of the Development Code is amended to add the following definition:

**“Small Cell Facility.** Has the same meaning as “small wireless facility” in 47 CFR 1.6002(l), or any successor provision, which is a personal wireless services facility that meets the conditions that, solely for convenience, have been set forth below.

- 1) The facility:
  - a) is mounted on a structure 50 FT or less in height, including antennas, as defined in 47 CFR Section 1.1320(d), or
  - b) is mounted on a structure no more than 10 percent taller than other adjacent structures, or
  - c) does not extend an existing structure on which it is located, to a height of more than 50 FT or by more than 10 percent, whichever is greater;
- 2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 CFR Section 1.1320(d)), is no more than 3 cubic feet in volume;
- 3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4) The facility does not require antenna structure registration under 47 CFR Part 17;

5) The facility is not located on Tribal lands, as defined under 36 CFR Section 800.16(x); and

6) The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR Section 1.1307(b).”

**SECTION 5: *Development Code Amendment.*** Section 9.02.010.W (Definitions of Words Beginning with the Letter “W”) of the Development Code is amended to add the following definition:

**“Wireless Telecommunications Facility.** The transmitters, antenna structures and other types of installations used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).”

**SECTION 6: *Development Code Amendment.*** The City Development Code Chapter 5 is hereby amended as set forth in Exhibit A, attached hereto.

**SECTION 7: *Development Code Amendment.*** The City Development Code Chapter 4 is hereby amended as set forth in Exhibit B, attached hereto.

**SECTION 8: *Development Code Amendment.*** The City Development Code Chapter 2 is hereby amended as set forth in Exhibit C, attached hereto.

**SECTION 9: *Ordinance Implementation.*** The City Manager, or his or her delegate, is directed to execute all documents and to perform all other necessary City acts to implement effect this Ordinance.

**SECTION 10: *Environmental Determination.*** This Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act (“CEQA”) Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The Ordinance does not authorize any specific development or installation on any specific piece of property within the City’s boundaries. Moreover, when and if an application for installation is submitted, the City will at that time conduct preliminary review of the application in accordance with CEQA. Alternatively, even if the Ordinance is a “project” within the meaning of State CEQA Guidelines Section 15378, the Ordinance is exempt from CEQA on multiple grounds. First, the Ordinance is exempt CEQA because the City Council’s adoption of the Ordinance is covered by the common sense exemption (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. (State CEQA Guidelines Section 15061(b)(3)). That is, approval of the Ordinance will not result in the actual installation of any facilities in the City. In order to install a facility in accordance with this Ordinance, the wireless provider would have to submit an application for installation of

the wireless facility. At that time, the City will have specific and definite information regarding the facility to review in accordance with CEQA. And, in fact, the City will conduct preliminary review under CEQA at that time. Moreover, in the event that the Ordinance is interpreted so as to permit installation of wireless facilities on a particular site, the installation would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land). The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of San Bernardino within five working days of the passage and adoption of the Ordinance.

**SECTION 11: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.*** The adoption of this Ordinance does not authorize any specific development or installation on any specific piece of property within the City’s boundaries. Furthermore, when and if an application for installation is submitted, the City will at that time conduct a review of the application in accordance with the ALUCP.

**SECTION 12: *Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the City Council hereby concludes as follows:

(3) *The proposed Development Code 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.* The proposed standards under which wireless telecommunications facilities within public rights-of-way and additions/expansion to existing wireless facilities will be required to be constructed and maintained have been reviewed for consistency with applicable TOP components, and have been established so as to be consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(4) *The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.* The proposed Development Code Amendment will amend current land use provisions addressing wireless telecommunications facilities, bringing City standards into consistency with recently adopted FCC orders by adding provisions governing the installation of wireless facilities within public rights-of-way, as-well-as adding provisions that govern the processing of alterations and/or expansions to existing wireless telecommunications facilities.

**SECTION 13: *City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the City Council hereby APPROVES the herein described Development Code Amendment.

**SECTION 14: *Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any

claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul 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 15: *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 16: *Severability.*** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**SECTION 17: *Effective Date.*** This Ordinance shall become effective 30 days following its adoption.

**SECTION 18: *Publication and Posting.*** The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

Draft

PASSED, APPROVED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
PAUL S. LEON, MAYOR

ATTEST:

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
BEST BEST & KRIEGER LLP  
CITY ATTORNEY

Draft

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. \_\_\_\_\_ was duly introduced at a regular meeting of the City Council of the City of Ontario held \_\_\_\_\_ and adopted at the regular meeting held \_\_\_\_\_, 2019 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. \_\_\_\_\_ duly passed and adopted by the Ontario City Council at their regular meeting held \_\_\_\_\_ and that Summaries of the Ordinance were published on \_\_\_\_\_ and \_\_\_\_\_, in the Inland Valley Daily Bulletin newspaper.

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)



## Exhibit A

### **5.03.420: Wireless Telecommunications Facilities.**

The following regulations shall govern the establishment and operation of wireless telecommunications facilities:

**A. Review of Wireless Telecommunications Facilities.** All applications for wireless telecommunication facilities are subject to a 3-tier review process established by this Section. The Planning Director shall have the discretion to determine the design and level of review requirements for projects proposed in specific plan areas, based upon the similarity of the specific plan's land use designation to the citywide zoning districts.

1. Tier 1 Review. Applications for wireless telecommunications facilities that propose an integrated building/structure design or a roof-mounted design that is less than 10 FT in height, is architecturally screened from view, and is located within a nonresidential zoning district, shall be reviewed and acted upon utilizing the Building Department's plan check review process.

2. Tier 2 Review.

a. A proposed wireless telecommunications facility meeting each of the following criteria shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code:

(1) The facility is located within a commercial, nonresidential zoning district;

(2) The facility is more than 500 FT from a residential zoning district, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility;

(3) The facility complies with all development standards of this Section and the applicable zoning district;

(4) The facility is of a stealth design so as not to be recognized as a telecommunications facility; and

(5) All support equipment to the proposed facility is located within a completely enclosed structure or is otherwise screened from public view.

b. A new wireless telecommunications facility proposed within a nonresidential zoning district, which is to be collocated with an existing wireless telecommunications facility, and complies with all development standards of this Section

and the applicable zoning district, shall be reviewed and acted upon by the Development Advisory Board.

**c.** A proposed wireless telecommunications facility located in the public right-of-way shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code. Except for small cell facilities, facilities qualifying as Eligible Facilities Requests (EFRs), or any other type of facility expressly allowed in the public right-of-way by state or federal law, no other wireless telecommunications facilities shall be permitted in the public right-of-way.

**d.** EFRs shall require Development Plan approval pursuant to Section 4.02.025 of this Development Code.

**3.** Tier 3 Review. A proposed wireless telecommunications facility meeting one or more of the following criteria shall require Development Plan approval pursuant to Section 4.02.035 (Development Plans) and special public notification pursuant to Division 2.03 (Public Hearings) of this Development Code:

**a.** Wireless telecommunications facilities not meeting the above-stated Tier 1 or Tier 2 review criteria;

**b.** Wireless telecommunications facilities located within, or 500 FT or less from (as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility), a residentially zoned property;

**c.** All nonstealth wireless telecommunications facilities;

**d.** Wireless telecommunications facilities proposed in the AG overlay district, excepting those facilities meeting the above-stated Tier 1 review criteria;

**e.** Wireless telecommunications facilities creating more than a minimal visual impact on surroundings, as determined by the Planning Director. In determining whether more than a minimal visual impact exists, the Planning Director shall consider the facility's location and size, the view of the facility from the public street and neighboring properties, and the contrast between the facility and other external structural equipment. The applicant may be required to perform tests that would replicate the height of a proposed facility in order to adequately assess potential visual impacts;

**f.** Wireless telecommunications facilities located within line-of-sight of any scenic corridor identified by the Policy Plan component of The Ontario Plan; and

**g.** Wireless telecommunications facilities that include a request for an increase in height, which exceeds the maximum height provisions established by Paragraph E.5 of this Section. The Reviewing Authority may consider an increase in height if the strict application of Paragraph E.5 of this Section would result in a provider

of wireless telecommunications services not being able to provide adequate coverage to a service area due to practical difficulties beyond the control of the service provider. The service provider shall clearly demonstrate the nature of the problem, and that no other feasible alternative is available to provide adequate coverage.

**B. Additional Submittal Requirements.**

1. In addition to the general submittal requirements for plan checks, Development Plans, and/or Conditional Use Permits contained in the *Minimum Filing Requirements Checklist* of the City's *Discretionary Permits/Actions Application Packet*, all applications for wireless telecommunication facility approval must include the additional information required by the *Plan Preparation Guidelines and Minimum Plan Contents Checklist* of the *Discretionary Permits/Actions Application Packet* or any additional application materials issued by the City.

2. The City may contract with an independent radio frequency engineering consultant, or other qualified professional with knowledge and expertise regarding wireless telecommunication systems, to verify applicant's technical assertions. Such verification may include, but is not limited to, issues related to transmission coverage requirements, required height of facilities, technical limitations related to co-locating facilities, evaluation of new technologies that are available and the potential for interference with other facilities, such as public safety radio communications systems. All costs associated with verification shall be borne by the applicant.

**C. Performance Standards for Wireless Telecommunications Facilities.** The operator of a wireless telecommunications facility and/or the owner of the property upon which the facility is located is responsible for compliance with the following:

1. No existing or future wireless telecommunications facility shall interfere with any public safety radio communications system including, but not limited to, the 800 MHz radio system operated by the West End Communication Authority (WECA), which provides public safety communications during emergencies and natural disasters. Pursuant to GC Section 38771, a violation of this standard constitutes a public nuisance.

2. If any wireless telecommunications facility is found to interfere with a public safety radio communications system, or any system facilitating the transmission or relay of voice or data information for public safety, the carrier and/or property owner shall immediately cease operation of the radio channel(s) causing system interference. Operation of an offending wireless telecommunications facility shall only be allowed to resume upon removal, or other resolution, of the interference, to the satisfaction of the City. Any request for an increase in antenna height that would exceed the maximum height provisions established by Paragraph E.6 of this Section in order to resolve interference conflicts with a public safety radio communications system, shall only be considered by the City after the facility operator and/or property owner have sufficiently demonstrated that all feasible methods of eliminating the conflict have been considered.

3. A wireless telecommunications facility, including poles, antennas, materials used to camouflage or stealth the facility, and equipment buildings and enclosures, shall be maintained in a manner so as to ensure that the facility will maintain its original appearance. In the event that over time, with exposure to wind, rain, sunlight, etc., any part of the facility begins to flake, pit, fade, discolor, disintegrate, or otherwise not maintain its original appearance as initially constructed, as determined by the Planning Director, it shall be repaired/replaced at the sole expense of the carrier.

4. The inspection and approval of a wireless telecommunications facility must be received from the Planning Department prior to Building Department final inspection and the establishment/release of permanent electrical power to the facility.

5. Wireless telecommunications facilities, including landscaping and surface areas, shall be continuously maintained free of weeds, debris, litter and temporary signage. All graffiti shall be removed from the premises within 48 hours of discovery.

**D. Location Guidelines and Criteria.** All applications for wireless telecommunications facilities are subject to the following location guidelines and criteria listed below. Wireless telecommunications facilities located in the public right-of-way and facilities qualifying as EFRs are subject to the location criteria, and design and development standards published and amended, from time to time, by the Zoning Administrator.

1. The preferred order of location for wireless telecommunications facilities is: industrial zoning districts, followed by commercial zoning districts, and then residential zoning districts. If proposed within an established specific plan area, the preferred order of location is: industrial land use districts, followed by business park land use districts, and then commercial land use districts.

2. Wireless communication facilities located within residential zoning districts shall only be allowed in conjunction with a non-residential land use, such as a church, fire station, park, or school, or a multiple-family building or structure.

3. Wireless telecommunications facilities may be located in close proximity to each other; provided, they utilize a stealth design, meet the height requirements of this Section, and are compatible with surrounding development. Wireless telecommunication facilities that are nonstealth in design shall be located a minimum of 1,000 FT from any other nonstealth wireless telecommunication facility, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility.

4. Wireless telecommunication facilities shall not be located within any front or street side setback area.

5. Wireless telecommunications facilities shall not be located so as to create a nonconforming condition, such as reductions in parking, landscaping, loading zones or other applicable development standards.

6. Wireless telecommunications facilities shall be located where existing vegetation, structures, and/or topography provide the greatest amount of screening. Where insufficient screening exists, additional screening shall be provided through the installation of dense landscaping, installation of enhanced architectural treatments, or relocation of the facility so that the massing of existing buildings or vegetation will provide adequate screening. Support structures shall be constructed of galvanized steel and painted an unobtrusive color to neutralize and blend with surroundings, or be of a stealth design.

**E. Development Standards.** It is a goal of the City that wireless telecommunications facilities be developed in harmony with the surrounding environment so as to be as unobtrusive as possible. This is especially true when located in visually prominent locations (e.g., along major thoroughfares, at entry points into the City, near high activity areas, etc.). The following guidelines listed below are intended to ensure that the design of wireless telecommunications facilities are compatible with the community. The guidelines below do not apply to wireless telecommunications facilities in the public right-of-way or facilities qualifying as EFRs, which are subject to the design and development standards published and amended, from time to time, by the Zoning Administrator.

1. Wireless telecommunications facilities should:
  - a. Be collocated with another facility, where possible;
  - b. Be stealth in design, or building/structure or roof-mounted as an integral architectural element on an existing structure; and
  - c. Utilize state-of-the-art wireless technology.
2. Wireless telecommunications facilities shall meet all applicable zoning and setback regulations of the zoning district in which they are located.
3. Wireless telecommunications facilities shall be installed and maintained in full compliance with all Federal, State and local codes and standards.
4. All proposed nonstealth facilities shall be designed to accommodate co-location of 2 or more service providers. To the extent possible, stealth facilities shall also be designed to accommodate co-location of facilities.
5. The height of wireless telecommunications facility support structures shall be the minimum necessary to provide adequate user coverage; however, an antenna or its support structure shall not exceed the maximum allowed height for wireless telecommunications facilities set forth below, except as provided for in Subparagraph

A.3.f of this Section. The height of stealth design “tree” monopoles shall be measured to the top of the antenna arrays, with the branches/fronds extending above antenna arrays, to create a natural appearance.

**6.** The maximum height for wireless telecommunications facilities shall be as follows:

**a.** Freestanding single-carrier facilities shall not exceed 55 FT in height;

**b.** Freestanding collocated facilities (two or more carriers) shall not exceed 75 FT within the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zoning districts, and 65 FT in height within all other zoning districts; and

**c.** Roof-mounted or building-mounted facilities shall not exceed 10 FT above the height of the building.

**7.** Prior to the issuance of a building permit for a wireless telecommunications facility, the carrier shall submit a Federal Aviation Administration determination for the proposed facility. Safety lighting or colors, if prescribed by the City or other approving agency, such as the Federal Aviation Administration, may be required for support structures.

**8.** Wireless communications facilities located within residential zoning districts shall be of stealth design.

**9.** All accessory equipment associated with the wireless telecommunications facility shall be screened from public view by a decorative fence, wall, landscaping, berming or a combination thereof, or shall be located within a building, enclosure or underground vault, which is designed, colored and textured to match the architecture of adjacent buildings or blend in with surrounding development.

**10.** All utilities associated with wireless telecommunications facilities shall be undergrounded. Cable connections from equipment structures to any antennae shall not be visible by the public.

**11.** The design of stealth wireless telecommunications facilities shall be compatible with the surrounding neighborhood. Stealth designs include building mounted designs and freestanding designs. Examples of building mounted designs include architecturally screened roof mounted facilities, facilities attached to a building/structure, bell towers, clock towers, or steeples, installation behind false windows, or other types of architectural features that are designed to camouflage the facility and are integrated into the building design. Examples of stealth freestanding wireless telecommunications facilities include facilities that are camouflaged as freestanding signage, flagpoles, light poles, or “tree” monopoles (such as “monopalms” and “monopines”) that are blended with groupings of real trees. The use of “monopalms” should not be the default design if no other live palms are within the immediate surroundings. Wireless telecommunications



facilities may be designed as, or within, a piece of public art or a historical monument for public benefit.

**12.** The use of whip and/or microwave dish antennas shall be permitted only if integrated into the design of a structure and/or if fully screened from public view.

**13.** Chainlink fencing is not permitted for containment of wireless telecommunications facilities, unless the fencing is located in the rear portion of property, is not visible from a public area, and is installed with tennis court screening material on all exterior sides of the fence.

**14.** The use of lattice-type towers shall not be permitted within the City.

**15.** Planning Department approval must be received prior to any modification or addition to any existing wireless telecommunications facility.

**16.** Stealth wireless telecommunications facilities utilizing a flagpole monopole design shall comply with the following:

**a.** The flag to be placed on the flagpole monopole shall be proportionate in size to the height and diameter of the pole, and shall be maintained at all times and replaced when needed due to weathering, as determined necessary by the Planning Director.

**b.** Only the National, State, County or City flags shall be flown on the flagpole. A flag shall be flown on the flagpole at all times, which shall be properly lighted.

**c.** Covers concealing antenna arrays shall be painted to match the flagpole.

**17.** Stealth wireless telecommunications facilities utilizing a monopine design shall comply with the following:

**a.** The branch count shall be a minimum of 3 branches per lineal FT of trunk height. Branches shall be randomly dispersed and of differing lengths to provide a natural appearance.

**b.** Simulated bark shall extend the entire length of the pole (trunk), or the branch count shall be increased so that the pole is not visible.

**c.** Branches and foliage shall extend beyond an antenna array a minimum of 2 FT horizontally and 7 FT vertically, in order to adequately camouflage the array, antennas and bracketry. In addition, antennas and supporting bracketry shall be wrapped in artificial pine foliage.

**d.** The size and spread of antenna arrays shall be the minimum necessary to ensure that they are adequately camouflaged.

**e.** A minimum of 2 live pine trees shall be planted for each proposed monopine, which shall have the same growth habit as the pine tree being simulated by the monopine, and shall be in scale with the height of the monopine. The pine trees may be planted adjacent to the proposed monopine, or elsewhere on the site as deemed appropriate by the Planning Director.

**18.** Stealth wireless telecommunications facilities utilizing a monopalm design shall comply with the following:

**a.** All antennas shall be fully concealed within a “pineapple ball” (also referred to as “growth ball” or “terminal bud ball”) located at the end of the trunk. Furthermore, all wires and connectors shall be fully concealed within the trunk, and all unused ports (for co- location) shall have covers installed.

**b.** Simulated bark shall extend the entire height of the pole (trunk).

**c.** A minimum of 2 live palm trees shall be planted for each proposed monopalm, which shall have the same growth habit as the type of palm tree being simulated by the monopalm, and shall be in scale with the height of the monopalm. The palm trees may be planted adjacent to the proposed monopalm, or elsewhere on the site as deemed appropriate by the Planning Director.

**19.** A sign measuring 2 FT high by 2 FT wide shall be posted at the exterior entrance of wireless telecommunications facilities, and clearly visible to the public, identifying the carrier(s) and contact telephone number(s) for reporting emergency and maintenance issues.

Draft

## Exhibit B

### **4.02.025: Development Plans.**

**A. Purpose.** The purpose of this Section is to:

**1.** Establish a review process whereby the integrity and character of the physical fabric of the City will be protected in a manner consistent with the goals and policies of The Ontario Plan. This is ensured through the review of:

- a.** The suitability of building location;
- b.** Location and design of off-street parking and loading facilities;
- c.** Location, design and dedication of streets and alleys (public and private facilities);
- d.** Location and design of pedestrian and vehicular entrances and exits;
- e.** Location, design, materials and colors of walls and fences;
- f.** Location, design, size and type of landscaping (public and private facilities);
- g.** Location, design and materials of hardscape areas, such as patios, sidewalks and walkways (public and private facilities);
- h.** Drainage and off-site improvements (public and private facilities);
- i.** Compatibility with the surrounding area;
- j.** Exterior building architectural design, materials and colors;
- k.** Quality of proposed design and construction;
- l.** Location, type, design, colors, and materials of signs; and
- m.** Any conditions affecting the public health, safety, welfare, and general aesthetic of the community.

**2.** Protect and preserve the value of properties and to encourage high quality development throughout the City, whereas adverse effects would otherwise result from excessive uniformity, dissimilarity, poor exterior quality and appearance of buildings and structures; inadequate and poorly planned landscaping; and failure to preserve, where feasible, natural landscape features, and open spaces.

3. Recognize the interdependence of land values and aesthetics, and to provide a method to implement this interdependence in order to maintain the values of surrounding properties and improvements consistent with The Ontario Plan, with due regard to the public and private interests involved.

4. Ensure that the public benefits derived from expenditures of public funds for improvement and beautification of streets and public facilities are protected by the exercise of reasonable controls over the character and design of private buildings, structures, parking and loading facilities, landscaped areas, recreation amenities and open spaces.

5. Ensure the design of landscaping and irrigation that shades parking facilities and other paved areas, buffers or screens undesirable views and compliments building architecture and overall site design.

6. Ensure reasonable controls over the character, design and location of signs, and the appropriate use of well-designed signs that complement the architecture of surrounding buildings, while considering the public and private interests involved and the exercise of control over the undesirable use of excessive signage.

## **B. Applicability.**

1. Pursuant to Table 2.02-1 (Review Matrix) of this Development Code, the Approving Authority is hereby empowered to approve, approve in modified form, or deny a Development Plan application, and to impose reasonable conditions upon a Development Plan approval.

2. Development Plan approval shall be required for the physical alteration of a lot, the construction of a building, or the addition or significant alteration of an existing building, as follows:

- a. The development of 3 or more dwelling units on a single lot;
- b. The development of 5 or more lots within a residential subdivision;
- c. The development of 5 or more dwelling units, regardless of the number of lots involved;
- d. The development of a nonresidential building within a residential zoning district, or an addition thereto, which is in excess of 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;
- e. The development of a vacant lot within a nonresidential zoning district;

- f.** The conversion of a commercial structure to a residential structure, or conversion of a residential structure to a commercial structure;
- g.** The remodel of, or addition to, an existing nonresidential building, which results in an overall change in the architectural integrity, as determined by the Planning Director;
- h.** The remodel of, or addition to, a nonresidential building, which would result in the demolition and replacement/reconstruction of more than 50 percent of the existing building;
- i.** The conversion of a gasoline or fueling station to facilitate another allowed land use (see standards contained in Subsection 5.03.040,C (Conversion of Gasoline and Fueling Stations) of this Development Code);
- j.** An addition to an institutional facility (including religious assembly and places of worship, government services, healthcare services, and educational services), which is in excess of 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;
- k.** The development of a permanent building within the CIV, OS-R, OS-C, or UC zoning district, which is in excess of 500 SF of GFA (cumulative), or an addition thereto, which is in excess of 25 percent of the original structure GFA or 500 SF (cumulative), whichever is less;
- l.** The development of a permanent building within the AG zoning district, which is in excess of 5,000 SF of GFA (cumulative), or an addition thereto, which is in excess of 25 percent of the original structure GFA or 5,000 SF (cumulative), whichever is less;
- m.** The relocation (move-on) of a building within any zoning district;
- n.** The addition of dwelling units to a multiple-family residential development project, when such addition would result in 3 or more dwelling units on a single lot after the addition;
- o.** An addition to a previously developed site within a commercial zoning district, which does not exceed 25 percent of the original structure GFA or 2,000 SF (cumulative), whichever is less;
- p.** An addition to a previously developed site within an industrial zoning district, which does not exceed 25 percent of the original structure GFA or 10,000 SF (cumulative), whichever is less;

q. A Tier 2 or Tier 3 wireless telecommunications facility pursuant to Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code; and

r. Other projects, which, in the opinion of the Planning Director, require such level of review prior to issuance of a building permit, due to the size, nature and/or complexity of the project, or because the project could cause significant environmental impacts or generate significant neighborhood opposition or controversy.

3. A Development Plan shall remain in effect for the life of the affected development project, which shall be developed and maintained in substantial conformance with the plans as approved by the Approving Authority, and maintained on file with the City.

**C. Application Filing, Processing and Hearing.** A Development Plan application, except for wireless telecommunications facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests (EFRs), shall be filed, processed and heard pursuant to Division 2.02 (Application Filing and Processing) of this Development Code and the provisions of this Section. Applications to install wireless telecommunications facilities in the public right-of-way and for facilities qualifying as EFRs shall be filed and processed pursuant to the following:

1. Scope. There shall be a type of permit entitled a “Wireless Permit,” which shall be subject to all of the requirements of this Section. Unless exempted, every person who desires to place a wireless telecommunications facility in the public right-of-way, modify an existing wireless telecommunications facility in the public right-of-way, or perform work as part of an EFR must obtain a Wireless Permit authorizing the placement or modification in accordance with this Section. Except for small cell facilities, facilities qualifying as EFRs, or any other type of facility expressly allowed in the public right-of-way by state or federal law, no other wireless telecommunications facilities shall be permitted pursuant to this Section.

2. Approving Authority. The Zoning Administrator is the approving authority for wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs.

3. Application Submittal. Applications shall be submitted on a City application form issued and amended, from time-to-time, by the Zoning Administrator.

4. Review and Action.

a. The Zoning Administrator shall review the application and then approve, approve in modified form, or deny the application. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Paragraph C.5 (Appeals), below.



**b.** The wireless regulations and decisions on applications for placement of wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs shall, at a minimum, ensure that the requirements of this Section are satisfied, unless it is determined that Applicant has established that denial of an application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services, or otherwise violate applicable laws or regulations. If that determination is made, the requirements of this Development Code may be waived by the Zoning Administrator, but only to the minimum extent required to avoid the prohibition or violation.

**c.** There will be no public hearings.

**5. Appeals.** The Applicant may appeal the decision to the Planning Commission, which may decide the issue *de novo*, and whose written decision will be the final decision of the City. An appeal by a wireless infrastructure provider must be taken jointly with the wireless service provider that intends to use the wireless telecommunications facility. Where the Zoning Administrator grants an application based on a finding that denial would result in a prohibition or effective prohibition under applicable federal law, the decision shall be automatically appealed to the Planning Commission. All appeals must be filed within 2 business days of the written decision of the Zoning Administrator, unless the Zoning Administrator extends the time therefore. An extension may not be granted where extension would result in approval of the application by operation of law. Any appeal shall be conducted so that a timely written decision may be issued in accordance with applicable law.

**D. Findings and Decision.** A Development Plan shall be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and testimony provided during the public hearing, only after considering and clearly establishing all of the below-listed findings, and giving supporting reasons for each finding. The application shall be denied if one or more of the below listed findings cannot be clearly established. Findings 1-4 do not apply to applications for wireless telecommunications facilities in the public right-of-way or facilities qualifying as EFRs, which are subject to the findings set forth by Paragraph 5, below.

**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;

**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;

**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;

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.

5. Required findings for wireless telecommunications facilities in the public right-of-way and facilities qualifying as EFRs are as follows:

a. Except for EFRs, the Zoning Administrator or Planning Commission, as the case may be, shall approve an application if, on the basis of the application and other materials or evidence provided in review thereof, it finds the following:

(1) The facility is not detrimental to the public health, safety, and welfare;

(2) The facility complies with this Development Code and all applicable design and development standards; and

(3) The facility meets applicable requirements and standards of state and federal law.

b. For EFRs, the Zoning Administrator or Planning Commission, as the case may be, shall approve an application if, on the basis of the application and other materials or evidence provided in review thereof, it finds the following:

(1) That the application qualifies as an eligible facilities request; and

(2) That the proposed facility will comply with all generally-applicable laws.

#### **E. Conditions of Approval.**

1. In approving a Development Plan application, the Approving Authority may require certain safeguards and impose certain conditions established to ensure that the purposes of this Development Code are maintained; ensure that the project will not endanger the public health, safety or general welfare; ensure that the project will not result in any significant environmental impacts; ensure that the project will be in harmony with the area in which it is located; and ensure that the project will be in conformity with The Ontario Plan and any applicable specific and/or area plan(s).

2. Conditions of approval imposed upon a Development Plan approval may include, but is not limited to, provisions concerning building height, bulk or mass;

setbacks; lot coverage; lighting; private and common open space, and/or recreation amenities; screening, including garages, trash receptacles, mechanical and roof-mounted equipment and appurtenances; landscaping; walls and fences; vehicular parking, access and circulation; pedestrian circulation; on-site security; grading; street dedication and improvements (public and private); on and off-site public improvements (public and private) necessary to service the proposed development; project timing/phasing; loading and outdoor storage; architectural treatment; signage; vehicular trip reduction; graffiti removal; sound attenuation; reparation and recordation of covenants, conditions and restrictions, mutual access agreements, maintenance agreements and other similar agreements; property disclosure pursuant to BPC Section 11000 et seq.; and other conditions the Approving Authority may deem appropriate and necessary to carry out the purposes of the Development Code.

3. All conditions of approval or requirements authorized by this Section are enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

#### **F. Development Plan Modifications/Revisions.**

1. Development Plans and/or their conditions of approval may be modified/revised upon application by a project applicant or property owner if different from the applicant. The request shall be submitted to the Planning Department on a City application form pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

2. Modifications/revisions that are minor in nature may be processed administratively, without notice or public hearing, provided the proposed changes are consistent with the intent of the original approval and there are no resulting inconsistencies with this Development Code. Modifications/revisions are considered minor in nature if in the opinion of the Planning Director, they do not involve substantial changes to the approved plans or the conditions of approval, and would in no way affect surrounding properties.

3. Modifications/revisions to an approved plan or conditions of approval that, in the opinion of the Planning Director, are not minor in nature, shall be processed as a revised Development Plan, following the procedures set forth in this Section for Development Plan approval, except that modification/revision approval shall not alter the expiration date established by the original application approval.

## Exhibit C

**Table 2.02-1: Review Matrix (applicable portions)**

<i>Applications, Actions, Decisions and Processes</i>	<b>Reviewing Authorities [4]</b>									
	<i>Planning Director</i>	<i>City Engineer</i>	<i>Building Official</i>	<i>Zoning Administrator [2]</i>	<i>Development Advisory Board</i>	<i>Historic Preservation Subcommittee [2]</i>	<i>Historic Preservation Commission</i>	<i>Planning Commission</i>	<i>City Council</i>	<i>Ontario International Airport Authority</i>
<b>B. DISCRETIONARY PERMITS AND ACTIONS</b>										
<b>5.</b> Development Plans (Ref: ODC Section 4.02.025)										
<b>e.</b> Wireless telecommunications facilities pursuant to Section 5.03.415 (Wireless Telecommunications Facilities) of this Development Code										
<b>(1)</b> Tier 2 facilities										
<b>(a)</b> Outside of the public right-of-way					X			A	A	
<b>(b)</b> In the public right-of-way				X				A		
<b>(c)</b> Eligible Facilities Requests (EFRs)				X				A		
<b>(2)</b> Tier 3 facilities <b>[1]</b>					R			X	A	

Notes:

- [1] A public hearing is required pursuant to the procedures set forth in Division 2.03 (Public Hearings) of this Development Code; however, public notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.
- [2] The Approving Authority may refer any application subject to their review to the next higher authority (Appeal Authority).
- [4] An application submitted for concurrent review and action with another application, action or decision requiring review and action by a higher Reviewing Authority shall be subject to concurrent review and action by that higher Reviewing Authority.

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## Exhibit C (continued)

**Table 2.03-1: Notification Matrix (applicable portions)**

<i>Applications, Actions, Decisions And Processes</i>	<i>Required Method of Public Notification</i>			
	<i>Not Required</i>	<i>Newspaper or Posting [2]</i>	<i>First Class Mail or Delivery [2]</i>	<i>Newspaper—1/8 page advertisement if the number of property owners to whom notices would be mailed or delivered is greater than 1,000</i>
<b>B. DISCRETIONARY PERMITS AND ACTIONS</b>				
<b>5.</b> Development Plans (Ref: ODC Section 4.02.025)				
<b>e.</b> Wireless telecommunications facilities pursuant to Section 5.03.415 (Wireless Telecommunications Facilities) of this Development Code				
(1) Tier 2 facilities				
(a) Outside of the public right-of-way		X		
(b) In the public right-of-way	X			
(c) Eligible Facilities Requests (EFRs)	X			
(2) Tier 3 facilities [1]		X	X	

Notes:

- [1] Public hearing notification is required pursuant to Section 2.03.010 (Public Hearing Notification) of this Division.
- [2] Public notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.

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