



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

April 5, 2021

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

MEETING WILL BE HELD AT 1:30 PM VIA ZOOM

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

SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD MEETINGS

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

TO VIEW THE MEETING:

- VISIT THE CITY'S WEBSITE AT THE FOLLOWING ADDRESS: ontarioca.gov/agendas/dab
- THE LINK FOR THE ZOOM CONFERENCE MEETING WILL BE LISTED AT THE WEBSITE ADDRESS ABOVE.

TO PROVIDE PUBLIC COMMENT:

1. **PROVIDE PUBLIC TESTIMONY DURING THE MEETING:** Submit your request to speak no later than 12:00 PM the day of the meeting by either (1) emailing your name, telephone number, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov or (2) by completing the Comment Form on the City's website at: ontarioca.gov/agendas/dab.

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

2. **COMMENT BY E-MAIL:** Submit your comments by email no later than 12:00 PM on the day of the meeting by emailing your name, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov . All comments received by the deadline will be forwarded to the Development Advisory Board for consideration before action is taken on the matter.
3. **COMMENT BY TELEPHONE:** Submit your comments by telephone no later than 12:00 PM on the day of the meeting by providing your name, agenda item you are commenting on, and your comment by calling (909) 395-2036. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.
4. **COMMENT BY MAIL:** To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Planning Department, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be actually received by the Planning Department no later than 12:00 PM on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.

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

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

PUBLIC COMMENTS

Citizens wishing to address the Development Advisory Board on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Development Advisory Board values your comments, the members cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

AGENDA ITEMS

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

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

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT20-003 AND PDEV20-007:** A Tentative Tract Map (File No. PMTT20-003/TT 20345) to subdivide 6.65 acres of land into 1 numbered lot for condominium purposes, 26 numbered lots for single-family dwellings and 20 lettered lots in conjunction with a Development Plan (File No. PDEV20-007) to construct 26 detached single-family units (6-Pack Cluster) and 77 multiple family units (14-plex Courtyard Townhomes), located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the within the Mixed Use District Planning Area 6A of the Rich Haven Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-393-07, 218-393-06, 218-393-10, 218-393-22, 218-393-36, 218-393-38 and 218-393-39) **submitted by BrookCal Ontario LLC. and Brookfield Properties Development. Planning Commission action is required.**

1. CEQA Determination

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

2. File No. PMTT20-003 (TTM 20345) (Tentative Tract Map)

Motion to recommend Approval/Denial

3. File No. PDEV20-007 (Development Plan)

Motion to recommend Approval/Denial

- C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP REVIEW FOR FILE NOS. PDEV20-014 AND PMTT20-004:** A Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location approximately 130 feet southeast to the corner of the site and a Tentative Parcel Map-TPM

20255 (File No. PMTT20-004) to subdivide 1.1-acres of land into 4 lots within the LDR-5 (Low Density Residential –2.1 to 5.0 DU/Acre) zoning district located at 730 West Fourth Street. A Mitigated Negative Declaration of environmental effects has been prepared for this project. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1047-594-52) **submitted by Fred Herzog. Planning Commission action is required. Related File No. PHP20-008.**

1. CEQA Determination

Motion to recommend Approval/Denial of a Mitigated Negative Declaration

2. File No. PMTT20-004 (TPM 20255) (Tentative Parcel Map)

Motion to recommend Approval/Denial

3. File No. PDEV20-014 (Development Plan)

Motion to recommend Approval/Denial

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

If you challenge any action of the **Development Advisory Board** in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the **Development Advisory Board** at, or prior to, the public hearing.

The next **Development Advisory Board** meets on **April 19, 2021**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **April 1, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

March 15, 2021

BOARD MEMBERS PRESENT VIA ZOOM

Rudy Zeledon, Planning Department
Charity Hernandez, Economic Development Agency
Mike Gerken, Fire Department
Elda Zavala, Community Improvement
Khoi Do, Engineering Department
Dennis Mejia, Municipal Utilities Company

BOARD MEMBERS ABSENT

Gabe Gutierrez, Police Department
James Caro, Building Department

STAFF MEMBERS PRESENT VIA ZOOM

Derrick Womble, Community Development Agency
Mike Bhatanawin, Engineering Department
Eric Woosley, Engineering Department
Miguel Sotomayor, Engineering Department
Cruz Torres, Fiscal Services
Albert Gastelum, Municipal Utilities Company
Diane Ayala, Planning Department
Elly Antuna, Planning Department
Alexis Vaughn, Planning Department
Larissa Lomen, Planning Department
Chuck Mercier, Planning Department
Gwen Berendsen, Planning Department
Denny Chen, Planning Department
Edmelyne Hutter, Planning Department

PUBLIC COMMENTS

Mr. Zeledon stated no public comment correspondence was received.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the March 1, 2021, meeting of the Development Advisory Board was made by Mr. Do; seconded by Ms. Hernandez; and approved unanimously by those present (5-0). Ms. Zavala, Community Improvement, recused herself as she was not at that meeting.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT19-006 (TM 20265):** A Tentative Tract Map to subdivide 21.10 gross acres of land into 111 numbered lots and 36 lettered lots for land generally located at the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application introduces no new significant environmental impacts, 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: 0218-652-27) **submitted by GDC-RCC 2, L.P. Planning Commission action is required.**

The applicant Jason Lee with GDC-RCC 2, L.P., was present via teleconference.

Mr. Zeledon asked if he had reviewed the Conditions of Approval, had any questions regarding them, and if he agreed with them. Mr. Zeledon stated there was an error in the park requirement calculations.

Mr. Lee stated he had reviewed the COAs and that staff had made him aware of the error.

Mr. Zeledon stated no public correspondence was received for this item.

Motion recommending approval of **File No. PMTT19-006 (TM 20265)**, subject to conditions to the Planning Commission was made by Mr. Do; seconded by Mr. Gerken; and approved unanimously by those present (6-0).

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-060:** A Development Plan to construct 22 multiple-family dwelling units on 0.88-acre of land located at 1445 West Mission Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-361-15) **submitted by AJ1 Development, LLC. Planning Commission action is required.**

The applicant Sam with Mid-City Engineering, was present via teleconference.

Mr. Zeledon asked if he had reviewed the Conditions of Approval, had any questions regarding them, and if he agreed with them.

Sam stated he was good with it.

Mr. Zeledon stated no public correspondence was received for this item.

Motion recommending approval of **File No. PDEV19-060**, subject to conditions to the Planning Commission was made by Mr. Do; seconded by Mr. Mejia; and approved unanimously by those present (6-0).

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

The applicant, Will McGraw, was present via teleconference.

Mr. Zeledon asked if he had reviewed the Conditions of Approval, had any questions regarding them, and if he agreed with them.

Mr. McGraw stated yes and we have no questions or comments at this time.

Mr. Zeledon stated no public correspondence was received for this item.

Motion recommending approval of **File No. PDEV20-005**, subject to conditions to the Planning Commission was made by Mr. Gerken; seconded by Ms. Hernandez; and approved unanimously by those present (6-0).

- E. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT20-008:** A Tentative Parcel Map (TPM 20287) to subdivide 1.17 acres of land into 2 parcels generally located at the northeast corner of Campus Avenue and Belmont Street, at 1121 South Campus Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1049-451-14) **submitted by Alex Espinoza. Planning Commission action is required.**

The applicant, Alex Espinoza, was present via teleconference.

Mr. Zeledon asked if he had reviewed the Conditions of Approval, had any questions regarding them, and if he agreed with them.

Mr. Espinoza stated any questions he has can be clarified with staff

Mr. Zeledon stated no public correspondence was received for this item

Motion recommending approval of **File No. PMTT20-008 (TPM 20287)**, subject to conditions to the Planning Commission was made by Mr. Mejia; seconded by Mr. Do; and approved unanimously by those present (6-0).

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

The applicant representative, Dan Beers was present via teleconference.

Mr. Zeledon asked if he had reviewed the Conditions of Approval, had any questions regarding them, and if he agreed with them.

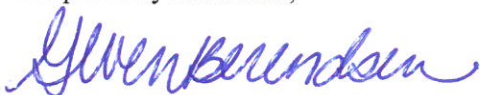
Mr. Beers stated he had no comments at this time.

Mr. Zeledon stated no public correspondence was received for this item.

Motion recommending approval of **File No. PDEV20-031**, subject to conditions to the Planning Commission was made by Mr. Do; seconded by Mr. Mejia; and approved unanimously by those present (6-0).

There being no further business, the meeting was adjourned to the next meeting on April 5, 2021.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



Development Advisory Board Decision

April 5, 2021

DECISION NO.: [insert #]

FILE NO.: PGPA19-005, PSPA19-006, PMTT20-003 and PDEV20-007

DESCRIPTION: An Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), certified by City Council on January 27, 2010, for the following entitlements: [1] a General Plan Amendment (File No. PGPA19-005) to modify the Policy Plan (general plan) Exhibit LU-01, Land Use Plan and Exhibit LU-03, Future Buildout; and [2] an amendment (File No. PSPA19-006) to the Rich Haven Specific Plan, which includes the following map and text revisions: [A] change the land use designation on 110.1 gross acres of land from Planning Area 1A – 1F (Residential - SFD), to 25.5 gross acres of Planning Area 1A (Residential - SFD), 24.5 gross acres of Planning Area 1B (Residential – SFD/SFA) and 60.6 gross acres of Planning Area 1C (Residential - SFD/SFA); [B] change the land use designation on 81.1 gross acres of land within Planning Area 7 (Stand-Alone Residential Overlay, Mixed Use Overlay, Regional Commercial, and SCE Easement/Gas Easement) to, Planning Area 7A (49.4 gross acres of Light Industrial and 6.6 gross acres of Open Space – Non Recreation) and Planning Area 7B (25.1 gross acres of Regional Commercial); [C] change the land use designation on 4.13 acres of land within Planning Area 6A from Regional Commercial to Stand-Alone Residential Overlay; [D] change the land use designation on 4.13 acres of land within Planning Area 9A from Stand-Alone Residential Overlay to Regional Commercial; [E] a Tentative Tract Map (File No. PMTT20-003/TT 20345) to subdivide 6.65 acres of land into 1 numbered lot for condominium purposes, 26 numbered lots for single-family dwellings and 20 lettered lots; and [F] a Development Plan (File No. PDEV20-007) to construct 26 detached single-family units (6-Pack Cluster) and 77 multiple family units (14-plex Courtyard Townhomes). The Rich Haven Specific Plan is generally bounded by Riverside Drive, Colony High School and the SCE substation to the north, Hamner Avenue to the east, Old Edison Road to the south, and Hamner Avenue to the west. The Tentative Tract Map and Development Plan project site is located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the within the Mixed Use District of Planning Area 6A of the Rich Haven Specific Plan (APNs: 0218-161-04, 0218-161-05, 0218-161-10, 0218-161-11, 0218-211-17, 0218-211-24, 0218-211-27, 0218-211-01, and 0218-393-10); **submitted by BrookCal Ontario LLC. and Brookfield Properties Development.**

Part I—BACKGROUND & ANALYSIS

BROOKCAL ONTARIO LLC AND BROOKFIELD PROPERTIES DEVELOPMENT, (herein after referred to as "Applicant") has filed an application requesting approval of a General Plan Amendment, an Amendment to the Rich Haven Specific Plan, a Tentative Tract Map, and a Development Plan (File Nos. PGPA19-005, PSPA19-006, PMTT20-003 and PDEV20-007, respectively), as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Rich Haven Specific Plan is generally bounded by Riverside Drive, Colony High School and the SCE substation to the north, Hamner Avenue to the east, Old Edison Road to the south, and Hamner Avenue to the west. The Tentative Tract Map and Development Plan Project site is comprised of 6.65 acres of land located at northeast corner of Ontario Ranch Road and Haven Avenue. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Tentative Tract Map and Development Plan Project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
<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>	Residential Subdivision	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>South:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 9A (Mixed Use Overlay and Stand-Alone Residential Overlay)
<i>East:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>West:</i>	Residential Subdivision	Medium Density Residential	The Avenue Specific Plan	Medium Density Residential

(1) **Project Description:** The Project analyzed under the Addendum to The Ontario Plan Environmental Impact Report (File No. PGPA06-001, State Clearinghouse No. 2008101140) (“Certified EIR”), consists of the following:

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

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

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

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

(iii) Change the land use designation on 4.13 acres of land within Planning Area 6A, from Regional Commercial to Stand-Alone Residential Overlay;

(iv) Change the land use designation on 4.13 acres of land within Planning Area 9A, from Stand-Alone Residential Overlay to Regional Commercial; and

(v) Various changes to the Specific Plan development standards, exhibits, and text, to reflect the proposed land uses.

(c) A Tentative Tract Map (File No. PMTT20-003/TT 20345) to subdivide 6.65 acres of land into one numbered lot for condominium purposes, 26 numbered lots for single-family dwellings, and 20 lettered lots.

(d) A Development Plan (File No. PDEV20-007) to construct 26 detached single-family dwelling units (6-Pack Cluster) and 77 multiple-family dwelling units (14-plex Courtyard Townhomes).

The Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an Initial Study/Addendum has been prepared to determine possible environmental impacts. Although the proposed project could have a significant effect on the environment, because all potentially significant effects have been analyzed adequately in an earlier Certified EIR, and have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed on the proposed project, nothing further is required. The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Environmental Impact Report, are a condition of project approval and are incorporated in the Initial Study/Addendum (see Attachment 1—Initial Study/Addendum, attached).

Part II—RECITALS

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

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

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

WHEREAS, pursuant to State CEQA Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an Addendum to the Certified EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board (hereinafter referred to as "DAB") is the recommending authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, the DAB has reviewed and considered the EIR Addendum and related documents for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the EIR Addendum and related documents are on file in the City of Ontario Planning Department, located at 303 East B Street, Ontario, CA 91764, and are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

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

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

WHEREAS, on April 5, 2021, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: Development Advisory Board Action. The DAB does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby recommend the Planning Commission APPROVE the adoption of the EIR Addendum to the Certified EIR, included as Attachment 1 of this Decision.

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

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

APPROVED AND ADOPTED this 5th day of April 2021.

Development Advisory Board Chairman

Attachment 1—Addendum to The Ontario Plan Environmental Impact Report

(EIR Addendum follows this page)

Rich-Haven Specific Plan 2021 Amendment

2021 Addendum to The Ontario Plan Certified EIR
(SCH No. 2008101140)



Prepared for:
City of Ontario
303 East B Street
Ontario, CA 91764

Prepared by:
Applied Planning, Inc.
11762 De Palma Road
1C-310
Corona, CA 92883

March 2021



**Rich-Haven Specific Plan
2021 Amendment**

**2021 Addendum to The Ontario Plan Certified EIR
(SCH No. 2008101140)**

Prepared for:

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APPENDICES

Appendix A: Specific Plan Amendment

Appendix B: Air Quality Impact Analysis, Greenhouse Gas Analysis, Health Risk Assessment

Appendix C: Noise Impact Analysis

Appendix D: Traffic Impact Analysis

Appendix E: Water Supply Assessment

1.0 INTRODUCTION

1.0 INTRODUCTION

1.1 OVERVIEW

This Addendum to The Ontario Plan Certified Environmental Impact Report (TOP EIR, Certified EIR) substantiates that the proposed Modification to the Rich-Haven Specific Plan described herein would not result in any new significant impacts not considered and addressed in the Certified EIR; nor would there be any substantial increase in the severity of, or substantial change in any previously-identified environmental impacts considered and addressed in the Certified EIR.

1.1.1 Original Project

The Rich-Haven Specific Plan was approved by the City in 2015, with subsequent Specific Plan Amendments approved in 2016 and 2018. The current (2018) Rich-Haven Specific Plan (2018 Specific Plan, Original Project) comprises approximately 584.2 acres located westerly of Interstate 15 (I-15), and southerly of State Route 60 (SR-60). The 2018 Specific Plan lies within the approximately 8,200-acre Ontario Ranch, in the southeasterly portion of The Ontario Plan (TOP). The 2018 Specific Plan is bounded generally by Riverside Drive to the north, Edison Avenue to the south, Mill Creek Avenue and Hamner Avenue to the east, and Haven Avenue to the west. Location of the 2018 Specific Plan is presented at Figure 1.1-1.

The 2018 Specific Plan development concept provides for a maximum of 7,194 dwelling units (all residential types), a maximum of 1,131,702 square feet of commercial/office space, 27 acres of public parkland, approximately 20.0 acres Southern California Edison (SCE) Parcel open space, and various Edison Easements (2018 Specific Plan Land Use Table).

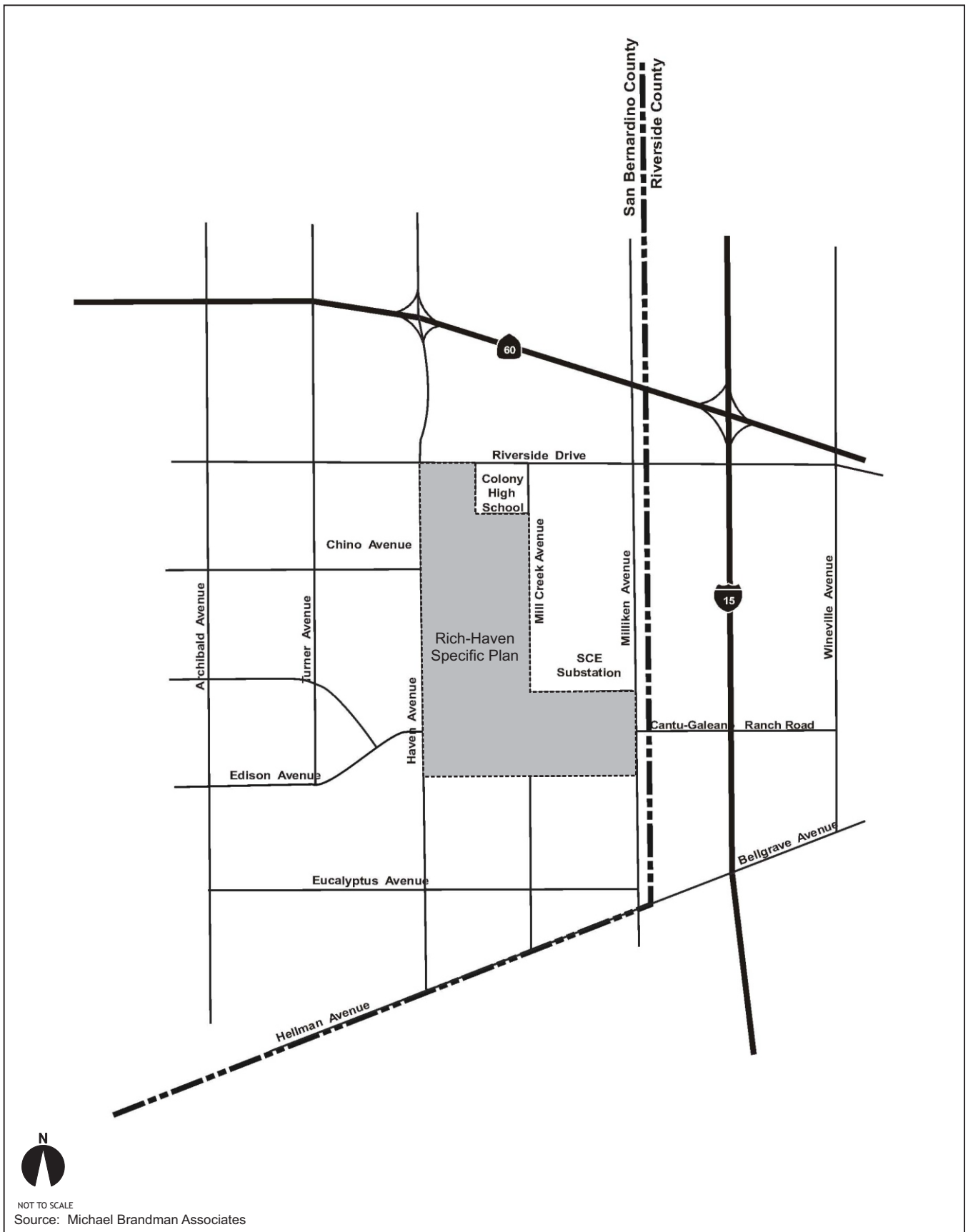
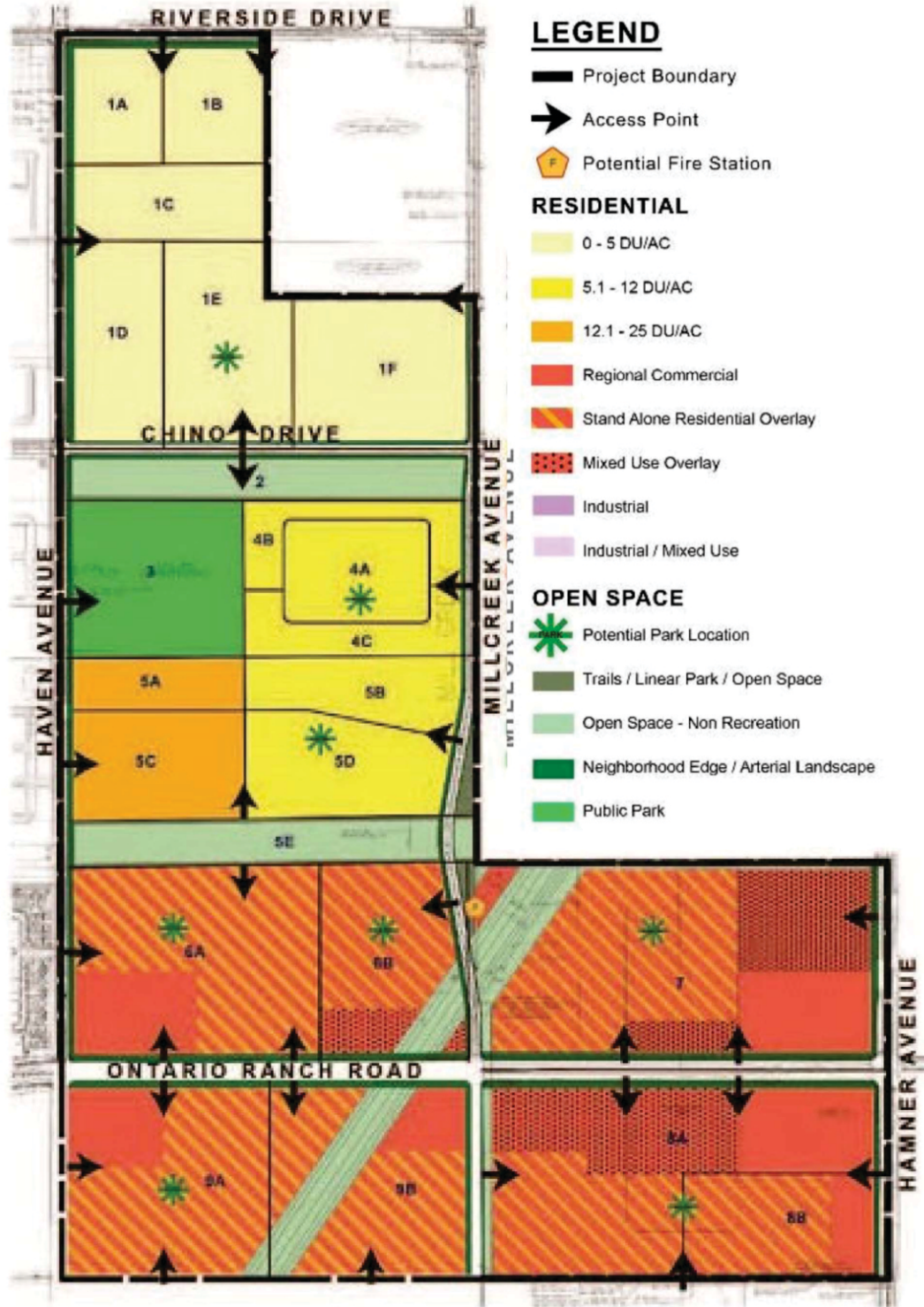


Figure 1.1-1
Rich-Haven Specific Plan Location



N
 NOT TO SCALE
 Source: The Galloway Group

Figure 1.1-2
 Specific Plan Land Use Plan

1.1.2 Modified Project

The proposed Modification to the Original Project (the Modified Project) would amend the 2018 Specific Plan as summarized below:

- Certain Specific Plan Planning Areas would be reorganized/re-classified;
- Alternative residential products would be implemented;
- The Regional Commercial land use within Planning Area 6A is moved into Planning Area 9A, with no net change to the combined 6A/9A uses in the Specific Plan. Under this reorganization of land uses, Planning Area 6A will comprise a Stand-Alone Residential Overlay only;
- The maximum allowable development of commercial/office uses would be decreased; and
- A new Light Industrial Land Use would be established, allowing for development of light industrial warehouse uses in the southeasterly portion of the Specific Plan, adjacent to Hamner Avenue.¹

The Modified Project Land Use Plan is presented at Figure 1.1-3. A comparison of land uses and development under the Original Project and Modified Project is presented at Table 1.1-1. Non-residential uses implemented under the Modified Project are assumed to operate 7 days per week, 24 hours per day.

¹ It is specifically noted that the Specific Plan Mixed Use District allows for combinations of commercial, office, and residential development at various densities/intensities. Any given proposal within the Specific Plan Mixed Use District is required to conform to applicable Specific Plan Design Guidelines and Development Standards; and trip generation (Average Daily Trips, ADT) of such proposals shall not exceed trip generation estimates (the “trip budget”) identified in The Ontario Plan EIR. Such proposals shall be subject to review and approval by the Planning Director or Assignee. Proposals that exceed The Ontario Plan EIR trip budget and/or do not conform to applicable Specific Plan Design Guidelines and Development Standards may require further amendment of the Specific Plan and additional CEQA analysis.

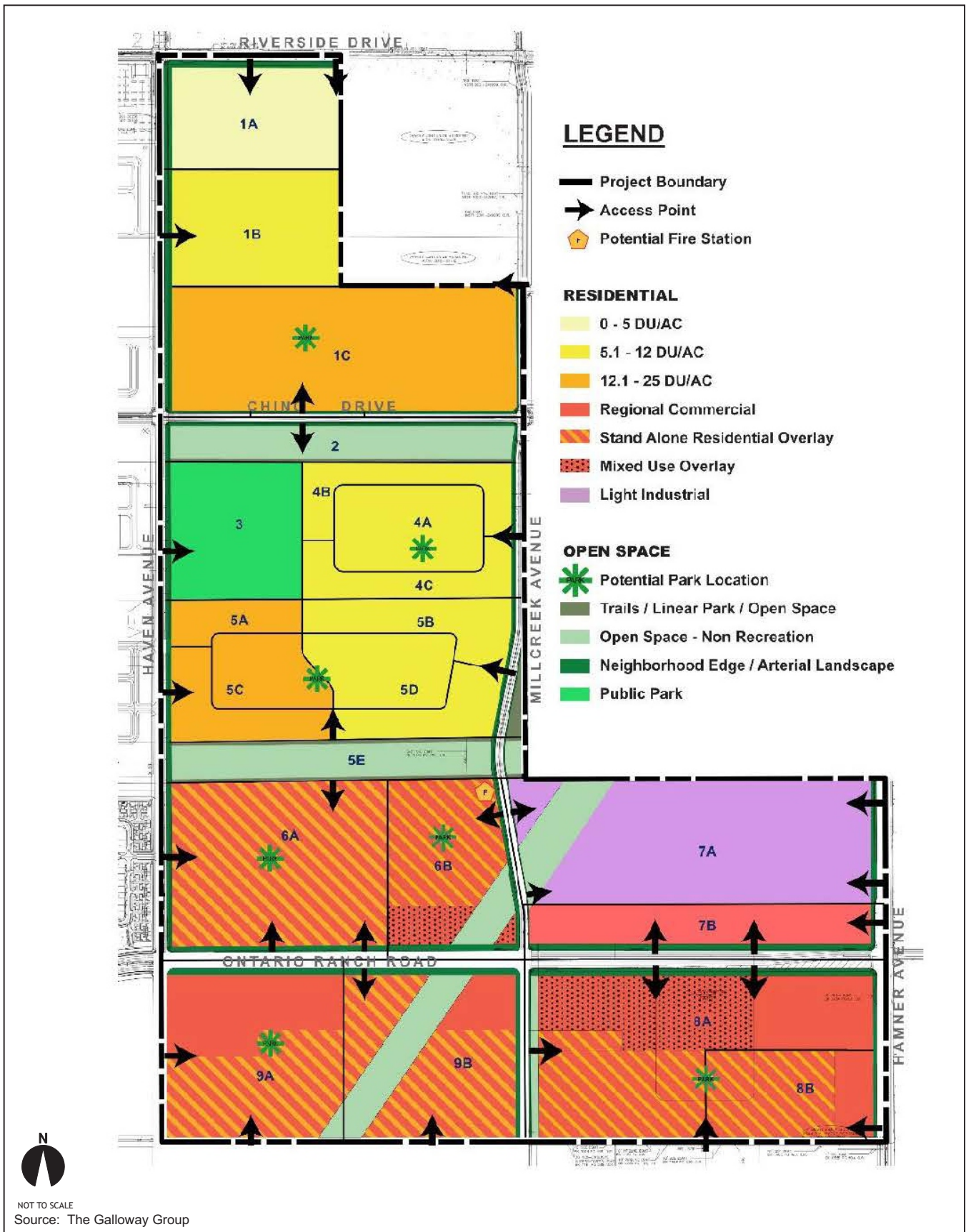


Figure 1.1-3
Modified Project Land Use Plan

Table 1.1-1
Original Project and Modified Project Development Comparison
Modified Project Revisions are Identified by Red Bold Typeface

Planning Area	Land Use		Dwelling Units (Maximum)		Acres (Gross)		Residential Density (Gross)		Comm./ Office (sf) (Maximum)		Light Industrial (sf) (Maximum)	
Residential Districts												
	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project
1A	Residential – SFD	Residential – SFD	58	115	12.8	25.5	4.5	4.5	---	---	---	---
1B	Residential – SFD	Residential – SFD	57	175	12.7	24.5	4.5	7.1	---	---	---	---
1C	Residential – SFD	Residential – SFD	68	731	14.9	60.6	4.5	12.1	---	---	---	---
1D	Residential – SFD	Residential – SFD	91	---	20.5	---	4.5	---	---	---	---	---
1E	Residential – SFD	Residential – SFD	109	---	23.4	---	4.5	---	---	---	---	---
1F	Residential – SFD	Residential – SFD	120	---	26.3	---	4.5	---	---	---	---	---
Subtotal Planning Areas 1A – 1F			503	1,021	110.6	---	4.5	9.2	---	---	---	---
2	Edison Parcel	Edison Parcel	---	---	20.0	20.0	---	---	---	---	---	---
3	Park	Park	---	---	27.0	27.0	---	---	---	---	---	---
Subtotal Planning Areas 2, 3					47.0	47.0						
	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project
4A	Residential – Small Lot SFD	Residential – SFD/Attached	154	154	14.0	14.0	11.0	11.0	---	---	---	---
4B	Residential – Small Lot SFD	Residential – SFD/Attached	101	101	9.2	9.2	11.0	11.0	---	---	---	---
4C	Residential – Small Lot SFD	Residential – SFD/Attached	108	108	9.8	9.8	11.0	11.0	---	---	---	---
Subtotal Planning Areas 4 A – 4C			363	363	33.1	363	11.0	11.0				
5A	Residential – Small Lot SFD	Residential – SFD/Attached	109	109	9.1	9.1	12.1	12.1	---	---	---	---
5B	Residential – Small Lot SFD	Residential – SFD/Attached	165	165	14.2	14.2	11.7	11.7	---	---	---	---

Table 1.1-1
Original Project and Modified Project Development Comparison
Modified Project Revisions are Identified by Red Bold Typeface

5C	Residential – Small Lot SFD	Residential – SFD/Attached	332	332	27.0	27.0	12.3	12.3	---	---	---	---
5D	Residential – Small Lot SFD	Residential – SFD/Attached	361	361	30.3	30.3	11.9	11.9	---	---	---	---
5E	Edison Easement	Edison Easement	---	---	---	---	---	---	---	---	---	---
Subtotal Planning Areas 5A – 5C			967	967	80.6	80.6	12.0	12.0	---	---	---	---
Subtotal Residential District			1,833	2,351	271.3	271.3	6.7	8.7	---	---	---	---
Mixed-Use District												
Planning Area	Land Use		Dwelling Units (Maximum)		Acres (Gross)		Residential Density (Gross)		Comm./ Office (sf) (Maximum)		Light Industrial (sf) (Maximum)	
	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project
6A + 9A	Residential & Commercial	Residential & Commercial	2,178	2,178	85.6	85.6	---	25.4	166,182	166,182	---	---
6B + 9B	Residential & Commercial	Residential & Commercial	1,406	1,406	65.1	65.1	---	21.6	76,320	76,320	---	---
7	Residential & Commercial	N/A	725	---	81.1	---	8.9	0	440,800	---	---	---
7B	N/A	Commercial	---	---	---	25.1	---	---	---	300,000	---	---
8A	Residential & Commercial	Residential & Commercial	852	852	61.4	61.4	13.9	13.9	325,000	325,000	---	---
8B	Residential & Commercial	Residential & Commercial	200	407	19.7	19.7	10.2	20.7	123,400	123,400	---	---
Subtotal Mixed-Use District			5,361	4,843	312.9	256.9	33.0	81.6	1,131,702	990,902	---	---
Light Industrial District												
7A Light Industrial			---	---	---	49.4	---	---	---	---	---	181,325
7A Open-Space Non-Recreation			---	---	---	6.6	---	---	---	---	---	---
Subtotal Light Industrial District			---	---	---	56.0	---	---	---	---	---	181,325
TOTAL SPECIFIC PLAN ACRES					584.2	584.2						
TOTAL SPECIFIC PLAN RESIDENTIAL UNITS			7,194	7,194								

**Table 1.1-1
Original Project and Modified Project Development Comparison
Modified Project Revisions are Identified by Red Bold Typeface**

<i>TOTAL COMMERCIAL/OFFICE DEVELOPMENT</i>	1,131,702	990,902	
<i>TOTAL LIGHT INDUSTRIAL DEVELOPMENT</i>		---	1,183,525
Source: Rich-Haven Specific Plan			

NOTES:

1. All residential dwelling units shown in land use summary are maximums.
2. Project total & subtotal residential district densities are calculated using residential acreages only, therefore the acreages of PA 2 & 3 are not included.
3. Within this specific plan document, references to planning areas are only 1 through 9. Sub-planning areas such as 1a, 1b, etc. are designated to help address ownership patterns and are not intended to be used for density transfer.
4. Residential development along the frontage of haven avenue within planning areas 5a, 5c and 6a shall average a density of 18 to 25 dwelling units per acre to support bus rapid transit (brt) along Haven Avenue.
5. Residential development within planning areas 6a, 6b, 8a, 8b, 9a and 9b shall meet a minimum net density of 14 dwelling units per top adjusted gross acreage. **The minimum 14 dwelling units per acre may be averaged over a single planning area subject to Planning Director review and approval and shall be codified within a development agreement.**

Development of the Modified Project is expected to occur in phases. The first phase of development is anticipated to occur along Ontario Ranch Road and Haven Avenue. Subsequent development phases would extend northerly and easterly, concurrent with the extension and availability of master planned roadways and utility improvements. The Modified Project is accompanied by an application for approval of Development Agreement (DA) related to Planning Area 7. Provisions of the DA ensure that adequate services and utilities would be available to serve each increment of development under the Modified Project.

Within this Addendum, the Modified Project is assumed to be completed and fully occupied by 2024 – the Modified Project Opening Year. This Addendum in all instances evaluates likely maximum impact scenarios. Should future development proposed within the Modified Project area differ substantially from the development concept analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals. Ultimate scope and configuration of the Modified Project uses would be as approved by the City.

1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT DOCUMENTATION

California Environmental Quality Act (CEQA) documentation for the Original Project is presented in *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140, SCH No. 2008101140 (Certified EIR)*. This Addendum to the Certified EIR (Addendum) compares the impacts that were identified in the Certified EIR with the anticipated impacts of the proposed Modified Project. This Addendum substantiates that the proposed Modified Project would not result in new significant impacts, substantially different impacts, or impacts that would be substantially more severe than those evaluated and addressed in the Certified EIR.

1.3 ADDENDUM PURPOSE AND SUMMARY

The focus and purpose of this document is to determine if the Modified Project described herein would result in new or substantially different environmental impacts than those considered and addressed in the Certified EIR. To these ends, this Addendum defines, describes, compares, and contrasts potential environmental impacts of the Modified

Project in the context of the environmental impacts assessed in the Certified EIR. In so doing, this Addendum substantiates consistency with applicable California Environmental Quality Act Guidelines (*CEQA Guidelines*) provisions addressing preparation of an Addendum to a previously-Certified EIR.

In these regards, as presented at *CEQA Guidelines* Section 15164, an Addendum to a Certified EIR may be prepared if only minor technical changes or additions are necessary and none of the conditions described in Section 15162, calling for the preparation of a subsequent or supplemental EIR, have occurred. Further, Public Resources Code Section 21166 prohibits preparation of a subsequent or supplemental EIR for a Certified EIR unless substantial project changes are proposed requiring major revisions to the Certified EIR; a substantial change in circumstances has occurred requiring major revisions to the Certified EIR; or new information becomes available requiring major revisions to the Certified EIR. As supported by the information provided here, none of these conditions apply to the Modified Project. This Addendum to the Certified EIR fulfills CEQA documentation requirements for the Modified Project.

1.4 INTENDED USE OF THIS ADDENDUM

The City of Ontario (City) is the Lead Agency for the purposes of CEQA because it has the principal responsibility and authority for consideration of discretionary actions and permitting for the Modified Project. As the Lead Agency, the City is also responsible for analyzing the Modified Project's potential environmental impacts.

The Lead Agency will employ this Addendum in its evaluation of potential environmental impacts resulting from, or associated with, approval and implementation of the Modified Project. This Addendum may also be used by various Responsible Agencies, e.g., Air Quality Management District(s), Regional Water Quality Control Board(s), *et al.*; as well as utilities and service providers when such entities issue discretionary permits necessary to carry out the Modified Project.

For example, if the Modified Project would require discretionary permits from the South Coast Air Quality Management District (SCAQMD), this Addendum would serve as the environmental assessment for such permits (please refer to California Code of Regulations, Section 15050).

In employing this Addendum, the City and other agencies need recognize that the Modified Project plans and development concepts identified herein are just that – plans and concepts that are subject to refinement as the Modified Project is further defined. Acknowledging the potential for these future minor alterations to the Modified Project, this Addendum in all instances evaluates likely maximum impact scenarios that would account for these potential minor alterations.

1.5 DOCUMENT ORGANIZATION

This Addendum is presented in five sections, as follows:

- **Section 1.0, *Introduction***, provides an overview of the Modified Project, its context, and environmental documentation applicable to the proposed development.
- **Section 2.0, *Modified Project – Description***, presents the proposed Modified Project in greater detail.
- **Section 3.0, *Environmental Checklist***, presents the analysis of potential environmental impacts of the Modified Project. The analysis considers potential environmental impacts of the Modified Project relative to impacts identified in the Certified EIR.
- **Section 4.0, *Determination***, presents the determination regarding the appropriate environmental document for the Modified Project.
- **Section 5.0, *Mitigation Summary***, summarizes mitigation from the Certified EIR, and presents any newly required mitigation or modified mitigation.

1.6 CONCLUSION

This Addendum substantiates that implementation and operation of the proposed Modified Project described and evaluated herein would not result in any significant new, different, additional, or substantially increased environmental impacts than were previously considered and addressed in the Certified EIR.

2.0 PROJECT DESCRIPTION

2.0 MODIFIED PROJECT-DESCRIPTION

2.1 OVERVIEW

The Rich-Haven Specific Plan was approved by the City in 2015, with subsequent Specific Plan Amendments approved in 2016 and 2018. The current (2018) Rich-Haven Specific Plan (2018 Specific Plan, Original Project) comprises approximately 584.2 acres located westerly of Interstate 15 (I-15), and southerly of State Route 60 (SR-60). The 2018 Specific Plan area lies within the 8,200-acre Ontario Ranch, in the southeasterly portion of The Ontario Plan (TOP). The 2018 Specific Plan is bounded generally by Riverside Drive to the north, “Old” Edison Avenue to the south, Mill Creek Avenue and Hamner Avenue to the east, and Haven Avenue to the west.

The 2018 Specific Plan development concept provides for a maximum of 7,194 dwelling units (all residential types), a maximum of 1,131,702 square feet of commercial/office space, 27 acres of public parkland, approximately 20 acres of Southern California Edison (SCE) parcel open space, and various SCE Easements (2018 Specific Plan Land Use Table).

The Modified Project evaluated here would amend the 2018 Specific Plan as summarized below:

- Certain Specific Plan Planning Areas would be reorganized/re-classified;
- Alternative residential products would be implemented;
- The Regional Commercial land use within Planning Area 6A is moved into Planning Area 9A, with no net change to the combined 6A/9A uses in the Specific Plan; Under this reorganization of land uses, Planning Area 6A will comprise a Stand-Alone Residential Overlay only;

- The maximum allowable development of commercial/office uses would be decreased; and
- A new Light Industrial Land Use would be established, allowing for development of light industrial warehouse uses in the southeasterly portion of the Specific Plan, adjacent to Hamner Avenue.¹

Non-residential uses implemented under the Modified Project are assumed to operate 7 days per week, 24 hours per day.

Development of the Modified Project is expected to occur in phases. The first phase of development is anticipated to occur along Ontario Ranch Road and Haven Avenue. Subsequent development phases would extend northerly and easterly, concurrent with the extension and availability of master planned roadways and utility improvements. The Modified Project is accompanied by an application for approval of Development Agreement (DA) related to Planning Area 7. Provisions of the DA ensure that adequate services and utilities would be available to serve each increment of development under the Modified Project.

For the purposes of this analysis, the Modified Project is assumed to be completed and fully occupied by 2024 – the Modified Project Opening Year. This Addendum in all instances evaluates likely maximum impact scenarios. Should future development proposals within the Modified Project area differ substantially from the development concept analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals. Ultimate scope and configuration of the Modified Project uses would be as approved by the City through the City development review processes.

¹ It is specifically noted that the Specific Plan Mixed Use District allows for combinations of commercial, office, and residential development at various densities/intensities. Any given proposal within the Specific Plan Mixed Use District is required to conform to applicable Specific Plan Design Guidelines and Development Standards; and trip generation (Average Daily Trips, ADT) of such proposals shall not exceed trip generation estimates (the “trip budget”) identified in The Ontario Plan EIR. Such proposals shall be subject to review and approval by the Planning Director or Assignee. Proposals that exceed The Ontario Plan EIR trip budget and/or do not conform to applicable Specific Plan Design Guidelines and Development Standards may require further amendment of the Specific Plan and additional CEQA analysis.

2.2 EXISTING AND PROPOSED LAND USE DESIGNATIONS

2.2.1 Original Project Land Use Designations

2.2.1.1 General Plan Land Uses

The existing Policy Plan (General Plan) Land Use designations for the Original Project are: “Low Density Residential,” “Low-Medium Density Residential,” “Medium Density Residential,” “Open Space-Parkland,” “Open Space Non-Recreation,” and “Mixed-Use, NMC East.”

2.2.1.2 Specific Plan Land Uses

Under the Original Project, the Specific Plan Land Use Plan is organized into 8 Planning Areas. Planning Areas 1 through 5 comprise the Specific Plan Residential District, Planning Areas 6 through 8 comprise the Specific Plan Regional Commercial/Mixed-Use District.

2.2.2 Modified Project Land Use Designations

2.2.2.1 General Plan Land Uses

A summary of existing and proposed General Plan Land Use designations that would result from the Modified Project is presented at Table 2.2-1. Existing and proposed General Plan Land Use designations are illustrated at Figure 2.2-1.

2.2.2.2 Specific Plan Land Uses

A summary of existing and proposed Specific Plan Land Use designations that would result from the Modified Project is presented at Table 2.2-2. Existing and proposed Specific Plan Land Uses are illustrated at Figure 2.2-2.

Table 2.2-1
Existing and Proposed Policy Plan Land Use Designations
 A General Plan Amendment (File No. PGPA19-005) to
 Modify Policy Plan (General Plan) Exhibit LU-01, *Policy Plan Land Use Plan*

Existing Land Use Designations	Acres	Proposed Land Use Designations	Acres
Low Density Residential (2.1 – 5 du/ac)	105.4	Low Density Residential (2.1 – 5 du/ac)	23.41
Mixed Use (9- NMC East)	66.01	Mixed Use (9-NMC East)	20.46
Open Space Non-Recreation	10.36	Open Space Non-Recreation	7.3
---	---	Low-Medium Density Residential (5.1 – 11 du/ac)	24.16
---	---	Medium Density Residential (11.1 – 25 du/ac)	57.83
---	---	Industrial	48.61
Total	181.77		181.77

Source: Rich-Haven Specific Plan, March 2021

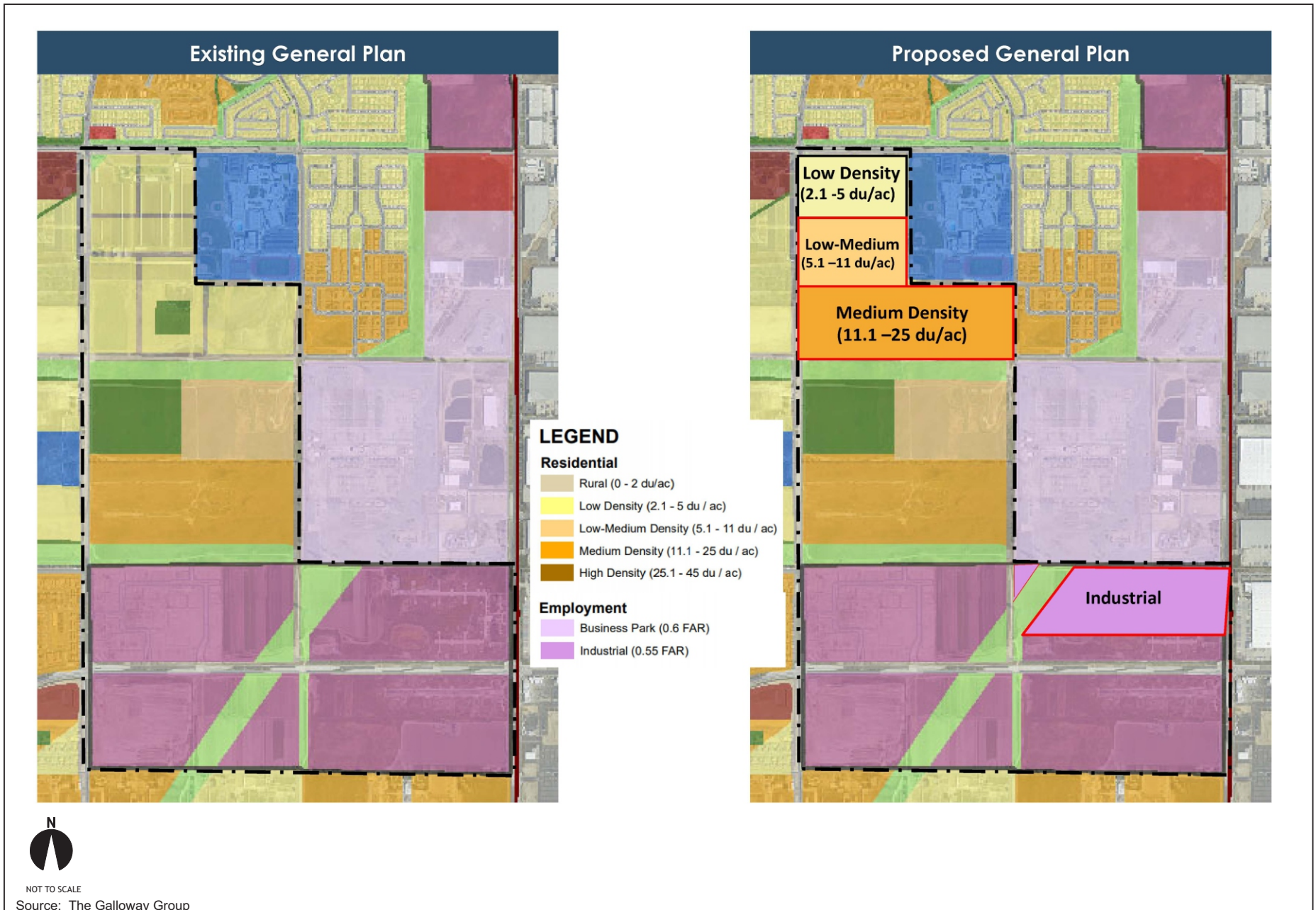


Figure 2.2-1
Existing and Proposed GP Land Use Designations

Table 2.2-2
Original Project and Modified Project Development Comparison
Modified Project Revisions are Identified by Red Bold Typeface

Planning Area	Land Use		Dwelling Units (Maximum)		Acres (Gross)		Residential Density (Gross)		Comm./ Office (sf) (Maximum)		Light Industrial (sf) (Maximum)	
Residential Districts												
	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project
1A	Residential – SFD	Residential – SFD	58	115	12.8	25.5	4.5	4.5	---	---	---	---
1B	Residential – SFD	Residential – SFD	57	175	12.7	24.5	4.5	7.1	---	---	---	---
1C	Residential – SFD	Residential – SFD	68	731	14.9	60.6	4.5	12.1	---	---	---	---
1D	Residential – SFD	Residential – SFD	91	---	20.5	---	4.5	---	---	---	---	---
1E	Residential – SFD	Residential – SFD	109	---	23.4	---	4.5	---	---	---	---	---
1F	Residential – SFD	Residential – SFD	120	---	26.3	---	4.5	---	---	---	---	---
Subtotal Planning Areas 1A – 1F			503	1,021	110.6	---	4.5	9.2	---	---	---	---
2	Edison Parcel	Edison Parcel	---	---	20.0	20.0	---	---	---	---	---	---
3	Park	Park	---	---	27.0	27.0	---	---	---	---	---	---
Subtotal Planning Areas 2, 3					47.0	47.0						
	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project
4A	Residential – Small Lot SFD	Residential – SFD/Attached	154	154	14.0	14.0	11.0	11.0	---	---	---	---
4B	Residential – Small Lot SFD	Residential – SFD/Attached	101	101	9.2	9.2	11.0	11.0	---	---	---	---
4C	Residential – Small Lot SFD	Residential – SFD/Attached	108	108	9.8	9.8	11.0	11.0	---	---	---	---
Subtotal Planning Areas 4 A – 4C			363	363	33.1	363	11.0	11.0				
5A	Residential – Small Lot SFD	Residential – SFD/Attached	109	109	9.1	9.1	12.1	12.1	---	---	---	---
5B	Residential – Small Lot SFD	Residential – SFD/Attached	165	165	14.2	14.2	11.7	11.7	---	---	---	---

Table 2.2-2
Original Project and Modified Project Development Comparison
Modified Project Revisions are Identified by Red Bold Typeface

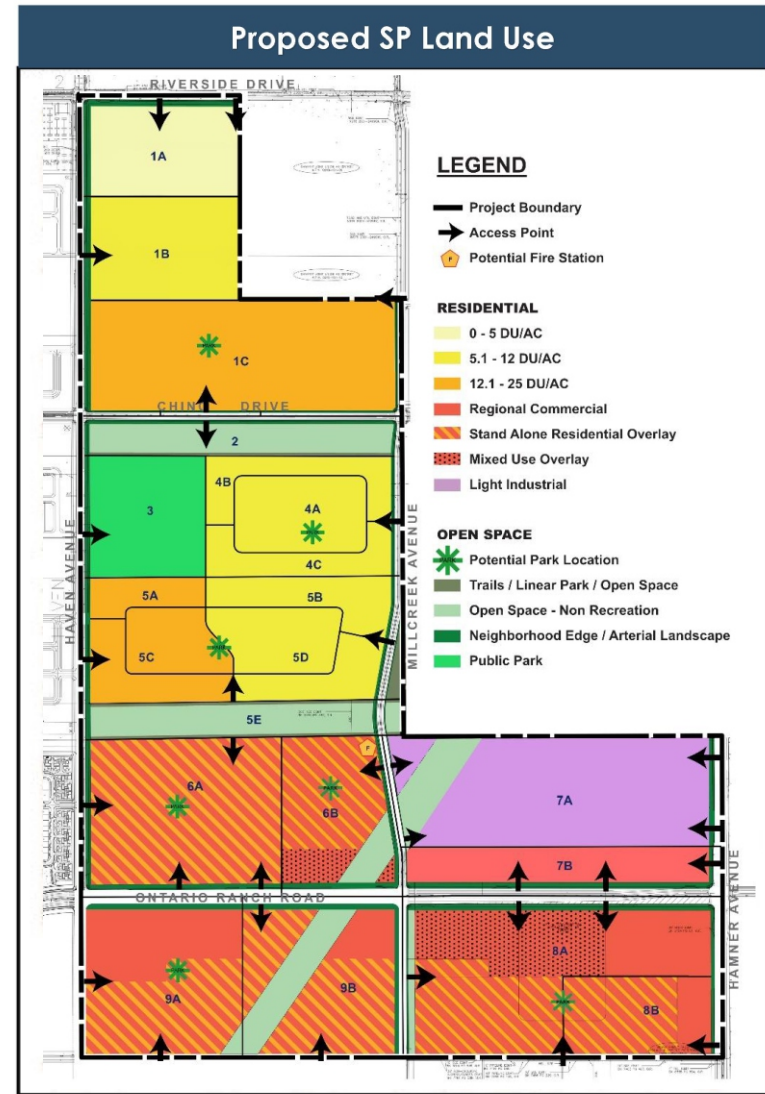
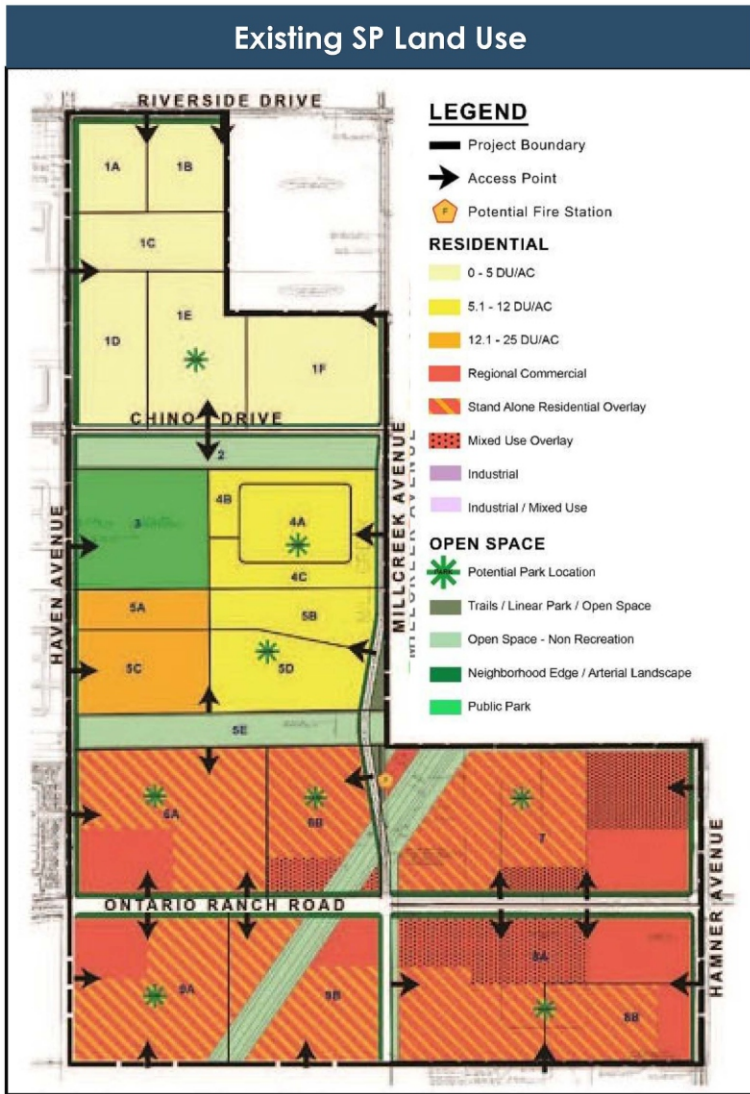
5C	Residential – Small Lot SFD	Residential – SFD/Attached	332	332	27.0	27.0	12.3	12.3	---	---	---	---
5D	Residential – Small Lot SFD	Residential – SFD/Attached	361	361	30.3	30.3	11.9	11.9	---	---	---	---
5E	Edison Easement	Edison Easement	---	---	---	---	---	---	---	---	---	---
Subtotal Planning Areas 5A – 5C			967	967	80.6	80.6	12.0	12.0	---	---	---	---
Subtotal Residential District			1,833	2,351	271.3	271.3	6.7	8.7	---	---	---	---
Mixed-Use District												
Planning Area	Land Use		Dwelling Units (Maximum)		Acres (Gross)		Residential Density (Gross)		Comm./ Office (sf) (Maximum)		Light Industrial (sf) (Maximum)	
	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project	Original Project	Modified Project
6A + 9A	Residential & Commercial	Residential & Commercial	2,178	2,178	85.6	85.6	---	25.4	166,182	166,182	---	---
6B + 9B	Residential & Commercial	Residential & Commercial	1,406	1,406	65.1	65.1	---	21.6	76,320	76,320	---	---
7	Residential & Commercial	N/A	725	---	81.1	---	8.9	0	440,800	---	---	---
7B	N/A	Commercial	---	---	---	25.1	---	---	---	300,000	---	---
8A	Residential & Commercial	Residential & Commercial	852	852	61.4	61.4	13.9	13.9	325,000	325,000	---	---
8B	Residential & Commercial	Residential & Commercial	200	407	19.7	19.7	10.2	20.7	123,400	123,400	---	---
Subtotal Mixed-Use District			5,361	4,843	312.9	256.9	33.0	81.6	1,131,702	990,902	---	---
Light Industrial District												
7A Light Industrial			---	---	---	49.4	---	---	---	---	---	181,325
7A Open-Space Non-Recreation			---	---	---	6.6	---	---	---	---	---	---
Subtotal Light Industrial District			---	---	---	56.0	---	---	---	---	---	181,325
TOTAL SPECIFIC PLAN ACRES					584.2	584.2						
TOTAL SPECIFIC PLAN RESIDENTIAL UNITS			7,194	7,194								

**Table 2.2-2
Original Project and Modified Project Development Comparison
Modified Project Revisions are Identified by Red Bold Typeface**

<i>TOTAL COMMERCIAL/OFFICE DEVELOPMENT</i>	1,131,702	990,902	
<i>TOTAL LIGHT INDUSTRIAL DEVELOPMENT</i>		---	1,183,525
Source: Rich-Haven Specific Plan			

NOTES:

1. All residential dwelling units shown in land use summary are maximums.
2. Project total & subtotal residential district densities are calculated using residential acreages only, therefore the acreages of PA 2 & 3 are not included.
3. Within this specific plan document, references to planning areas are only 1 through 9. Sub-planning areas such as 1a, 1b, etc. are designated to help address ownership patterns and are not intended to be used for density transfer.
4. Residential development along the frontage of haven avenue within planning areas 5a, 5c and 6a shall average a density of 18 to 25 dwelling units per acre to support bus rapid transit (brt) along Haven Avenue.
5. Residential development within planning areas 6a, 6b, 8a, 8b, 9a and 9b shall meet a minimum net density of 14 dwelling units per top adjusted gross acreage. **The minimum 14 dwelling units per acre may be averaged over a single planning area subject to Planning Director review and approval and shall be codified within a development agreement.**



NOT TO SCALE

Source: The Galloway Group

Figure 2.2-2
Existing and Proposed SP Land Use Designations

2.2.3 Surrounding Properties Land Use Designations

Policy Plan Land Use and Zoning designations of surrounding properties are summarized below. The Modified Project would not affect Land Use and Zoning designations of surrounding properties.

North (across Riverside Drive)

- Policy Plan Land Use Designations: Open Space – Non-Recreation (abutting Riverside Drive), General Commercial, Low Density Residential
- Zoning: Specific Plan (Creekside), CT (abutting Riverside Drive), Low Density Residential

South

- Policy Plan Land Use Designations: Medium Density Residential, Open Space – Non-Recreation, Low Density Residential
- Zoning: Specific Plan (Esperanza), Specific Plan w/ Agricultural Overlay

East

- Across Hamner Avenue:
 - City of Eastvale General Plan: Light Industrial, Commercial Retail
 - City of Eastvale Zoning: Industrial Park, Specific Plan (Goodman Commerce Center)
- Across Mill Creek Avenue:
 - Policy Plan Land Use Designations: Medium Density Residential, Low Density Residential, Business Park
 - Zoning: Specific Plan (Edenglen), Specific Plan w/Agricultural Overlay (Developed as SCE Substation)
- Abutting to Northeast:
 - Policy Plan Land Use Designation: Public School
 - Zoning: Civic

West (across Haven Avenue)

- Policy Plan Land Use Designations: Neighborhood Commercial, Low Density Residential, Public School, Open Space – Parkland, Open Space – Non-Recreation, Medium Density Residential
- Zoning: Specific Plan (West Haven)

2.3 EXISTING LAND USES

Existing land uses are described below, and are illustrated at Figure 2.3-1.

2.3.1 Modified Project Site

Planning Area 6A, located in the southwesterly portion of the Modified Project site, is mass-graded and under development with residential uses. Planning Area 9A, also located in the southwesterly portion of the Modified Project site, is mass-graded in preparation for development of residential uses. The remainder of the Modified Project site is a vacant and disturbed property that is currently and/or has been previously used for various agricultural and dairy farming uses.

Additionally, SCE power transmission line easements will be provided along east – west alignments paralleling Chino Avenue [alignment], Schaefer Avenue [alignment], and Ontario Ranch Road. SCE transmission line easements will also be provided along northeast – southwest and southerly alignments extending from the existing SCE Substation located easterly adjacent to the Modified Project site.

2.3.2 Vicinity Land Uses

Existing vicinity land uses include residential development to the north, Colony High School to the northeast, and the Edenglen Specific Plan to the east, across Mill Creek Avenue. An SCE Substation is located easterly adjacent to the Modified Project site. Easterly of Haven Avenue, City of Eastvale properties are being developed with commercial/retail and light industrial uses. Both active and fallow agricultural lands, including dairy farms, are present to the west and south of the Modified Project site. Southwesterly of the Modified Project site, properties are currently being developed with residential uses.

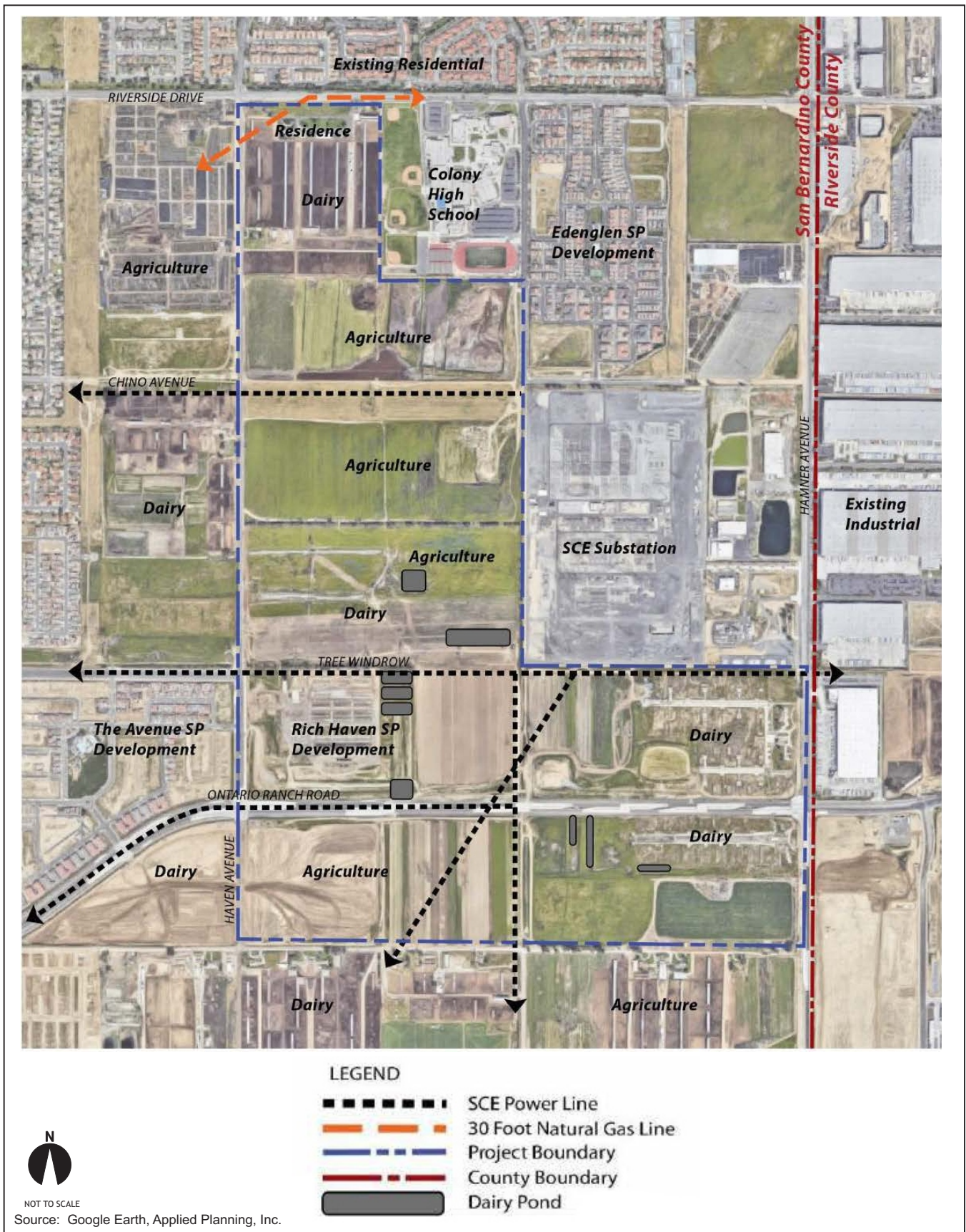


Figure 2.3-1
Existing Land Uses

2.4 DEVELOPMENT CONCEPT

Development implemented under the Modified Project would be required to conform to provisions of the 2021 Rich-Haven Specific Plan Amendment (2021 SPA, SPA). The 2021 SPA is provided at Appendix A of this Addendum. In instances where the SPA is silent, development proposals would be required to conform to applicable provisions of the City Development Code.

2.4.1 Site Design/Architectural Concepts

The Modified Project considered herein would implement residential, commercial, mixed-use, retail, office, light industrial, parks/open space, and community facility uses. All Modified Project development proposals would be required to conform to requirements and implement guidance articulated at SPA Section 5, *Development Regulations*; and Section 6, *Design Guidelines*. All Modified Project final site plans and building designs would be subject to City review and approval, to include consistency analysis with applicable provisions of the SPA.

2.4.2 Access and Circulation

2.4.2.1 Roadways

Regional access to the City and the Modified Project area is provided by State Route 60 (E – W) and Interstate 15 (N – S). State Route 60 (SR-60) interchanges with Interstate 15 (I-15) approximately 1.5 miles northeasterly of the Modified Project site. The Modified Project Conceptual Circulation Plan is presented at Figure 2.4-1. Direct access to the Modified Project site is provided by existing Riverside Drive (the northerly site boundary), Milliken/Hammer Avenue (the easterly site boundary), Edison Avenue (the southerly site boundary), and Haven Avenue (the westerly site boundary). These abutting roadways would be improved consistent with City Conditions of Approval. Within the Modified Project site, Mill Creek Avenue (N – S), Chino Avenue (E – W), and Ontario Ranch Road (E – W) are either unimproved or only partially improved. These roadways will be constructed to their respective ultimate cross-sections pursuant to the Specific Plan concurrent with development of the Modified Project uses.

Access within the Project site would be provided by internal roads within and connecting the various Planning Areas. Ultimate alignments, configurations, and internal circulation plans for the Modified Project would be required to conform to applicable provisions of the SPA and City Conditions of Approval; and would be subject to City review and approval.

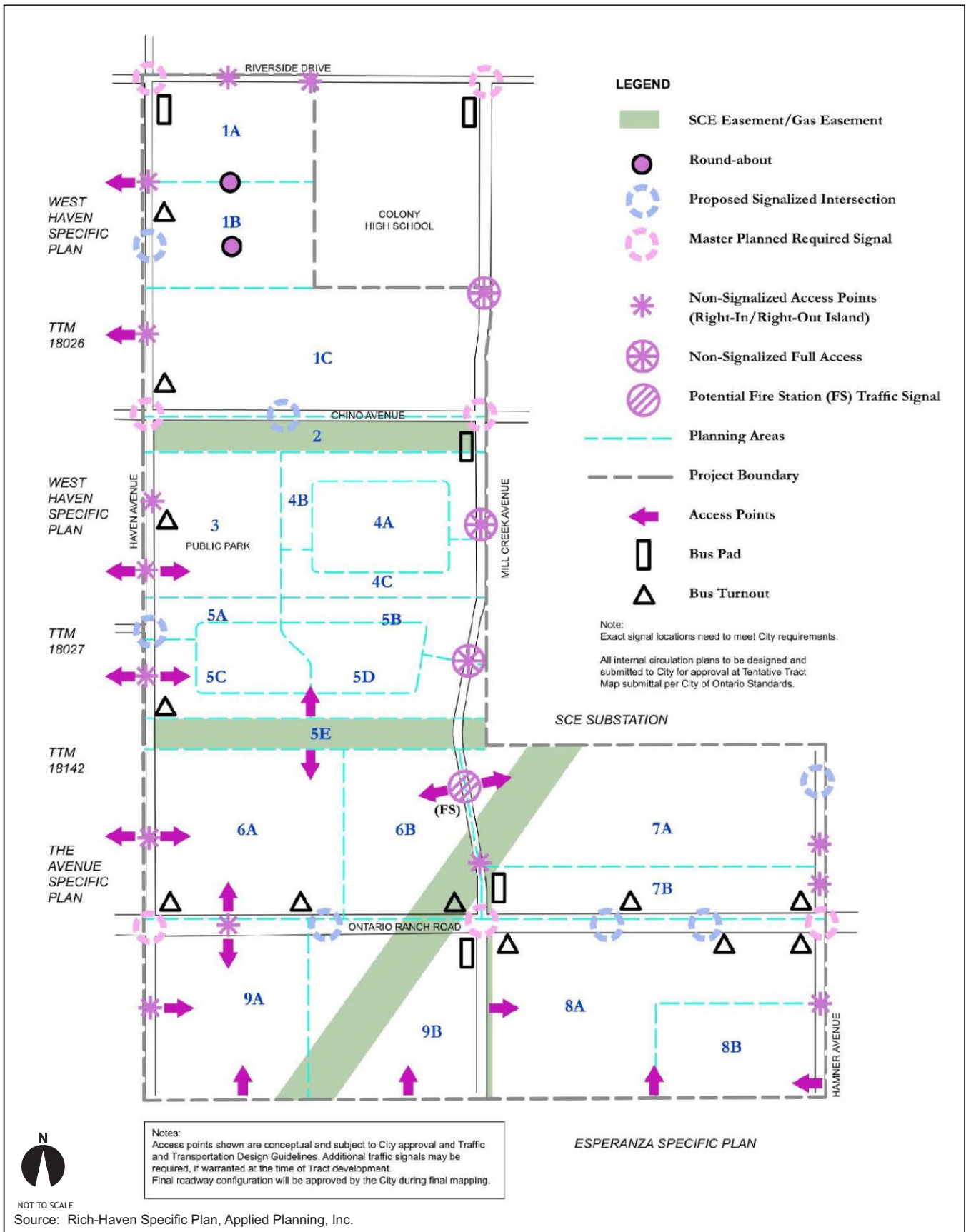


Figure 2.4-1
Conceptual Circulation Plan

2.4.2.2 Alternative Transportation Modes

Bicycle and Pedestrian Access

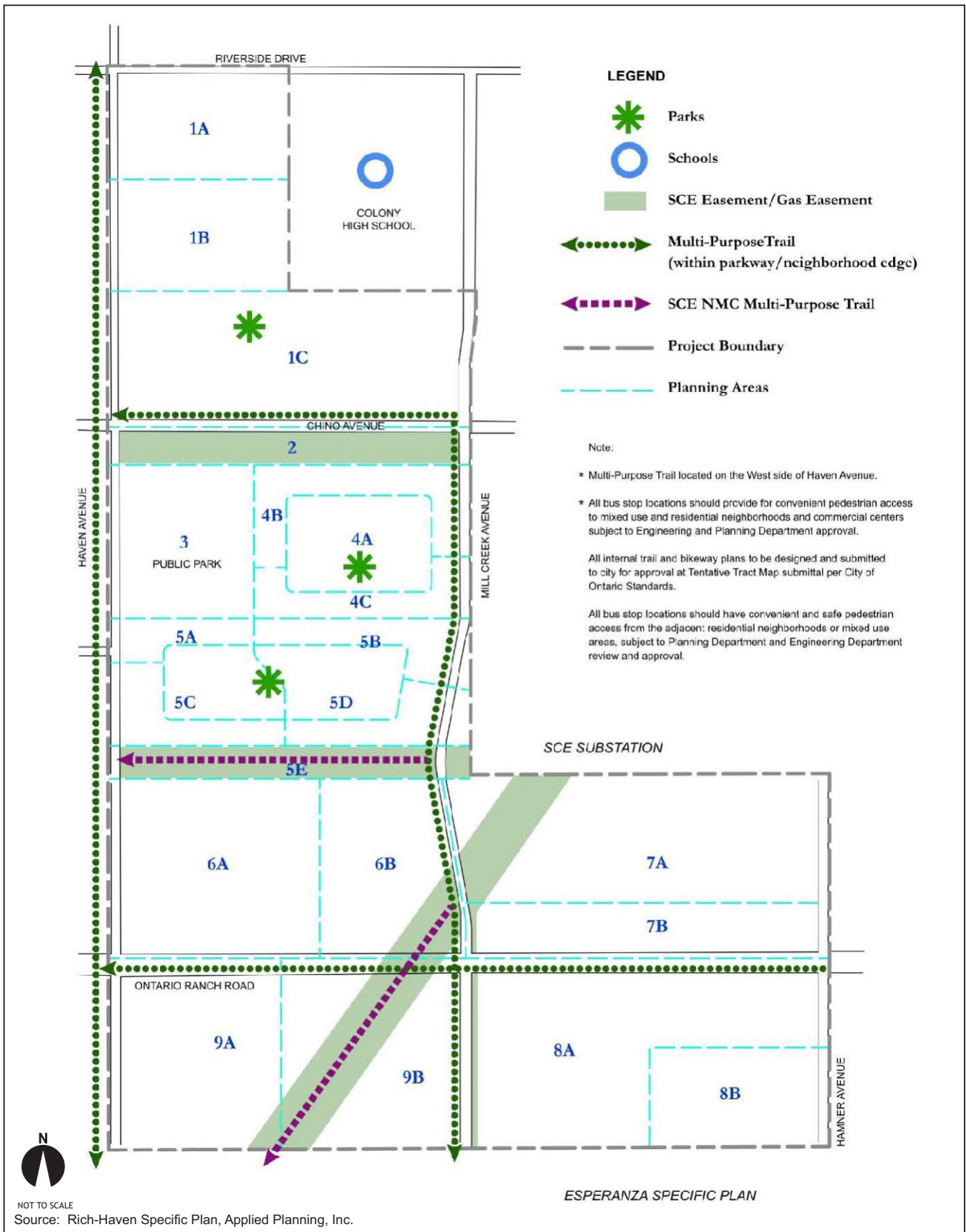
The Modified Project would construct bicycle and pedestrian access improvements consistent with the City Multipurpose Trails and Bikeway Corridor Plan. Trail and bikeway improvements that would be implemented as part of the Modified Project are illustrated at Figure 2.4-2. The proposed pedestrian trails and bikeways plan would connect with the encompassing Ontario Ranch multi-purpose trail system.

Within the Modified Project site, streets would be constructed with sidewalks, providing pedestrian access and inter-connectivity between various residential and mixed-use areas. Trail access would be provided to the various Modified Project park facilities. As part of the City's Master Plan of Trails, the SCE Corridor Trail within the Modified Project site would be extended within the linear park areas located within the existing SCE easements. Access to the SCE Corridor Trail would be provided at key points throughout the Modified Project. On-street curb adjacent 5-foot bike lanes would be provided on both sides on Riverside Drive, Chino Avenue and Mill Creek Avenue.

Bus Service

Bus service is available to the City via Omnitrans and the Riverside Transit Authority (RTA). No bus routes currently provide proximate service (within one-quarter mile) of the Modified Project site. Transit service providers periodically review and update schedules and routes to address ridership, budget, and community demands. The Applicant and City would coordinate Project final designs with Omnitrans and RTA to evaluate the potential for provision of bus services and bus amenities serving the Modified Project site. Omnitrans bus routes and schedules can be accessed at: <https://omnitrans.org/getting-around/maps-schedules/>. RTA bus routes and schedules can be accessed at: <https://www.riversidetransit.com/index.php/riding-the-bus/maps-schedules>.

Please refer also to SPA Section 4.1, *Circulation Plan*.



2.4.3 Parking

The Modified Project would be required to adhere to parking requirements established under the SPA and the City of Ontario Development Code. Parking assignments and design of parking areas within the site would be subject to City review and approval.

2.4.4 Landscape/Streetscape

The SPA Landscape Concept is presented in detail at SPA Section 7, *Landscape Plan*. All landscaping/streetscaping implemented under the Modified Project would be required to comply with applicable provisions of the SPA and the City Municipal Code. The implemented landscape/streetscape concept would act to enhance perception of the site as developed under the Modified Project, and to screen views of the site interior from off-site vantages. Landscape and streetscape elements would provide shade and visual interest, define entry/access points, and accentuate site and architectural features.

2.4.5 Infrastructure/Utilities

2.4.5.1 Water Service

Potable (Domestic) Water

Potable water would be provided by the Ontario Municipal Utilities Company (OMUC).² The Modified Project lies within two pressure zones, with the portion of the Modified Project north of Chino Avenue falling within the 1010 Pressure Zone, and the portion of the Modified Project south of Chino Avenue falling within the 925 Pressure Zone. The 925/1010 Pressure Zone Master Plan Domestic Water System is illustrated at Figure 2.4-3. Timing, sizing, and alignment of Master Plan water system improvements serving the Modified Project would be required to conform to City and OMUC requirements.

² Additionally, as discussed in the SPA, “the Chino Basin Water Master Water Quality Map identifies the Rich-Haven [Modified Project] area within an optimum water quality zone and requires that the owner/developer dedicate a total of two wells within the Specific Plan area to the City of Ontario for production of potable water. The owner/developer of Planning Area 5 has identified a well location site within the greenbelt in the area east of Mill Creek Avenue. A second well location site within the Specific Plan area shall be located within Planning Areas 1 or 8 as approved by the City” (SPA, p. 4-16).

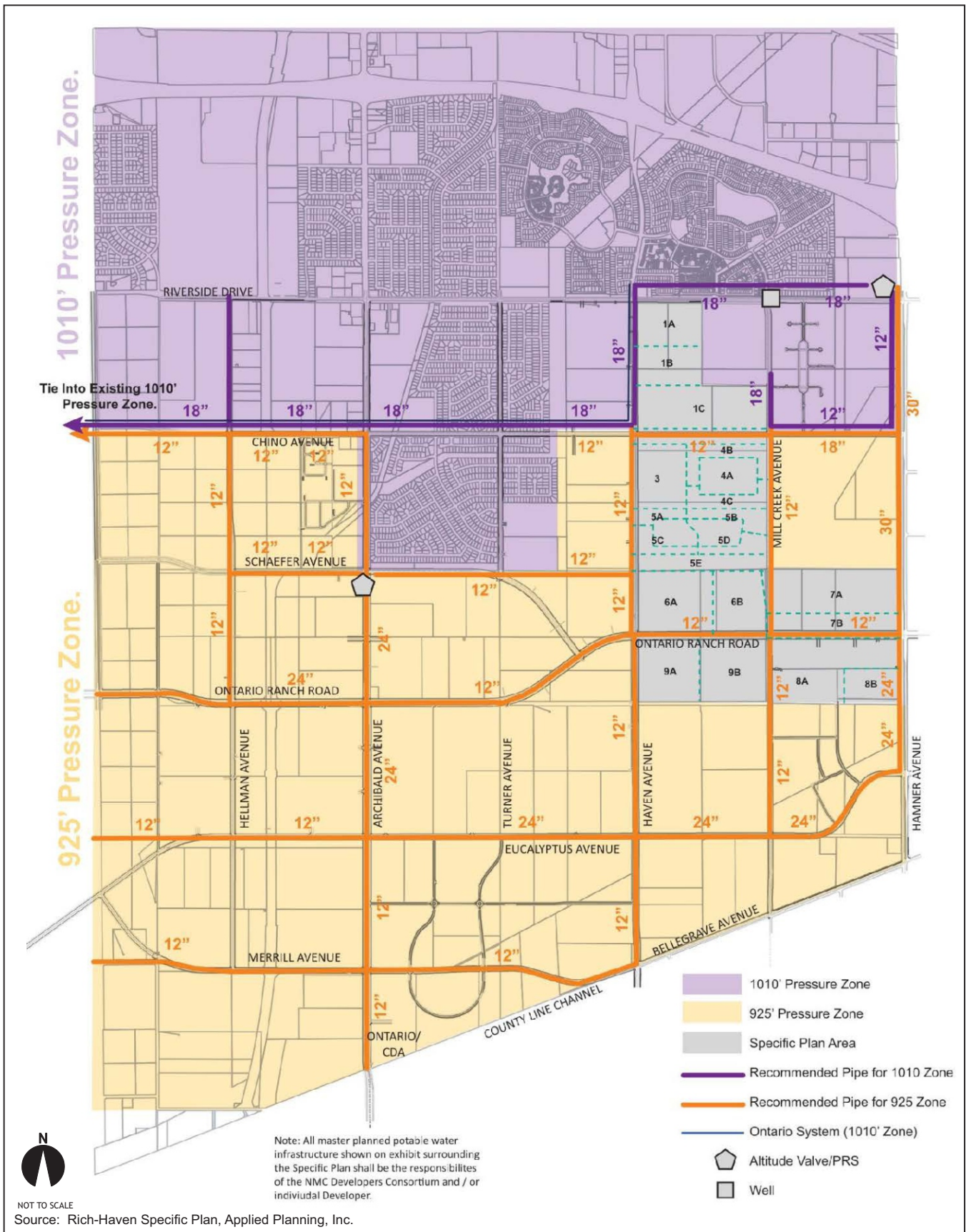


Figure 2.4-3
Master Plan Domestic Water System

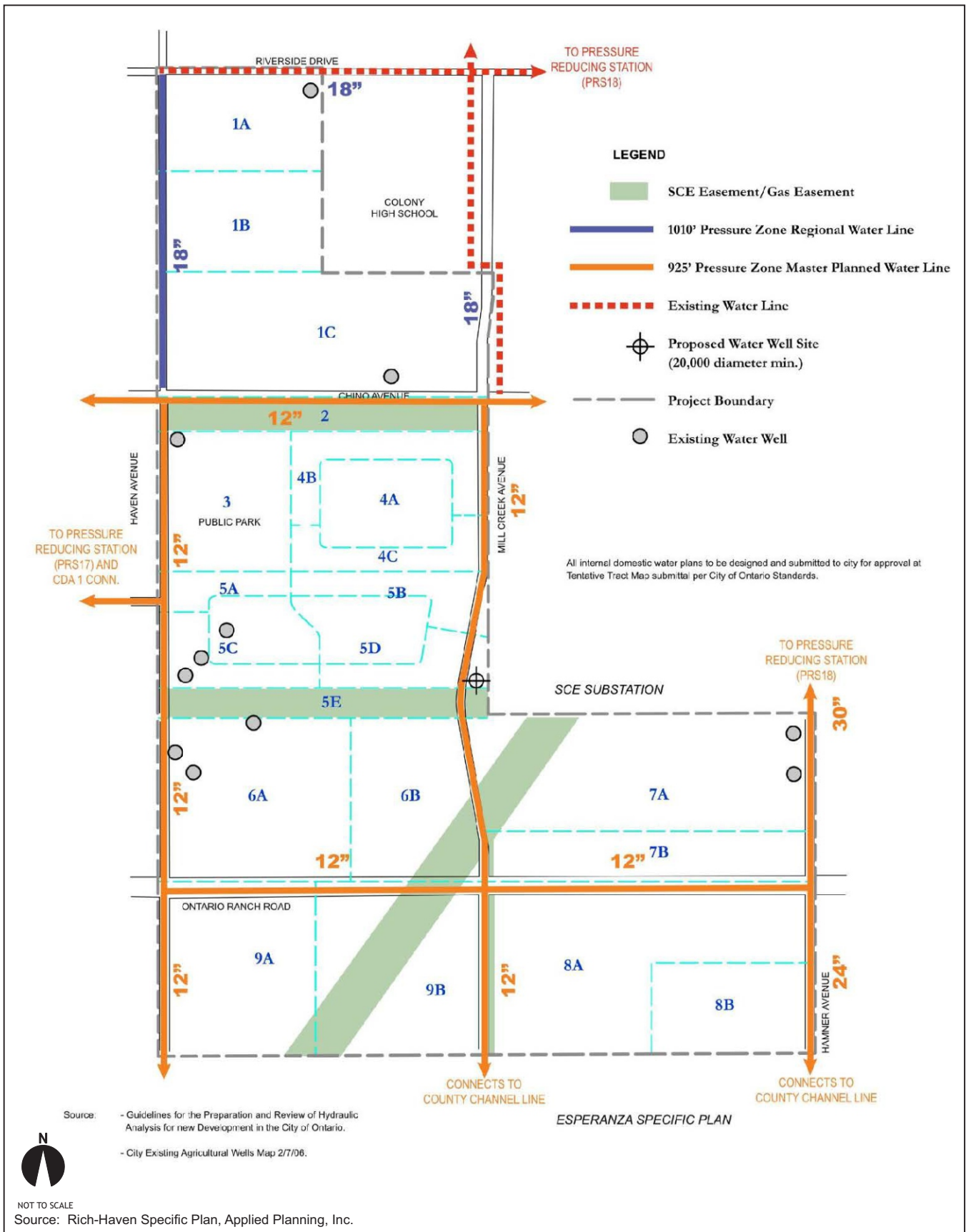
Within the Modified Project site, water service would be provided by a system of 8-inch to 12-inch water mains constructed within the backbone roadway system. Connecting 8-inch service lines would be provided to individual developments. The on-site public water system sizing would be required to comply with provisions of a City-approved hydraulic analysis to be conducted at the project-level design stage. All water mains and wells internal to site, would be constructed by the merchant builder(s). In-tract water system design will be provided at the time of subdivision. Final designs of water conveyance systems serving the Modified Project would be required to conform to City and OMUC requirements. The Modified Project Domestic Water Plan Concept is presented at Figure 2.4-4.

Recycled Water

The Modified Project area is located within two pressure zones. The portion of the Modified Project north of Chino Avenue will be served by the 1050 Pressure Zone and the area south of Chino Avenue will be served by the 930 Pressure Zone. A range of recycled water lines would be constructed both on-site and off-site to service the Modified Project. All Master Plan recycled water improvements implemented to serve the Modified Project would be required to conform to the incumbent City Recycled Water Master Plan. The 930/1050 Master Plan Recycled Water Plan is presented at Figure 2.4-5. Please refer also to SPA Section 4.2.2, *Recycled Water, Regional Recycled Water Plan*.

The Modified Project would be required to comply with applicable provisions of City Municipal Code Chapter 8c: *Recycled Water Use*.³ Within the Modified Project area, recycled water would be used for all approved applications, including but not limited to irrigation of parks, schools, street landscaping, recreational trails, HOA-maintained common areas and landscaping. An engineering report approved by the City and the California Department of Public Health is required prior to the use of recycled water.

³ See also: https://codelibrary.amlegal.com/codes/ontarioca/latest/ontario_ca/0-0-0-44580#JD_6-8.714



With the Modified Project area, the backbone recycled water system would comprise 8-inch to 12-inch lines and would be located in the backbone street system. In-tract recycled water system design would be provided at the time of subdivision. It is noted here that *no* [emphasis added] recycled water can be used on single-family single lot ownership properties. Per the SPA, a clear physical separation between potable and recycled water systems is required, such separations may comprise walls, fences, sidewalks, or mow strips. The Modified Project Recycled Water Plan Concept is presented at Figure 2.4-6. Please refer also to SPA Section 4.2.2, *Recycled Water, Local Backbone Recycled Water Plan*.

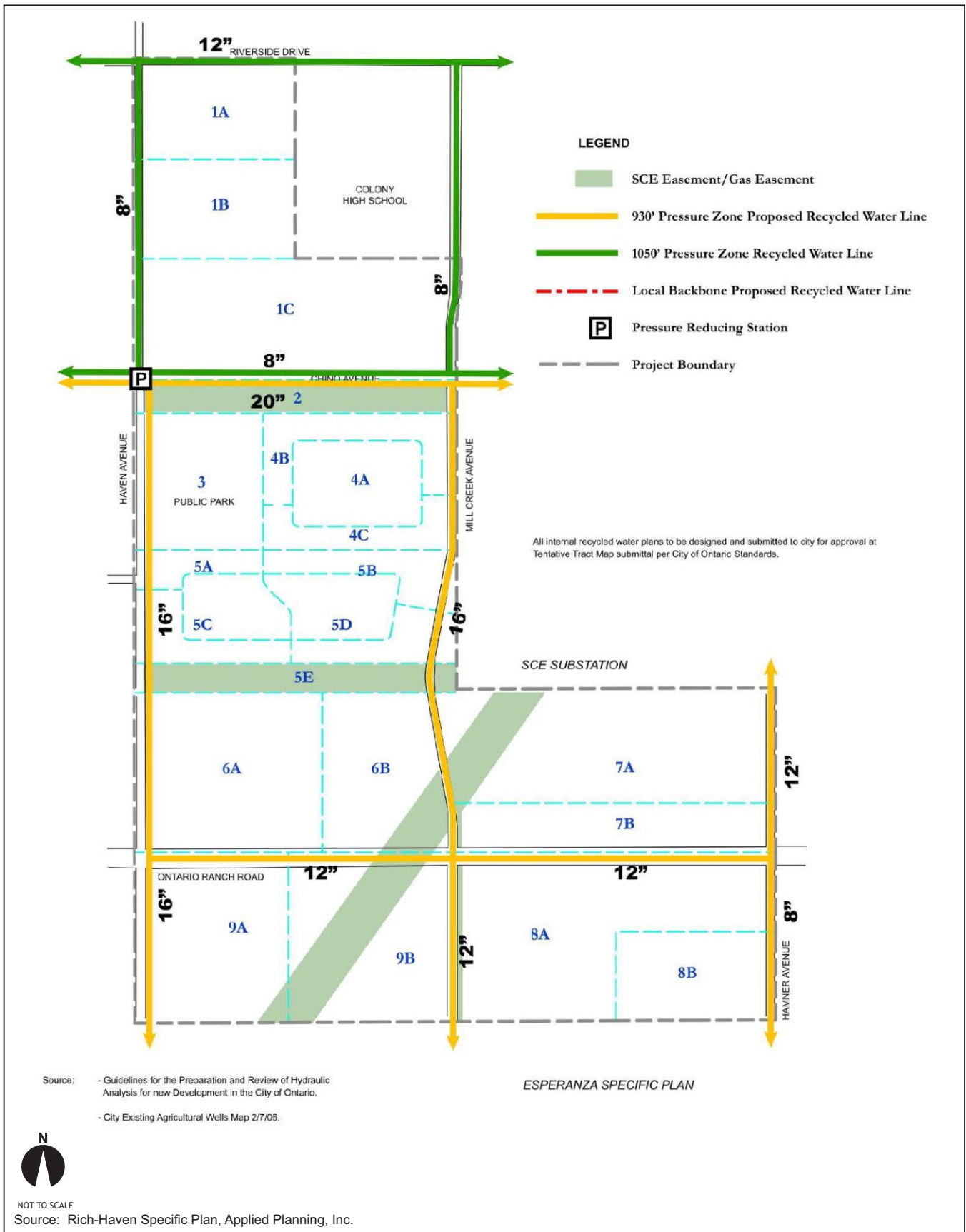
Please refer also to SPA Section 4.2, *Water Master Plan*.

2.4.5.3 Sewer Services

Sewer service would be provided by the City of Ontario. Master Plan sewer system improvements serving the Modified Project and surrounding areas would be constructed consistent with the City's Sewer Master Plan. The current Sewer System Master Plan for the Modified Project area is presented at Figure 2.4-7. All Master Plan sewer improvements implemented to serve the Modified Project would be required to conform to the incumbent City Sewer System Master Plan.

Within the Modified Project site, sewer conveyance would be provided by a system of 8-inch to 10-inch sewer mains constructed within the backbone roadway system. Connecting 8-inch service lines would be provided to individual developments. The on-site public sewer system sizing would be required to comply with provisions of a City-approved hydraulic analysis to be conducted at the project-level design stage. All sewer mains would be constructed by the merchant builder(s). In-tract sewer system design would be provided at the time of subdivision. Final designs of sewer systems serving the Modified Project area would be required to conform to City and OMUC requirements. The Modified Project Sewer Plan Concept is presented at Figure 2.4-8.

Please refer also to SPA Section 4.3, *Sewer Master Plan*.



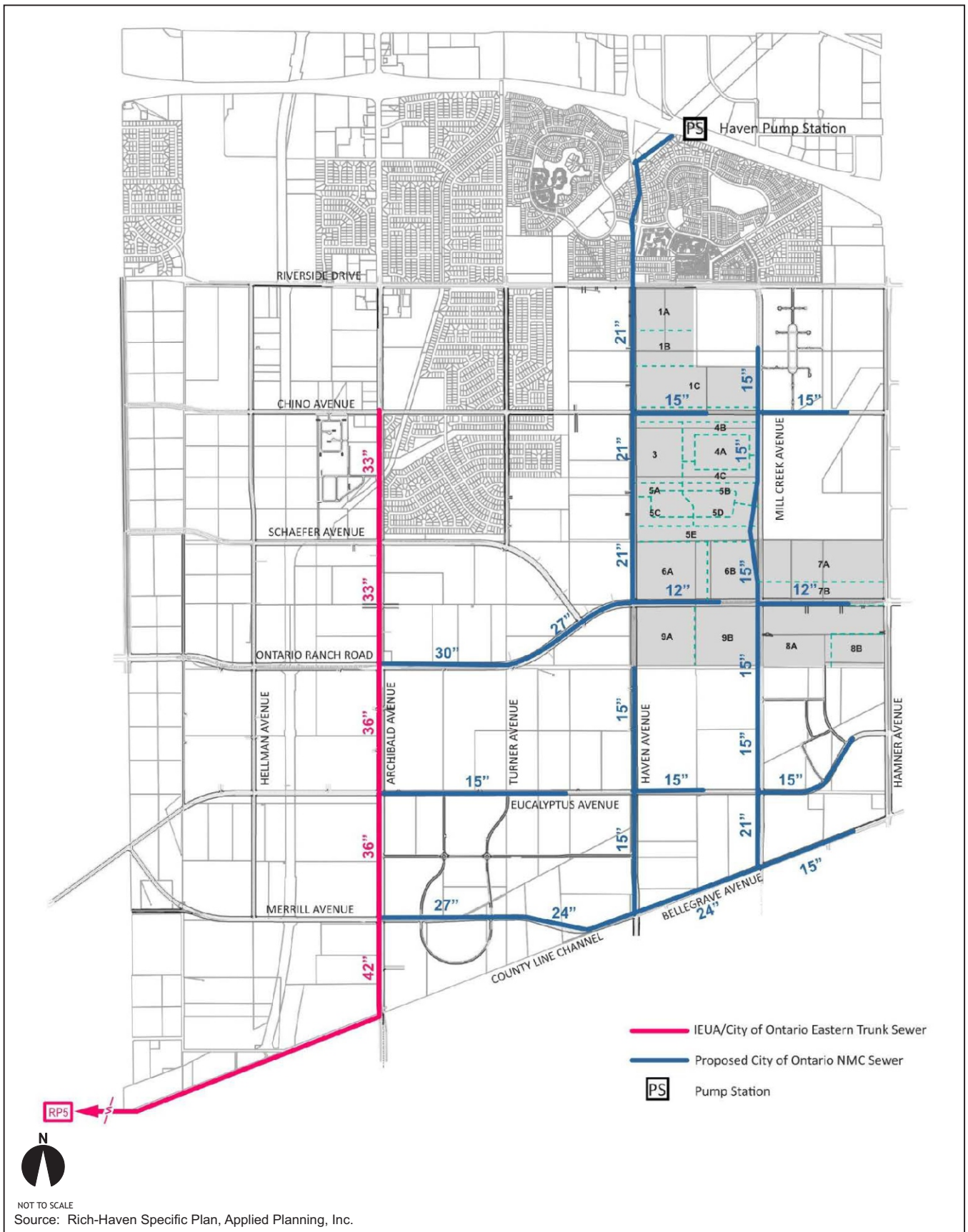
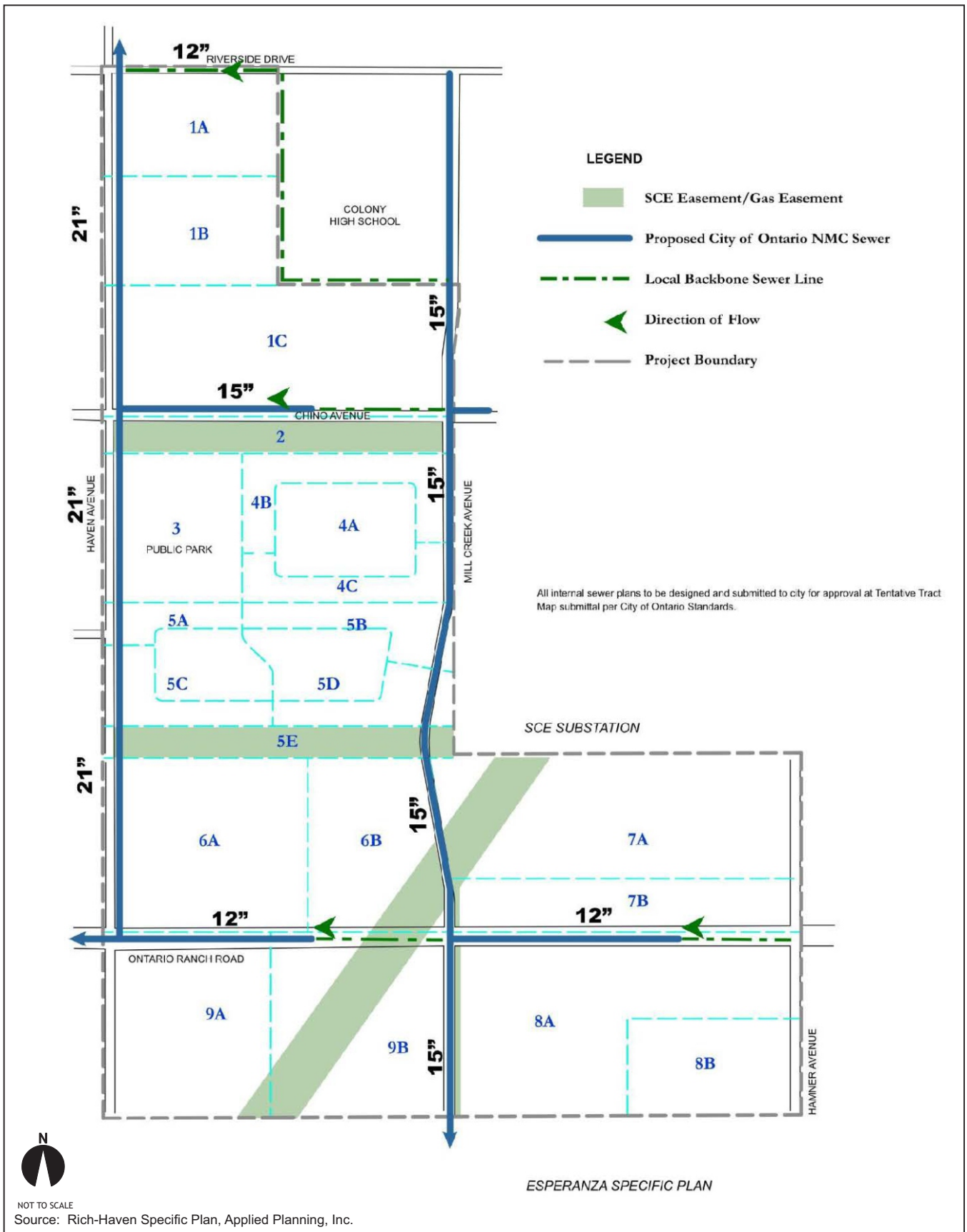


Figure 2.4-7
Master Plan Sewer System Plan



2.4.5.4 Stormwater Management System

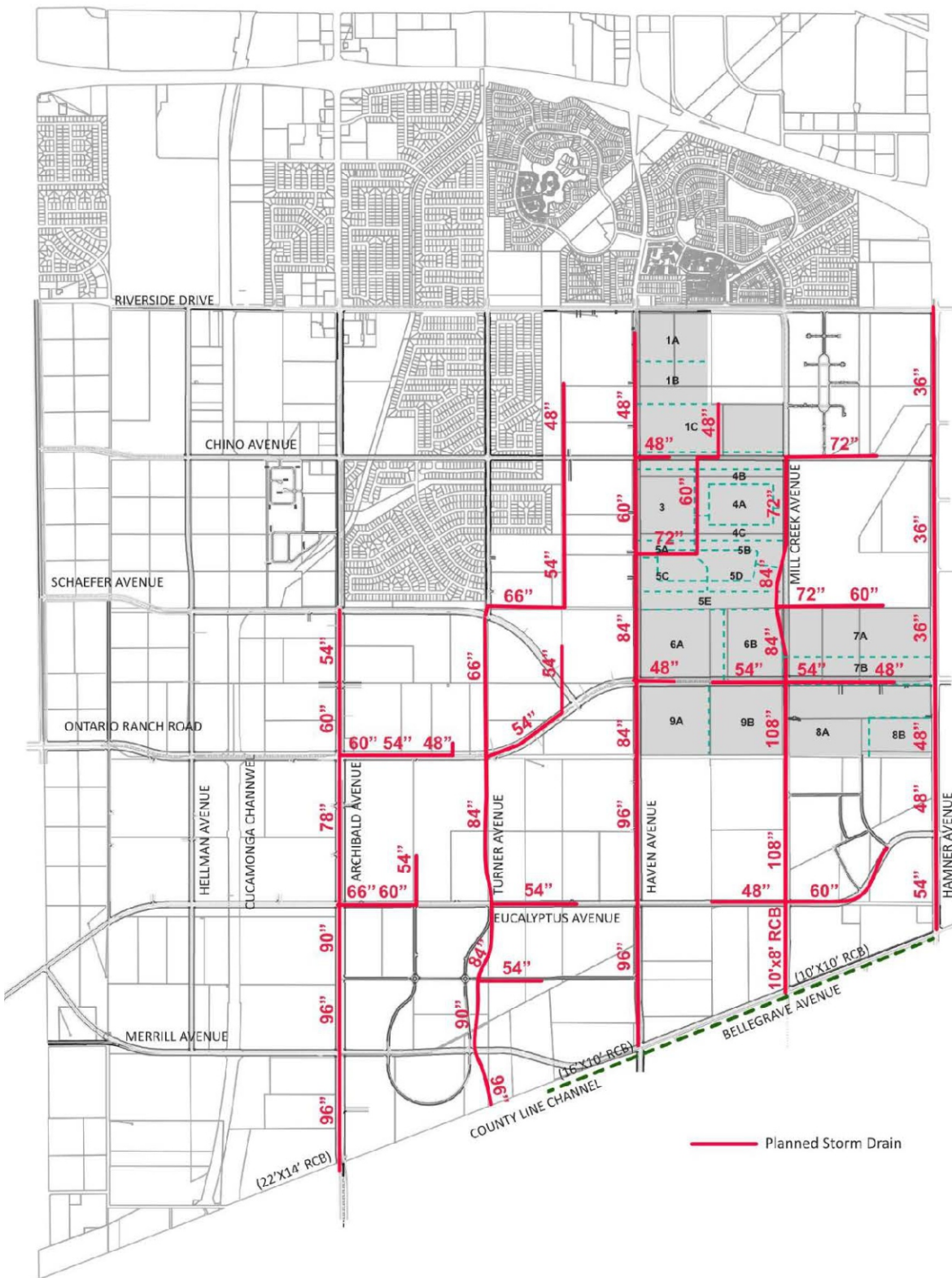
Storm Drains

Multiple City Master Plan of Drainage storm drain facilities would serve the Modified Project site. The Master Plan of Drainage for the Modified Project area is presented at Figure 2.4-9. All Master Plan storm water management system improvements implemented to serve the Modified Project would be required to conform to the incumbent City Master Plan of Drainage.

Under post-development conditions, existing southerly trending on-site drainage patterns would be maintained. Within the Modified Project site, the merchant builder(s) would install 8-inch to 10-inch storm drains within the local backbone street system. Connecting 8-inch storm drain lines would be provided to individual developments. In-tract storm drain system design would be provided at the time of subdivision. Final designs of storm water management systems serving the Modified Project would be required to conform to City requirements. The Modified Project Stormwater Management System Concept is presented at Figure 2.4-10.

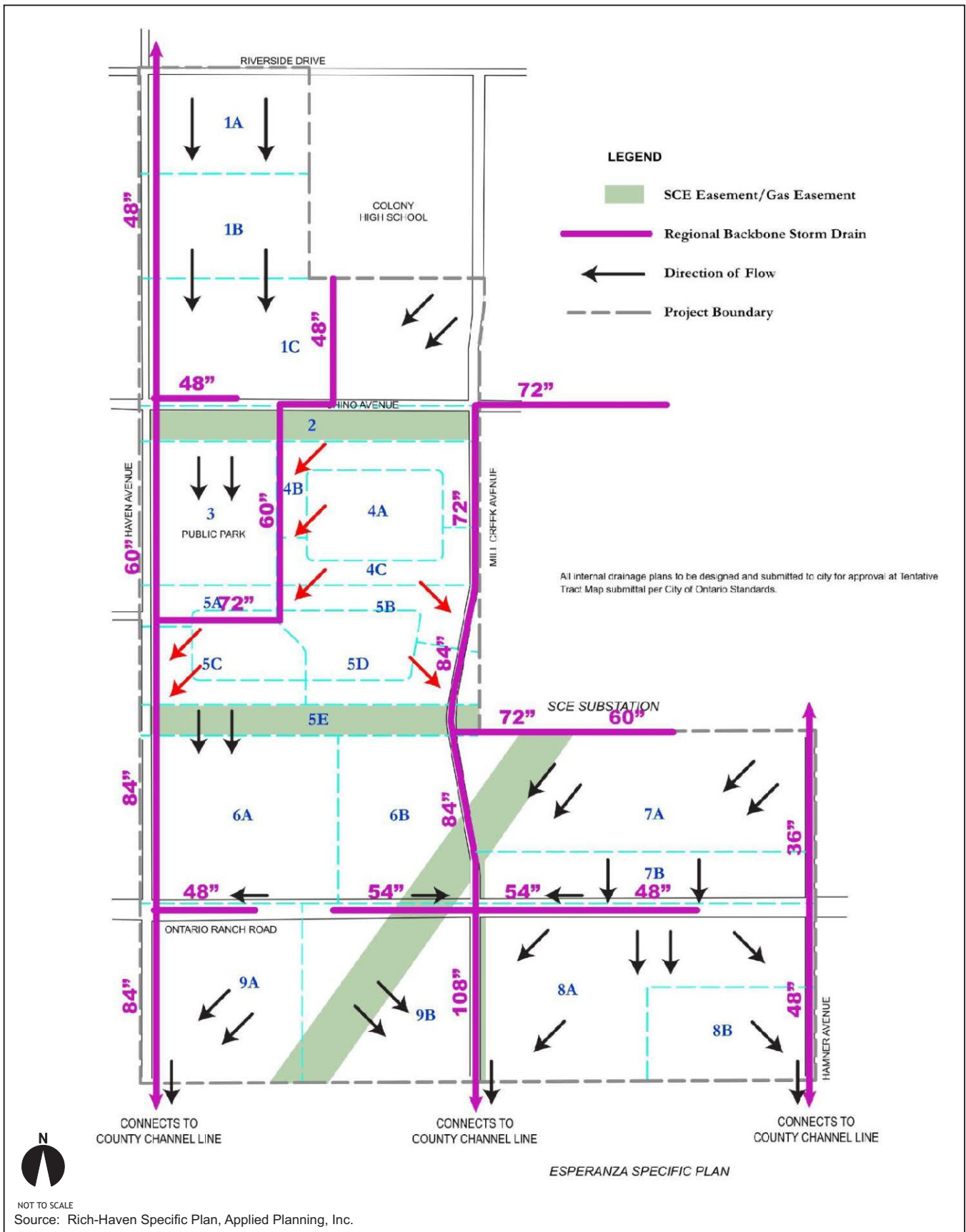
Water Quality Management Plan

The Modified Project would implement on-site stormwater management systems to detain and treat stormwater discharges. Stormwater discharges from the Modified Project would be required to comply with requirements and performance standards established under the incumbent San Bernardino County National Pollutant Discharge Elimination System (NPDES) Stormwater Program MS4 Permit and Water Quality Management Plan (WQMP). To these ends, developments within the Modified Project site would implement Low Impact Development (LID) Site Design Best Management Practices (BMPs) to reduce pollutant transport and increase on-site stormwater infiltration. Additionally, all Priority Land Use (PLU) areas within the Modified Project site would be required to comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit.



NOT TO SCALE
 Source: Rich-Haven Specific Plan, Applied Planning, Inc.

Figure 2.4-9
 Master Plan of Drainage



Non-structural and structural Source Control BMPs would be documented in the Modified Project WQMPs. Final WQMPs, as approved by the City, would ensure that the Modified Project stormwater management systems have been designed to convey and treat stormwater discharges and limit the post-development peak flows consistent with available storm drain capacities.

Please refer also to SPA Section 4.4, *Drainage Master Plan*.

2.4.5.5 Solid Waste Management

The City of Ontario provides solid waste collection services for the City and will service the Modified Project.

2.4.5.6 Electricity

SCE would provide electricity to the site from existing vicinity facilities. SCE facilities located within and adjacent to the Modified Project site consist of 115kV, 66kV, 12kV, towers/power lines and attached communication lines. Facilities less than 34.5kV will be located underground if they are located adjacent to any streets proposed to be improved in conjunction with site improvements.

Additionally, as part of the Modified Project, Mill Creek Avenue would be realigned to the west. Concurrent with the realignment of Mill Creek Avenue, existing 115kV SCE towers located along Mill Creek Avenue may require relocation to the north of Ontario Ranch Road. Additionally, improvement of Ontario Ranch Road may require relocation of adjacent 115kV and 66kV lines. All proposed connections and modifications to SCE facilities would conform to SCE and City requirements.

2.4.5.7 Natural Gas

The Gas Company will provide natural gas to the site. All proposed connections and modifications to Gas Company facilities would conform to Gas Company and City requirements.

2.4.5.8 Fiber Optics System

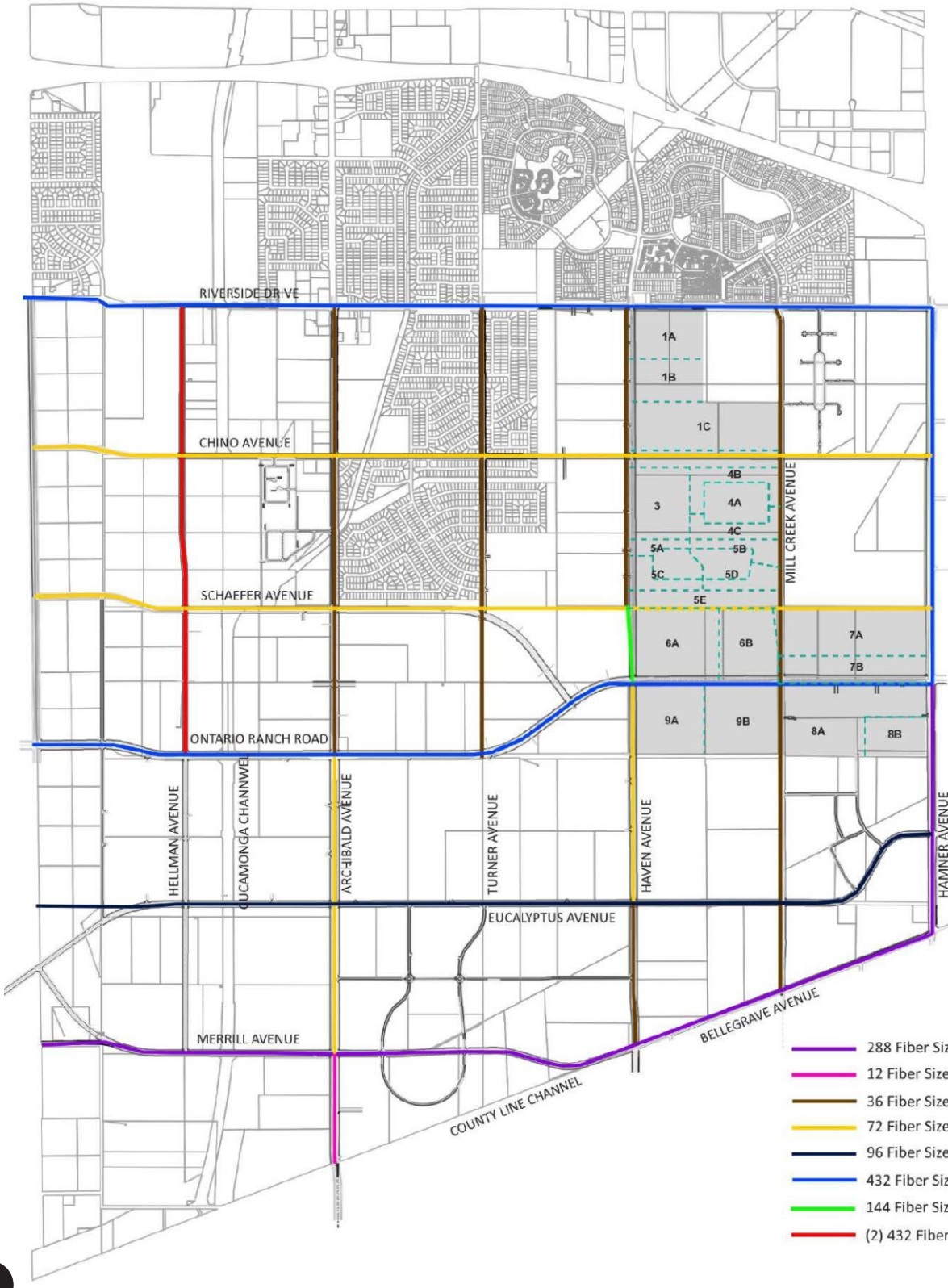
The backbone fiber optics system (conduits, tracer wire, and fiber), illustrated at Figure 2.4-11, would be constructed within the Modified Project backbone street system. Backbone fiber optic components (conduits, hand holes, tracer wire, and fiber) would be placed underground within a duct and structure system to be installed in a joint trench. In-tract fiber and conduit would be installed per the City's in-tract fiber optic design guidelines (see: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Information-Technology/2014-12-16_in-tract_designguidelines.pdf).

2.4.5.9 Communications Services

Communications services, including wired and wireless telephone and internet services are available through numerous private providers and would be provided on an as-needed basis. To the extent practical and consistent with City Conditions of Approval, existing and proposed wires, conductors, conduits, raceways, and similar communications improvements within the Project area would be installed underground. Any necessary surface-mounted equipment, e.g., terminal boxes, transformers, meters, service cabinets, etc., would be screened and would conform to City building setback requirements.

2.4.6 Energy Efficiency/Sustainability

Energy-saving and sustainable design features and operational programs would be incorporated in all facilities developed pursuant to the Modified Project. The Modified Project would be required to comply with incumbent energy efficiency and performance standards established under the CALGreen Code and the City of Ontario Climate Action Plan (CAP).



NOT TO SCALE
 Source: Rich-Haven Specific Plan, Applied Planning, Inc.



Figure 2.4-11
 Fiber Optic Master Plan

2.4.7 Construction Area Traffic Management Plan

Temporary and short-term traffic detours and traffic disruptions could result during construction activities including implementation of access and circulation improvements noted above. Accordingly, the Applicant would be responsible for the preparation and submittal of a Construction Area Traffic Management Plan (Plan). Typical elements and information incorporated in the Plan would include, but not be limited to:

- **Name of on-site construction superintendent and contact phone number.**
- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).
- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).
- **Identification and Description of Material Storage Locations (if any).**
- **Location and Description of Construction Trailer (if any).**
- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.
- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.

- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the City prior to the issuance of the first building permit. The Plan and its requirements would also be required to be provided to all contractors as one component of building plan/contract document packages.

2.4.8 Opening Year

For the purposes of this analysis, the Project Opening Year is defined as 2024, by which time all proposed uses are assumed to be complete, occupied, and operational.

2.5 PROJECT OBJECTIVES

The stated vision of the SPA is to “create a vibrant community with a mixture of uses all connected through a series of trails providing opportunities for people to live, work and play” (SPA, p. 1-4). Supporting SPA objectives of the are listed below.

Neighborhood Development Objectives

- Incorporate Traditional Neighborhood Design guiding principles during the design phase to provide for opportunities to achieve the vision statement, including:
 - Central Focus. To create a community with a central focus that combines commercial, civic, cultural, and recreational uses.
 - Connections. To provide a series of sidewalks and trails connecting community parks, civic uses, employment areas, mixed-use and transit stops designed to be pedestrian friendly to avoid unnecessary automobile trips.
 - Traditional Street Network. To design a hierarchy of streets connected in a grid network with a variety of routes for pedestrians and vehicles, as well as

- creating a visually favorable and comfortable environment for pedestrians and bicyclists.
- Main Street Environment. To design commercial/retail areas to a human scale with storefronts oriented to the street providing a “Main Street” atmosphere for strolling and shopping, all within walking distance from most homes.
 - Public Spaces. To create plazas, parks, and community gathering places placed within centralized areas providing synergy between adjacent land uses.
 - Identifiable Neighborhoods. To design neighborhoods around a discernable center, which may include a small park, square, school, or mixed-use center, within a five- minute walking distance.
 - Mix of Housing. To provide neighborhoods with a range of household types: a variety of single-family detached homes, attached units for young families, and live/work units for small at-home businesses.
- Design a mixed-use environment to ensure compatible uses that are cohesive and integrate a diversity of residential neighborhoods, with a range of commercial uses, and supporting open spaces.
 - Utilize transportation, utility, and greenways/open space networks to establish clear edges and boundaries.
 - Accommodate residential, commercial, open space, public, and other uses in accordance with the generalized distribution of uses depicted within the City’s TOP Land Use Plan.
 - Implement elements that will ensure walkability throughout the Project Area to discourage automobile dependency and encourage walking, biking, and other forms of transportation. This is achieved through the incorporation of subarea

greenways and pedestrian connections and through sensitive site design of mixed-use development.

- Implement technological advances within residential communities, including internet access, to allow residents to shop and work from home and to decrease reliance on automobiles.
- Provide opportunity for at least one major public plaza/square as a centerpiece of community activities, including events and celebrations, outdoor performances, community meetings, picnics, farmers markets, and similar functions.
- Establish a clearly defined “edge” for the City’s TOP area, where appropriate, that avoids the use of walls and creation of a “walled” enclave.
- Incorporate electrical transmission corridors and similar elements to form “edges” for residential neighborhoods and centers and/or accommodate public greenways/trails/corridors.

Residential District Objectives

- Create a livable community with neighborhoods designed at a human scale and oriented for pedestrian access to mixed-use, educational, and recreational uses.
- Provide for a range and diversity of housing products that respond to a variety of homeownership needs and desires.
- Design residential projects to complement the character of adjacent neighborhoods.
- Encourage interaction among residents through the provision of an organized, simple, and “neo-traditional” system of streets, pathways, and entries to allow

residents to walk or bike to parks, recreation, and public facilities (including schools).

- Promote outdoor activity and casual social contact among residents and neighbors by designing neighborhoods around a central park where they can gather.
- Provide a focal point of activity within each residential planning area that may include a park, school, common area, or public meeting facility.
- Encourage architectural styles and traditional design elements that reflect the historic and eclectic mixture of architecture, reflective of the greater Ontario area.
- Increase densities adjacent to commercial centers.
- Establish clear, defined “edges” and “entries” that contribute to neighborhood identity.
- Avoid the use of walls to separate residential areas from arterials and other high traffic volume streets by expanded landscape setbacks, frontage roads, and other appropriate techniques.
- Include clustered multi-family housing within the Residential District, in order to create a diverse range of housing products and opportunities, while still in keeping with the overall low-density residential designation.
- Locate higher-density residential uses that provide population to support adjacent regional commercial centers.
- Provide sufficient on-site recreational amenities within higher density developments.

- Include community-oriented uses such as public meeting rooms, plazas and courtyards, and similar uses.
- Establish visual and physical links among the individual multi-family developments to create a cohesive and continuous corridor.
- Design building elevations to promote visual interest.
- Provide linkages between community service facilities, multi-family corridors, and residential neighborhoods.

Regional Commercial/Mixed-Use District Objectives

- Accommodate a diversity of large-scale retail, community and neighborhood shopping, office, medical research, entertainment, hotel/motel, dining, housing, cultural, public, and similar uses that will serve the project area and neighboring Planning Areas.
- Function with a high level of activity and/or employment.
- Accommodate development of multi-family housing, mixed-use buildings that incorporate housing and retail/office, and live/work facilities.
- Accommodate single-use buildings and mixed-use structures containing a variety of uses from residential over retail or office-to-office over retail.
- Encourage traditional, mixed-use design of commercial buildings, by requiring a lower maximum floor area ration (FAR) for single-use buildings, and a higher maximum FAR for mixed-use buildings.
- Develop plaza areas and other amenities to provide places of social interaction.

- Include one or more public “squares” to serve as gathering places.
- Incorporate modulated building volumes, mass, height, and articulated facades to create individual spaces.
- Site a portion of the buildings on peripheral streets to provide connectivity to adjacent uses.
- Orient buildings towards the local streets whenever possible to create an urban edge and sense of arrival and place.
- Include sidewalks of sufficient width to accommodate pedestrian activity and outdoor restaurants, newsstands, and other uses.
- Create visual interest through the opening of streets and sidewalks/plazas towards building elevations.
- Incorporate landscaping to enhance the environment.
- Visually integrate parking structures to continue the intended design character of the district.
- Incorporate multi-family housing to create a cohesive and continuous corridor.
- Ensure an appropriate mix of uses (residential and commercial) that are compatible.
- Encourage pedestrian access and ease of use within the mixed-use area by designing pedestrian and bike paths.
- Create a “Main Street” environment with buildings designed to a human scale where pedestrian activity is not overwhelmed by automobile traffic.

- Utilize urban design to create a “Gateway” or portal to the Ontario Ranch.
- Incorporate transitions and/or buffers between commercial/mixed-use and light industrial areas and adjacent residential areas.
- Contribute to the regional jobs to housing balance by providing employment opportunities while minimizing development impacts on surrounding neighborhoods.
- Create a high-quality light industrial park development that attracts an array of businesses and provides employment opportunities within proximity to area residents.
- Provide safe and efficient access/circulation routes for the distribution/transportation of goods.

Industrial District Objectives

- Incorporate transitions and/or buffers between commercial/mixed-use and industrial areas and adjacent residential areas.
- Contribute to the regional jobs to housing balance by providing employment opportunities while minimizing development impacts on surrounding neighborhoods.
- Create a high-quality industrial park development that attracts an array of businesses and provides employment opportunities within proximity to area residents.
- Provide safe and efficient access/circulation routes for the distribution/transportation of goods.

Circulation Objectives

- Provide a circulation system designed to promote pedestrian activity through a network of off-street pedestrian walkways linking each neighborhood to parks, mixed-use commercial, and residential uses.
- Design a hierarchy of streets connected in a grid network with a variety of routes for pedestrians and vehicles, creating a visually attractive, enhanced, and comfortable environment for pedestrians and bicyclists.
- Design streets to incorporate landscaped parkways and pedestrian walkways separated from the street to enhance safety and enjoyment of residents and visitors.
- Provide opportunities for transit connections and alternative modes of transportation.

Recreation/Trails Objectives

- Provide new recreational opportunities for residents through the development of a series of public and private parks.
- Provide a series of pedestrian trails connecting community parks, civic uses, mixed-use, and transit stops designed to be pedestrian friendly to avoid unnecessary automobile trips.
- Incorporate off-street multi-use trails within the Southern California Edison easements.
- Incorporate a system of on- and off-street bicycle pathways with access from the residences to mixed-use areas.

- Use landscaping and streetscape materials that are low maintenance in recreation and trail areas.
- Provide a system of on-street bikeways integrated throughout the Project to provide access to schools, parks, and commercial uses.
- Provide new recreational opportunities for residents through the development of a series of parks ranging in size.

Community Facilities Objectives

- Incorporate existing major utilities into the overall fabric of the community.
- Provide opportunities for incorporation of community facilities (e.g., schools, fire station) as identified by affected agencies.

2.6 DISCRETIONARY APPROVALS and PERMITS

Discretionary actions, permits, and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

2.6.1 Lead Agency Discretionary Actions and Permits

- CEQA Compliance;
- Adoption of this Addendum;
- Approval of a General Plan Amendment;
- Approval of a Specific Plan Amendment;
- Approval of Tentative Parcel Maps;
- Approval of a Development Agreement; and
- Approval of Development Plans.

2.6.2 Other Consultation and Permits

Anticipated consultation and permits necessary to realize the Modified Project would or may include the following:

- Permitting by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit.
- Permitting by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented pursuant to the Modified Project.
- Permitting (i.e., utility construction and connection permits) from affected utility purveyors, notably the City of Ontario, IEUA, and SCE.
- Other ministerial permits necessary to realize all on- and off-site improvements related to the development of the site.

3.0 ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL CHECKLIST

Rich-Haven Specific Plan, 2021 Amendment

2021 Addendum to The Ontario Plan Certified EIR (SCH No. 2008101140)

General Note: The CEQA Initial Study Checklist categories and topics presented below conform to the suggested content presented in the 2020 *CEQA Guidelines*, Appendix G. In certain instances, the 2020 *CEQA Guidelines* Initial Study Checklist content differs from that presented in *The Ontario Plan Certified EIR* (Certified EIR). Additional or new environmental topics considered in the 2020 CEQA Initial Study Checklist, and not reflected in the Certified EIR, are recognized in the discussions below. Other Certified EIR discussions have been restructured or paraphrased to align with the format and content of the 2020 CEQA Initial Study Checklist, with no substantial effect on environmental findings or conclusions. This Addendum compares and contrasts impacts of the Modified Project with impacts identified in the Certified EIR. In instances where additional focused analysis is relevant and available, the Addendum discussions are supplemented by analysis presented in the 2007 Rich-Haven Specific Plan EIR.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have a substantial adverse effect on a scenic vista?					X	
b) Substantially damage visible scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?					X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					X	

Substantiation:

a-d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that buildout of the City would alter the visual character of the City. However, the Certified EIR concludes that compliance with the City Municipal Code, as well as applicable policies presented within the Policy Plan, would ensure that potential aesthetics impacts would be less-than-significant (Certified EIR, pp. 5.1-7 – 5.1-17).

Certified EIR Mitigation Measures: None.

Modified Project: Final designs of the Modified Project facilities including, but not limited to, the proposed buildings, landscape/hardscape features, and lighting configurations would be required to conform to the Specific Plan Design Guidelines and Development Standards¹ and applicable provisions of the City Municipal Code. Final designs of all uses would be subject to City review and approval. Conformance with the Specific Plan Design Guidelines and Development Standards and City Municipal Code requirements would ensure that the Modified Project would not substantially degrade scenic vistas, substantially degrade scenic resources, adversely alter the existing visual character or quality of the area, or create a new source of substantial light or glare which would adversely affect day or nighttime views. On this basis, when compared to the Certified EIR findings, no new or substantially increased aesthetic impacts would result from the Modified Project.

Project Conditions of Approval: None.

Summary

When compared to the Original Project, no new significant, substantially increased, or substantially different aesthetics or light/glare impacts would occur as a result of the

¹The Specific Plan Design Guidelines and Development Standards have been amended to address new or revised uses proposed by the Modified Project.

Modified Project. No changed or new information has been identified to indicate that any potential aesthetics or light/glare impacts resulting from the Modified Project would be different from those previously identified and addressed in the Certified EIR.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

2. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?					X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?					X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?					X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, or conversion of forest land to non-forest use?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

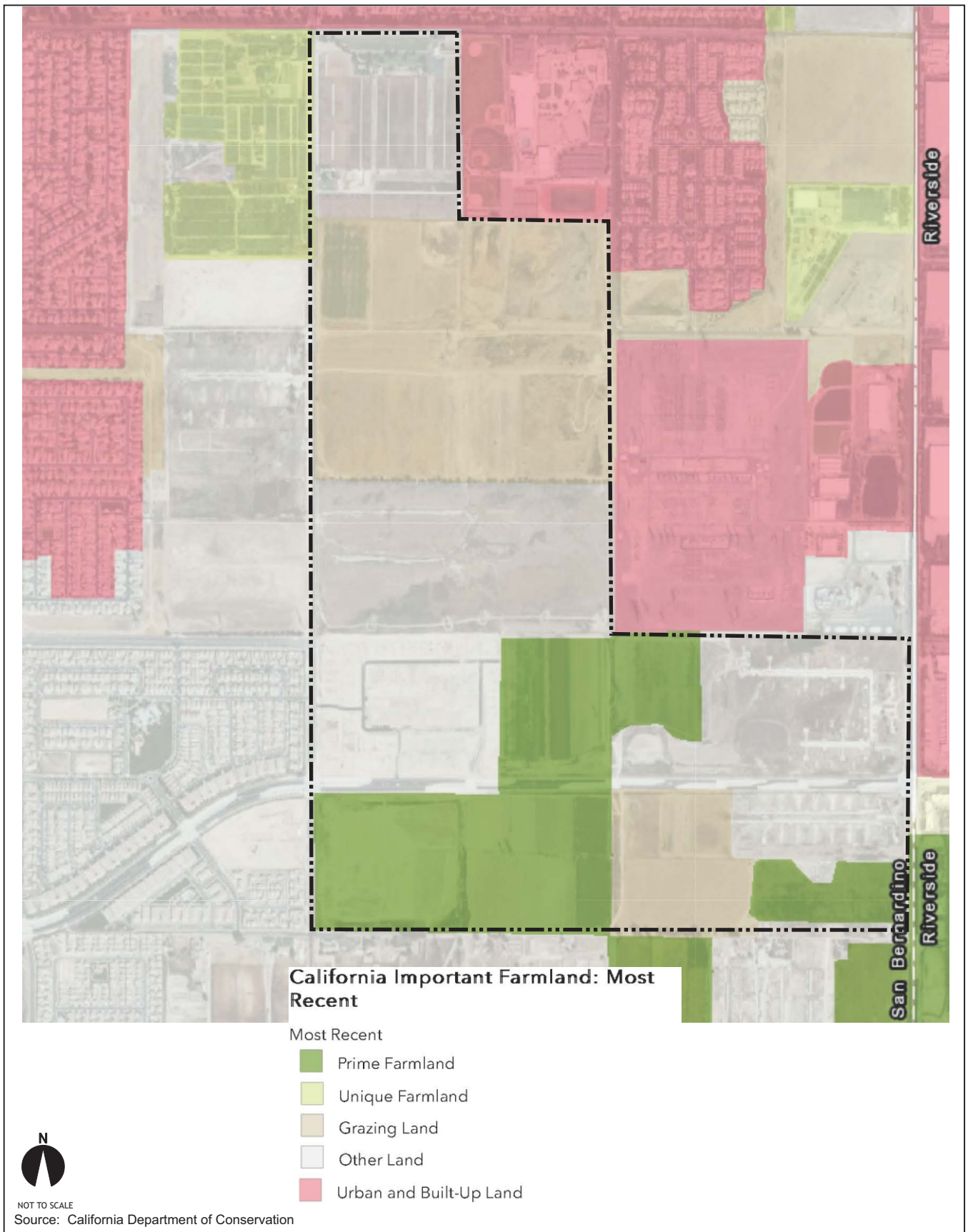
Certified EIR Conclusions: The Certified EIR recognizes that implementation of The Ontario Plan would potentially convert all of the City’s Important Farmland to non-farmland uses, and have significant and unavoidable impacts in this regard (Certified EIR, pp. 5.2-9 – 5.2-10).

Certified EIR Mitigation Measures: The Certified EIR examined several alternatives that would further preservation of agricultural land, including the retention of on-site agricultural uses, the replacement of agricultural resources off-site, the relocation of Prime Farmland topsoil, the establishment of conservation easements or preserves, and the transfer of development rights. However, no feasible alternatives or mitigation measures were identified that would substantially minimize significant impacts to Farmlands projected to occur under The Ontario Plan.

Modified Project: The California Department of Conservation (CDC) Farmland Mapping and Monitoring (FMMP) System designates properties within the Modified Project site as: “Prime Farmland,” “Unique Farmland,” “Grazing Land,” and “Other Land.” Please refer to Figure 2-1. See also: <https://maps.conservation.ca.gov/dlrp/ciff/>.

As summarized by the CDC, “[f]or environmental review purposes under CEQA, the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land constitute ‘agricultural land’ (Public Resources Code Section 21060.1). The remaining categories are used for reporting changes in land use as required for FMMP’s biennial farmland conversion report.”² The Modified Project properties are designated as Prime Farmland and Unique Farmland comprise “agricultural land” as defined by CDC, and could be potentially impacted by development of the Modified Project.

² California Department of Conservation. “Important Farmland Categories.” Accessed September 4, 2019. <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>.



The City of Ontario does not prohibit transition of agricultural land to urban uses. While existing agricultural uses are allowed to persist and are accommodated as transitional uses under the City’s Agricultural Overlay District, the City Land Use Plan does not formally designate or allocate any areas of the City as “Agricultural” land uses.³

The City of Ontario has previously acknowledged the planned transition of existing agricultural uses to urbanized uses pursuant to The Ontario Plan Land Use Plan (Land Use Plan). The Certified EIR has previously determined that buildout of the City pursuant to the Land Use Plan would result in conversion of agricultural lands to non-agricultural purposes; and that this conversion was a significant and unavoidable agricultural resources impact (Certified EIR, p. 5.2-9).

The Modified Project considered here would result in loss of Farmland and conversion of agricultural lands to non-agricultural uses. However, loss of on-site Farmland and conversion of on-site agricultural lands resulting from the Modified Project have already been considered and addressed in the Certified EIR. The Modified Project would not result in impacts to on-site Farmland and agricultural uses not already considered and addressed in the Certified EIR.

Moreover, the Modified Project would implement provisions of the Rich-Haven Specific Plan document and City Development Code that require buffering of, and separation between, agricultural and urban uses. These requirements support the City’s planned orderly transition of existing agricultural uses to urban uses. These requirements include, but are not limited to:

- Appropriate buffering and separation of potentially incompatible uses through setbacks and screening, as discussed at Specific Plan Section 9, *General Plan Consistency*.

³The Ontario Plan Land Use Plan does however accommodate agricultural lands comprising the 200-acre Southern California Land Foundation (SoCALF) Preserve, owned by the County of San Bernardino.

- City of Ontario Development Code requirements including a minimum 100 foot separation between “a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins” (Development Code Chapter 6 *Development and Subdivision Regulations*, p. 6.01-63).

Summary

When compared to the Original Project, no new significant, substantially increased, or substantially different Farmlands impacts would occur as a result of the Modified Project. No changed or new information has been identified to indicate that any potential Farmland impacts resulting from the Modified Project would be different from those previously identified and addressed in the Certified EIR.

Project Conditions of Approval: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions:

Agricultural Zoning

The Certified EIR concluded that implementation of the Land Use Plan would not adversely affect agriculturally-zoned properties (Certified EIR, p. 5.2-10).

Williamson Act Contracts

Implementation of The Ontario Plan would affect all active Williamson Act contracts within the City. The Certified EIR concluded that impacts to Williamson Act contract properties would be significant and unavoidable (Certified EIR, p. 5.2-10).

Certified EIR Mitigation Measures: The Certified EIR identified no feasible alternatives or mitigation measures to minimize this significant impact.

Modified Project:

Agricultural Zoning

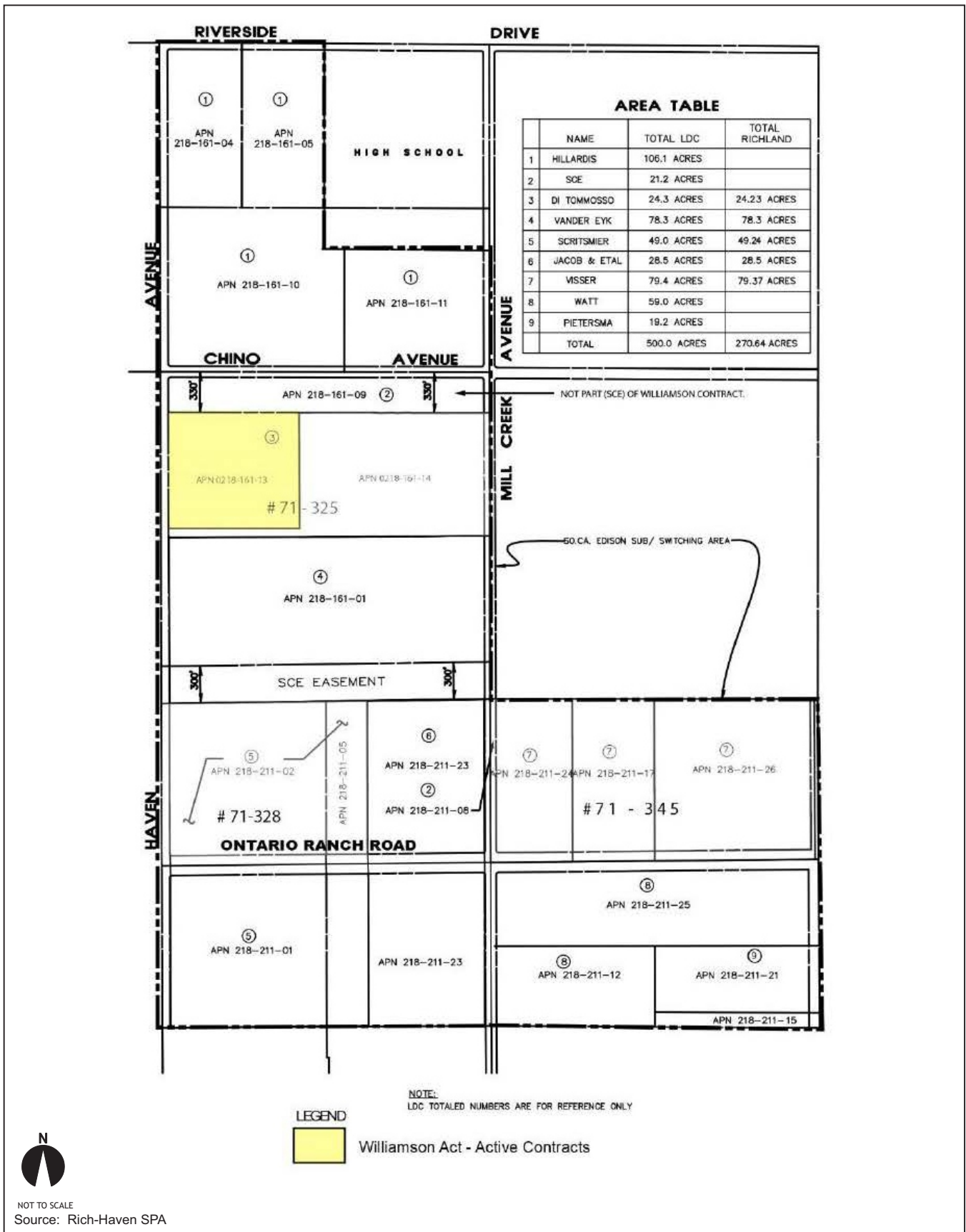
The Modified Project site is Zoned “Specific Plan.” The Modified Project does not propose or require uses or activities that would result in potentially adverse effects at agriculturally-zoned properties. Based on the preceding, the Modified Project’s potential impacts related to a conflict with agricultural zoning would be less-than-significant.

Williamson Act Contracts

The California Land Conservation Act of 1965 (the Williamson Act, Government Code Sections 51200 through 51297.4) encourages the preservation of agricultural lands through tax incentives due to the increasing trend toward the conversion of agricultural lands to urban uses. The Act enables counties and cities to designate agricultural preserves (Williamson Act lands) and within these preserves offer preferential taxation to agricultural landowners based on the agricultural income-producing value of the property.

One property within the Modified Project site (APN 0218-161-13) is currently under a Williamson Act Contract (Contract No. 71-235). Location of the subject Williamson Act Contract property (APN 0218-161-13) is indicated at Figure 2-2. Under The Ontario Plan and the Certified EIR, this property and the entire Specific Plan area are anticipated to be developed with urban uses. The Certified EIR previously concluded that impacts to Williamson Act properties would be significant and unavoidable. The Modified Project would not result in impacts to Williamson Act contract properties not previously considered and addressed in the Certified EIR.

Based on the preceding, the potential for the Modified Project to conflict with a Williamson Act Contract would be less-than-significant.



Summary

When compared to the Original Project, no new significant, substantially increased, or substantially different Williamson Act Contract impacts, or impacts to agriculturally-zoned properties would occur as a result of the Modified Project. No changed or new information has been identified to indicate that any potential Williamson Act Contract impacts, or impacts to agriculturally-zoned properties resulting from the Modified Project would be different from those previously identified and addressed in the Certified EIR.

Project Conditions of Approval: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This environmental topical concern has been added to the *CEQA Guidelines Appendix G, Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project site is not zoned for forest land, timberland, or timberland zoned Timberland Production. The Modified Project would therefore have no impact on forest land or timberland.

Project Conditions of Approval: None.

Summary

When compared to the Original Project, no new significant, substantially increased, or substantially different forestland or timberland impacts would occur as a result of the Modified Project. No changed or new information has been identified to indicate that any potential forestland or timberland impacts resulting from the Modified Project would be different from those previously identified and addressed in the Certified EIR.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This question has been added to the *CEQA Guidelines Appendix G, Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: No forest land is located on the Modified Project site or in the vicinity. The Modified Project would therefore have no impact on forest land.

Project Conditions of Approval: None.

Summary

When compared to the Original Project, no changed or new information has been identified to indicate that any potential forestland impacts resulting from the Modified Project would be different from those previously identified and addressed in the Certified EIR.

e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This question has been added to the *CEQA Guidelines Appendix G, Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project does not require or propose “other changes” to the environment which could result in the conversion of farmland or forestland to other uses. Please refer also to Checklist Items 2 a, b.

Project Conditions of Approval: None.

Summary

When compared to the Original Project, no new significant, substantially increased, or substantially different Farmland conversion impacts would occur as a result of the

Modified Project. No changed or new information has been identified to indicate that any potential Farmland conversion impacts resulting from the Modified Project would be different from those previously identified and addressed in the Certified EIR.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Modified Project Design Concepts.

3. AIR QUALITY

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?					X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?					X	
c) Expose sensitive receptors to substantial pollutant concentrations?					X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Because air pollutant emissions associated with buildout of the City would cumulatively contribute to nonattainment conditions affecting the South Coast Air Basin (SCAB), the Certified EIR determined that The Ontario Plan would be inconsistent with the Air Quality Management Plan (AQMP). Additionally, emissions generated under City buildout conditions are not included in the current regional emissions inventory for the SCAB. For these reasons, the Certified EIR concluded that

The Ontario Plan would result in significant AQMP consistency impacts (Certified EIR, p. 5.3-11).

Certified EIR Mitigation Measures: The Certified EIR determined that the Goals and Policies included in the Policy Plan would facilitate continued City cooperation with the South Coast Air Quality Management District (SCAQMD) and Southern California Association of Governments (SCAG) and thereby support regional air quality improvement goals. The Certified EIR concluded however that no mitigation measures are available that would substantially reduce AQMP inconsistency impacts.

Modified Project: The Modified Project would amend the site's current land use designations. However, the Modified Project would not substantively increase aggregate development intensities beyond that currently anticipated for the subject site under the Original Project and reflected in the Certified EIR analysis of AQMP consistency. Moreover, the Modified Project uses would likely result in fewer air pollutant emissions than would result from development of the subject site under the Original Project.

In this latter regard, it is noted that for urban development such as that considered here, traffic is the dominant source of air pollutant emissions, typically accounting for more than 90 percent of a given development proposal's criteria air pollutant emissions. Trip generation for the Modified Project was compared to trip generation that would occur under the development of the subject site envisioned under the Original Project. When compared to the Original Project land uses, total daily trip generation (passenger car equivalents, PCE) under the Modified Project would be reduced by approximately 5 percent (Original Project – 15,656 ADT; Modified Project – 14,811 ADT). Reduced trip generation under the Modified Project would translate to diminished vehicular-source emissions impacts when compared to impacts resulting from the Original Project and reflected in the Certified EIR. Comparable reductions in criteria air pollutant emissions would result from the Modified Project. On this basis, the Modified Project would not result in development intensities or air pollutant emissions that would be substantially different than or greater than would result from the Original Project.

Based on the preceding, when compared to the Certified EIR findings, no new or substantially increased AQMP consistency impacts would occur under the Modified Project.

Project Conditions of Approval: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that buildout of The Ontario Plan would generate short-term and long-term air pollutant emissions that exceed the SCAQMD's regional significance thresholds for VOC, CO, NO_x, PM₁₀, and PM_{2.5}. These exceedances and would cumulatively contribute to the SCAB nonattainment designations for O₃, PM₁₀ and PM_{2.5}. Even with the implementation of mitigation measures, air quality impacts result from buildout of The Ontario Plan were considered significant and unavoidable (Certified EIR, pp. 5.3-11 – 5.3-14).

Certified EIR Mitigation Measures:

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

- *Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:*
 - *Requiring use of nontoxic soil stabilizers to reduce wind erosion.*
 - *Applying water every four hours to active soil-disturbing activities.*
 - *Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.*
 - *Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits.*
 - *Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.*

- *Limiting nonessential idling of construction equipment to no more than five consecutive minutes.*
- *Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at:
http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.*

3-2 *The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).*

Modified Project:

Construction-Source Emissions

Modified Project construction activities comprise Site Preparation, Grading, Building Construction, Paving and Architectural Coating. Modified Project construction activities would generate emissions of carbon monoxide (CO), Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOX), Sulfur Oxides (SOX), particulate matter ≤ 10 microns (PM₁₀), and particulate matter ≤ 2.5 microns (PM_{2.5}). Table 3-1 summarizes Modified Project maximum daily construction-source emissions.

As presented at Table 3-1, Modified Project construction-source emissions would not exceed applicable SCAQMD regional thresholds and would therefore be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the project level are not cumulatively considerable. On this basis, the Modified Project construction-source emissions would not contribute considerably to cumulative non-attainment criteria pollutant impacts.

**Table 3-1
Maximum Daily Construction-Source Emissions**

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2022	28.42	89.90	121.98	0.40	25.10	9.09
2023	28.63	90.52	133.23	0.41	25.84	8.92
2024	28.15	90.26	128.75	0.41	25.84	8.92
Winter						
2022	28.54	89.62	111.25	0.38	25.11	9.09
2023	28.75	90.27	122.93	0.39	25.85	8.92
2024	28.28	90.00	119.11	0.38	25.84	8.92
Total Maximum Daily Emissions	28.75	90.52	133.23	0.41	25.85	9.09
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: 2021 Rich-Haven Specific Plan Amendment Project Air Quality, Greenhouse Gas, & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) February 8, 2021.

Operational-Source Emissions

Modified Project operational-source emissions would derive from site/building maintenance (area sources), building energy consumption, and traffic (mobile sources). Table 3-2 summarizes and compares the Modified Project maximum daily operational-source emissions and the Original Project maximum daily operational-source emissions.

As indicated at Table 3-2, emissions generated by the Modified Project land uses would result in a net decrease in peak operational-source criteria pollutant emissions when compared to peak operational-source criteria pollutant emissions generated by the Original Project land uses. As such, when compared to the Original Project, the Modified Project would not result in new or substantively different or substantively increased operational-source air quality impacts; or substantively different or substantively increased contributions to cumulative contributions to criteria pollutant non-attainment impacts.

Table 3-2
Maximum Daily Operational-Source Emissions Summary and Comparison
(Modified Project vs. Original Project Land Uses)

Operational-Source Emissions – Summer Scenario	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Modified Project Land Uses	61.64	158.28	386.19	1.10	89.63	25.41
Original Project Land Uses	102.42	198.04	460.14	1.23	100.93	28.34
Variance (Modified Project – Original Project Land Uses)	-40.78	-39.77	-73.95	-0.13	-11.31	-2.93
Operational-Source Emissions – Winter Scenario	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Modified Project Land Uses	58.09	163.00	339.91	1.03	89.61	25.40
Original Project Land Uses	97.34	203.84	412.16	1.15	100.92	28.34
Variance (Modified Project – Original Project Land Uses)	-39.25	-40.84	-72.25	-0.12	-11.30	-2.93

Source: 2021 Rich-Haven Specific Plan Amendment Project Air Quality, Greenhouse Gas, & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) February 8, 2021.

Project Conditions of Approval: None.

Based on the preceding, when compared to the Certified EIR findings, the Modified Project would not result in substantively different or substantively increased contributions to cumulative contributions to criteria pollutant non-attainment impacts.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that buildout of the City pursuant to The Ontario Plan would result in significant and unavoidable air quality impacts due to elevated concentrations of air pollutants at sensitive receptors (Certified EIR, p. 5.3-26).

Certified EIR Mitigation Measures:

3-3 *The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). New development*

that is inconsistent with the recommended buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.

Modified Project: The potential for the Modified Project to generate or result in harmful concentrations of air pollutants at sensitive receptors is evaluated in *2021 Rich-Haven Specific Plan Amendment Project Air Quality, Greenhouse Gas, & Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) February 8, 2021 (Air Quality Memo). The Health Risk Assessment (HRA) component of the Air Quality Memo identifies potential sources of toxic air contaminants (TACs), and evaluates potential effects of TAC concentrations at proximate sensitive receptors. Results of the HRA are summarized below.

The HRA evaluated potential health risk impacts at proximate receptors (residents, workers, and school children) that could result from exposure to diesel particulate matter (DPM) generated by heavy-duty diesel trucks accessing the Modified Project site. The Modified Project does not otherwise propose or require uses that could generate TACs or other emissions that could adversely affect area receptors. Health risk exposures were modeled in accordance with the guidelines presented in *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD) 2003.

The SCAQMD *CEQA Air Quality Handbook* (1993) states that TAC emissions health risk impacts would be considered significant if a Health Risk Assessment shows an increased carcinogenic risk of greater than 10 incidents per million population. Consistent with the stated SCAQMD *Handbook* cancer risk threshold, for the purposes of this analysis, Project-source TAC emissions resulting in an increase in cancer risk of 10 incidents per million population is considered potentially significant.

The SCAQMD has also established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a Hazard Index, expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure

Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A Hazard Index less of than one (1.0) means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures not exceeding the SCAQMD Hazard Index of 1.0 are considered less-than-significant.

As substantiated in the HRA, at the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to the Modified Project is estimated at 2.26 in one million, which is less than the SCAQMD threshold of 10 in one million (Air Quality Memo, p. 17). At this same location, non-cancer risks were estimated at <0.01, which would not exceed the applicable SCAQMD threshold of 1.0 (Air Quality Memo, p. 17).

Based on the preceding, the Modified Project would not expose sensitive receptors to harmful pollutant concentrations. When compared to the Certified EIR findings, no new or substantially increased pollutant concentrations impacts to sensitive receptors would result from the Modified Project.

Project Conditions of Approval: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that development pursuant to The Ontario Plan would result in significant and unavoidable temporary odor impacts associated with transition of agricultural lands to nonagricultural uses (Certified EIR, p. 5.3-28).

Certified EIR Mitigation Measures: No feasible mitigation.

Modified Project: Planning Area 6A, located in the southerly portion of the Modified Project site, is mass-graded and under development with residential uses. Planning Area 9A, also located in the southwesterly portion of the Project site, is mass-graded in preparation for development of residential uses. The remainder of the Modified Project site is a vacant and disturbed property that is currently and/or has been previously used for various agricultural and dairy farming uses.

The Modified Project would transition the site from the various undeveloped/agricultural uses noted above to urban Specific Plan land uses. In this respect, the Modified Project would remove existing agricultural odor sources and would act generally to improve ambient conditions related to odors. Nor would the Modified Project site be adversely affected by proximate agricultural use odor sources.

Construction-source and operational-source odor impacts that may result from the Modified Project are controlled as a byproduct of hazardous/potentially hazardous materials handling plans and Best Management Practices implemented under SCAQMD Rule 402⁴ et al. The Modified Project would be required to comply with all SCAQMD Rules regulating and controlling odors and odor sources. The Modified Project would therefore not create objectionable odors affecting a substantial number of people. The Modified Project does not propose or require uses that would generate other emissions that could adversely affect a substantial number of people. On this basis, when compared to the Certified EIR findings, no new or substantially increased “other emissions” impacts would occur under the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; 2021 Rich-Haven Specific Plan Amendment Project Air Quality, Greenhouse Gas, & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) February 8, 2021; Modified Project Design Concepts.*

⁴ SCAQMD Rule 402. Nuisance

“A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.” <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>

4. BIOLOGICAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations; or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X	

Substantiation:

- a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that development in accordance with The Ontario Plan could impact sensitive species. Projects considered for approval under The Ontario Plan would be subject to independent CEQA review to determine whether there is potential habitat on-site for sensitive species. The Certified EIR did not identify any significant impacts in this regard (Certified EIR, pp. 5.4-26 – 5.4-28).

Certified EIR Mitigation Measures: None.

Modified Project: The Ontario Plan FEIR (Section 5.4) and the 2007 Rich Haven Specific Plan EIR (Section 5.3-14) concluded that the Specific Plan Area may function as potential habitat for the federally-listed Delhi Sands Flower Loving Fly (DSFLF) and Burrowing Owl. No other potentially significant impacts to candidate, sensitive, or special status species were identified.

The Ontario Recovery Unit for the DSFLF includes 21.7 square miles of the City of Ontario, mostly in the eastern and southwestern portions of the City – including portions of the Ontario Ranch. Broadly, focused surveys for DSFLF are required for development proposals located within the Ontario Recovery Unit. If DSFLF are found, consultation with the United States Fish and Wildlife Service (USFWS) is required pursuant to Section 7 of the Federal Endangered Species Act (FESA). The USFWS has concluded from the findings of previous focused surveys within the Ontario Ranch area, that the presence of DSFLF within Ontario Ranch properties previously used as dairies is unlikely; and that focused surveys for DSFLF in these areas would not be required (Certified EIR, p. 5.4-27).

In this latter regard, the Modified Project site was previously employed for agricultural/dairy farming purposes. As such, and consistent with the Certified EIR/USFWS findings noted above, presence of DSFLF within the site is unlikely. The 2007 Rich Haven Specific Plan EIR concluded that changing the land use from the existing agricultural/dairy farming uses to suburban development proposed under the Specific

Plan would further reduce the viability of the site as potential habitat for DSFLF. Further, as one component of the 2007 Rich Haven Specific Plan EIR extensive surveys were completed for the DSFLF. These surveys found no evidence of the fly or its habitat was found.

Additional surveys conducted as part of the 2007 EIR determined that Burrowing Owls were present within the Rich-Haven Specific Plan area. Mitigation included in the 2007 Rich Haven Specific Plan EIR would protect any owls that may be present at the time development occurs. For ease of reference, this measure is restated here as Condition of Approval BIO-1.

Additionally, the Modified Project site serves generally as potential habitat for migratory birds. Development of the site could therefore result in impacts to any nesting migratory birds that may be present. Consistent with California Department of Fish and Wildlife requirements, Condition of Approval BIO-2 is included to ensure that impacts to nesting birds are maintained at levels that would be less-than-significant.

Project Conditions of Approval:

BIO-1 Avoidance of Nesting Burrowing Owls: No more than 72 hours prior to any site disturbances, focused surveys for the burrowing owl shall be conducted. If absence of this species is confirmed, project work can proceed. If, however, burrowing owl is located on site, the appropriate resource agencies (CDFW and USFWS) shall be contacted. The Applicant shall consult with the wildlife agencies regarding the most appropriate methods and timing for removal of owls. As necessary, owls will be actively evicted following agency approved protocols (i.e., placing a one-way door at the burrow entrance to ensure that owls cannot access the burrow once they leave). Any such active eviction shall occur outside of the breeding/nesting season. That is, if active eviction is required, eviction shall be accomplished between September 1 and February 15. If more than 30 days has elapsed between owl eviction and completion of clearing and grubbing activities, a subsequent survey for the burrowing owl shall be conducted to ensure that owls have not re-populated the site. Any reoccupation by owls will require subsequent protocol active eviction.

BIO-2 Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Biologist). The Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Based on the preceding, when compared to the Certified EIR findings, no new or substantially increased impacts to candidate, sensitive, or special status species would occur under the Modified Project.

b, c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that individual projects subject to CEQA environmental review would be required to determine whether there is potential habitat onsite for sensitive species. The Certified EIR did not identify any significant impacts in this regard (Certified EIR, p. 5.4-28).

Certified EIR Mitigation Measures: None.

Modified Project: The Ontario Plan FEIR (Section 5.4) and the 2007 Rich Haven Specific Plan EIR (Section 5.3-14) concluded that the Specific Plan Area may function as potential habitat for the federally-listed Delhi Sands Flower Loving Fly (DSFLF) and Burrowing Owl. No other potentially significant impacts to candidate, sensitive, or special status species were identified.

The Ontario Recovery Unit for the DSFLF includes 21.7 square miles of the City of Ontario, mostly in the eastern and southwestern portions of the City – including portions of the Ontario Ranch. Broadly, focused surveys for DSFLF are required for development proposals located within the Ontario Recovery Unit. If DSFLF are found, consultation with the United States Fish and Wildlife Service (USFWS) is required pursuant to Section 7 of the Federal Endangered Species Act (FESA). The USFWS has concluded from the findings of previous focused surveys within the Ontario Ranch area, that the presence of DSFLF within Ontario Ranch properties previously used as dairies is unlikely; and that focused surveys for DSFLF in these areas would not be required (Certified EIR, p. 5.4-27).

In this latter regard, the Modified Project site was previously employed for agricultural/dairy farming purposes. As such, and consistent with the Certified EIR/USFWS findings noted above, presence of DSFLF within the site is unlikely. The 2007 Rich Haven Specific Plan EIR concluded that changing the land use from the existing agricultural/dairy farming uses to suburban development proposed under the Specific Plan would further reduce the viability of the site as potential habitat for DSFLF. Further, as one component of the 2007 Rich Haven Specific Plan EIR extensive surveys were completed for the DSFLF. These surveys found no evidence of the fly or its habitat was found.

Additional surveys conducted as part of the 2007 EIR determined that Burrowing Owls were present within the Rich-Haven Specific Plan area. Mitigation included in the 2007 Rich Haven Specific Plan EIR would protect any owls that may be present at the time development occurs. For ease of reference these measures are restated here as Conditions of Approval BIO-1, BIO-2. The Modified Project would be required to comply with these Conditions of Approval that would ensure that potential impacts to the Burrowing Owl would maintained at levels that would be less-than-significant.

Based on the preceding, when compared to the Certified EIR findings, no new or substantially increased impacts to candidate, sensitive, or special status species would occur under the Modified Project.

Project Conditions of Approval: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR states that no regional wildlife movement corridors have been identified in the City, and most of the City is ill-suited for the purposes of wildlife movement. Additionally, compliance with existing policies and regulations ensure impacts in this regard remain less-than-significant (Certified EIR, p. 5.4-30).

Certified EIR Mitigation Measures: None.

Modified Project: No wildlife corridors or linkages are located onsite. Further, the site is bounded on all sides by roads and/or urban development, diminishing its potential to function as a wildlife movement corridor. Consistent with the conclusion of the Certified EIR, the Modified Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. On this basis, when compared to the Certified EIR findings, no new or substantially increased impacts to wildlife corridors, wildlife linkages, or wildlife movement would occur under the Modified Project.

Project Conditions of Approval: None.

e, f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR did not identify any conflicts with any local policies or ordinances protecting biological resources, adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan (Certified EIR, pp. 5.4-30 – 5.4-31).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would comply with local policies and ordinances protecting biological resources. The Modified Project does propose or require development or activities that would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. When compared to the Certified EIR findings, no new or substantially increased impacts to a Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

5. CULTURAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?					X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?					X	
c) Disturb any human remains, including those interred outside of formal cemeteries?					X	

Substantiation:

- a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Historic resources in the City include historic districts, historic landmarks or points of historical interest, and other buildings, structures, objects,

and sites that appear eligible for listing on the National, California, or Local Registers of Historic Places. The Certified EIR concluded that adoption of The Ontario Plan itself would not directly affect any historical structures; however, identified and potential historic structures and sites may be vulnerable as development occurs. The Certified EIR concluded this was a potentially significant impact (Certified EIR, pp. 5.5-16 – 5.5-19).

Certified EIR Mitigation Measures:

5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of development approvals in the Focus Areas.

Even with the implementation of Mitigation Measure 5-1, the Certified EIR concluded that impacts to historical resources would be significant and unavoidable.

Modified Project: There are no known or probable historic resources within the subject site (2007 Rich-Haven Specific Plan EIR, pp. 5.11-11, 5.11-12). Historical resources conditions at the subject site have not changed since preparation of the 2007 Rich-Haven Specific Plan EIR. The potential for the Modified Project to cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064 is therefore considered less-than-significant. When compared to the Certified EIR findings, no new or substantially increased impacts to historic resources would result from the Modified Project.

Project Conditions of Approval: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Adoption of The Ontario Plan in itself would not directly affect archaeological resources. However, implementation of the proposed Land Use Plan could allow development and redevelopment that could potentially affected archaeological resources. The Certified EIR concluded this was a potentially significant impact (Certified EIR, p. 5.5-20).

Certified EIR Mitigation Measures:

5-2 *In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:*

a) Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.

b) Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director is satisfied that adequate provisions are in place to protect these resources.

c) Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.

5-3 *Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.*

5-4 *Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.*

With the implementation of Mitigation Measures 5-2 through 5-4, the Certified EIR concluded that impacts to archaeological and/or paleontological resources would be less-than-significant.

Modified Project: As noted in the Certified EIR . . . “records review at the Archaeological Information Center at San Bernardino County Museum (SBCM) indicated no known prehistoric archaeological resources in the City of Ontario” (Certified EIR, p. 5.5-13). Ongoing disturbance within the subject site and areawide urbanization in the vicinity of the site act to diminish the potential for discovery of archaeological resources. Nonetheless, as provided for under standard City Conditions of Approval, in the event of unanticipated discovery of potential archeological resources, construction activities will be halted in the area of the encountered resources, and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is determined to be historical or unique archaeological resources, as defined in Section 15064.5 of the *CEQA Guidelines*, avoidance or other appropriate measures shall be implemented.

Project Conditions of Approval: The Modified Project would be required to conform to standard City Conditions of Approval providing for protection of potentially significant archaeological resources, and would implement Certified EIR Mitigation Measures 5-2, 5-3, 5-4 to the satisfaction of the City. No additional measures are required or proposed for the Modified Project.

With conformance to City Conditions of Approval, and implementation of mitigation, the potential for the Modified Project to result in cause a substantial adverse change in the significance of an archaeological resource would be less-than-significant. When compared to the Certified EIR findings, no new or substantially increased impacts to archaeological resources would result from the Modified Project.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that compliance with existing regulations would ensure that the potential for The Ontario Plan to disturb any human remains, including those interred outside of formal cemeteries was less-than-significant (Certified EIR, p. 5.5-21).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would be required to comply with all existing regulations, including the California Public Resources Code Section 5097.98, which would afford protection for any human remains discovered during development activities. On this basis, the potential for the Modified Project to result in disturbance of any human remains, including those interred outside of formal cemeteries would be less-than-significant. When compared to the Certified EIR findings, no new or substantially increased impacts related to potential disturbance of human remains would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

6. ENERGY

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?					X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The environmental topic “Energy” has been added to the *CEQA Guidelines Appendix G, Environmental Checklist Form* since the adoption of the Certified EIR, and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project in total would be required to comply with incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Energy Efficiency Standards). The Modified Project would be required to conform to applicable CALGreen provisions (CCR, Title 24, Part 11 – CALGreen). CALGreen supports the goals of the State’s greenhouse gas reduction and building energy efficiency programs. The Modified Project would also implement applicable efficiency/conservation measures provisions of the City of Ontario Community Climate Action Plan (CAP) and applicable CAP updates.

Based on the preceding, the Modified Project would not result in or cause wasteful, inefficient, and unnecessary consumption of energy; and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. When compared to impacts addressed in the Certified EIR, no new or substantially increased energy impacts would occur under the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

7. GEOLOGY AND SOILS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:						
(i) rupture of a known earthquake fault;					X	
(ii) strong seismic ground shaking;					X	
(iii) seismic-related ground failure, including liquefaction; or					X	
(iv) landslides?					X	
b) Result in substantial soil erosion or the loss of topsoil?					X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?					X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?						X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?					X	

Substantiation:

a – d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes existing geological conditions and location of the City within a seismically active area. The Certified EIR concludes that compliance with California Building Code (CBC) regulations and standard City Conditions of Approval would preclude significant geology/soils impacts (Certified EIR, pp. 5.7-16 – 5.7-19).

Certified EIR Mitigation Measures: None.

Modified Project: All development proposals within the Modified Project site would be required to comply with CBC regulations and standard City Conditions of Approval, acting to preclude significant geology/soils impacts. All potential geology and soils impacts associated with development of the subject site would be less-than-significant based on compliance with the Uniform Building Code, California Building Code, the Ontario Municipal Code, and applicable Ontario Plan strategies.

There are no known or suspected faults or other adverse geology/soils conditions affecting the subject site (2007 Rich-Haven Specific Plan EIR, p.5.4-3). As part of the City's standard review and approval processes, the Modified Project would be required to comply with provisions of Final City-approved geotechnical report(s). Design of the Modified Project facilities would also be required to comply with applicable provisions of the Uniform Building Code (UBC), California Building Code (CBC), City Municipal Code, and would be required to implement applicable Ontario Plan strategies. Compliance with these measures would ensure that potential geology and soils impacts remain at levels that would be less-than-significant. The Modified Project would therefore not result in new, additional, or different geological/soils impacts not considered and addressed in the Certified EIR.

Project Conditions of Approval: None.

e) *No Impact.*

Certified EIR Conclusions: Wastewater generated by new development pursuant to buildout of The Ontario Plan would be conveyed to and treated at wastewater treatment facilities owned and operated by the Inland Empire Utilities Agency (Regional Plant No. 1 in the City of Ontario and Regional Plant No. 5 in the City of Chino). The use of septic tanks for new development (such as that proposed under the Modified Project) is not envisioned under The Ontario Plan (Certified EIR, p. 5.7-18).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would connect to the City sanitary sewer system. No septic tanks or other alternative wastewater disposal systems are proposed. On this basis, the Modified Project would not result in any impacts related to on-site or alternative wastewater disposal systems. The Modified Project would therefore not result in new, additional, or different impacts regarding use of alternative wastewater treatment systems not considered and addressed in the Certified EIR.

Project Conditions of Approval: None.

f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Adoption of The Ontario Plan in itself would not directly affect paleontological resources. However, implementation of The Ontario Plan Land Use Plan could allow development and redevelopment of potentially sensitive areas. The Certified EIR concluded this was a potentially significant impact (Certified EIR, p. 5.5-20).

Certified EIR Mitigation Measures: Please refer to previous Mitigation Measure 5-2. With the implementation of this Mitigation Measure, the Certified EIR concluded that impacts to paleontological resources would be less-than-significant.

Modified Project: The Certified EIR indicates that there is a possibility of finding paleontological resources within the City boundaries at depths of 10 feet or more below ground surface (Certified EIR, p. 5.5-20). No known paleontological resources exist within the subject site, and the site is not located near the shore of a prehistoric lakebed, streambed or other indicators for paleontological fossils; therefore, the likelihood of encountering paleontological resources is less than significant. (2007 Rich-Haven Specific Plan EIR, p. 5.11-12. Additionally, per City Conditions of Approval, should any unanticipated paleontological resources be encountered during excavation, construction activities would be halted or would be relocated to other unaffected areas of the subject site. Under such circumstances, a qualified paleontologist would be retained to evaluate any encountered find. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Project Conditions of Approval: The Modified Project would be required to conform to City Conditions of Approval providing for protection of potentially significant paleontological resources, and would implement Certified EIR Mitigation Measure 5-2 to the satisfaction of the City. No additional measures are required or proposed for the Modified Project.

With conformance to City Conditions of Approval, and implementation of mitigation, the potential for the Modified Project to result in cause a substantial adverse change in the significance of a paleontological resource would be less-than-significant. When

compared to the Certified EIR findings, no new or substantially increased impacts to paleontological resources would result from the Modified Project.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?					X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout of The Ontario Plan would contribute to global climate change through direct emissions of Greenhouse Gases (GHG) from onsite area sources, offsite energy production required for onsite activities, and indirect emissions from water use and vehicle trips. To mitigate potential GHG emissions impacts, the City has adopted a Community Climate Action Plan (CAP), adopted by the City December 16, 2014. The CAP provides guidance addressing CEQA analysis of GHG emissions and determination of GHG impact significance. The CAP provides City-specific GHG information and City-specific GHG reduction measures. To address the State’s requirement to reduce GHG emissions, the City CAP establishes the goal of reducing GHG emissions within the City by 15% below 2008 levels by the year 2020. The CAP GHG emissions reduction target is consistent with the AB 32 target and

ensures that the City of Ontario achieves GHG reductions locally that complement and are consistent with State efforts to reduce GHG emissions.

As part of the CAP, the City of Ontario published a guidance document titled “Greenhouse Gas Emissions, CEQA Thresholds and Screening Tables” (December 2014) (Screening Tables). As part of this guidance, the City determined that if GHG emissions of a given project exceeds 3,000 MTCO₂e/yr., then project emissions would need to be reduced by 25 percent when compared to year 2008 emissions levels. Alternatively, the Modified Project would need to achieve a minimum of 100 points pursuant to measures identified in the Screening Tables.

The CAP also includes an update commitment beginning in 2018. The updated CAP will include a specific target for GHG reductions for 2030, 2040, and 2050. The targets will be consistent with broader State and federal reduction targets and will reflect contemporary scientific understanding of GHG reductions required by 2050. At the time of the Modified Project GHG analysis, the City’s CAP update is underway. The City is updating the Community Climate Action Plan as part of The Ontario Plan Update, anticipated to be completed in 2021. The City Community Climate Action Plan has been developed to be consistent with and support the SB 32 target of reducing GHG emissions by 40% below 1990 levels by 2030.

Provisions of the CAP and related measures reflected in the Certified EIR are presented at Mitigation Measures 6-1 through 6-5, following. Even with implementation of the CAP, the Certified EIR determined that buildout of the City pursuant to The Ontario Plan would result in significant and unavoidable GHG emissions impacts (generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases) (Re-Circulated Portions of The Ontario Plan Draft Environmental Impact Report, p. 2-118).

Certified EIR Mitigation Measures:

6-1 *The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:*

- *Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on schedule to achieve the GHG reduction targets, additional measures shall be implemented, as identified in the CAP.*
 - *The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community.*
 - *The City shall define a "business as usual" scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario.*
- *Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City:*
 - *A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32.*

- *A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions.*
- *A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions.*

6-2 *The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):*

- *Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria.*
- *Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency.*
- *Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris.*
- *Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling.*
- *Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate.*

- *Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City.*
- *Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City.*
- *Install energy efficient lighting and lighting control systems in all municipal buildings.*
- *Require all new traffic lights installed be energy efficient traffic signals. Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system.*
- *Require all new landscaping irrigation systems installed within the City to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization.*
- *Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions.*
- *Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.*
- *Reduce heat gain from pavement and other similar hardscaping.*
- *Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking.*
 - *Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.*

- *Facilitate employment opportunities that minimize the need for private vehicle trips, by:*
 - *Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.*

- *Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.*

- *Establish policies and programs to reduce onsite parking demand and promote ridesharing and public transit at large events.*

- *Support and promote the use of low-and zero-emission vehicles, by:*
 - *Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.*

 - *Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).*

 - *Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.*

 - *Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.*

- *Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.*

- *Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA).*
- *Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.*
- *Support the use of green building practices by:*
 - *Providing information, marketing, training, and technical assistance about green building practices.*
 - *Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development.*
- *Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including:*
 - *Standards for the installation of “cool roofs”.*
 - *Standards for improved overall efficiency of lighting systems.*
 - *Requirements for the use of Energy Star appliances and fixtures in discretionary new development.*
- *Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer.*
- *Establish policies and programs that facilitate the siting of new renewable energy generation.*

- *Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.*

- *Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:*
 - *Conducting energy audits.*

 - *Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.*

 - *Implementing an energy tracking and management system for its municipal facilities.*

 - *Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.*

 - *Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.*

 - *Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).*

 - *Installing Energy Star® appliances and energy-efficient vending machines.*

 - *Improving water use efficiency, including a schedule to replace or retrofit system components with high-efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).*

 - *Installing irrigation control systems which maximize water use efficiency and minimize off-peak use.*

 - *Adopting an accelerated replacement schedule for energy inefficient systems and components.*

- *Ensure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including:*
 - *Providing energy efficiency training to design, engineering, building operations, and maintenance staff.*
 - *Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use.*
 - *Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards.*
- *Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users.*
- *Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel-efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models.*
- *Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.*
- *Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.*
- *Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices.*

- *Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and will install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.*
- *Implement enhanced programs to divert solid waste from landfill operations, by:*
 - *Establishing a diversion target which meets or exceeds AB 939 requirements.*
 - *Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.*
- *Reduce per capita water consumption consistent with state law by 2020.*
- *Establish a water conservation plan that may include such policies and actions as:*
 - *Maintaining and refining the City's tiered rate structure for water use.*
 - *Establishing restrictions on time of use for landscape watering, or other demand management strategies.*
 - *Establishing performance standards for irrigation equipment and water fixtures, consistent with state law.*
- *Establish programs and policies to increase the use of recycled water, including:*
 - *Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.*
- *Ensure that building standards and permit approval processes promote and support water conservation, by:*

- *Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).*
- *Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.*
- *Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling dropoff events and neighborhood chipping/mulching days.*
- *Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.*

6-3 *The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:*

- *Increase densities in urban core areas to support public transit, by, among other means:*
 - *Removing barriers to the development of accessory dwelling units in existing residential neighborhoods.*
- *Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation.*
- *Add bicycle facilities to city streets and public spaces, where feasible.*
- *Promote infill, mixed-use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones.*

- *Plan for and create incentives for mixed-use development.*

- *Identify sites suitable for mixed-use development and establish appropriate site-specific standards to accommodate mixed uses which could include:*
 - *Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so.*

 - *Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development.*

 - *Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.*

 - *Allowing for tandem parking, shared parking and off-site parking leases.*

- *Enable prototype mixed-use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling.*

- *Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses.*

- *Revise zoning ordinance(s) to allow local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use.*

- *Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.*

- *Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre*

within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non-residential uses within a quarter mile of transit centers or corridors.

- *Identify transit centers appropriate for mixed-use development, and promote transit oriented, mixed-use development within these targeted areas, by:*
 - *Providing maximum parking standards and flexible building height limitations.*
 - *Providing density bonus programs.*
 - *Establishing guidelines for private and public spaces for transit-oriented and mixed-use development.*
 - *Discouraging auto-oriented development.*
- *Ensure new development is designed to make public transit a viable choice for residents, including:*
 - *Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes.*
 - *Locating medium to high density development near streets served by public transit whenever feasible.*
 - *Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths.*
- *Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.*
- *Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed-use and transit-oriented development areas, by:*

- *Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking.*
- *Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.*
- *Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape.*
- *Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic.*
- *Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage nonmotorized travel.*
- *Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit-oriented development areas, by:*
 - *Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, thoroughfares.*
 - *Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures.*
 - *Locating schools in neighborhoods, within safe and easy walking distances of residences served.*
 - *Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear.*
 - *Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access.*

- *Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway.*
- *Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards.*
- *Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.*
- *Reduce heat gain from pavement and other similar hardscaping, by:*
 - *Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas.*
 - *Establishing standards that provide for pervious pavement options.*
 - *Removing obstacles to natural, drought tolerant landscaping and low-water landscaping.*
- *Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking, including, but not limited to:*
 - *Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.*
- *Upgrade and maintain the following transit system infrastructure to enhance public use, including:*
 - *Ensuring transit stops and bus lanes are safe, convenient, clean and efficient.*
 - *Ensuring transit stops have clearly marked street-level designation, and are accessible.*
 - *Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate.*

- *Working with transit providers to place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals appropriate for the mode of transit.*
- *Facilitate employment opportunities that minimize the need for private vehicle trips, by:*
 - *Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.*
 - *Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.*
- *Establish standards for new development and redevelopment projects to support bicycle use, including:*
 - *Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including:*
 - *Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible.*
 - *Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including:*
 - *Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances.*
- *Establish a network of multi-use trails to facilitate direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations.*
- *Establish policies and programs to reduce onsite parking demand and promote and public transit at large events.*

- *Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels.*

- *Support and promote the use of low-and zero-emission vehicles (NEV), by:*
 - *Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.*

 - *Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).*

 - *Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.*

 - *Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.*

- *Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.*

- *Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by ALUCP/FAA.*

- *Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.*

- *Support the use of green building practices by:*

- *Establishing guidelines for green building practices in residential and commercial development.*
- *Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices.*
- *Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including:*
 - *Standards for the installation of “cool roofs”.*
 - *Standards for improved overall efficiency of lighting systems.*
 - *Requirements for the use of Energy Star appliances and fixtures in discretionary new development.*
 - *Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy.*
- *Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible.*
- *Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas).*
- *Identify and remove or otherwise address barriers to renewable energy production, including:*
 - *Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers.*
 - *Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies.*

- *Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air.*
- *Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values.*
- *Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate.*
- *Require that, where feasible, all new buildings be constructed to allow for easy, cost effective installation of solar energy systems in the future, using such “solar-ready” features as:*
 - *Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south-sloped roof surface, where such buildings architecture and construction are designed for sloped roofs.*
 - *Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof.*
 - *Roof framing that will support the addition of solar panels.*
 - *Installation of electrical conduit to accept solar electric system wiring.*
 - *Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank.*
- *Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.*
- *Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:*
 - *Conducting energy audits.*

- *Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.*
- *Implementing an energy tracking and management system for its municipal facilities.*
- *Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.*
- *Installing energy-efficient lighting retrofits and occupancy sensors, and institute a “lights out at night” policy, subject to life/safety considerations.*
- *Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).*
- *Installing Energy Star® appliances and energy-efficient vending machines.*
- *Improving water use efficiency, including a schedule to replace or retrofit system components with high-efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).*
- *Installing irrigation control systems maximizing water use efficiency and minimizing off-peak use.*
- *Adopting an accelerated replacement schedule for energy inefficient systems and components.*
- *Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as:*
 - *The Energy Star® New Homes Program established by U.S. EPA.*
 - *The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating.*

- *Reduce per capita water consumption consistent with state law by 2020.*
- *Establish a water conservation plan that may include such policies and actions as:*
 - *Maintaining and refining the City's tiered rate structure for water use.*
 - *Establishing restrictions on time of use for landscape watering, or other demand management strategies.*
 - *Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law.*
- *The City will establish programs and policies to increase the use of recycled water, including:*
 - *Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.*
- *Ensure that building standards and permit approval processes promote and support water conservation, by:*
 - *Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).*
 - *Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.*
- *Install water-efficient landscapes and irrigation, including:*
 - *Requiring planting drought-tolerant and native species, and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite.*

- *Requiring the installation of water-efficient irrigation systems and devices, including advanced technology such as moisture-sensing irrigation controls.*
 - *Promote the planting of shade trees and establish shade tree guidelines and specifications, including:*
 - *Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.).*
 - *Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc.*
 - *Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun.*
 - *Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including:*
 - *Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low-VOC-producing trees, and emphasizing the use of drought-tolerant native trees and vegetation.*
- 6-4 *Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).*
- 6-5 *Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.*
- 6-6 *The City of Ontario shall participate in the County of San Bernardino’s Green Valley Initiative.*

Modified Project: The Modified Project proposes development comparable in design and intensity to development entitled under the Original Project. The Modified Project does not propose or require uses or operations that would substantially increase GHG emissions when compared to the Original Project. Further, based on decreased trip generation and related decreases in vehicular-source energy consumption that would result from the Modified Project, the Modified Project would diminish GHG emissions impacts when compared to GHG emissions impacts of the Original Project as summarized at Table 8-1.

**Table 8-1: GHG Emissions Comparison
(Modified Project Land Uses vs. Original Project Land Uses)**

Emission Source	Annual Emissions (MTCO_{2e})
Modified Project Land Uses	17,725.86
Policy Plan Land Uses	29,046.98
<i>Variance (Modified Project – Original Project Land Uses)</i>	<i>-11,321.12</i>

Source: 2021 Rich-Haven Specific Plan Amendment Project Air Quality, Greenhouse Gas, & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) February 8, 2021.

When compared to the Certified EIR analysis, no new or substantially increased GHG emissions impacts would occur under the Modified Project. Moreover, in comparison to the Original Project, GHG emissions impacts would be diminished under the Modified Project.

Further, the Modified Project would be required to implement applicable provisions of the incumbent City CAP, to include measures and design features necessary to achieve applicable CAP GHG emissions reduction performance standards. The City CAP supports and complies with state and regional plans, policies, and regulations adopted for the purpose of reducing GHGs. On this basis, the Modified Project would not conflict with plans, policies, and regulations adopted for the purpose of reducing GHGs. The Modified Project would therefore not result in new, additional, or different impacts regarding consistency with applicable GHG emissions reduction plans, policies, and regulations not considered and addressed in the Certified EIR.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; 2021 Rich-Haven Specific Plan Amendment Project Air Quality, Greenhouse Gas, & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) February 8, 2021; Modified Project Design Concepts.*

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?					X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?					X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					X	

Substantiation:

a-c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout in accordance with The Ontario Plan would involve the transport, use, and/or disposal of hazardous materials. However, these activities would be in compliance with federal, state, and local regulations thus precluding potentially significant impacts in this regard (Certified EIR, p. 5.8-24).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would not result in or cause exposure(s) to hazards or potentially hazardous conditions. That is, uses proposed by the Modified Project are not considered hazardous. Nor does the Modified Project propose or require facilities or operations involving inherent substantial hazards.

During the normal course of construction and operation activities, there would be limited transport of potentially hazardous materials (e.g., gasoline, diesel fuel, paints, solvents, fertilizer, etc.) to and from the Modified Project site. However, as presented within the Certified EIR, the Modified Project would be required to comply with all City and County Hazardous Materials Management Plans and regulations addressing transport, use, storage and disposal of these materials. The Modified Project does not propose or require uses or activities that would result in atypical transportation, use, storage, or disposal of

hazardous or potentially hazardous materials not addressed under current regulations and policies.

Further, any occupancies that would store or use hazardous materials would be required to comply with California Hazardous Materials Business Plan (HMBP) requirements (*California Health & Safety Code*, Division 20, Chapter 6.95) The HMBP contains detailed information on the storage of hazardous materials at regulated facilities. The purpose of the HMBP is to prevent or minimize damage to public health, safety, and the environment, from a release or threatened release of a hazardous material. The HMBP also provides emergency response personnel with adequate information to help them better prepare and respond to chemical-related incidents at regulated facilities.

The Modified Project does not propose or require uses that would handle hazardous or acutely hazardous materials, substances, or waste. Heavy duty truck traffic accessing the Modified Project would generate diesel particulate matter (DPM). DPM is a known carcinogen. The Modified Project Health Risk Assessment (HRA, Addendum Appendix B) substantiates that the DPM emissions generated by the Modified Project would not result in potentially significant hazardous impacts at vicinity schools.

Hazardous or potentially hazardous conditions affecting the subject site were previously and extensively analyzed as part of the 2007 Rich-Haven Specific Plan EIR (2007 EIR). In summary, the 2007 EIR concluded that development of the site could result in potentially significant hazards/hazardous materials impacts due to structure demolition, potential presence of methane gas, presence of organic materials, and general hazards or hazardous conditions associated with current and historic agricultural and dairy farming uses. Hazardous or potentially hazardous conditions affecting the subject site have not substantively changed since preparation of the 2007 EIR.

Mitigation Measures HM-1 through HM-6 included in the 2007 EIR would reduce the above-noted hazards/hazardous materials impacts to levels that would be less-than-significant (2007 EIR, p. 5.5-13). For ease of reference and to ensure their timely implementation, these same measures are carried forward and restated below as

Addendum Mitigation Measures 9-1 – 9-6. No additional measures are required or proposed for the Modified Project.

- 9-1 *Prior to the issuance of permits by the City of Ontario for any structural demolition activities on the project site, the project developer will be required to submit documentation to the City of Ontario Building Department that asbestos and lead-based paint issues are not applicable to their property or that appropriate remediation actions will be undertaken to correct any lead-based paint or asbestos issues, in conformance with the regulations of the South Coast Air Quality Management District and the State of California, Division of Occupational Health and Safety.*
- 9-2 *Subsequent to grading activities, testing for the presence of methane in the soil shall be performed. This testing shall conform to applicable City of Ontario standards. If methane is detected, mitigation would include the installation of under-slab methane vents, methane barrier, and sealing utilities in locations where they enter a structure and penetrate the methane barrier.*
- 9-3 *Post-grading methane gas investigation should take place near the former Scritsmier Hog Ranch (13571 Haven Avenue) where subsurface methane levels exceed 5,000 ppm. A passive vent system and gas membrane beneath the floor slab should be installed, along with utility trench dams and conduit seals.*
- 9-4 *Careful clearing, grubbing, segregation, and stockpiling or proper disposal of the near surface organic-rich soils at the site prior to the initiation of mass grading activities should occur.*
- 9-5 *Identification and segregation/stockpiling or proper disposal of deeper soils which contain elevated levels of organic material should be conducted.*
- 9-6 *Prior to approval of a discretionary permit or approval for development of proposed residential uses on the Hillardis property, such as a parcel map or tentative tract map, a Phase 1 Environmental Site Assessment (ESA) shall be conducted and the results of that ESA implemented. The Phase 1 ESA shall be provided to the City of Ontario and shall be*

included in any CEQA analysis prepared in connection with the consideration of a discretionary approval for development of the eastern half of the project site.

Based on the preceding, when compared to impacts identified in the Certified EIR the Modified Project would not result in new or substantially increased impacts or substantially different impacts related to use, transport, or potential upset of hazardous materials. Nor, when compared to impacts identified in the Certified EIR, would the Modified Project result in new or substantially increased impacts or substantially different impacts related to potentially hazardous emissions or hazardous materials impacts at vicinity schools.

Project Conditions of Approval: None.

d) No Changes or New Information Requiring Preparation of an MND or EIR.

Certified EIR Conclusions: Numerous properties within the City of Ontario are included on State and federal lists of registered hazardous materials sites. The Certified EIR concluded that compliance with federal, state, and local regulations would ensure these properties would not cause significant impacts (Certified EIR, p. 5.8-25).

Certified EIR Mitigation Measures: None.

Modified Project: The subject site is not included on the hazardous materials sites list compiled pursuant to Government Code Section 65962.5 (2007 Rich-Haven Specific Plan EIR, pp, 5.5-10, 5.5-11). Additionally, as discussed in the Certified EIR, the Modified Project would be required to comply with applicable federal, state, and local regulations, ensuring that hazards/hazardous materials impacts are maintained at levels that would be less-than-significant. Therefore, the Modified Project would not create a hazard to the public or the environment and no impact is anticipated.

On this basis, there is no potential for the Modified Project to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

When compared to impacts identified in the Certified EIR, the Modified Project would not result in new or substantially increased impacts or substantially different impacts related to Government Code Section 65962.5-listed sites. Nor, when compared to impacts identified in the Certified EIR, would the Modified Project result in new or substantially increased impacts or substantially different impacts related to Government Code Section 65962.5-listed sites.

Project Conditions of Approval: None.

e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Ontario International Airport (ONT), as well as a small portion of the Chino Airport property, is located within the City of Ontario. The Certified EIR determined that consistency reviews of new development with the appropriate Airport Land Use Compatibility Plan (ALUCP) would be sufficient to prevent significant impacts (Certified EIR, p. 5.8-27).

Certified EIR Mitigation Measures: None.

Modified Project: Location of area airports relative to the Original Project site [inclusive of the proposed Modified Project site] has not changed since preparation of the Certified EIR – the site remains more than two miles distant from the nearest airport; the nearest airport is ONT, located approximately 2.5 miles northwesterly of the site.

The Modified Project site is located within the area subject to provisions of The ONT Airport Land Use Compatibility Plan, ALUCP (July 2018). The ALUCP defines the ONT Airport Influence Area (AIA) as an area in which current and future airport-related noise, overflight, safety, and airspace protection factors may significantly affect land uses or necessitate restriction on those uses. The Modified Project site is located outside the ONT safety zones.⁵ As with the development anticipated under the Original Project and evaluated in the Certified EIR, development implemented pursuant to the Modified

⁵ See: ONT Compatibility Policy Map: Safety Zones

<http://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/policy-map-2-2.pdf>

Project would comply with all requirements set forth within the ALUCP. Based on the preceding, no new or substantially increased impacts related to airport hazards/airport compatibility would result from the Modified Project.

Project Conditions of Approval: None.

f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The City manages disaster preparedness through the Technical Services Bureau of the Ontario Fire Department, which is responsible for the preparation of the community for disasters and the organization of recovery efforts. The Fire Department also works with other local public departments, such as the San Bernardino County Fire Department Hazardous Materials Division and, if necessary, the Countywide HazMat Team of the County Environmental Health Department, to enact these principles and to protect the community in the event of a disaster. Additionally, the City maintains a Local Hazard Mitigation Plan and participates in the Standardized Emergency Management System (SEMS) as required under Government Code Section 8607(a).

The Certified EIR concluded that buildout of the City in accordance with The Ontario Plan would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan (Certified EIR, p. 5.8-28).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project does not propose or require permanent alteration of vehicle circulation routes, and would not interfere with any identified emergency response or emergency evacuation plan. Consistent with City policies, coordination with the local fire and police departments during pre-construction review of Project plans would ensure that potential interference with emergency response plans and evacuation plans are avoided. When compared to impacts identified in the Certified EIR, no new or substantially increased impacts regarding emergency response plans or emergency evacuation plans would result from the Modified Project.

Project Conditions of Approval: None.

g) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that adherence to existing regulations and review of building plans by the Ontario Fire Department would reduce risks from urban and wildland fire threats to the City. No significant impacts were identified (Certified EIR, p. 5.8-32).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project site is located in an urbanized area, and no wildlands are located in the vicinity of the site. Fire protection services are provided to the City and the Modified Project site by the Ontario Fire Department. Pre-construction coordination with Ontario Fire Department staff and adherence to local fire department regulations during construction and operation of the Modified Project would be required. As such, no new or substantially increased impacts related to wildland fire impacts would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?					X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?					X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					X	
(i) result in substantial erosion or siltation on- or off-site?					X	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?					X	
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					X	
(iv) impede or redirect flood flows?					X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?					X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?						X

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that buildout of the City pursuant to The Ontario Plan would increase concentrations of pollutants during construction and post-construction activities. To address potential water quality impacts resulting from project construction and operations, projects are required to comply with provisions of the City's National Pollutant Discharge Elimination System (NPDES) permit. NPDES permit requirements include, but are not limited to, mandated preparation of a Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). Mandated SWPPPs and WQMPs are required to develop and implement Best Management Practices (BMPs) to reduce construction-source and operational-source stormwater pollutant discharges. Based on compliance with the City NPDES Permit and implementation of required SWPPPs and WQMPs, the Certified EIR did not identify any significant water quality impacts (Certified EIR, p. 5.9-23).

Certified EIR Mitigation Measures: None.

Modified Project: Consistent with City requirements, a WQMP and SWPPP would be prepared for the Modified Project. City review and approval of these documents is required prior to issuance of Grading Permits. As with the Original Project, implementation of an approved SWPPP and WQMP would reduce the potential for the Modified Project to violate water quality standards or otherwise adversely affect water quality to levels that would be less-than-significant.

Based on the preceding, the Modified Project's potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality is considered less-than-significant. When compared to the Certified EIR findings, no new or substantially increased water quality impacts would result from the Modified Project.

Project Conditions of Approval: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that development pursuant to The Ontario Plan would increase the amount of impervious surface within the City. However, groundwater recharge efforts would not be hindered. All development projects would be required to prepare project-specific hydrology studies, implement BMPs for compliance with NPDES regulations, and comply with City policies promoting infiltration of runoff and groundwater recharge (Certified EIR, pp. 5.9-19 – 5.9-20).

Certified EIR Mitigation Measures: None.

Modified Project: Direct additions to or withdrawals of groundwater are not proposed or required by the Modified Project. Construction proposed by the Modified Project would not involve massive substructures at depths that would significantly impair or alter the direction or rate of flow of groundwater. The Modified Project does not propose or require uses or facilities that would affect designated groundwater recharge areas.

Based on the preceding, the Modified Project would not contribute to groundwater depletion or interfere with groundwater recharge to an environmentally significant degree. When compared to impacts identified in the Certified EIR, no new or substantially increased groundwater impacts would result from the Modified Project.

Project Conditions of Approval: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Consistent with NPDES requirements, post-development runoff quantities would not be permitted to substantially increase as a result of a development project considered for approval under The Ontario Plan. In this regard, projects would be required to prepare project-specific hydrology studies. Further, existing City policies encourage the use of low impact development strategies to intercept runoff, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.

The Certified EIR notes that while the amount of impervious surfaces would be increased under The Ontario Plan (and thus surface water flows into drainage systems), existing City and County requirements would ensure significant impacts related to alteration of drainage patterns do not occur (Certified EIR, p. 5.9-19).

Certified EIR Mitigation Measures: None.

Modified Project: Per requirements of the 2021 Rich-Haven Specific Plan Amendment:

The grading and drainage of the Rich-Haven Specific Plan area shall be designed to retain, infiltrate, and/or biotreat surface runoff to the maximum extent practicable, in order to comply with the requirements of the current San Bernardino County NPDES Stormwater Program's MS4 Permit and Water Quality Management Plan (WQMP) for priority development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects shall be minimized through the implementation of on-site and off-site Low Impact Development (LID) Site Design Best Management Practices (BMPs) that reduce runoff and pollutant transport by minimizing impervious surfaces, maximizing on-site infiltration, and specifically retain/in-filter or biotreat the 85th percentile storm event. In addition, non-structural and structural Source Control Best Management Practices (BMPs), shall also be implemented and documented in the project's approved Water Quality Management Plan(s) to reduce pollutant generation and transport from the project site (Specific Plan Amendment, p. 4-20).

Prior to the issuance of a grading or construction permit, each development project within this Specific Plan area which disturbs >1 acre of land shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and shall obtain coverage under the California State Water Resources Control Board's (State Water Board) current "General Permit to Discharge Storm Water Associated With Construction Activity" and the current Area-wide Urban Storm Water

Runoff (Regional NPDES) Permit. The SWPPP will identify and detail all appropriate Best Management Practices (BMPs) to be implemented or installed during construction of the project and permit coverage shall be evidenced by the issuance of a Waste Discharger's Identification number (Specific Plan Amendment, p. 4-20).

In addition to the preparation of a SWPPP for construction-related activities, and as part of the approval of any grading plans within the Specific Plan Area, project applicants will be required to submit a Water Quality Management Plan (WQMP) on the current SB County model template form, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>. The WQMP shall identify and detail all on-site and off-site Low Impact Development Site Design BMPs, Source Control BMPs, and Treatment Control BMPs to be implemented or installed within the project, in order to reduce storm water pollutants and site runoff (Specific Plan Amendment, p. 4-20).

Requirements of the Specific Plan Amendment outlined above in combination with City Conditions of Approval would ensure that the potential for the Modified Project to alter drainage patterns in a manner that would result in adverse erosion, siltation, flooding/flood flow or stormwater system capacity impacts would remain at levels that would be less-than-significant.

Based on the preceding, when compared to impacts identified in the Certified EIR, no new or substantially increased drainage/stormwater conveyance impacts would result from the Modified Project.

Project Conditions of Approval: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that although inundation within the City is possible, the gently sloping terrain and emergency procedures in place would preclude significant hazards in this regard (Certified EIR, pp. 5.9-23 – 5.9-24).

Certified EIR Mitigation Measures: None.

Modified Project: Conditions at the subject site as regards flood hazard impacts, tsunami hazard impacts, or seiche hazard impacts have not changed since preparation of the Certified EIR – the site remains unaffected by substantial potential flood hazards, tsunami hazards, or seiche hazards. No new or substantially increased flood hazard impacts, tsunami hazard impacts, or seiche hazard impacts would result from the Modified Project.

Project Conditions of Approval: None.

e) *No Impact.*

Certified EIR Conclusions: This checklist item was not specifically addressed within the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project does not propose or require uses or facilities that would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Modified Project would have no impacts in these regards.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Rich-Haven Specific Plan Amendment Ontario, California, 2021; Modified Project Design Concepts.*

11. LAND USE AND PLANNING

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Physically divide an established community?					X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that implementation of The Ontario Plan would not result in significant land use impacts (Certified EIR, p. 5.10-31).

Certified EIR Mitigation Measures: None.

Modified Project: No established community is located within the Modified Project site. The Modified Project would not otherwise result in potential division of an established community. The Modified Project would have no impacts in these regards.

Project Conditions of Approval: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: As noted above at Checklist Item 11 a), the Certified EIR concluded that implementation of The Ontario Plan would not result in significant land use impacts (Certified EIR, p. 5.10-31).

Certified EIR Mitigation Measures: None.

Modified Project: Land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental effects are established under the City of Ontario Policy Plan. Existing land use designations and proposed changes in land use designations under the under the Modified project are summarized below.

Original Project Land Use Designations

General Plan Land Use Designations

The existing Policy Plan (General Plan) Land Use designations for the Original Project are: “Low Density Residential,” “Low-Medium Density Residential,” “Medium Density Residential,” “Open Space-Parkland,” “Open Space Non-Recreation,” and “Mixed-Use, NMC East.”

Specific Plan Land Use Designations

Under the Original Project, the Specific Plan Land Use Plan is organized into 8 Planning Areas. Planning Areas 1 through 5 comprise the Specific Plan Residential District, Planning Areas 6 through 8 comprise the Specific Plan Regional Commercial/Mixed-Use District.

Modified Project Land Use Designations

General Plan Land Use Designations

Under the Modified Project an “Industrial” General Plan Land Use overlay would be applied to the underlying “Mixed-Use” General Plan Land Use for portions of Planning Area 7, in the southeasterly portion of the site. The existing Low-Density Residential (2.1 – 5 du/ac) General Plan Land Use in the northerly portion of the site, north of Chino Drive, would be apportioned into Low Density Residential (2.1 – 5 du/ac), Low – Medium Density Residential (5.1 – 11 du/ac), and Medium Density Residential (11.1 – 25 du/ac) General Plan Land Use designations. All other existing General Plan Land Use designations would be maintained under the Modified Project. Please refer also to Addendum Section 2.0, *Modified Project-Description*; 2.2.2, *Modified Project Land Use Designations* for details regarding General Plan Land Use designations under the Modified Project.

Specific Plan Land Use Designations

Under the Original Project, Planning subareas 1A – 1F, located in the northerly portion of the Specific Plan (north of Chino Drive) allow residential densities of up to 5 du/ac. Under the Modified Project, these Planning Areas would be re-apportioned into 3 subareas allowing for a range of residential densities as follows: Planning subarea 1A, 0.0 – 5.0 du/ac; Planning subarea 1B, 5.1 – 12.0 du/ac; and Planning subarea 1C, 12.1 – 25.0 du/ac. Additionally, under the Original Project the residential Planning subareas located southerly of Chino Avenue misrepresented the residential product types allowed, by only stating development of Small Lot Single-Family Detached residential products. Under the Modified Project, clarification is added to the residential products allowed by including Single-Family Attached residential in the affected subareas.

As amended under the Modified Project, Planning Area 7 would be apportioned into sub areas 7A/7B, and the Specific Plan Land Use designations for would be changed from “Regional Commercial,” “Stand Alone Residential Overlay,” and “Mixed-Use Overlay” to “Light Industrial,” “Regional Commercial,” and “Open Space Non-Recreation.”

As amended under the Modified Project, the Regional Commercial land use within Planning Area 6A is moved into Planning Area 9A, with no net change to the combined 6A/9A uses in the Specific Plan; Under this reorganization of land uses, Planning Area 6A will comprise a Stand-Alone Residential Overlay only.

All other existing Specific Plan Land Use designations would be maintained under the Modified Project. Please refer also to Addendum Section 2.0, *Modified Project-Description*; 2.2.2, *Modified Project Land Use Designations* for details regarding Specific Plan Land Use designations under the Modified Project.

The Modified Project’s proposed General Plan Land Use Amendment and Specific Plan Amendment is intended to achieve land use designations that best represent the development and land use activities contemplated by the Modified Project. When a project includes amendments to the applicable land use designation(s), inconsistency with the existing designation(s) is an element of the project itself, which then requires a

legislative policy decision of the agency. The request and subsequent approval of a change in designation in this regard does not signify a potential environmental effect.

Moreover, the Modified Project would be required to comply with applicable Policy Plan Policies, applicable requirements of the Rich-Haven Specific Plan (as amended), and provisions of the City Development Code. Collectively, the Policy Plan Policies, the amended Specific Plan, and the City Development Code act to minimize potential environmental effects that may result from the land uses implemented under the Modified Project. On this basis, the potential for the Modified Project to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect is considered less-than-significant.

Based on the preceding, when compared to impacts identified in the Certified EIR, no new or substantially increased environmental impacts due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; *Rich-Haven Specific Plan Amendment*, January 2021; Modified Project Design Concepts.

12. MINERAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that implementation of The Ontario Plan would have no potential to result in the loss of a known mineral resource of value to the region or the state; or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan (Certified EIR, p. 5.11-7).

Certified EIR Mitigation Measures: None.

Modified Project: Underlying conditions at the subject site have not changed since preparation of the Certified EIR, and the site remains devoid of any potentially valuable or locally-important mineral resources. On this basis, the Modified Project would have no potential to result in the loss of a known mineral resource of value to the region or the state; or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No new or substantially increased mineral resources impacts would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

13. NOISE

Would the project result in:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					X	
b) Generation of excessive groundborne vibration or groundborne noise levels?					X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that new development implemented pursuant to The Ontario Plan would result in an increase in traffic on local roadways, and substantially increase the ambient noise environment (Certified EIR, p. 5.12-27). The Certified EIR determined that “[n]o mitigation measures are available that would prevent noise levels along major transportation corridors from increasing as a result of substantial increases in traffic volumes” (Certified EIR, p. 5.12-40). The Certified EIR also concluded that new development could be exposed to excessive transportation-source

noise levels. Certified EIR Mitigation Measure 12-1, below, would reduce but would not avoid this impact or reduce the impact to levels that would be less-than-significant.

Additionally, because construction activities associated with new development may occur near noise-sensitive receptors and noise disturbances may occur for prolonged periods of time, construction-source noise impacts were considered potentially significant (Certified EIR, p. 5.12-37). Certified EIR Mitigation Measure Mitigation Measure 12-4, below, would reduce but would not avoid this impact or reduce the impact to levels that would be less-than-significant.

Certified EIR Mitigation Measures:

- 12-1 *Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).*
- 12-4 *Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.*

Even with the implementation of Mitigation Measures 12-1 and 12-4, the Certified EIR concluded that buildout of the City pursuant to The Ontario Plan would result in a substantial temporary and/or permanent increase in ambient noise levels (Certified EIR, pp. 5.12-41 – 5.12-42).

Modified Project: Potential noise impacts of the Modified Project are evaluated in 2021 *Rich-Haven Specific Plan Amendment Project Noise Impact Assessment* (Urban Crossroads, Inc.) February 8, 2021 (Noise Impact Analysis, Addendum Appendix C). Analysis and conclusions of the Noise Impact Analysis are summarized below. As substantiated in the Noise Impact Analysis, when compared to findings of the Certified EIR, the Modified Project would not result in any new or substantially increased noise impacts.

Noise Standards⁶

Construction-Source Noise

The City of Ontario has set restrictions to control noise impacts associated with construction. Construction noise would be considered significant if construction activities occurring outside of the hours specified (7:00 AM and 6:00 PM weekdays and 9:00 AM to 6:00 PM weekends, excluding federal holidays) or if construction activities substantially elevate the ambient noise environment at noise-sensitive uses for a substantial period. The Modified Project construction activities would comply with the City approved hour of activity restrictions, thereby precluding construction activities during noise-sensitive time periods.

Neither The Ontario Plan Policy Plan Noise Element nor the City of Ontario Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers. For the purposes of this analysis, a numerical construction threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* is employed. The FTA considers a daytime exterior construction noise level of 80 dBA L_{eq} as a reasonable threshold for noise sensitive land uses (Noise Impact Analysis, p.5).

Operational-Source Noise

The City of Ontario requires that noise from new stationary sources in the City comply with the City's Noise Ordinance, which limits the acceptable noise at the property line of

⁶ Although the Modified Project site is located within the City of Ontario, potentially affected receivers in the adjacent City of Eastvale were also considered. A review of the area indicates that existing land uses east of Milliken Avenue in the City of Eastvale comprise developed or developing industrial land uses. Proximate City of Eastvale land uses are not noise/vibration sensitive. Noise and/or vibration generated by the Modified Project and that may be received at these City of Eastvale land uses would not be potentially significant impacts.

the impacted property, to reduce nuisances to sensitive land uses. For Manufacturing and Industrial land uses (Noise Zone V) ambient exterior noise levels may not exceed 70 dBA Leq. For residential land uses (Noise Zone I), ambient exterior noise levels may not exceed 65 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.), and may not exceed 45 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.).

Ambient Conditions

To assess the existing noise level environment, six 24-hour noise level measurements were taken at noise sensitive receiver locations in the Modified Project study area. Table 13-1 presents the ambient noise measurements. Please also refer to Noise Impact Analysis Exhibit C, *Noise Measurement Locations*.

**Table 13-1
Ambient Noise Measurements**

Location	Description	Energy Average Noise Level (dBA Leq)	
		Daytime	Nighttime
L1	Located north of the Modified Project site on San Lorenzo River Road near existing single-family residential home at 3567 San Lorenzo River Road.	59.4	55.5
L2	Located northeast of the Modified Project site on Mill Creek Avenue near Colony High School at 3850 East Riverside Drive.	57.8	52.7
L3	Located east of the Modified Project site on Mill Creek Avenue near existing single-family residential homes at 3936 E Millcreek Paseo.	50.3	46.3
L4	Located west of the Modified Project site on Edison Avenue near existing single-family residential home at 10823 Edison Avenue.	55.9	52.7
L5	Located southwest of the Modified Project site on Haven Avenue near existing single-family residential homes at 4157 South Blackstone Privado.	57.9	53.3
L6	Located west of the Modified Project site on Haven Avenue near existing single-family residential homes at 3453 Pine Ridge Loop.	63.4	55.7

Source: 2021 Rich-Haven Specific Plan Amendment Project Noise Impact Assessment (Urban Crossroads, Inc.) February 8, 2021.

Sensitive Receivers

The following receiver locations, shown at Noise Impact Analysis Exhibit D *Sensitive Receiver Locations*, were identified as representative noise impact analysis locations.

R1: Represents an existing residence located at 2943 S. Alder Creek Drive in the City of Ontario. A 24-hour noise level measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Represents the outdoor recreation area (tennis courts) at the Colony High School located at 3850 E. Riverside Drive in the City of Ontario. A 24-hour noise level measurement was taken near this location, L2, to describe the existing ambient noise environment.

R3: Represents an existing residence at 3933 E. Colony Paseo in the City of Ontario. R4 is placed at the outdoor activity area behind the existing 6-foot-high wall facing the Modified Project site. A 24-hour noise level measurement was taken near this location, L3, to describe the existing ambient noise environment.

R4: Represents an existing residence at 10495 Edison Avenue in the City of Ontario. R4 is placed at the residential building façade facing the Modified Project site. A 24-hour noise level measurement was taken near this location, L4, to describe the existing ambient noise environment.

R5: Represents an existing residence on Blackstone Privado in the City of Ontario. R5 is placed at the outdoor activity area behind the existing 6-foot-high wall facing the Modified Project site. A 24-hour noise level measurement was taken near this location, L5, to describe the existing ambient noise environment.

R6: Represents an existing residence on Pine Ridge Loop in the City of Ontario. R5 is placed at the outdoor activity area behind the existing 6-foot-high wall facing the Modified Project site. A 24-hour noise level measurement was taken near this location, L6, to describe the existing ambient noise environment.

Construction-Source Noise Impacts

In the evaluation of construction-source noise impacts, the Noise Impact Analysis employs empirical reference noise measurements obtained from similar construction activities. Based on the reference construction noise levels, maximum received noise levels attributable to the Modified Project construction activities were calculated, and are summarized at Table 13-2. Compliance with applicable significance thresholds is also presented.

Table 13-2
Maximum Received Construction-Source Noise Levels

Receiver Location	Maximum Received Noise Level (dBA Leq)	Threshold (dBA Leq)	Threshold Exceeded?
R1	74.3	80	No
R2	78.0	80	No
R3	70.1	80	No
R4	76.4	80	No
R5	70.1	80	No
R6	68.8	80	No

Source: 2021 Rich-Haven Specific Plan Amendment Project Noise Impact Assessment (Urban Crossroads, Inc.) February 8, 2021.

As shown at Table 13-2, received construction-source noise levels would not exceed the FTA threshold employed herein and would therefore be less-than-significant. Construction-source noise levels that comply with applicable standards do not comprise a substantial permanent increase in ambient noise levels, or a substantial temporary or periodic increase in ambient noise levels.

As summarized in the preceding discussions, received construction-source noise levels would comply with applicable standards. Moreover, construction-source noise would not represent a substantial temporary or periodic increase in ambient noise levels.

Operational-Source Noise Impacts

The Noise Impact Analysis assumes the Modified Project would be operational 24 hours per day, seven days per week. The Modified Project operations would primarily be conducted within enclosed buildings, except for traffic movement, parking, and the loading/unloading of trucks at designated loading bays. Operational noise sources are expected to include: short

term truck idling, delivery truck activities, backup alarms, loading/unloading of dry goods, roof-top air conditioning units, and parking lot vehicle movements. In the evaluation of operational-source noise impacts, the Noise Impact Analysis employs empirical reference noise measurements obtained from existing similar uses. Maximum received noise levels attributable to the Modified Project operational activities were calculated, and are summarized at Table 13-3. Compliance with applicable significance thresholds is also presented.

Table 13-3
Maximum Received Operational-Source Noise Levels

Receiver Location	Maximum Received Noise Level (dBA Leq)	Daytime Threshold (dBA Leq)	Threshold Exceeded?	Nighttime Threshold (dBA Leq)	Threshold Exceeded?
R1	33.7	65	No	45	No
R2	39.2	65	No	45	No
R3	40.7	65	No	45	No
R4	43.8	65	No	45	No
R5	34.8	65	No	45	No
R6	34.3	65	No	45	No

Source: 2021 Rich-Haven Specific Plan Amendment Project Noise Impact Assessment (Urban Crossroads, Inc.) February 8, 2021.

As shown at Table 13-3, received operational-source noise levels would not exceed the City of Ontario exterior noise level limits of 65 dBA Leq (daytime) and 45 dBA Leq (nighttime) at potentially affected receivers. Operational noise levels that comply with applicable standards do not comprise a substantial permanent increase in ambient noise levels, or a substantial temporary or periodic increase in ambient noise levels.

As summarized in the preceding discussions, received operational-source noise levels would comply with applicable City standards. Moreover, operational-source noise would not represent a substantial temporary or periodic increase in ambient noise levels.

Vehicular-Source Noise Impacts

Trip generation for the Modified Project was compared to trip generation that would occur under the development of the subject site envisioned under the Original Project. When compared to the Original Project land uses, total daily trip generation (passenger car

equivalents, PCE) under the Modified Project would be reduced by approximately 5 percent (see also: Checklist Item 17., *Transportation*). Reduced trip generation under the Modified Project would translate to diminished vehicular-source noise impacts when compared to impacts resulting from the Original Project and reflected in the Certified EIR. On this basis, when compared to the Certified EIR findings, no new or substantially increased vehicular-source noise impacts would occur under the Modified Project.

Project Conditions of Approval: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that mobile-source and stationary/area-source vibration impacts associated with buildout of The Ontario Plan would be less-than-significant. However, construction activities associated with buildout of the individual land uses could expose sensitive uses to strong levels of groundborne vibration. Additionally, sensitive land uses along the Union Pacific railroad corridor would be exposed to strong levels of groundborne vibration. These are potentially significant impacts.

Certified EIR Mitigation Measures:

12-2 *Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).*

12-3 *Prior to the issuance of building permits for any project that involves a vibration-sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration*

amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.

The Certified EIR concluded even with the implementation of Mitigation Measure 12-2, construction-source groundborne vibration impacts would be significant and unavoidable. The Certified EIR concluded further that Mitigation Measure 12-3 would reduce vibration impacts along the Union Pacific railroad corridor to levels that would be less-than-significant (Certified EIR, pp. 5.12-40 – 5.12-42).

Modified Project:

Construction-Source Vibration

Construction activities can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Groundborne vibration from construction activities would cause only intermittent, localized intrusion. Construction activities most likely to result in potential vibration impacts include:

- **Heavy Construction Equipment:** Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration, the vibration is usually short-term and is not of sufficient magnitude to cause building damage. It is not expected that heavy equipment such as large bulldozers would operate close enough to any residences to cause a vibration impact.
- **Trucks:** Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

In the evaluation of construction-source vibration impacts, the Noise Impact Analysis employs reference construction-source vibration data published by the Federal Transit

Administration (FTA). Maximum received construction-source vibration levels are summarized at Table 13-4.

Table 13-4
Maximum Received Construction-Source Vibration Levels

Receiver Location	Maximum Received Vibration Level (VdB)	Threshold (VdB)	Threshold Exceeded?
R1	65.7	78	No
R2	49.6	78	No
R3	67.3	78	No
R4	68.3	78	No
R5	66.9	78	No
R6	67.9	78	No

Source: 2021 Rich-Haven Specific Plan Amendment Project Noise Impact Assessment (Urban Crossroads, Inc.) February 8, 2021.

Table 13-4 shows the maximum received construction-source vibration levels are expected to range from 49.6 VdB – 68.3 VdB. These vibration levels would not exceed the acceptable 78 VdB criteria for residential uses established by the FTA. Moreover, received vibration levels are unlikely to be sustained during the entire construction period. Rather, maximum vibration levels would be received only during times that heavy construction equipment is operating at the site perimeter. Based on the preceding, construction-source vibration impacts would be less-than-significant.

Operational-Source Vibration

Heavy trucks moving on-site, to and from loading dock areas have the potential to result in off-site vibration impacts. The Modified Project does not propose fixed uses or operations that would result in substantial vibration.

Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. Typical vibration levels for heavy trucks operating at normal traffic speeds do not exceed 65 VdB at 25 feet. Therefore, given that delivery trucks would be traveling on-site at lower speeds, unmitigated operational-source vibration levels at potentially affected receiver locations are anticipated to remain below 65 VdB. As such, received operational-source vibration levels would not exceed the acceptable 78 VdB criteria for residential uses identified

by the FTA. On this basis, the operational-source vibration impacts resulting from transiting heavy trucks would be less-than-significant.

Based on the preceding, the potential for the Modified Project to result in the generation of excessive groundborne vibration or groundborne noise levels is considered less-than-significant. When compared to findings of the Certified EIR, no new or substantially increased vibration impacts would result from the Modified Project.

Project Conditions of Approval: None.

c) No Changes or New Information Requiring Preparation of an MND or EIR.

Certified EIR Conclusions: Aircraft overflights, takeoffs, and landings in the City of Ontario contribute to the ambient noise environment. The Certified EIR concluded that Chino Airport does not significantly affect sensitive receptors within the City of Ontario. However, sensitive land uses within the 65 dba CNEL noise contour of the Ontario International Airport would be exposed to substantial levels of airport-related noise. Even with the implementation of mitigation, airport-related noise was deemed a significant and unavoidable impact of The Ontario Plan (Certified EIR, pp. 5.12-40 – 5.12-42).

Certified EIR Mitigation Measures: Please Refer to Mitigation Measure 12-1, above.

Modified Project: The Modified Project site is located approximately 2.6 miles southeasterly of the Ontario International Airport (ONT). The Ontario International Airport Land Use Compatibility Plan was adopted by Ontario City Council on April 19, 2011 (amended 2018) to promote compatibility between the airport and the land uses that surround it. The Modified Project site is located within the ONT airport influence area, but is not located within a designated noise impact zone. The Modified Project would therefore not be exposed to excessive airport/airfield-source noise levels associated with ONT operations. The Modified Project would not otherwise be exposed to potentially adverse airport/airfield-source noise levels, nor does the Modified Project propose or require uses that would contribute to or exacerbate airport-source noise impacts.

Based on the preceding, the Modified Project would not be adversely affected by airport/airfield noise, nor would the Modified Project contribute to or result in adverse airport/airfield noise impacts. When compared to the Certified EIR findings, no new or substantially increased airport/airfield noise impacts would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; *2021 Rich-Haven Specific Plan Amendment Project Noise Impact Assessment* (Urban Crossroads, Inc.) February 8, 2021; Modified Project Design Concepts.

14. POPULATION AND HOUSING

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?					X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, while development of the City pursuant to The Ontario Plan would increase both population and employment, impacts would be less-than-significant (Certified EIR, pp. 5.13-12 – 5.13-20).

Certified EIR Mitigation Measures: None.

Modified Project:

Direct Population Growth Inducement

Alternative residential products would be implemented under the Modified Project. However, the total residential unit count would not be affected. The Modified Project would not substantially alter or affect the total residential unit count when compared to the Original Project. The Modified Project would therefore not substantially affect direct population growth when compared to the Original Project.

Indirect Growth Inducement

Indirect population growth inducement could result from creation of additional jobs and the extension of infrastructure and services to areas not currently served, or substantial capacity/capability upgrades to existing systems and services.

In general terms, job creation furthers growth via wages, salaries and general fiscal benefits; increased demands for housing; and increased demand for consumer goods and services. Jobs created by or resulting from the Modified Project would be typical of area employment opportunities, and would be filled by the local residents with no substantial increase in population.

The Modified Project would implement infrastructure improvements that are consistent with the City and purveyor master plans. Growth that may result from or be facilitated by the Modified Project infrastructure improvements would not result in growth and growth-related impacts not previously considered and addressed in the Certified EIR.

Consistency with Population Growth Projections

SCAG population growth projections reflect assumptions and development scenarios incorporated in local plans including City general plans. As demonstrated in the preceding discussions, the Modified Project would not induce or generate growth beyond that reflected in The Ontario Plan and evaluated in the Certified EIR. Accordingly, the

Modified Project would not result in growth not already anticipated within SCAG population growth projections for the region.

As supported by the preceding discussions, the Modified Project would not induce substantial population growth; displace substantial numbers of existing housing; or displace substantial numbers of people. When compared to the Certified EIR findings, no new or substantially increased population and housing impacts would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public service:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Fire protection?					X	
b) Police protection?					X	
c) Schools?					X	
d) Parks?					X	
e) Other public facilities?					X	

Substantiation:

a – e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Certified EIR Section 5.14, *Public Services*, concluded that implementation of The Ontario Plan would not result in potentially significant public services impacts (Certified EIR, pp. 5.14-1 – 5.14-24).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would be constructed within an already-developed urban environment. Fire protection and police protection services are currently available to the subject site via existing facilities. Further, when compared to the Original Project, uses proposed by the Modified Project would not create substantive additional demands for school or park facilities. Development impact fees and sales tax revenues generated by the Modified Project would provide funding sources available for support and enhancement of public services commensurate with incremental demands of the development. By law, the Modified Project would be required to remit school impact fees. When compared to the Certified EIR findings, no new or substantially increased public service impacts would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

16. RECREATION

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that because new development would be required to provide sufficient public parkland or pay in-lieu fees, impacts to recreational facilities would be less-than-significant (Certified EIR, pp. 5.15-12 – 5.15-15).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would not affect or alter parks and other recreational facilities approved under the Original Project. The Modified Project would not implement additional residential uses that would substantially increase demands on recreation facilities. Proposed industrial and commercial/retail uses implemented under the Modified Project would not generate additional resident populations that would substantially increase demands on recreational facilities. The potential for the Modified Project to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or to include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment is therefore considered less-than-significant. When compared to the Certified EIR findings, no new or substantially increased recreation impacts would result from the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

17. TRANSPORTATION

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?					X	
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?					X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					X	
d) Result in inadequate emergency access?					X	

Substantiation: Transportation impact analyses of the Modified Project presented below are summarized in part from *Traffic Impact Analysis Report Rich haven Specific Plan PA1 & PA7 Amendment, Ontario California* (Linscott Law & Greenspan) January 22, 2021 (Modified Project Traffic Impact Analysis, TIA). The Modified Project Traffic Impact Analysis is presented at Addendum Appendix D.

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Certified EIR Section 5.16, *Transportation and Traffic*, concluded that implementation of The Ontario Plan would not conflict with a program,

plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities (Certified EIR, pp. 5.16-41 – 5.16-46).

It is also noted that the Certified EIR included extensive discussions addressing projected Level of Service impacts resulting from implementation of The Ontario Plan. The City specifically recognizes that vehicle delay (Level of Service, LOS) deficiencies are no longer environmental impacts under CEQA.⁷ For informational purposes, the Certified EIR discussions of LOS impacts can be accessed at: <https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/31736.pdf>.

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project does not propose elements or aspects that would conflict with adopted alternative transportation policies. Transit services are currently provided to the City and the Modified Project vicinity by Omnitrans. On a long-term basis, the Modified Project may result in increased demand for public transportation as increased employment opportunities become available onsite. Transit agencies routinely review and adjust their ridership schedules to accommodate shifts in demand for services. As part of the City's standard development review processes, the need for transit-related facilities, bicycle, and pedestrian access would be coordinated between the City and the Applicant.

The Modified Project would accommodate and would not interfere with the City *Multipurpose Trails and Bikeway Corridor Plan*. The Modified Project would provide internal and perimeter pedestrian and bicycle amenities consistent with provisions of the Specific Plan Amendment and City Conditions of Approval.

Based on the preceding, the potential for the Modified Project to conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities would be less-than-significant.

⁷ CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS) shall not constitute a significant environmental impact." (CEQA Guidelines, § 15064.3, subd. (a).)

Project Conditions of Approval: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: *CEQA Guidelines* Section 15064.3, subdivision (b) was added to the *CEQA Guidelines* in 2019. The Vehicle Miles Traveled (VMT) metric established under Section 15064.3 is recognized. The VMT metric became effective a July 2020. VMT impacts were not evaluated under the Certified EIR or the 2007 Specific Plan EIR

VMT estimates for the Original Project (current Specific Plan entitlements) were developed as one component of this Addendum GHG analysis. As presented in the Addendum GHG modeling, the current Specific Plan entitlements would generate an estimated 45,777,528 VMT annually (GHGA/AQIA Memo, Attachment C, *Original Project CalEEMod Operations Emissions Model Outputs, Annual*, p. 55 of 67).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would generate and estimated at 28,395,304 VMT annually (GHGA/AQIA Memo, Attachment B, *Modified Project CalEEMod Operations Emissions Model Outputs, Annual*, p. 56 of 71). When compared to the Original Project, Annual VMT would be reduced by approximately 38 percent under the Modified Project (28,395,304 VMT/45,777,528 VMT). Based on the reduction in VMT when compared to the Original Project, no new significant, substantially increased, or substantially different VMT impacts would occur as a result of the Modified Project. No changed or new information has been identified to indicate that any potential VMT impacts resulting from the Modified Project would be different from those that would result from the Original Project.

Project Conditions of Approval: None.

c, d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that buildout of the City pursuant to The Ontario Plan would result in changes to the circulation network. Such changes would however be implemented consistent with City roadway classification and roadway design standards, acting to preclude potential design hazards. Additionally, City Design Review processes ensure that adequate emergency access is provided for all new development projects. On this basis, there would be no impacts related to hazardous design features, or emergency access provisions (Certified EIR, p. 5.16-36).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project does not propose elements or aspects that would substantially increase transportation/traffic hazards. Moreover, all improvements under the Modified Project would be designed and implemented consistent with recommendations of the TIA (see: TIA Section 10.0, *Recommended Improvements*), the Specific Plan Amendment (see: SPA Section 4.1, *Circulation Plan*), and City traffic engineering and safety standards, thereby minimizing the potential to result in or cause hazardous traffic/transportation conditions.

The Modified Project would generate urban traffic comparable to and compatible with the vehicle mix and vehicle categories present within the area roadway system. The Modified Project uses would therefore not cause or result in incompatible vehicle movements or traffic that would substantively increase hazards. Further, based on the projected net decrease in trip generation under the Modified Project, the potential for the Modified Project to result in potential traffic hazards would likely be reduced when compared to the uses entitled under the Original Project and assumed within the Certified EIR.

Additionally, pursuant to the Modified Project Construction Traffic Management Plan (please refer to Addendum Section 2, *Project Description*, 2.4.7 *Construction Area Traffic Management Plan*), the Modified Project would be required to maintain appropriate access during construction activities.

Based on the preceding, when compared to the Certified EIR findings, no new or substantially increased design hazards or emergency access impacts would occur under the Modified Project.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Traffic Impact Analysis Report Rich Haven Specific Plan PA1 & PA7 Amendment, Ontario California (Linscott Law & Greenspan) January 22, 2021; Rich-Haven Specific Plan Amendment Ontario, California, 2021; Modified Project Design Concepts.*

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or						X
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.						X

Substantiation:

a, b) *No Impact.*

Certified EIR Conclusions: This environmental topical concern has recently been added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form and was therefore not specifically addressed in the Certified EIR. Impacts to archaeological and tribal resources generally are addressed at Certified EIR Section 5.5, *Cultural Resources*. With the implementation of mitigation, the Certified EIR concluded that impacts to archaeological resources would be less-than-significant (Certified EIR, p. 5.5-24).

Certified EIR Mitigation Measures:

5-3 *Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.*

5-4 *Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources,*

sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.

Modified Project: As discussed previously at Checklist Item 5, *Cultural Resources*, with incorporation of mitigation, neither the Original Project nor the Modified Project would potentially adversely affect historic, archaeological, or paleontological resources. Neither the Original Project nor the Modified Project would potentially adversely affect human remains.

Additionally, evaluation of impacts to tribal cultural resources pursuant to AB 52, Gatto. Native Americans: California Environmental Quality Act applies only to CEQA projects that are required to file a Notice of Preparation for an Environmental Impact Report, or Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration. Because the Modified Project would not be required to file any of the mentioned documents, AB 52 requirements addressing potential impacts to tribal resources are not applicable within the context of this Addendum analysis.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?					X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?					X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?					X	

Substantiation:

a – c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, although buildout of The Ontario Plan would generate additional wastewater, it would be adequately treated in accordance with Regional Water Quality Control Board and California Department of Public Health requirements. Additionally, storm drainage systems would be expanded to accommodate growth associated with the buildout of The Ontario Plan. Compliance with regulatory requirements and standard conditions of approval would reduce impacts to water treatment, wastewater treatment, and storm water management to levels that would be less-than-significant (Certified EIR, pp. 5.17-25, 5.17-28).

The Certified EIR also determined that buildout of The Ontario Plan would create a four percent greater need for water supply than previously assessed in the 2005 City of Ontario Urban Water Management Plan. Mitigation Measures 17-1 through 17-3 were included to preclude significant water supply impacts (Certified EIR, p. 5.17-20).

Certified EIR Mitigation Measures:

17-1 *The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to:*

- a) *Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council).*
- b) *Continue to develop and implement drought contingency plans to assist citizens and businesses reduce water use during water shortages and emergencies.*
- c) *Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB 325.*

17-2 *The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual-system office and industrial uses in selected urban areas of the City, where available and feasible.*

17-3 *The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays*

in long-term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.

Modified Project:

Infrastructure Systems

Necessary infrastructure systems are locally available to the Modified Project. The Modified Project does not propose or require construction of major infrastructure systems that could result in potentially significant environmental impacts. All proposed connections to and any necessary modification of serving infrastructure systems would conform to provisions of the 2021 Specific Plan Amendment (see: SPA Section 4 - *Infrastructure and Services*), City, and purveyor requirements. On this basis, the potential for the Modified Project to result in significant environmental impacts attributable to the construction or relocation of serving infrastructure systems would be less-than-significant.

Water Supply

Senate Bill 610 (SB610) was signed into California state law with an effective date of January 1, 2002. SB 610 amended existing legal requirements for confirmation of water supply sufficiency as a condition of approval for development projects. The confirmation of water supply sufficiency is achieved through an assessment of the water supplier's existing and future water sources, and existing and projected water demand in relation to a "project" as defined by California Water Code (CWC) section 10912, resulting in the production of a project-specific Water Supply Assessment ("WSA" or "Assessment"). Additional analysis is required in the WSA if any portion of the water supply includes groundwater. The WSA is prepared and adopted by the water supplier and included in the California Environmental Quality Act (CEQA) analysis for the project. The CEQA Lead Agency must then independently determine, based on the entire record, whether water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses (CWC section 10911).

Consistent with SB 610 requirements, a WSA has been prepared for the Modified Project. See: *Water Supply Assessment and Written Verification of Sufficient Water Supply, Rich-Haven*

Specific Plan Amendment No. 3 (PSPA19-006) prepared for City of Ontario Municipal Utilities Company [Webb Associates] March 18, 2021, Addendum Appendix E, Modified Project WSA). The Modified Project WSA conforms to Senate Bill 610 (SB 610) requirements. A summary of the Modified Project WSA conclusions and findings is presented below.

The estimated total water demand for the [Original] Project site that was assumed in the 2015 UWMP is approximately 2,241 AFY. The estimated total water demand for the proposed [Modified] Project is approximately 2,771 AFY. This is a total difference of + 530 AFY (potable and recycled combined) that would result from the Modified Project. It can be deduced that the water demand for the [Modified] Project was not accounted for in the most recently adopted 2015 UWMP (Modified Project WSA, p 2-9).

As summarized in the Modified Project WSA “the water supplies available to OMUC currently meet and exceed citywide water demands. Groundwater production by OMUC is currently less than their existing rights and within their production capacity. Regardless, OMUC has the means and right to exceed their groundwater allocation in the Chino Basin when required to meet demand pursuant to the Judgment. Further, OMUC has rights to water held in storage that would supply all City demands for more than two years. In addition to groundwater, OMUC can supply water to the [Modified] Project purchased from the [Water Facilities Authority] WFA that is within their existing entitlements and capacities. Therefore, OMUC can meet the additional unplanned water demand of the proposed [Modified Project by producing additional groundwater or purchasing imported water supplies to which it has existing rights to and available capacity to use” (Modified Project WSA, p. 4-19).

OMUC would review water demands of subsequent development proposals within the Specific Plan Area to ensure adequacy of water supplies for each development or increment of development. Certificate(s) of Occupancy for the Modified Project uses would be contingent on OMUC issuance of water “Will-Serve” letters for each development or increment of development.

Based on the preceding, there would be sufficient water supplies to serve the Modified Project, and the Modified Project would not result in water supply demands not considered and addressed in the Certified EIR.

Water Treatment/Wastewater Treatment

No additional or non-standard treatment is required to meet the Modified Project's water demands or wastewater treatment demands. The Modified Project would be required to pay applicable water and sewer connection and service fees, which act to fund water/wastewater system improvement plans, operations, and maintenance – and offset effects of area development. On this basis, the Modified Project would not result in potentially adverse impacts to water treatment or wastewater treatment systems. Based on the preceding, the Modified Project would not result in infrastructure, water supply, water treatment, or wastewater treatment impacts that would be substantially different than or greater than impacts considered and addressed in the Certified EIR.

Project Conditions of Approval: None.

d, e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that buildout of The Ontario Plan would be served by landfills with sufficient permitted capacities to accommodate all solid waste disposal needs. Additionally, no conflicts with federal, state, and local management and reduction statutes and regulations related to solid waste were identified. The Certified EIR determined that impacts related to solid waste would be less-than-significant (Certified EIR, p. 5.17-31).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would result in comparable uses and development intensities when compared to the Original Project. Related solid waste management demands of the Modified Project would be comparable to those of the Original Project. Moreover, the Modified Project would comply with applicable solid

waste management and reduction statutes and regulations (summarized below), acting to further reduce solid waste management impacts of the Modified Project.

City of Ontario Construction & Demolition Recycling Plan (CDRP)

Pursuant to Ontario Municipal Ordinance (OMC) Sec. 6-3.602 *Construction & Demolition Recycling Plan* and the 2016 California Green Building Standards Code (CALGreen), all building and demolition permit applicants are required to prepare and submit a Construction & Demolition Recycling Plan (CDRP) and a Construction & Demolition Recycling Plan (CDRP) Summary Report. OMC Sec. 6-3.602 and CALGreen require all construction and qualifying renovation and demolition projects to divert at least 65% of all generated waste materials. The Modified Project would be subject to (OMC) Sec. 6-3.602 and CALGreen construction waste diversion mandates. The City oversees compliance with OMC Sec. 6-3.602 and CALGreen construction waste diversion mandates.

AB 939 - California Integrated Waste Management Act of 1989

Solid waste management is guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. AB 939 requires that localities conduct a Solid Waste Generation Study (SWGS) and develop a Source Reduction Recycling Element (SRRE), providing for a minimum 50 percent reduction in waste sent to landfills. Diversion rates are calculated and tracked by the California Integrated Waste Management Board (Board). Alternatively, the Board can determine that a jurisdiction's "good faith efforts" to implement comprehensive diversion programs have satisfied the requirement even if diversion levels are below 50 percent.

To reduce waste disposal, AB 939 requires every California city and county to divert 50 percent of its waste from landfills. Residential, commercial and governmental waste recycling programs in support of the SRRE have been implemented by the City.

The City is currently meeting or exceeding all AB 939 solid waste diversion targets. The Modified Project would be required to comply with AB 939 as implemented by the City.

AB 341 - Commercial Recycling

Assembly Bill 341 mandates recycling for businesses producing four or more cubic yards of solid waste per week, and multifamily dwellings of five units or more. Under the law, business must separate recyclables from trash and then either subscribe to City of Ontario recycling services, self-haul their recyclables, or contract with a permitted private recycler. The Modified Project would be subject to Assembly Bill 341 mandates.

AB 1826 - Commercial Organics Recycling

Under Assembly Bill 1826, businesses are required to arrange for organic recycling services. The Modified Project would be subject to Assembly Bill 1826 mandates.

The California Department of Resources Recycling and Recovery (CalRecycle) oversees both the mandatory commercial recycling program and the mandatory commercial organics recycling program. The City of Ontario supports both bills through public outreach, monitoring of recycling efforts, providing notification to non-compliant businesses, and periodic State reporting.

The Modified Project would be required to comply with the above solid waste management statutes and regulations. The City and CalRecycle would oversee and monitor compliance with applicable solid waste management statutes and regulations.

SB 1383 - Organic Waste Management Requirements

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

The City is currently developing programs and strategies to address the requirements of SB 1383, the Modified Project would be required to ultimately abide by those requirements.

As stated in the Certified EIR, impacts to solid waste services and facilities from new development are addressed through the payment of development impact fees as outlined in the City of Ontario Development Impact Fee Calculation and Nexus Fee Schedules. With the payment of required development impact fees and compliance with existing solid waste regulations, the Modified Project would not result in any new or substantially increased solid waste impacts not previously identified within the Certified EIR.

Based on the preceding, the Modified Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals would be less-than-significant. Additionally, the Modified Project would comply with applicable solid waste management and reduction statutes and regulations. On this basis, the Modified Project would result in less-than-significant solid waste management impacts. The Modified Project would not result in solid waste management impacts substantially greater than or substantially than solid waste management impacts considered and addressed in the Certified EIR.

Project Conditions of Approval: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?						X

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?						X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?						X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?						X

Substantiation:

a – d) *No Impact.*

Certified EIR Conclusions: This environmental topical concern has been recently added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The City of Ontario as a whole is an urbanized area. Per the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone Maps, the City and the Modified Project site are not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone.

Fire protection services for the Modified Project site and vicinity are currently provided by the Ontario Fire Department (Fire Department). Adherence to Fire Department building and site design requirements, and compliance with codified fire protection and prevention measures during construction and operation of the Modified Project are required. On this basis, when compared to the Certified EIR findings, no new or substantially increased wildfire impacts would result from the Modified Project.

Project Conditions of Approval: None.

Sources: SW San Bernardino County, Fire Hazard Severity Zones in SRA (November 7, 2007); https://osfm.fire.ca.gov/media/6781/fhszs_map62.pdf; Modified Project Design Concepts.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					X	

Does the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)					X	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					X	

Substantiation:

a – c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

This Addendum defines, describes, compares, and contrasts potential environmental impacts of the Modified Project in the context of the environmental impacts assessed in the Certified EIR. In so doing, this Addendum substantiates consistency with applicable *CEQA Guidelines* provisions addressing preparation of an Addendum to a previously-Certified EIR.

As supported by the discussions presented herein, the Modified Project would not result in or cause any new significant impacts, substantively increased impacts, or substantively different environmental impacts than those previously considered and addressed in the Certified EIR. Analysis beyond that presented in this Addendum is not required or warranted.

4.0 DETERMINATION

4.0 DETERMINATION

As supported by the analysis presented herein, the potential environmental effects of the development allowed by the Modified Project, and associated required discretionary actions, have been adequately addressed in the Certified EIR. As such, the development of any further information and analysis is not warranted. Pursuant to the requirements of *CEQA Guidelines* Section 15162 and 15164, the following determinations have been made.

Major Revisions to the Certified EIR Not Required

Based on the preceding analysis and information, there is no evidence that major changes to the Certified EIR are required. This Addendum indicates that there is no new significant or more severe environmental impact, and that the development of the Modified Project described herein would essentially have the same, or reduced, impacts as those considered and addressed in the Certified EIR.

No Substantial Change in Circumstances Requiring Major Revisions to the Certified EIR

No information exists in the record, or is otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the Certified EIR.

No New Information Showing Greater Significant Effects than Identified in the Certified EIR

This Addendum has considered all available relevant information to determine whether there is new information, which was not available at the time the Certified EIR was prepared, that may indicate that a new significant effect may occur that was not reported in the Certified EIR. As supported by the analysis presented in this

Addendum, there is no substantial new information that was not available at the time of the Certified EIR, indicating that there would be a new, significant impact requiring major revisions of the Certified EIR.

No New Information Showing Ability to Reduce Significant Effects Identified in the Certified EIR

The Addendum analysis substantiates that there are no significant impacts requiring identification of alternatives to the Modified Project. The continued implementation of applicable mitigation from previous relevant CEQA documents as incorporated in this Addendum Measures reduce the Modified Project's potentially significant impacts to levels that are less-than-significant.

Summary

The analysis presented in this document substantiates that the analysis presented in the Certified EIR is sufficient to satisfy CEQA requirements for the proposed Modified Project. That is, with incorporation of mitigation, implementation of the Modified Project described and evaluated herein would not result in any significant new, different, additional, or substantially increased environmental impacts than were previously considered and addressed in the Certified EIR. As such, environmental assessment of the Modified Project does not require any major revision of the previously-approved Certified EIR, nor would development allowed by the Modified Project result in conditions that would require preparation of further analysis as described in the *CEQA Guidelines*.

5.0 MITIGATION SUMMARY

5.0 MITIGATION SUMMARY

5.1 OVERVIEW

The following Table 5.1-1, *Mitigation Summary Matrix*, presents relevant mitigation measures incorporated in the Certified EIR and the 2007 Rich-Haven Specific Plan EIR.

Mitigation Measures that are no longer required are indicated by ~~strikeout font~~. The “Remarks” column identifies status and applicability of all Mitigation Measures.

At the discretion of the City, any of the mitigation measures identified at Table 5.1-1 may be modified to respond to conditions and context as they may apply to development proposed by the Modified Project. Any such discretionary modifications shall not result in any new significant environmental impacts. Rather, modifications (if any) would ensure compliance and consistency with current City goals, policies, regulations, and development programs/plans.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
Aesthetics	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all aesthetics impacts of the Modified Project would be less-than-significant, or no impacts would result from the Modified Project. No mitigation is required of the Modified Project.
Agriculture and Forestry Resources	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all agriculture and forestry resources impacts of the Modified Project would be less-than-significant, or no impacts would result from the Modified Project. No mitigation is required of the Modified Project.
Air Quality	
<p>3-1 The City of Ontario Building Department shall require that all new construction projects incorporate all feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:</p> <ul style="list-style-type: none"> • Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as: <ul style="list-style-type: none"> ○ Requiring use of nontoxic soil stabilizers to reduce wind erosion. ○ Applying water every four hours to active soil disturbing activities. ○ Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. ○ Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits. 	Not Applicable. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. The Modified Project would not result in air quality impacts not previously considered and addressed in the Certified EIR.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> o Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards. o Limiting nonessential idling of construction equipment to no more than five consecutive minutes. o Using Super Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf. 	
<p>3-2 The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).</p>	<p>This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. The Modified Project would not result in air quality impacts not previously considered and addressed in the Certified EIR.</p>
<p>3-3 The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.</p>	<p>This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. The Modified Project would not result in air quality impacts not previously considered and addressed in the Certified EIR.</p>
Cultural Resources	
<p>5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of development approvals in the Focus Areas.</p>	<p>This Certified EIR Mitigation Measure is not applicable to the Modified Project. No historic or potentially historic resources exist within the Modified Project site. The Modified Project would not result in historic resources impacts not previously considered and addressed in the</p>

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
	Certified EIR.
<p>5-2 <i>In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:</i></p> <p><i>a) Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.</i></p> <p><i>b) Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director is satisfied that adequate provisions are in place to protect these resources.</i></p> <p><i>c) Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.</i></p>	Applicable. This Measure is carried forward from the Certified EIR and shall be implemented by the Modified Project.
<p>5-3 <i>Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist</i></p>	Applicable. This Measure is carried forward from the Certified EIR and shall be implemented by the Modified Project.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
<i>shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.</i>	
<i>5-4 Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.</i>	Applicable. This Measure is carried forward from the Certified EIR and shall be implemented by the Modified Project.
Energy	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all energy impacts of the Modified Project would be less-than-significant, or no impacts would result from the Modified Project. No mitigation is required of the Modified Project.
Geology and Soils	
Please refer to Mitigation Measure 5-2, presented previously.	Applicable. Mitigation is carried forward from the Certified EIR and shall be implemented by the Modified Project.

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
Greenhouse Gas Emissions	
<p>6.1 The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State’s efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:</p> <ul style="list-style-type: none"> • Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on schedule to achieve the GHG reduction targets, additional measures shall be implemented, as identified in the CAP. • The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community. • The City shall define a “business as usual” scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario. 	<p>This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to prepare a Climate Action Plan. This is not a mitigation measure for the Modified Project. The Modified Project would not result in greenhouse gas (GHG) emission impacts or climate change impacts not previously considered and addressed in the Certified EIR. The Modified Project would implement applicable provisions of the incumbent Climate Action Plan.</p>

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City: • A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32. • A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions. • A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions. 	
<p>6.2 The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6.1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):</p>	<p>This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive guiding preparation of, and content of, the Climate Action Plan. This is not a mitigation measure for the Modified Project. The Modified Project would not result in greenhouse gas (GHG) emission impacts or climate change impacts not previously considered and addressed in the Certified EIR. The Modified Project would implement applicable provisions of the incumbent Climate Action Plan.</p>

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria. • Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency. • Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris. • Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling. • Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate. • Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City. • Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Install energy efficient lighting and lighting control systems in all municipal buildings. • Require all new traffic lights installed be energy efficient traffic signals. Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system. • Require all new landscaping irrigation systems installed within the City to be automated, high efficient irrigation systems to reduce water use and require use of bubbler irrigation; low angle, low flow spray heads; or moisture sensors. Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization. • Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions. • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping. • Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, 	

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
<p>ride sharing, car sharing, bicycling and walking.</p> <ul style="list-style-type: none"> • Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. • Facilitate employment opportunities that minimize the need for private vehicle trips, by: • Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. • Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. • Establish policies and programs to reduce onsite parking demand and promote ridesharing and public transit at large events. • Support and promote the use of low and zero emission vehicles, by: • Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. • Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug-in electric hybrids (PHEV). • Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<p>fleet mixes.</p> <ul style="list-style-type: none"> • Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles. • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA). • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques. • Support the use of green building practices by: <ul style="list-style-type: none"> • Providing information, marketing, training, and technical assistance about green building practices. • Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development. • Adopt energy efficiency performance standards for buildings 	

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
<p>designed to achieve a greater reduction in energy and water use than currently required by state law, including:</p> <ul style="list-style-type: none"> • Standards for the installation of "cool roofs". • Standards for improved overall efficiency of lighting systems. • Requirements for the use of Energy Star appliances and fixtures in discretionary new development. • Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer. • Establish policies and programs that facilitate the siting of new renewable energy generation. • Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. • Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: <ul style="list-style-type: none"> • Conducting energy audits. • Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<p>window glass.</p> <ul style="list-style-type: none"> • Implementing an energy tracking and management system for its municipal facilities. • Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. • Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. • Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). • Installing Energy Star® appliances and energy efficient vending machines. • Improving water use efficiency, including a schedule to replace or retrofit system components with high efficiency units (i.e., ultra low flow toilets, fixtures, etc.). • Installing irrigation control systems which maximize water use efficiency and minimize off peak use. • Adopting an accelerated replacement schedule for energy inefficient systems and components. • Insure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<p>including:</p> <ul style="list-style-type: none"> • Providing energy efficiency training to design, engineering, building operations, and maintenance staff. • Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use. • Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards. • Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off peak demand schedules for heavy commercial and industrial users. • Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models. • Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators. • Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel. • Conduct a comprehensive inventory and analysis of the urban 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<p>forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices.</p> <ul style="list-style-type: none"> • Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and will install or replace vegetation with drought tolerant, low maintenance native species or edible landscaping that can also provide shade and reduce heat island effects. • Implement enhanced programs to divert solid waste from landfill operations, by: • Establishing a diversion target which meets or exceeds AB 939 requirements. • Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced. • Reduce per capita water consumption consistent with state law by 2020. • Establish a water conservation plan that may include such policies and actions as: • Maintaining and refining the City's tiered rate structure for water use. • Establishing restrictions on time of use for landscape watering, or other demand management strategies. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Establishing performance standards for irrigation equipment and water fixtures, consistent with state law. • Establish programs and policies to increase the use of recycled water, including: • Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. • Ensure that building standards and permit approval processes promote and support water conservation, by: • Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non roof impervious surfaces around the building(s). • Establishing menus and check lists for developers and contractors to ensure water efficient infrastructure and technology are used in new construction, including low flow toilets and shower heads, moisture sensing irrigation, and other such advances. • Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling dropoff events and neighborhood chipping/mulching days. • Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<p>envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.</p>	
<p>6.3 The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:</p> <ul style="list-style-type: none"> • Increase densities in urban core areas to support public transit, by, among other means: • Removing barriers to the development of accessory dwelling units in existing residential neighborhoods. • Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation. • Add bicycle facilities to city streets and public spaces, where feasible. • Promote infill, mixed use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones. • Plan for and create incentives for mixed use development. • Identify sites suitable for mixed use development and establish appropriate site specific standards to accommodate mixed uses which could include: • Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so. 	<p>This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to amend the Municipal Code to reflect certain GHG emission reduction concepts. The Modified Project would be required to implement applicable Municipal Code GHG emission reduction measures.</p>

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development. • Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops. • Allowing for tandem parking, shared parking and off site parking leases. • Enable prototype mixed use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling. • Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses. • Revise zoning ordinance(s) to allow local serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use. • Develop form based community design standards to be applied to development projects and land use plans, for areas designated mixed use. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non-residential uses within a quarter mile of transit centers or corridors. • Identify transit centers appropriate for mixed use development, and promote transit oriented, mixed use development within these targeted areas, by: • Providing maximum parking standards and flexible building height limitations. • Providing density bonus programs. • Establishing guidelines for private and public spaces for transit oriented and mixed use development. • Discouraging auto oriented development. • Ensure new development is designed to make public transit a viable choice for residents, including: • Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes. • Locating medium to high density development near streets served 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<p>by public transit whenever feasible.</p> <ul style="list-style-type: none"> • Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths. • Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use. • Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed-use and transit-oriented development areas, by: • Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking. • Encouraging pedestrian only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling. • Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape. • Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic. • Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage nonmotorized travel. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Ensure pedestrian access to activities and services, especially within, but not limited to, mixed use and transit oriented development areas, by:- • Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, thoroughfares. • Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed use structures. • Locating schools in neighborhoods, within safe and easy walking distances of residences served. • Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear. • Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access. • Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway. • Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping, by: • Including low water landscaping in place of hardscaping around transportation infrastructure and in parking areas. • Establishing standards that provide for pervious pavement options. • Removing obstacles to natural, drought tolerant landscaping and low water landscaping. • Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking, including, but not limited to: • Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. • Upgrade and maintain the following transit system infrastructure to enhance public use, including: • Ensuring transit stops and bus lanes are safe, convenient, clean and efficient. • Ensuring transit stops have clearly marked street level designation, and are accessible. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate. • Working with transit providers to place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals appropriate for the mode of transit. • Facilitate employment opportunities that minimize the need for private vehicle trips, by: • Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. • Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. • Establish standards for new development and redevelopment projects to support bicycle use, including: • Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including: • Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible. • Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including: 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances. • Establish a network of multi use trails to facilitate direct off street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations. • Establish policies and programs to reduce onsite parking demand and promote and public transit at large events. • Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels. • Support and promote the use of low and zero emission vehicles (NEV), by: • Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. • Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). • Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas electric hybrid vehicles. • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by ALUCP/FAA. • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques. • Support the use of green building practices by: • Establishing guidelines for green building practices in residential and commercial development. • Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices. • Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise 	

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
<p>required by current state law, including:</p> <ul style="list-style-type: none"> • Standards for the installation of "cool roofs". • Standards for improved overall efficiency of lighting systems. • Requirements for the use of Energy Star appliances and fixtures in discretionary new development. • Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy. • Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible. • Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas). • Identify and remove or otherwise address barriers to renewable energy production, including: • Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers. • Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air. • Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values. • Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate. • Require that, where feasible, all new buildings be constructed to allow for easy, cost effective installation of solar energy systems in the future, using such “solar ready” features as: • Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south sloped roof surface, where such buildings architecture and construction are designed for sloped roofs. • Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof. • Roof framing that will support the addition of solar panels. • Installation of electrical conduit to accept solar electric system wiring. • Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. • Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: • Conducting energy audits. • Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive window glass. • Implementing an energy tracking and management system for its municipal facilities. • Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. • Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. • Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). • Installing Energy Star® appliances and energy efficient vending machines. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Improving water use efficiency, including a schedule to replace or retrofit system components with high efficiency units (i.e., ultra-low flow toilets, fixtures, etc.). • Installing irrigation control systems maximizing water use efficiency and minimizing off-peak use. • Adopting an accelerated replacement schedule for energy inefficient systems and components. • Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as: • The Energy Star® New Homes Program established by U.S. EPA. • The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating. • Reduce per capita water consumption consistent with state law by 2020. • Establish a water conservation plan that may include such policies and actions as: • Maintaining and refining the City's tiered rate structure for water use. • Establishing restrictions on time of use for landscape watering, or other demand management strategies. 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law. • The City will establish programs and policies to increase the use of recycled water, including: • Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. • Ensure that building standards and permit approval processes promote and support water conservation, by: • Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non roof impervious surfaces around the building(s). • Establishing menus and check lists for developers and contractors to ensure water efficient infrastructure and technology are used in new construction, including low flow toilets and shower heads, moisture sensing irrigation, and other such advances. • Install water efficient landscapes and irrigation, including: • Requiring planting drought tolerant and native species, and covering exposed dirt with moisture retaining mulch or other materials such as decomposed granite. • Requiring the installation of water efficient irrigation systems and 	

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<p>devices, including advanced technology such as moisture sensing irrigation controls.</p> <ul style="list-style-type: none"> • Promote the planting of shade trees and establish shade tree guidelines and specifications, including: • Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.). • Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc. • Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun. • Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including: • Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low VOC producing trees, and emphasizing the use of drought tolerant native trees and vegetation. 	
<p>6.4 Measures listed in Mitigation Measure 6.2 and 6.3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).</p>	<p>This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to consider Mitigation Measure 6-2 and 6-3 while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan. This is not a mitigation measure for the Modified Project.</p>

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
	The Modified Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis. The Modified Project would implement applicable provisions of the incumbent Climate Action Plan.
6-5 Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.	This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies (SCS) plan. This is not a mitigation measure for the Modified Project. The Modified Project would not conflict with the SCS plan as implemented by the City.
6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.	This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to participate in the County of San Bernardino's Green Valley Initiative. This is not a mitigation measure for the Modified Project. The Modified Project would not interfere with or conflict with City participation in the County of San Bernardino's Green Valley Initiative.
Hazards and Hazardous Materials	
<i>9-1 Prior to the issuance of permits by the City of Ontario for any structural demolition activities on the project site, the project developer will be required to submit documentation to the City of Ontario Building Department that asbestos and lead-based paint issues are not applicable to their property or that appropriate remediation actions will be undertaken to correct any lead-based paint or asbestos issues, in conformance with the regulations of the South Coast Air Quality Management District and the State of California, Division of Occupational Health and Safety.</i>	Applicable. Mitigation is carried forward from the 2007 EIR and shall be implemented by the Modified Project.
<i>9-2 Subsequent to grading activities, testing for the presence of methane in the soil shall be performed. This testing shall conform to applicable City of Ontario standards. If methane is detected, mitigation would include the installation of under-slab methane vents, methane barrier, and sealing utilities in locations where they enter a structure and penetrate the methane</i>	Applicable. Mitigation is carried forward from the 2007 EIR and shall be implemented by the Modified Project.

**Table 5.1-1
Mitigation Summary Matrix**

Mitigation Measures	Remarks
<i>barrier.</i>	
9-3 <i>Post-grading methane gas investigation should take place near the former Scritsmier Hog Ranch (13571 Haven Avenue) where subsurface methane levels exceed 5,000 ppm. A passive vent system and gas membrane beneath the floor slab should be installed, along with utility trench dams and conduit seals.</i>	Applicable. Mitigation is carried forward from the 2007 EIR and shall be implemented by the Modified Project.
9-4 <i>Careful clearing, grubbing, segregation, and stockpiling or proper disposal of the near surface organic-rich soils at the site prior to the initiation of mass grading activities should occur.</i>	Applicable. Mitigation is carried forward from the 2007 EIR and shall be implemented by the Modified Project.
9-5 <i>Identification and segregation/stockpiling or proper disposal of deeper soils which contain elevated levels of organic material should be conducted.</i>	Applicable. Mitigation is carried forward from the 2007 EIR and shall be implemented by the Modified Project.
9-6 <i>Prior to approval of a discretionary permit or approval for development of proposed residential uses on the Hillardis property, such as a parcel map or tentative tract map, a Phase 1 Environmental Site Assessment (ESA) shall be conducted and the results of that ESA implemented. The Phase 1 ESA shall be provided to the City of Ontario and shall be included in any CEQA analysis prepared in connection with the consideration of a discretionary approval for development of the eastern half of the project site.</i>	Applicable. Mitigation is carried forward from the 2007 EIR and shall be implemented by the Modified Project.
Hydrology and Water Quality	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all hydrology and water quality impacts of the Modified Project would be less-than-significant, or no impacts would result from the Modified Project. No mitigation is required of the Modified Project.
Land Use and Planning	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all land use and planning impacts of the Modified Project would be less-than-significant, or no impacts

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
	would result from the Modified Project. No mitigation is required of the Modified Project.
Mineral Resources	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all mineral resources impacts of the Modified Project would be less-than-significant, or no impacts would result from the Modified Project. No mitigation is required of the Modified Project.
Noise	
12-1 Prior to the issuance of building permits for any project that involves a noise sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).	This Certified EIR Mitigation Measure is not applicable to the Modified Project. The Modified Project site is located within the ONT airport influence area, but is not located within a designated noise impact zone. The Modified Project would therefore not be exposed to excessive airport/airfield-source noise levels associated with ONT operations. Buildings constructed under the Modified Project would be required by law to conform to applicable noise performance standards and regulations..
12-2 Individual projects that involve vibration intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction related vibration is determined to be perceptible at vibration sensitive uses (i.e., exceed the Federal Transit Administration vibration annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be	Vibration impacts of the Modified Project have been evaluated in this Addendum and are substantiated to be less-than-significant.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
implemented during construction (e.g., drilled piles to eliminate use of vibration intensive pile driver).	
12.3 Prior to the issuance of building permits for any project that involves a vibration sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.	This Certified EIR Mitigation Measure is not applicable to the Modified Project. The Modified Project is not located directly adjacent to the Union Pacific Railroad or Southern California Regional Railway.
12.4 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction related noise to the extent feasible.	Construction-source noise impacts of the Modified Project have been evaluated in this Addendum and are substantiated to be less-than-significant.
Population and Housing	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all population and housing impacts of the Modified Project would be less-than-significant, or no impacts

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
	would result from the Modified Project. No mitigation is required of the Modified Project.
Public Services	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all public services impacts of the Modified Project would be less-than-significant, or no impacts would result from the Modified Project. No mitigation is required of the Modified Project.
Recreation	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all recreation impacts of the Modified Project would be less-than-significant. No mitigation is required of the Modified Project.
Transportation	
16-1 The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley Horn and Associates. Table 5.16-6 shows the recommended lane geometry for the Proposed Land Use Plan.	This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to assure that the Mobility Element of the Ontario Plan is consistent with the recommendations of the associated Certified EIR traffic study.
Tribal Cultural Resources	
Please refer to Mitigation Measures 5-2 through 5-4, presented under Cultural Resources.	Mitigation Measures 5-2 through 5-4 are carried forward from the Certified EIR and shall be implemented by the Modified Project.
Utilities and Service Systems	
17-1 The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable	This Certified EIR Mitigation Measure is not applicable to the Modified Project. This is a City staff directive to assure that a water use efficiency policy is included in the Policy Plan. As substantiated in this

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
<p>water demand, through conservation measures, including but not limited to:</p> <p>a) Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council).</p> <p>b) Continue to develop and implement drought contingency plans to assist citizens and businesses reduce water use during water shortages and emergencies.</p> <p>c) Revise the City Code to include a Water Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water efficient landscaping consistent with AB 325.</p>	<p>Addendum, all utilities and services impacts of the Modified Project would be less-than-significant.</p>
<p>17-2 The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual system office and industrial uses in selected urban areas of the City, where available and feasible.</p>	<p>Not Applicable. This is a City staff directive to assure that a water use efficiency policy is included in the Policy Plan maximizing the use of recycled water. This is not a mitigation measure for the Modified Project. As substantiated in this Addendum, all utilities and services impacts of the Modified Project would be less-than-significant.</p>
<p>17-3 The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.</p>	<p>Not Applicable. This is a City staff directive to assure that policy is included in the Policy Plan that requires the City to participate with regional water agency in the pursuit of additional water sources. This is not a mitigation measure for the Modified Project. As substantiated in this Addendum, all utilities and services impacts of the Modified Project would be less-than-significant</p>

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	Remarks
Wildfire	
N/A	Mitigation is not identified in previous relevant CEQA documents. As substantiated in this Addendum, all wildfire impacts of the Modified Project would be less-than-significant, or no impacts would result from the Modified Project. No mitigation is required of the Modified Project.



Development Advisory Board Decision

April 5, 2021

DECISION NO.: [insert #]

FILE NO.: PMTT20-003 (TTM 20345)

DESCRIPTION: A Tentative Tract Map (File No. PMTT20-003/TT 20345) to subdivide 6.65 acres of land into one numbered lot for condominium purposes, 26 numbered lots for single-family dwellings, and 20 lettered lots, 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: 0218-393-07, 0218-393-06, 0218-393-10, 0218-393-22, 0218-393-36, 0218-393-38, and 0218-393-39); **submitted by BrookCal Ontario LLC.**

Part I—BACKGROUND & ANALYSIS

BROOKCAL ONTARIO LLC., (herein after referred to as "Applicant") has filed an application requesting Tentative Tract Map approval, File No. PMTT20-003, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 6.65 acres of land located at northeast corner of Ontario Ranch Road and Haven Avenue and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>North:</i>	Residential Subdivision	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>South:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 9A (Mixed Use Overlay and Stand-Alone Residential Overlay)
<i>East:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>West:</i>	Residential Subdivision	Medium Density Residential	The Avenue Specific Plan	Medium Density Residential

(2) **Project Description:**

(a) **Background** — On December 4, 2007, the City Council approved the Rich Haven Specific Plan (File No. PSP05-004) and certified the related Environmental Impact Report ("EIR"). The

Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office land uses.

On February 20, 2018, the City Council approved an Amendment to the Rich Haven Specific Plan (File No. PSPA16-005) for the annexation of 72.3 acres of land located at the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed Use district of the Rich Haven Specific Plan. The amendment included updates to the development standards, exhibits, and text changes to reflect the proposed annexation and overall compliance with the Policy Plan component of The Ontario Plan ("Policy Plan"). 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 to 50 du/ac).

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, public/private streets, landscape neighborhood edges, common open space, and to facilitate the construction of three residential product types, including 6-Pack Cluster homes, Rowtown homes, and Courtyard Townhomes.

On June 25, 2019, the Planning Commission approved three Development Plans for Tentative Tract Map (File No. PMTT17-003/TTM 20081) which included:

- File No. PDEV19-010 for the construction of 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land; and
- File No. PDEV19-011 for the construction of 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land; and
- File No. PDEV19-012 for the construction of 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land.

On July 23, 2019, the Planning Commission approved a Development Plan (File No. PDEV19-037) that approved a total of 3.91 acres of parkland for Tentative Tract Map 20081. This included a 3.03-acre neighborhood park that is centrally located within the tract, a 0.25-acre tot-lot located within the northeast quadrant and two passive pocket parks totaling 0.63-acre, located within the southeast quadrant of the tract.

On March 11, 2020, the applicant submitted a Tentative Tract Map (File No. PMTT20-003/TT 20345) to subdivide lots 44, 45, and 76 of Tentative Tract Map (File No. PMTT17-003/TTM 20081), in conjunction with an amendment to the Rich Haven Specific Plan (File No. PSPA19-007), changing the land use designation on lot 76 from Regional Commercial to Stand-Alone Residential Overlay. The proposed Tentative Tract Map will facilitate File No. PDEV20-007, a Development Plan to construct 26 detached single-family units (6-Pack Cluster) and 77 multiple family units (14-plex Courtyard Townhomes), which is being processed concurrently.

(b) Tentative Tract Map — A Tentative Tract Map (File No. PMTT20-003/TT 20345) to subdivide 6.65 acres of land into one numbered lot for condominium purposes, 26 numbered lots for single-family dwellings, and 20 lettered lots for private drive aisles, landscape neighborhood edges, and common open space purposes. The project site is being subdivided for residential purposes and accommodates 2 product types, including 6-pack Cluster and Courtyard Town Homes, totaling 103 units that are discussed further below:

- **6-pack Cluster** – The cluster product is located along the east and north portion of the project site and include lots 2 thru 27, for a total of 26 single-family residential units; and

- **Court Town Homes** – The Court Town Homes are located along the west and south portion of the project site and includes lot 1, for a total of 77 multiple-family residential units.

(c) Site Access/Circulation — The project site will have one access point from Sunset Drive, which runs east and west along the north frontage of the site, and one access point from Rosy Parkway, which runs north and south along the east frontage of the site. The Tentative Tract Map will also construct private drive aisles and lanes to serve the project site. The Tract Map is consistent with Policy CD2-2 of the Policy Plan, which promotes the importance of neighborhood connectivity through local street patterns and neighborhood edges as a way to unify neighborhoods.

(d) Parking — A parking plan was completed for the proposed Tract Map to demonstrate there is sufficient parking throughout the project site. The Tract Map's proposed product types would require a total of 242 parking spaces and 195 of those parking spaces would be provided within a garage. The parking plan also demonstrates that the required parking would be exceeded by 71 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveways, and within the private drive aisles. The parking plan demonstrates that there will be an average of 3 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking.

(e) Open Space — Tentative Tract Map No. 20081 approved a total of 3.91 acres of parkland within the tract to satisfy the requirements of Tract 20081 and the proposed Tentative Tract Map 20345. This included a 3.03-acre neighborhood park that is centrally located within the tract, a 0.25-acre tot-lot located within the northeast quadrant and two passive pocket parks totaling 0.63-acre within the southeast quadrant of the tract. Policy PR1-1 of the Policy Plan requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project increased the required parkland for the overall tracts, from 3.4 acres to 3.69 acres of parkland, to meet the minimum Policy Plan private park requirement. The applicant is constructing 3.91 acres of parkland which exceeds the minimum park requirements.

(f) Covenants, Conditions and Restrictions (“CC&Rs”) — As a Condition of Approval, staff has required that CC&Rs be prepared and recorded with the Final Map. The CC&Rs 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.

(g) Rich Haven Specific Plan Consistency — The Rich Haven Specific Plan allows the averaging of units between Planning Areas 6A and 9A to meet residential density requirements (14.0 to 50 du/ac). At 14 dwelling units per acre, Planning Area 6A, which includes Tract Map 20081 and Tentative Tract 20345, is required to construct 608 units and the project is proposing 536 units, which is deficient by 72 units. As a result, any future development of Planning Area 9A shall be required to incorporate an additional 72 units from Planning Area 6A, to maintain a minimum of 14 dwelling units per acre between the two planning areas.

(h) Utilities (drainage, sewer) — To serve the proposed residential development, the Project will be required to amend the Development Agreement (File No. PDA17-002). Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects' 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.

(i) Environmental Review — Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). The Addendum concluded that the Project (Tentative Tract Map) introduces no new significant environmental impacts. The scope of the

Addendum also encompasses a General Plan Amendment (File No. PGPA19-005), an amendment (File No. PSPA19-006) to the Rich Haven Specific Plan, and a Development Plan (File No. PDEV20-007).

Part II—RECITALS

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

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

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

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

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

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

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

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

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

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

WHEREAS, as the first action on the Project, on April 5, 2021, the DAB issued a Resolution recommending the Planning Commission adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on April 5, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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 (103) and density (14 du/ac) specified in the Available Land Inventory.

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

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract Map is located within the Mixed Use land use district of the Policy Plan Land Use Map and the Mixed Use District – Planning Area 6A (proposed Stand-Alone Residential Overlay) of the Rich Haven Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 Complete Community)

(2) **The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.** The proposed Tentative Tract/Parcel Map is located within the Mixed Use land use district of the Policy Plan Land Use Map, and the Mixed Use District Planning Area 6A (proposed Stand-Alone Residential Overlay) of the Rich Haven Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity, and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 Neighborhood Design).

(3) **The site is physically suitable for the type of development proposed.** The project site meets the minimum lot area and dimensions of the Mixed Use District Planning Area 6A (proposed Stand-Alone Residential Overlay) of the Rich Haven Specific Plan, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) **The site is physically suitable for the density/intensity of development proposed.** The project site is proposed for residential development at a density of 14 du/ac. The project site meets the minimum lot area and dimensions of the Mixed Use District Planning Area 6A (proposed Stand-Alone Residential Overlay) of the Rich Haven Specific Plan and is physically suitable for this proposed density / intensity of development.

(5) **The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor

does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

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

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 5th day of April 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

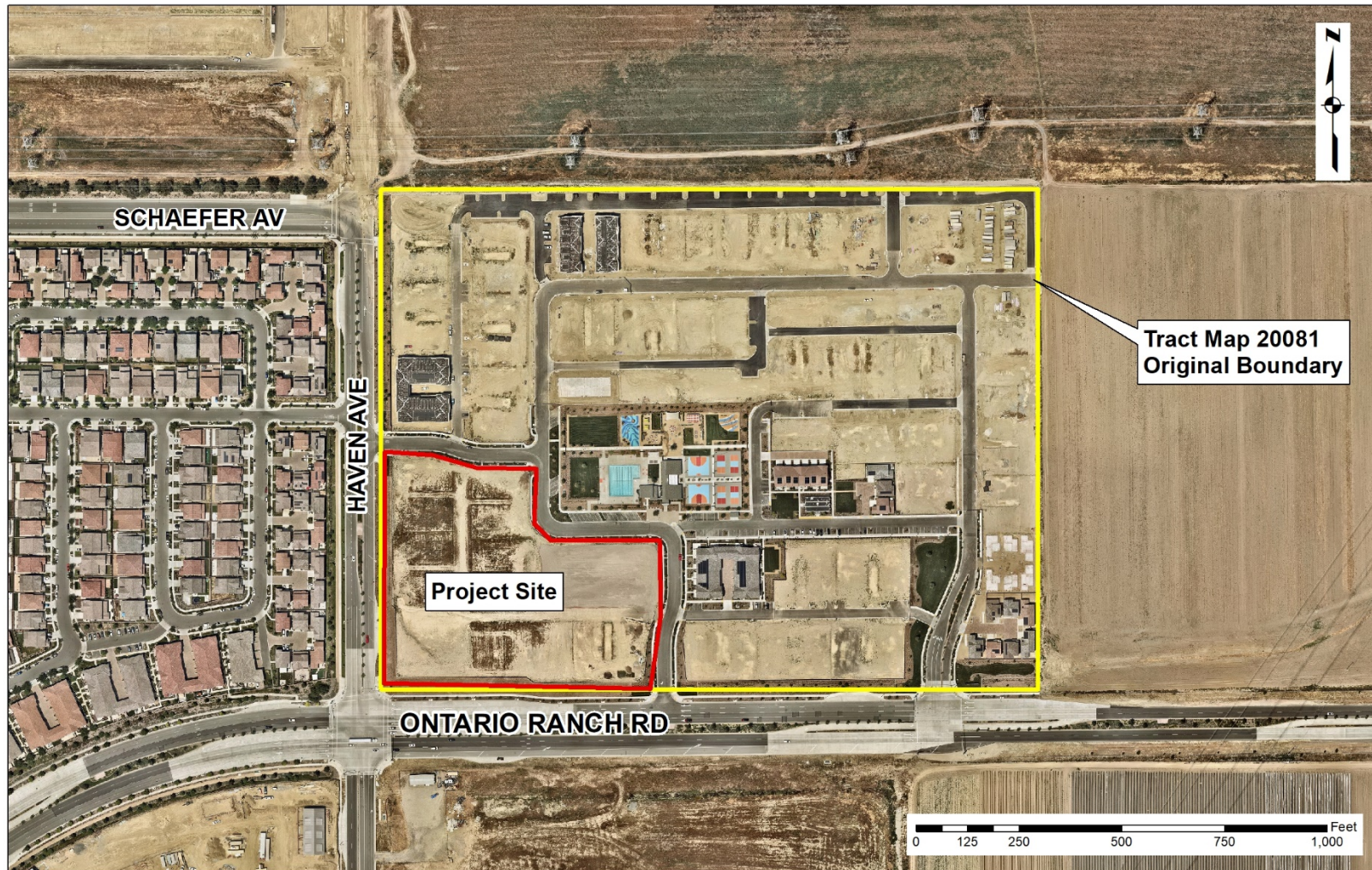
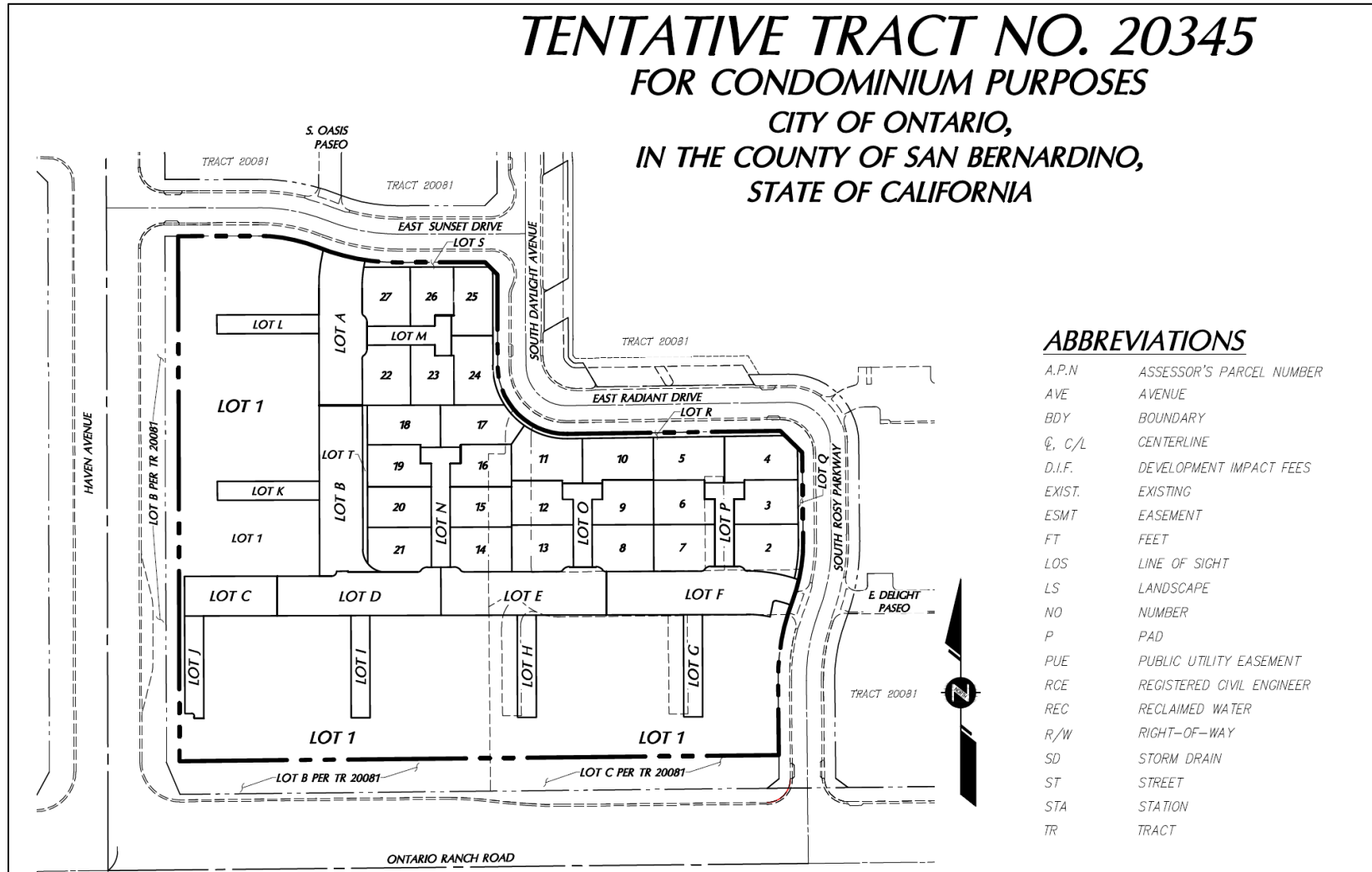


Exhibit B—TENTATIVE TRACT MAP



ABBREVIATIONS

A.P.N.	ASSESSOR'S PARCEL NUMBER
AVE	AVENUE
BDY	BOUNDARY
CL, C/L	CENTERLINE
D.I.F.	DEVELOPMENT IMPACT FEES
EXIST.	EXISTING
ESMT	EASEMENT
FT	FEET
LOS	LINE OF SIGHT
LS	LANDSCAPE
NO	NUMBER
P	PAD
PUE	PUBLIC UTILITY EASEMENT
RCE	REGISTERED CIVIL ENGINEER
REC	RECLAIMED WATER
R/W	RIGHT-OF-WAY
SD	STORM DRAIN
ST	STREET
STA	STATION
TR	TRACT

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: April 5, 2021

File No: PMTT20-003

Related Files: PDEV20-007

Project Description: A Tentative Tract Map (File No. PMTT20-003/TT 20345) to subdivide 6.65 acres of land into 1 numbered lot for condominium purposes, 26 numbered lots for single-family dwellings and 20 lettered lots, located at the northeast corner of Riverside Drive and Haven Avenue, within the within the Mixed-Use District Planning Area 6A of the Rich Haven Specific Plan. (APN(s): 218-393-07, 218-393-06, 218-393-10, 218-393-22, 218-393-36, 218-393-38 and 218-393-39); **submitted by BrookCal Ontario LLC. and Brookfield Properties Development**

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

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

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

1.1 Time Limits.

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

1.2 Subdivision Map.

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not

occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

1.5 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.

1.6 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

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

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

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

1.8 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.

1.9 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed

descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

(g) Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

1.10 Additional Requirements.

(a) The Tentative Tract Map shall not be final and conclusive until the Specific Plan Amendment (File No. PSPA19-006) is approved by the City Council.

(b) All applicable conditions of approval of Development Agreement shall apply.

(c) All applicable conditions of approval of the Rich Haven Specific Plan shall apply.

(d) 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.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. TM-20345 RELATED FILE NO(S). PMTT20-003, PDEV20-007		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

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

DAB MEETING DATE: April 5, 2021

PROJECT NAME / DESCRIPTION: TM-20345, a Tentative Tract Map for Common Interest Subdivision to subdivide 6.63 acres of land into 27 numbered lots and 20 lettered common lots within the Regional Commercial land use district of the Rich Haven Specific Plan

LOCATION: Northeast corner of Haven Avenue and Ontario Ranch Road

APPLICANT: Brookfield Residential

REVIEWED BY:  3-12-21
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  3-12-21
Khoi Do, P.E. Date
City Engineer



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

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL:	Check When Complete
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- | | | | |
|-------------------------------------|------|---|--------------------------|
| <input type="checkbox"/> | 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 _____. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.02 | Dedicate to the City of Ontario, the following easement(s):

A. An easement for public utility and emergency access purposes with a width of 25-30' varies along all private alleys
B. 52 feet wide easement for public utility and emergency access purposes along all private drives | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.03 | Restrict vehicular access to the site as follows: _____ | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.04 | Vacate the following street(s) and/or easement(s):

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.05 | Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.06 | Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.07 | For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 . | <input type="checkbox"/> |



- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - A. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
 - B. The Tract Map shall comply with the approved Rich Haven Specific Plan, the Development Agreement, the Conditions of Approval for Tentative Tract Map No. 20081 and the Conditions of Approval for this Tentative Tract Map.
 - C. Applicant/developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.

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

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

- 2.01 Record Tract Map No. 20345 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.



- 2.02 Submit a PDF of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____



- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



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

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

Improvement	All Interior Drives/Alleys (Private)	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input 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 checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

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



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 21 inch sewer main is available for connection by this project in Haven Ave. (Ref: Sewer plan bar code: S15511)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - A. Services and Laterals Abandonment: Abandon all unused sewer laterals in East Sunset Drive.**
 - B. Sewer Manhole: Provide sewer manhole at each grade break (vertical alignment), any angle point (horizontal alignment), sewer main tees and crosses.**
 - C. Terminus Sewer Manhole: Provide sewer manhole at each dead end of sewer main in place of sewer cleanout.**
 - D. Sewer Main Segment Abandonment: Abandon a segment of the sewer main in East Delight Paseo, crossing South Rosy Parkway since the sewer for this proposed Tract 20345 will not be connecting to here as originally proposed.**
 - E. Final Sewer Sub-Area Master Plan (SSAMP): Provide a final sewer design report (i.e. sizing calculations) for the proposed sewer system pursuant to Section 4-8 of Sewer Master Plan (SMP) and demonstrate that the sewer criteria of the SMP (Sections 4-2 to 4-5) has been met. The report shall include sewer demands for all residential units and non-residential use (sf) that constitute the total flow from and through this project and needs to include each proposed reach of main in the project.**
 - i. Also, provide an update to the most current TM-20081 SSAMP to all sewer main formerly downstream (Node 11B to Node G40) of this tract to address the reduction of flows of this project. The TM-20081 SSAMP update may be included as part of the SSAMP for this tract.**

D. WATER

- 2.27 **A 12 inch water main is available for connection by this project in East Sunset Drive and South Rosy Parkway. (Ref: Water plan bar code: W16435)**



2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.

2.29 **Other conditions:**

A. **Services and Laterals Abandonment: Abandon all unused domestic water services along East Sunset Drive.**

B. **Domestic Services: No more than six (6) private water services run down the alley way. If the private services are coming out of the meter and directly into the building (such as into a mechanical room), please provide on the Final USM a typical detail with label showing and explaining how this is done. Otherwise, work with the City on alternative way to provide water to the proposed individual units.**

E. RECYCLED WATER

2.30 A 8 inch recycled water main is available for connection by this project in East Sunset Drive. (Ref: Recycled Water plan bar code: P11732)

2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.

2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.

2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

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

2.34 **Other conditions:**

A. **Services and Laterals Abandonment: Abandon all unused recycled water services in East Sunset Drive.**

F. TRAFFIC / TRANSPORTATION

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

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

2.37 **Other conditions:**

A. **Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1112 for Private Alley and Standard Drawing No. 1205 for Residential Driveway. Show the appropriate radius used for proposed driveways.**

B. **Property frontage along Haven Avenue and Ontario Ranch Road shall be signed "No Stopping Anytime".**

C. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting design plans.**



G. DRAINAGE / HYDROLOGY

- 2.38 A 78 inch storm drain main is available to accept flows from this project in Haven Ave. (Ref: Storm Drain plan bar code: D13611-12)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:
 - A. Design and construct storm drain lines on private drives. Sizes and alignments as shown on the Tentative Tract Map 20345/Utilities System Map dated 2/3/2021.

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

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



J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally along the project frontages on all private drives/alleys.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
 - A. Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, submit a final SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utilities Company
 - B. Trash Enclosures (Applicable to Multifamily Attached-MFA):
 - i. Organics Separation and Collection: This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - a. Include on SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections
 - b. In order to comply with these requirements, three (3) 4CY bin per trash enclosure (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics). Proposed three trash enclosures with three 4-cy bins in each, with solid roofs - see latest SWHP dated 2/2/2021.
 - C. Auto-Cans (Applicable to Single Family Detached-SFD): In order to comply with the requirements directly above, each SFD to have three auto-cans, one for refuse, one for recycling and one for organics.



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT20-003, PDEV20-007, and/or Tract Map No. 20345

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

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



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PSPA19-006, PMTT20-003 & PDEV20-007
 Address: NEC of Haven Avenue & Ontario Ranch Road
 APN: 218-393-10, 06 & 07
 Existing Land Use: Vacant/Former Dairy Agriculture
 Proposed Land Use: SPA change land use from Commercial to Residential, Tentative Tract Map to subdivide 6.63 acres into 20 lettered lots and 28 numbered lots and a Development Plan to construct 103 residential units
 Site Acreage: 6.63 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: 12/23/2020
 CD No.: 2020-018
 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 +</u>	
<input type="radio"/> Zone 5			

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

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

CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure Required.

Airport Planner Signature: _____



CITY OF ONTARIO MEMORANDUM

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

FROM: Lorena Mejia, Senior Planner

DATE: December 11, 2020

SUBJECT: FILE #: PMTT20-003

Finance Acct#:

REVISION NO. 1

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

PROJECT DESCRIPTION: A Tentative Tract Map for Common Interest Subdivision purposes to subdivide 6.63 acres of land into 8 numbered lots and 17 lettered common lots, located at the northeast corner of Haven Avenue and Ontario Rancho Road, within the Regional Commercial land use district of the Rich-Haven Specific Plan (APNs: 0218-393-06, 0218-393-07, 0218-393-10, 0218-393-22, 0218-393-36, 0218-393-38, and 0218-393-39).

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.

Police Department

Department

W. Lee

Signature

Police Officer

Title

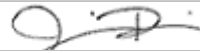
2/19/21

Date

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

DAB CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

03/09/21

Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PMTT20-003	Related Files:	Case Planner: Lorena Mejia
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Project Name and Location:
 Rich-Haven – Common Interest Subdivision
 NEC of Haven and Ontario Ranch Road

Applicant/Representative:
 BrookCal Ontario LLC – Tim Roberts
 3200 Park Center Drive, Suite 1000
 Costa Mesa, CA 92626

<input checked="" type="checkbox"/>	A Tentative Tract Map (dated 02/10/21) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
-------------------------------------	---

<input type="checkbox"/>	A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.
--------------------------	---

CORRECTIONS REQUIRED

Show on Grading or Utility Construction Plans:

1. Storm water infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved prior to permit approval or installation.
2. Storm water infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division prior to installation.
3. Note decorative paving for all motor courts including the lots facing the parking rows aisles.
4. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 1/2" below finished surfaces; landscaped slopes to be max 3:1.
5. Show infiltrating catch basins with two 3/4" dia. holes in bottom set on 12" square of filter fabric wrapped gravel, located 5' or greater from buildings and 24" from sidewalk, add detail.
6. Show or note transformers shall be located in planter areas, and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans.
7. Show or note backflow devices shall be located in planter areas, and set back min 3' from paving Locate on level grade. Coordinate with landscape plans.
8. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum spacing to allow space for street trees.
9. Show light standards 15' away from required tree locations.
10. Wall footings shall not restrict landscape; max 12" in front of footing with of 12" of cover.
11. Show on plans step outs at parking spaces adjacent to planters; 12" wide monolithic curb, 12" compacted decomposed granite or pavers adjacent to the 6" curb.
12. Wall openings for drainage overflow shall be max 4" wide.
13. Provide a solid surface path from driveway to side yard gate for entry and trash bin access.
14. AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side added for access.

Once items are complete you may email an electronic set to:

landscapeplanchek@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: December 22, 2020

SUBJECT: PMTT20-003 – A Tentative Tract Map for Common Interest Subdivision purposes to subdivide 6.63 acres of land into into 1 numbered lot for condominium purposes, 26 numbered lots for single-family dwellings and 20 lettered lots, located at the northeast corner of Haven Avenue and Ontario Rancho Road, within the Regional Commercial land use district of the Rich-Haven Specific Plan (APNs: 0218-393-06, 0218-393-07, 0218-393-10, 0218-393-22, 0218-393-36, 0218-393-38, and 0218-393-39).
(Revision 1)

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply. See previous report for Conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 16, 2020
SUBJECT: PMTT20-003

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



Development Advisory Board Decision

April 5, 2021

DECISION NO.: [insert #]

FILE NO.: PDEV20-007

DESCRIPTION: A Development Plan (File No. PDEV20-007) to construct 26 detached single-family units (6-Pack Cluster) and 77 multiple-family units (14-plex Courtyard Townhomes) on 6.65 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: 0218-393-07, 0218-393-06, 0218-393-10, 0218-393-22, 0218-393-36, 0218-393-38 and 0218-393-39); **submitted by Brookfield Properties Development.**

Part I—BACKGROUND & ANALYSIS

BROOKFIELD PROPERTIES DEVELOPMENT, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV20-007, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 6.65 acres of land located at northeast corner of Ontario Ranch Road and Haven Avenue and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>North:</i>	Residential Subdivision	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>South:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 9A (Mixed Use Overlay and Stand-Alone Residential Overlay)
<i>East:</i>	Vacant	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A (Regional Commercial and Stand-Alone Residential Overlay)
<i>West:</i>	Residential Subdivision	Medium Density Residential	The Avenue Specific Plan	Medium Density Residential

(2) **Project Description:**

(a) **Background** — On December 4, 2007, the City Council approved the Rich Haven Specific Plan (File No. PSP05-004) and certified the related Environmental Impact Report (“EIR”). The Specific Plan established the land use designations, development standards, and design guidelines for

approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office land uses.

On February 20, 2018, the City Council approved an Amendment to the Rich Haven Specific Plan (File No. PSPA16-005) for the annexation of 72.3 acres of land located at the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed Use district of the Rich Haven Specific Plan. The amendment included updates to the development standards, exhibits, and text changes to reflect the proposed annexation and overall compliance with the Policy Plan component of The Ontario Plan ("Policy Plan"). 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 to 50 du/ac).

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, public/private streets, landscape neighborhood edges, common open space, and to facilitate the construction of three residential product types, including 6-Pack Cluster homes, Rowtown homes, and Courtyard Townhomes.

On June 25, 2019, the Planning Commission approved three Development Plans for Tentative Tract Map (File No. PMTT17-003/TTM 20081) which included:

- File No. PDEV19-010 for the construction of 204 multiple-family residential units (6-Plex Rowtown) on 9.16 acres of land;
- File No. PDEV19-011 for the construction of 61 single-family residential units (6-Pack Cluster) on 4.7 acres of land; and
- File No. PDEV19-012 for the construction of 168 multiple-family residential units (14-Plex Courtyard Townhome) on 7.29 acres of land.

On July 23, 2019, the Planning Commission approved a Development Plan (File No. PDEV19-037) that approved a total of 3.91 acres of parkland for Tentative Tract Map 20081. This included a 3.03-acre neighborhood park that is centrally located within the tract, a 0.25-acre tot-lot located within the northeast quadrant and two passive pocket parks totaling 0.63-acre, located within the southeast quadrant of the tract.

On March 19, 2020, the applicant submitted a Development Plan (File No. PDEV20-007) to construct 26 detached single-family units (6-Pack Cluster) and 77 multiple-family units (14-plex Courtyard Townhomes), which is being processed concurrently with a Tentative Tract Map (File No. PMTT20-003/TT 20345), subdividing the Project site into one numbered lot for condominium purposes, 26 numbered lots development with detached single-family dwellings and 20 lettered lots. The Tentative Tract Map (File No. PMTT20-003/TT 20345) proposes to subdivide lots 44, 45, and 76 of Tract Map 20081 (File No. PMTT17-003). Additionally, an amendment to the Rich Haven Specific Plan (File No. PSPA19-007) is being processed currently with the Development Plan, changing the land use designation on lot 76 (TM 20081) from Regional Commercial to Stand-Alone Residential Overlay.

(b) Site Design/Building Layout/Architecture — The proposed Development Plan is to allow for the construction of the 6-Pack Cluster and the 14-Plex Courtyard Townhome product types, which are discussed below.

(i) 6-Pack Cluster – The Development Plan proposes 26 detached single-family homes in a 6-Pack Cluster design, located along the northeastern portion of the project site. Each cluster lot has minimum exterior dimensions of 130 x145 feet and is divided into six lots, which range from 2,648 to 3,639 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. Each of the units were designed to incorporate a minimum 18-foot long driveway in addition to the required 2-car garage, providing a total of four parking spaces for each unit. The proposed unit characteristics are described in the table below:

6-Pack Cluster Product Types

Plan	Building Area (in square feet)	No. Bedrooms	No. Bathrooms	Parking
Plan 1 (Center Lots):	1,943	3 (plus one loft)	2.5	Two-car garage
Plan 2 (Private Drive Facing Lots):	2,129	3 (optional 4th bedroom/den)	2.5	Two-car garage
Plan 3 (Rear Lots):	2,331	4 (plus one loft)	3	Two-car garage

In a 6-Pack Cluster configuration, not all front building elevations are visible from the private drives. Plan 2 units are oriented toward the private drive, with front entry and walk facing the private drive and garage access taken from the private lane. The rectangular floor plan is configured with the living areas oriented toward the private drive 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 side yard areas onto the Plan 3 lot, 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 proposed 6-Pack Cluster development meets the minimum setback standards of the Specific Plan. The varied entryways in combination with the various architectural styles create an attractive and diverse streetscape along both the private lanes and the private drives. 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.

There are three transitional architectural styles proposed for the 6-Pack Cluster homes, including Spanish, Craftsman, and Farmhouse, which incorporate the following design features/elements:

- **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 windowsills; 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 windowsills; 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 windowsills.

(ii) **PDEV19-012 (14-Plex Courtyard Townhome)** – There are five 14-unit complexes and one 7-unit complex within the proposed project, which includes six floor plans and two architectural styles. The proposed unit characteristics are described in the table below:

14-Plex Courtyard Townhome Product Types

Plan	Building Area (in square feet)	No. Bedrooms	No. Bathrooms	Parking
Plan 1:	972	1	1.5	One-car garage
Plan 2:	1,466	2	2.5	Two-car garage (tandem)
Plan 3:	1,529	2	2	Two-car garage (tandem)
Plan 4:	1,698	3	2.5	Two-car garage (side-by-side)
Plan 5:	1,721	3	2.5	Two-car garage (side-by-side)
Plan 6:	1,803	3	2.5	Two-car garage (side-by-side)

The proposed Courtyard Townhome product takes garage access from an autocourt, with main unit entrances fronting the street, private drive, or a pedestrian paseo. The primary access to each unit will be from a paseo landscaped with accent trees and landscaped planters to provide visual interest and promote pedestrian mobility. 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 design features/elements:

- **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.
- **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.

(c) **Site Access/Circulation** — The project site will have one access point from Sunset Drive, which runs east and west along the north frontage of the site, and one access point from Rosy Parkway, which runs north and south along the east frontage of the site. The Tentative Tract Map will also construct private drive aisles and lanes to serve the project site. The tract map is consistent with Policy CD2-2 of the Policy Plan, which promotes the importance of neighborhood connectivity through local street patterns and neighborhood edges as a way to unify neighborhoods.

(d) Parking — A parking plan was completed for the proposed Tract Map to demonstrate there is sufficient parking throughout the project site. The Tract Map's proposed product types would require a total of 242 parking spaces and 195 of those parking spaces would be provided within a garage. The parking plan also demonstrates that the required parking would be exceeded by 71 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveways, and within the private drive aisles. The parking plan demonstrates that there will be an average of 3 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking.

(e) Open Space — Tentative Tract Map No. 20081 approved a total of 3.91 acres of parkland within the tract to satisfy the requirements of Tract 20081 and the proposed Tentative Tract Map 20345. This included a 3.03-acre neighborhood park that is centrally located within the tract, a 0.25-acre tot-lot located within the northeast quadrant and two passive pocket parks totaling 0.63-acre within the southeast quadrant of the tract. Policy PR1-1 of the Policy Plan requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project increased the required parkland for the overall tracts, from 3.4 acres to 3.69 acres of parkland, to meet the minimum Policy Plan private park requirement. The applicant is constructing 3.91 acres of parkland which exceeds the minimum park requirements.

(f) Covenants, Conditions and Restrictions ("CC&Rs") — As a Condition of Approval, staff has required that CC&Rs be prepared and recorded with the Final Map. The CC&Rs 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.

(g) Rich Haven Specific Plan Consistency — The Rich Haven Specific Plan allows the averaging of units between Planning Areas 6A and 9A to meet residential density requirements (14.0 to 50 du/ac). At 14 dwelling units per acre, Planning Area 6A, which includes Tract Map 20081 and Tentative Tract 20345, is required to construct 608 units and the project is proposing 536 units, which is deficient by 72 units. As a result, any future development of Planning Area 9A shall be required to incorporate an additional 72 units from Planning Area 6A, to maintain a minimum of 14 dwelling units per acre between the two planning areas.

(h) Utilities (drainage, sewer) — To serve the proposed residential development, the Project will be required to amend the Development Agreement (File No. PDA17-002). Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes both Projects' 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.

(i) Environmental Review — Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). The Addendum concluded that the Project (Tentative Tract Map) introduces no new significant environmental impacts. The scope of the Addendum also encompasses a General Plan Amendment (File No. PGPA19-005), an amendment (File No. PSPA19-006) to the Rich Haven Specific Plan, and a Development Plan (File No. PDEV20-007).

Part II—RECITALS

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

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

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

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

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

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

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

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

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

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

WHEREAS, as the first action on the Project, on April 5, 2021, the DAB issued a Resolution recommending the Planning Commission adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on April 5, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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 (103) and density (14 du/ac) specified in the Available Land Inventory.

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

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Mixed Use land use district of the Policy Plan Land Use Map, and the Mixed Use District Planning Area 6A (proposed Stand-Alone Residential Overlay) 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; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified**

on the site and the characteristics of the area in which the site is located. The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Mixed Use District – Planning Area 6A (proposed Stand-Alone Residential Overlay) of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the 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; 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 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 (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: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 5th day of April 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN (6-Pack Cluster)

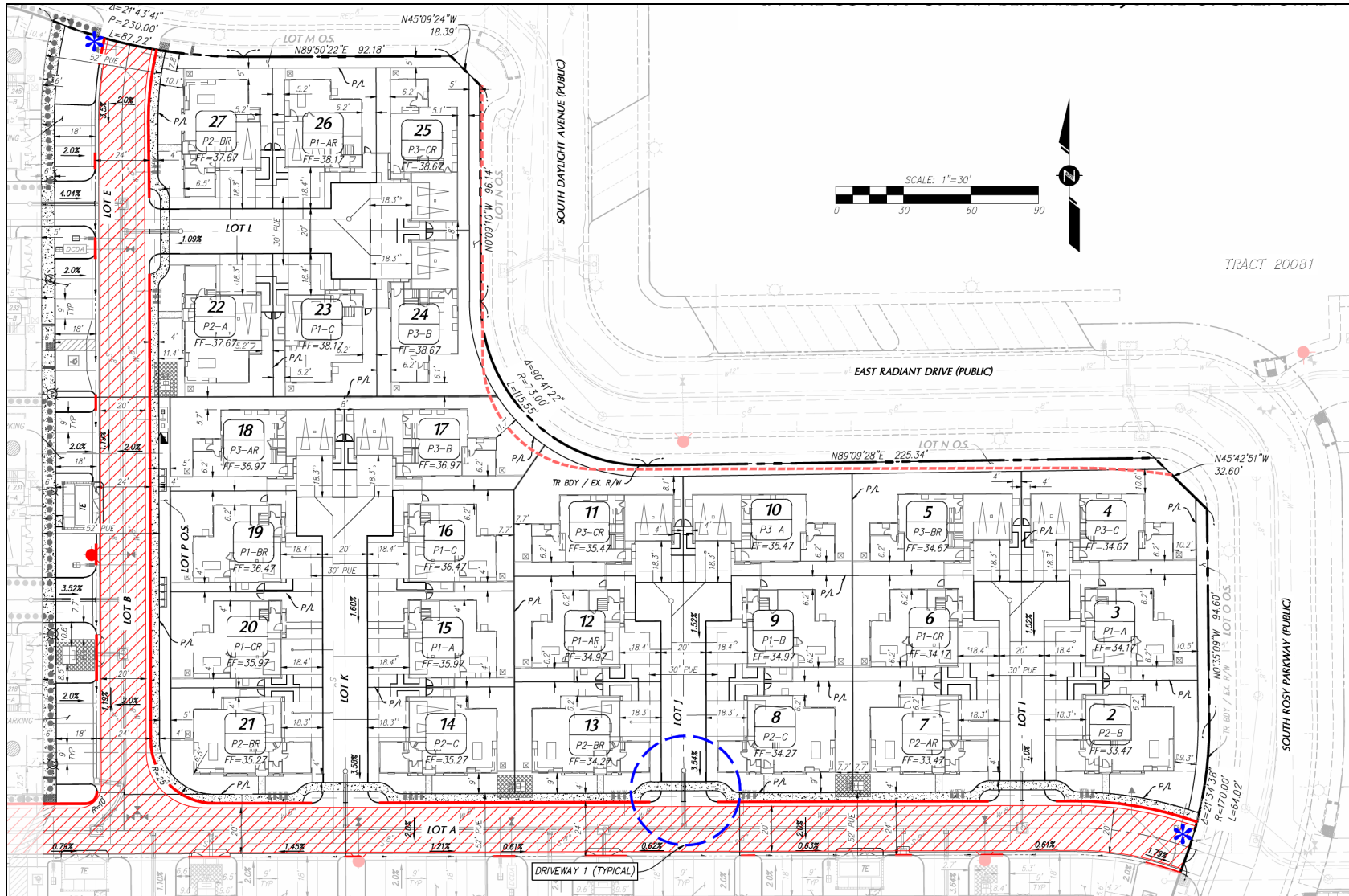


Exhibit C—EXTERIOR ELEVATIONS

RIGHT

REAR

LEFT

FRONT

MATERIAL LIST:

1. CONCRETE FLAT TILE ROOF
2. COMPOSITE SIDING
3. STUCCO - 1625 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

Architectural Callouts: 11, 15, 7, 13, 4, 3, 5, 14, 1

Dimensions: 9'-1" (multiple), 8'-0" (FRONT), 9'-0" (FRONT)

Labels: T.O.P.L., F.F.L., 1/2" (FRONT)

ktgy
 Architecture • Planning
 17911 Von Karman Ave.
 Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1000
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2018-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019



EXTERIOR ELEVATIONS
 PLAN 1A - SPANISH ABSTRACT

A2.2

Cluster Plan 1 – Spanish Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)

RIGHT

REAR

LEFT

FRONT

MATERIAL LIST:

1. CONCRETE FLAT TILE ROOF
2. COMPOSITE SIDING
3. STUCCO - 1620 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. CORNISES
17. BRICK VENEER

1 4 7 3 13 17 6 8 5 10 14 15

T.O.P.
9'-11"
12'-0"
F.F.
T.O.P.
9'-11"
F.F.

ktgy Architecture + Planning
 17911 Von Karman Ave.
 Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3300 Park Center Drive, #1000
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2019-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019

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EXTERIOR ELEVATIONS
 PLAN 1B - FARM HOUSE ABSTRACT

A2.3

Cluster Plan 1 – Farmhouse Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



Cluster Plan 1 – Craftsman Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



Cluster Plan 2 – Spanish Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



Cluster Plan 2 – Farmhouse Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



ktgy
 Architecture + Planning
 17911 Von Karman Ave.
 Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

Brookfield Residential
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 3200 Park Center Drive #1000
 Costa Mesa, CA 92626

POPPY AT REGIONS NORTH
 ONTARIO, CA # 2018-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019



EXTERIOR ELEVATIONS
 PLAN 2C - CRAFTSMAN ABSTRACT

A3.4

Cluster Plan 2 – Craftsman Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



kitgy Architecture + Planning
 17911 Von Karman Ave,
 Suite 200
 Irvine, CA 92614
 949 851 2133
 kitgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1000
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CONCEPTUAL DESIGN
 APRIL 29, 2019

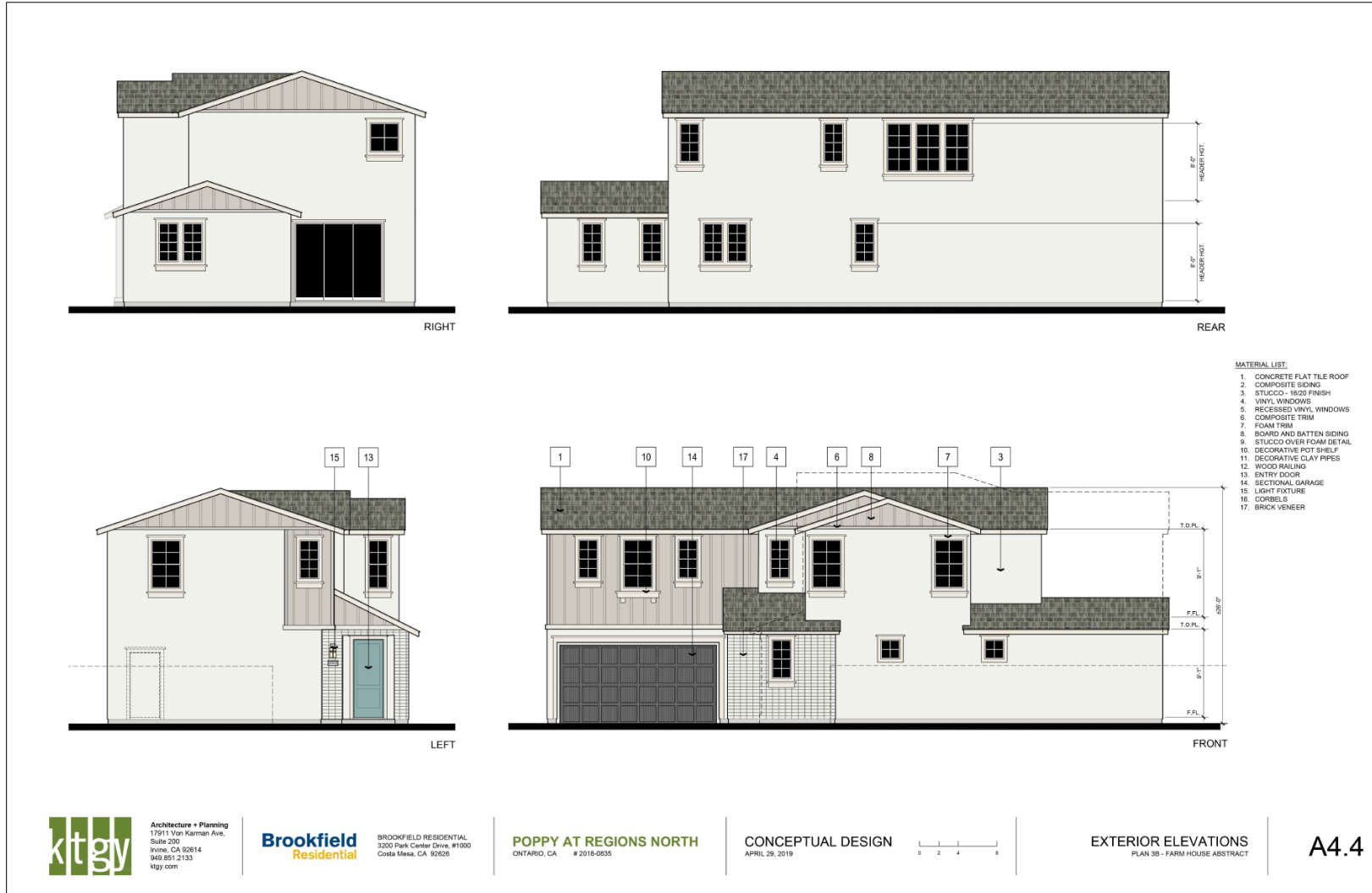


EXTERIOR ELEVATIONS
 PLAN 3A - SPANISH ABSTRACT

A4.3

Cluster Plan 3 – Spanish Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)

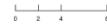


ktgy
 Architecture + Planning
 17911 Von Karman Ave.
 Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

Brookfield Residential
 BROOKFIELD RESIDENTIAL
 3200 Park Center Drive, #1000
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POPPY AT REGIONS NORTH
 ONTARIO, CA # 2016-0835

CONCEPTUAL DESIGN
 APRIL 29, 2019



EXTERIOR ELEVATIONS
 PLAN 3B - FARM HOUSE ABSTRACT

A4.4

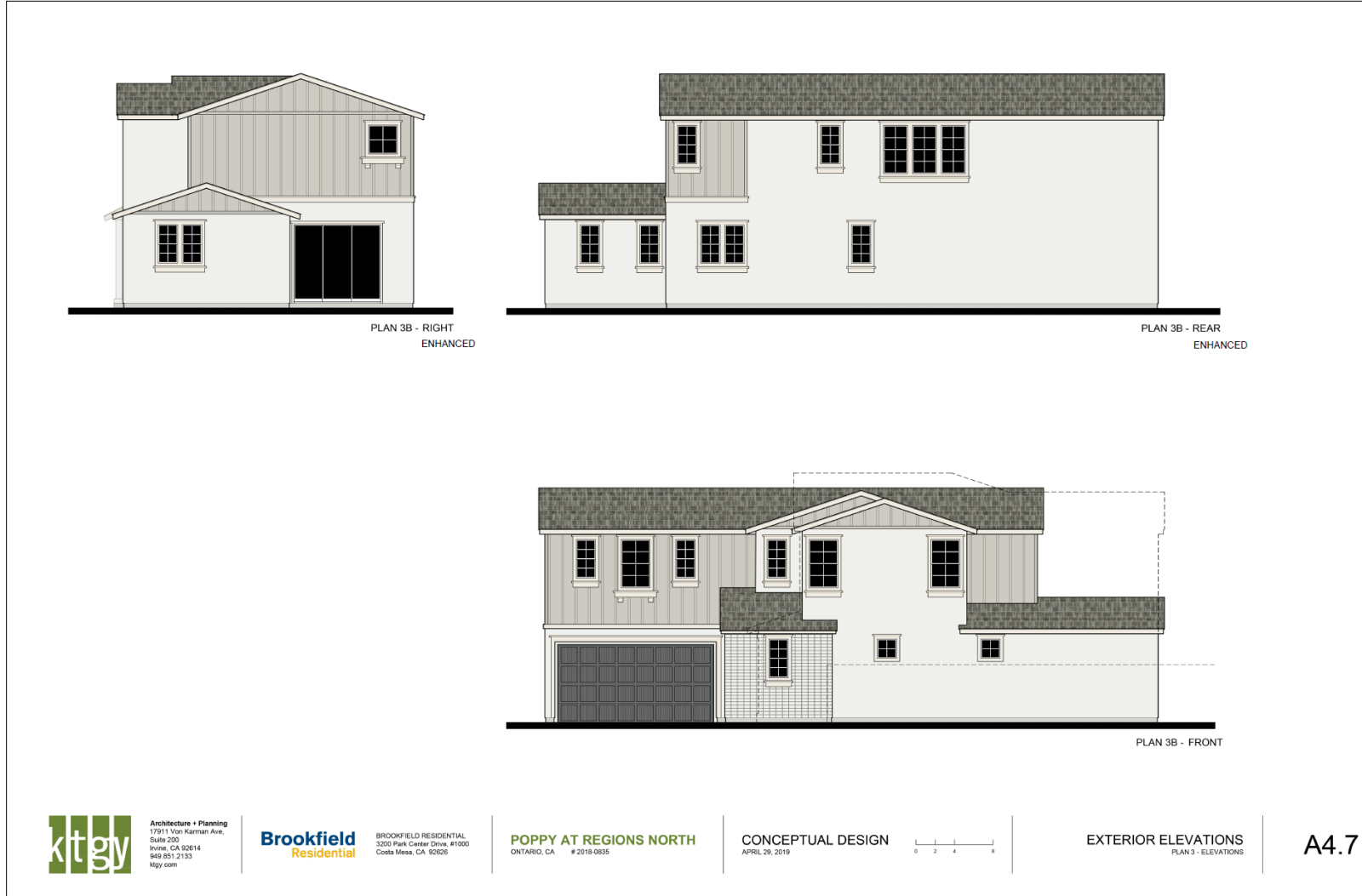
Cluster Plan 3 – Farmhouse Abstract

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



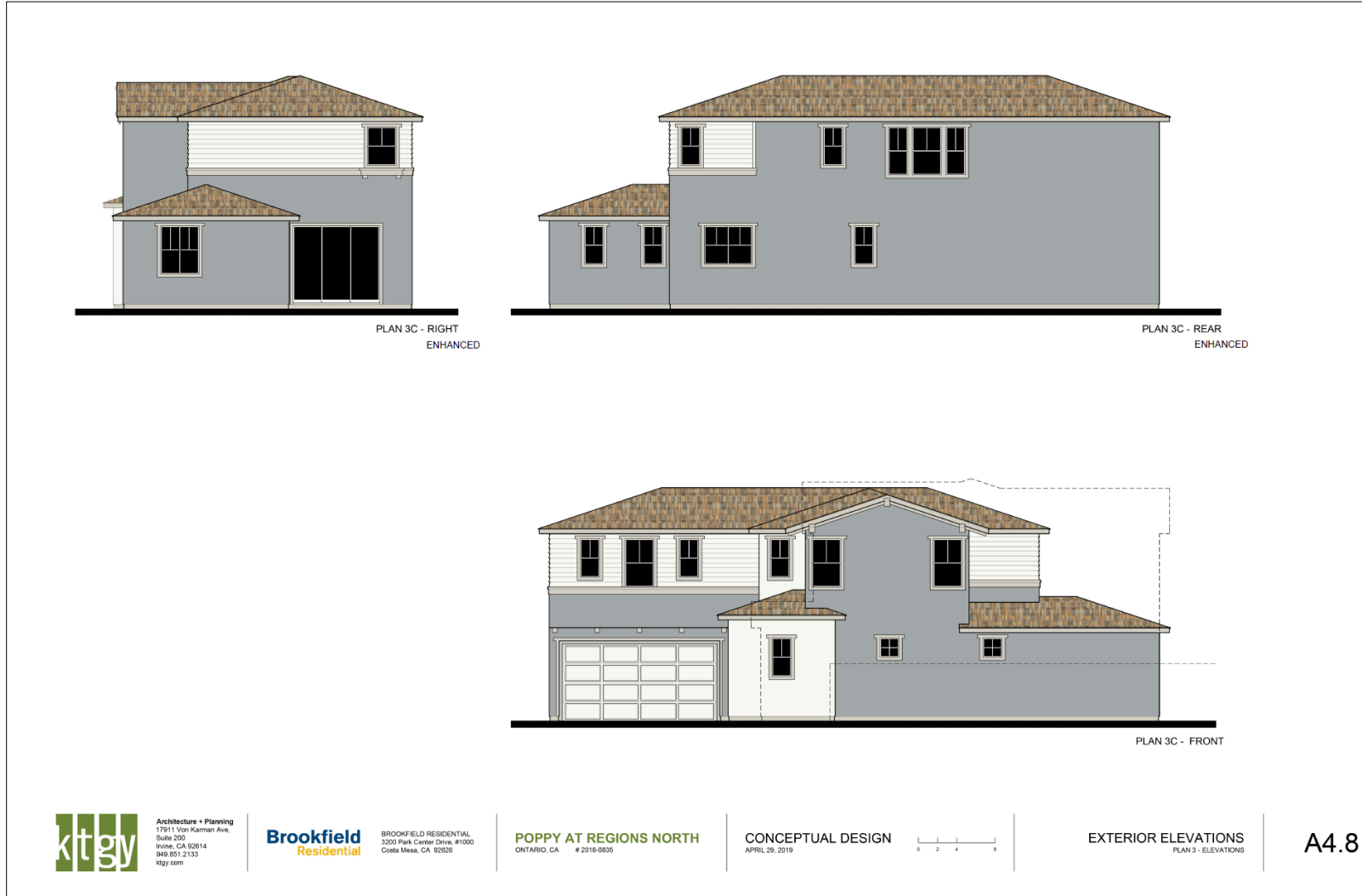
Cluster Plan 3 – Spanish Enhanced Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



Cluster Plan 3 – Farmhouse Enhanced Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



Cluster Plan 3 – Craftsman Enhanced Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



REAR ELEVATION



FRONT ELEVATION

Courtyard Townhomes – Prairie Transitional Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



Courtyard Townhomes – Prairie Transitional Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



REAR ELEVATION



FRONT ELEVATION

Courtyard Townhomes – Farmhouse Transitional Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



RIGHT ELEVATION (LEFT SIMILAR)

Courtyard Townhomes – Farmhouse Transitional Elevations

Exhibit D—LANDSCAPE PLAN

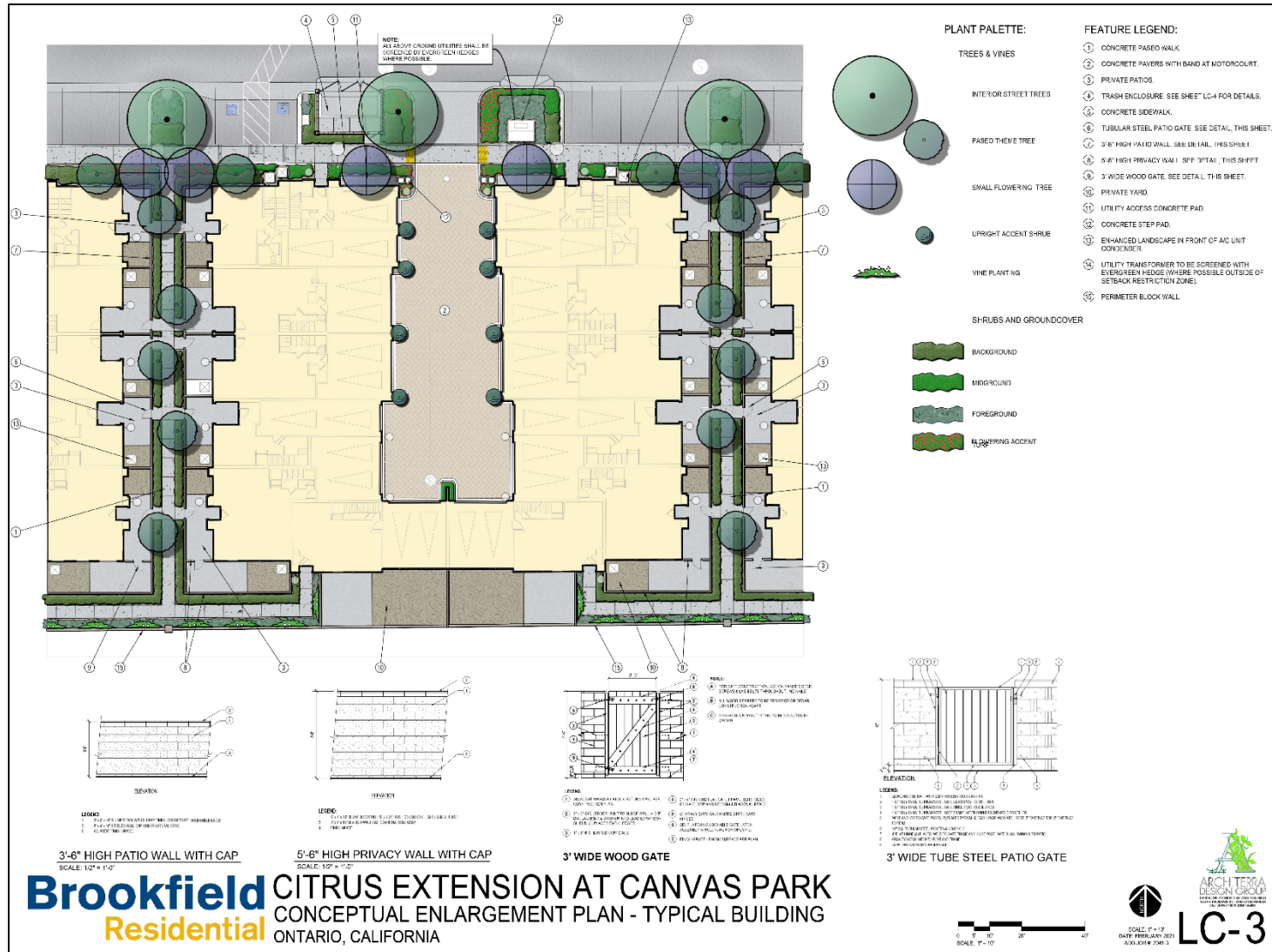
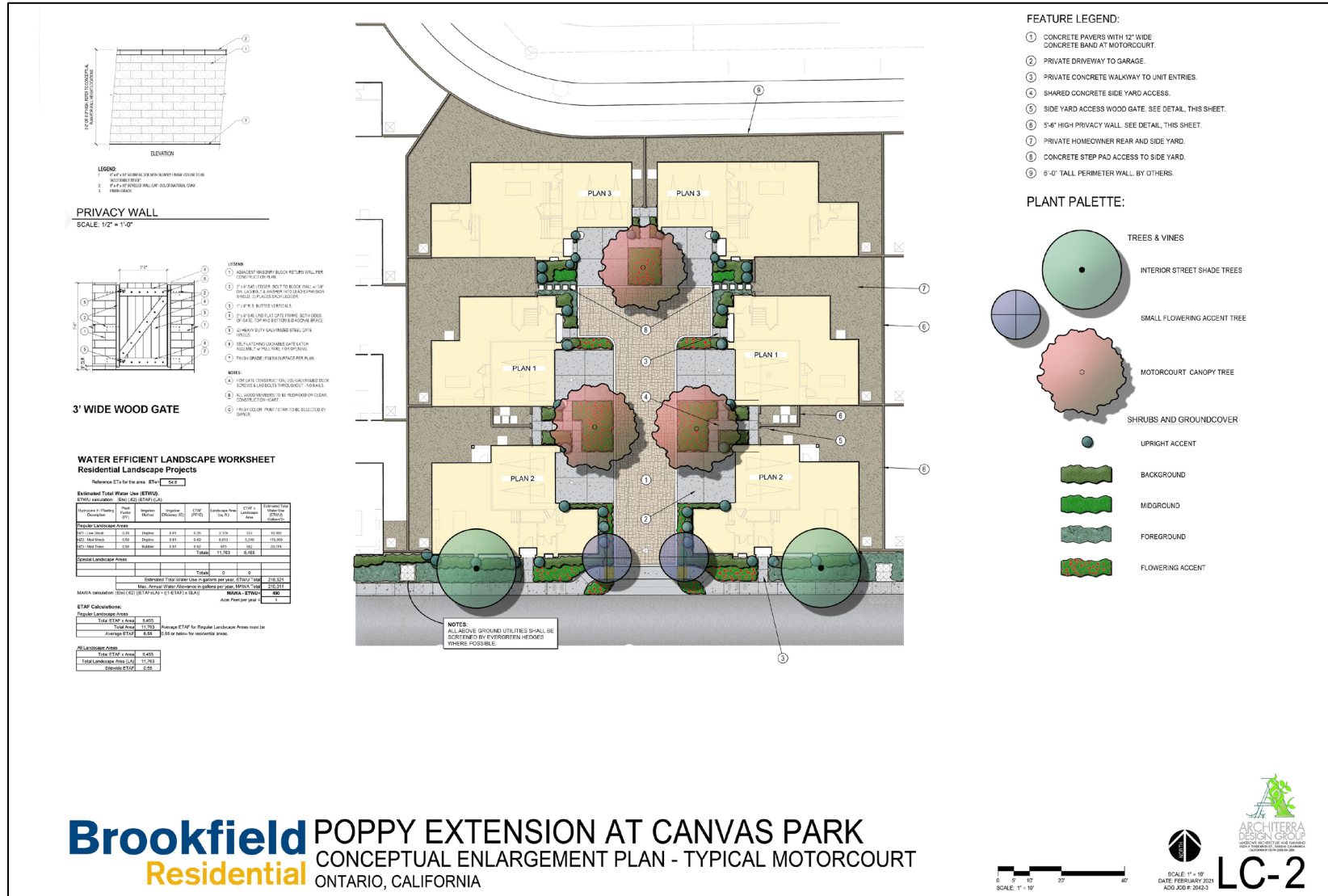


Exhibit D—LANDSCAPE PLAN (CONTINUED)



Brookfield Residential POPPY EXTENSION AT CANVAS PARK
 CONCEPTUAL ENLARGEMENT PLAN - TYPICAL MOTORCOURT
 ONTARIO, CALIFORNIA



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: April 5, 2021

File No: PDEV20-007

Related Files: PMTT20-003

Project Description: A Development Plan (File No. PDEV20-007) to construct 26 detached single-family units (6-Pack Cluster) and 77 multiple-family units (14-plex Courtyard Townhomes) on 6.65 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: 0218-393-07, 0218-393-06, 0218-393-10, 0218-393-22, 0218-393-36, 0218-393-38 and 0218-393-39); **submitted by Brookfield Properties Development.**

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

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

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

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

2.1 Time Limits.

(a) 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) 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 and Rooftop Equipment.

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

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

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

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

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

2.11 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.

2.12 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

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

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

determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

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

2.14 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the

remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

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) The Development Plan shall not be final and conclusive until the Specific Plan Amendment (File No. PSPA19-006) is approved by the City Council.

(b) All applicable conditions of approval of the Development Agreement (File No. PDA17-002) shall apply.

(c) All applicable conditions of approval of the Rich Haven Specific Plan shall apply.

(d) 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.

(e) 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.

(f) All applicable conditions of approval of Tract Map 20081 (File No. PMTT17-003) and TT 20345 (File No. PMTT20-003) shall apply to this project.

(g) 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.

(h) All corner lots shall be treated with enhanced elevations (Lots 2, 21 and 27). Construction drawings shall include architectural enhancements.

(i) Rear facing elevations that are adjacent to the public right-of-way shall be treated with enhanced elevations on the buildings 2nd story (Lots 27, 26, 25, 24, 17, 11,10, 5, 4, 3 and 2). Construction drawings shall include architectural enhancements.

(j) Combine walkway entrances into one primary for walkways that are located adjacent to one-another on street facing elevations, such as units 171/172 and units 242/243.

(k) The trash enclosures will be designed to architecturally match the adjoining surrounding development.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. TM-20345 RELATED FILE NO(S). PMTT20-003, PDEV20-007		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

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

DAB MEETING DATE: April 5, 2021

PROJECT NAME / DESCRIPTION: TM-20345, a Tentative Tract Map for Common Interest Subdivision to subdivide 6.63 acres of land into 27 numbered lots and 20 lettered common lots within the Regional Commercial land use district of the Rich Haven Specific Plan

LOCATION: Northeast corner of Haven Avenue and Ontario Ranch Road

APPLICANT: Brookfield Residential

REVIEWED BY:  3-12-21
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  3-12-21
Khoi Do, P.E. Date
City Engineer



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

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

- | | | | |
|-------------------------------------|------|--|--------------------------|
| <input type="checkbox"/> | 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 _____. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.02 | Dedicate to the City of Ontario, the following easement(s):

A. An easement for public utility and emergency access purposes with a width of 25-30' varies along all private alleys
B. 52 feet wide easement for public utility and emergency access purposes along all private drives | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.03 | Restrict vehicular access to the site as follows: _____ | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.04 | Vacate the following street(s) and/or easement(s):

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.05 | Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.06 | Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.07 | For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 . | <input type="checkbox"/> |



- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
- (1) _____
- (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
- 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
- 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
- 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
- A. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
- B. The Tract Map shall comply with the approved Rich Haven Specific Plan, the Development Agreement, the Conditions of Approval for Tentative Tract Map No. 20081 and the Conditions of Approval for this Tentative Tract Map.
- C. Applicant/developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.

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

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

- 2.01 Record Tract Map No. 20345 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.



- 2.02 Submit a PDF of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____



- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



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

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

Improvement	All Interior Drives/Alleys (Private)	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input 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 checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

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



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 21 inch sewer main is available for connection by this project in Haven Ave. (Ref: Sewer plan bar code: S15511)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - A. Services and Laterals Abandonment: Abandon all unused sewer laterals in East Sunset Drive.**
 - B. Sewer Manhole: Provide sewer manhole at each grade break (vertical alignment), any angle point (horizontal alignment), sewer main tees and crosses.**
 - C. Terminus Sewer Manhole: Provide sewer manhole at each dead end of sewer main in place of sewer cleanout.**
 - D. Sewer Main Segment Abandonment: Abandon a segment of the sewer main in East Delight Paseo, crossing South Rosy Parkway since the sewer for this proposed Tract 20345 will not be connecting to here as originally proposed.**
 - E. Final Sewer Sub-Area Master Plan (SSAMP): Provide a final sewer design report (i.e. sizing calculations) for the proposed sewer system pursuant to Section 4-8 of Sewer Master Plan (SMP) and demonstrate that the sewer criteria of the SMP (Sections 4-2 to 4-5) has been met. The report shall include sewer demands for all residential units and non-residential use (sf) that constitute the total flow from and through this project and needs to include each proposed reach of main in the project.**
 - i. Also, provide an update to the most current TM-20081 SSAMP to all sewer main formerly downstream (Node 11B to Node G40) of this tract to address the reduction of flows of this project. The TM-20081 SSAMP update may be included as part of the SSAMP for this tract.**

D. WATER

- 2.27 **A 12 inch water main is available for connection by this project in East Sunset Drive and South Rosy Parkway. (Ref: Water plan bar code: W16435)**



2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.

2.29 **Other conditions:**

- A. **Services and Laterals Abandonment: Abandon all unused domestic water services along East Sunset Drive.**
- B. **Domestic Services: No more than six (6) private water services run down the alley way. If the private services are coming out of the meter and directly into the building (such as into a mechanical room), please provide on the Final USM a typical detail with label showing and explaining how this is done. Otherwise, work with the City on alternative way to provide water to the proposed individual units.**

E. RECYCLED WATER

2.30 **A 8 inch recycled water main is available for connection by this project in East Sunset Drive. (Ref: Recycled Water plan bar code: P11732)**

2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**

2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.

2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**

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

2.34 **Other conditions:**

- A. **Services and Laterals Abandonment: Abandon all unused recycled water services in East Sunset Drive.**

F. TRAFFIC / TRANSPORTATION

2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:

1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

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

2.37 **Other conditions:**

- A. **Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1112 for Private Alley and Standard Drawing No. 1205 for Residential Driveway. Show the appropriate radius used for proposed driveways.**
- B. **Property frontage along Haven Avenue and Ontario Ranch Road shall be signed "No Stopping Anytime".**
- C. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting design plans.**



G. DRAINAGE / HYDROLOGY

- 2.38 A 78 inch storm drain main is available to accept flows from this project in Haven Ave. (Ref: Storm Drain plan bar code: D13611-12)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:
 - A. Design and construct storm drain lines on private drives. Sizes and alignments as shown on the Tentative Tract Map 20345/Utilities System Map dated 2/3/2021.

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

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



J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally along the project frontages on all private drives/alleys.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
 - A. Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, submit a final SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utilities Company
 - B. Trash Enclosures (Applicable to Multifamily Attached-MFA):
 - i. Organics Separation and Collection: This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - a. Include on SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections
 - b. In order to comply with these requirements, three (3) 4CY bin per trash enclosure (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics). Proposed three trash enclosures with three 4-cy bins in each, with solid roofs - see latest SWHP dated 2/2/2021.
 - C. Auto-Cans (Applicable to Single Family Detached-SFD): In order to comply with the requirements directly above, each SFD to have three auto-cans, one for refuse, one for recycling and one for organics.



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT20-003, PDEV20-007, and/or Tract Map No. 20345

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

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



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PSPA19-006, PMTT20-003 & PDEV20-007
 Address: NEC of Haven Avenue & Ontario Ranch Road
 APN: 218-393-10, 06 & 07
 Existing Land Use: Vacant/Former Dairy Agriculture
 Proposed Land Use: SPA change land use from Commercial to Residential, Tentative Tract Map to subdivide 6.63 acres into 20 lettered lots and 28 numbered lots and a Development Plan to construct 103 residential units
 Site Acreage: 6.63 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: 12/23/2020
 CD No.: 2020-018
 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 +</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

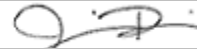
Real Estate Transaction Disclosure Required.

Airport Planner Signature: _____

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

DAB CONDITIONS OF APPROVAL

Sign Off



03/23/21

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV20-007

Case Planner:

Lorena Mejia

Project Name and Location:

Rich Haven - Jade at Canvas Park
 North East Corner of Haven Ave. and Ontario Ranch Road

Applicant/Representative:

Brookcal Ontario – Derek Spalding, Project Manager
 2030 Main ST suite 1000
 Costa Mesa, CA 92626



A Preliminary Landscape Plan (dated 2/10/2021) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



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

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

Civil/ Site Plans

1. Show or note transformers shall located in planter areas and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans.
2. Show or note backflow devices shall be located in planter areas, and set back min 3' from paving Locate on level grade. Coordinate with landscape plans.
3. Wall footings shall not restrict landscape; max 12" in front of footing with of 12" of cover.
4. Show on plans step outs at parking spaces adjacent to planters; 12" wide monolithic curb, 12" compacted decomposed granite or pavers adjacent to the 6" curb.
5. AC units shall be located and sized to be appropriately screened from public views.

Landscape Plans

1. Replace use Salvia leucantha in open planter spaces (gets wide, rangy and woody with age) consider Salvia clevelandii.
2. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
3. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
4. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
5. Provide phasing map for multi-phase projects.
6. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Fees are:

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 25, 2020
SUBJECT: PDEV20-007

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner

FROM: Emily Hernandez, Police Officer

DATE: March 31, 2020

SUBJECT: PDEV20-007- A DEVELOPMENT PLAN TO CONSTRUCT 66 SINGLE-FAMILY UNITS AND 77 MULTIPLE-FAMILY UNITS LOCATED ON THE NORTHEAST CORNER OF HAVEN AVENUE AND ONTARIO RANCH ROAD.

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, park walkways, playgrounds and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall install illuminated address numbers, powered by photocell, on each individual unit and shall not be controlled by the building occupants.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

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



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: April 8, 2020

SUBJECT: A Development Plan (File No. PDEV20-007) to construct 26 detached single-family units (6-Pack Cluster) and 77 multiple-family units (14-plex Courtyard Townhomes) on 6.65 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: 0218-393-07, 0218-393-06, 0218-393-10, 0218-393-22, 0218-393-36, 0218-393-38 and 0218-393-39); submitted by Brookfield Properties Development.. Related Files: PSPA19-006 and PMTT20-003.

-
- 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: VB
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies 742 – 1761 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R2

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

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

4.0 FIRE PROTECTION SYSTEMS

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily final) 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.
- ☒ 5.4 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.



Development Advisory Board Decision

April 5, 2021

DECISION NO.: [insert #]

FILE NO.: PHP20-008, PDEV20-014 and PMTT20-004

DESCRIPTION: A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in support of a Certificate of Appropriateness (File No. PHP20-008) and Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location, to approximately 130 feet southeast, to the corner of the site, and a Tentative Parcel Map (File No. PMTT20-004/TPM 20255) to subdivide the project site into 4 parcels, located at 730 West Fourth Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district (APN: 1047-594-52); **submitted by Fred Herzog.**

Part I—BACKGROUND & ANALYSIS

FRED HERZOG, (herein after referred to as "Applicant") has filed an application requesting Certificate of Appropriateness (File No. PHP20-008), Development Plan (File No. PDEV20-014) and Tentative Parcel Map (File No. PMTT20-004/TPM 20255) approval, as described in the Description of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 1.1 acres of land located at 730 West Fourth Street. Existing land uses and General Plan and zoning designations on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>North:</i>	Religious Assembly	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>South:</i>	Vacant/ Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>East:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>West:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)

(2) **Project Description:** The Project analyzed under the Mitigated Negative Declaration (included as Attachment 1—Mitigated Negative Declaration, attached) consists of a Development Plan and Certificate of Appropriateness to relocate a Tier III historic single-family residence from its current location, to approximately 130 feet southeast, to the corner of the site. The 1,680 square foot historic residence is being relocated to facilitate subdivision of the lot. The Applicant has submitted Tentative Parcel Map (File No. PMTT20-004/ TT 20255) to subdivide the 1.1 acres of land into 4 lots. The applications are being processed concurrently.

The Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible

environmental impacts. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of less than significant, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. The environmental documentation for this project is available for review at the Planning Department public counter.

Part II—RECITALS

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario directed the preparation of an Initial Study, and approved for circulation, a Mitigated Negative Declaration (“MND”) for File Nos. PHP20-008 and PDEV20-014 (hereinafter referred to as “Initial Study/MND”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, File Nos. PHP20-008 and PDEV20-014 analyzed under the Initial Study/MND, consists of a Certificate of Appropriateness and Development Plan for the relocation of a Tier III historic single-family residence from its current location to approximately 130 feet southeast, to the corner of the site, located at 730 West Fourth Street, in the City of Ontario, California (hereinafter referred to as the “Project”); and

WHEREAS, the Initial Study/MND concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an Initial Study/MND that identifies one or more significant environmental effects, CEQA requires the approving authority of the lead agency to incorporate feasible mitigation measures that would reduce those significant environmental effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program (hereinafter referred to as “MMRP”) to ensure compliance with the mitigation measures during project implementation, and such a MMRP has been prepared for the Project for consideration by the approving authority of the City of Ontario as lead agency for the Project; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the Development Advisory Board has reviewed and considered the Initial Study/MND and related MMRP for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/MND and related MMRP for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

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

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

WHEREAS, on April 5, 2021, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the Development Advisory Board has reviewed and considered the information contained in the Initial Study/MND, the related MMRP, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Initial Study/MND, the related MMRP, and the administrative record, including all written and oral evidence presented to the Development Advisory Board, the Development Advisory Board finds as follows:

(1) The Development Advisory Board has independently reviewed and analyzed the Initial Study/MND, the related MMRP, and other information in the record, and has considered the information contained therein, prior to acting on the Project;

(2) The Initial Study/MND and related MMRP prepared for the Project has been completed in compliance with CEQA and is consistent with State and local guidelines implementing CEQA; and

(3) The Initial Study/MND and related MMRP represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project.

SECTION 2: *Development Advisory Board Action.* The Development Advisory Board does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby recommend the Planning Commission APPROVES the adoption of the Initial Study/MND and related MMRP, each included as Attachment 1 of this Decision.

SECTION 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 this action of the Development Advisory Board. 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 4: *Custodian of Records.* The Initial Study/MND, the related MMRP, and all other documents and materials that constitute the record of proceedings on which these findings have been based, are located at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 5th day of April 2021.

Development Advisory Board Chairman

Attachment 1—Initial Study/MND and Related MMRP

(Initial Study/MND and Mitigation Monitoring and Reporting Program follows this page)



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

California Environmental Quality Act Environmental Checklist

Section I – PROJECT INFORMATION

Project Title/File No.: PHP20-008, PDEV20-014, and PMTT20-004

Lead Agency: City of Ontario, 303 East “B” Street, Ontario, California 91764, (909) 395-2036

Contact Person: Elly Antuna, Associate Planner, Phone: 909-395-2414, Email: eantuna@ontarioca.gov

Project Sponsor: City of Ontario, 303 East B Street, Ontario, CA 91764

Project Location: The Project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the Project site is located on Assessor Parcel Number (APN): 1047-594-52 which is comprised of 1.1 gross acres.

Figure 1: REGIONAL LOCATION MAP

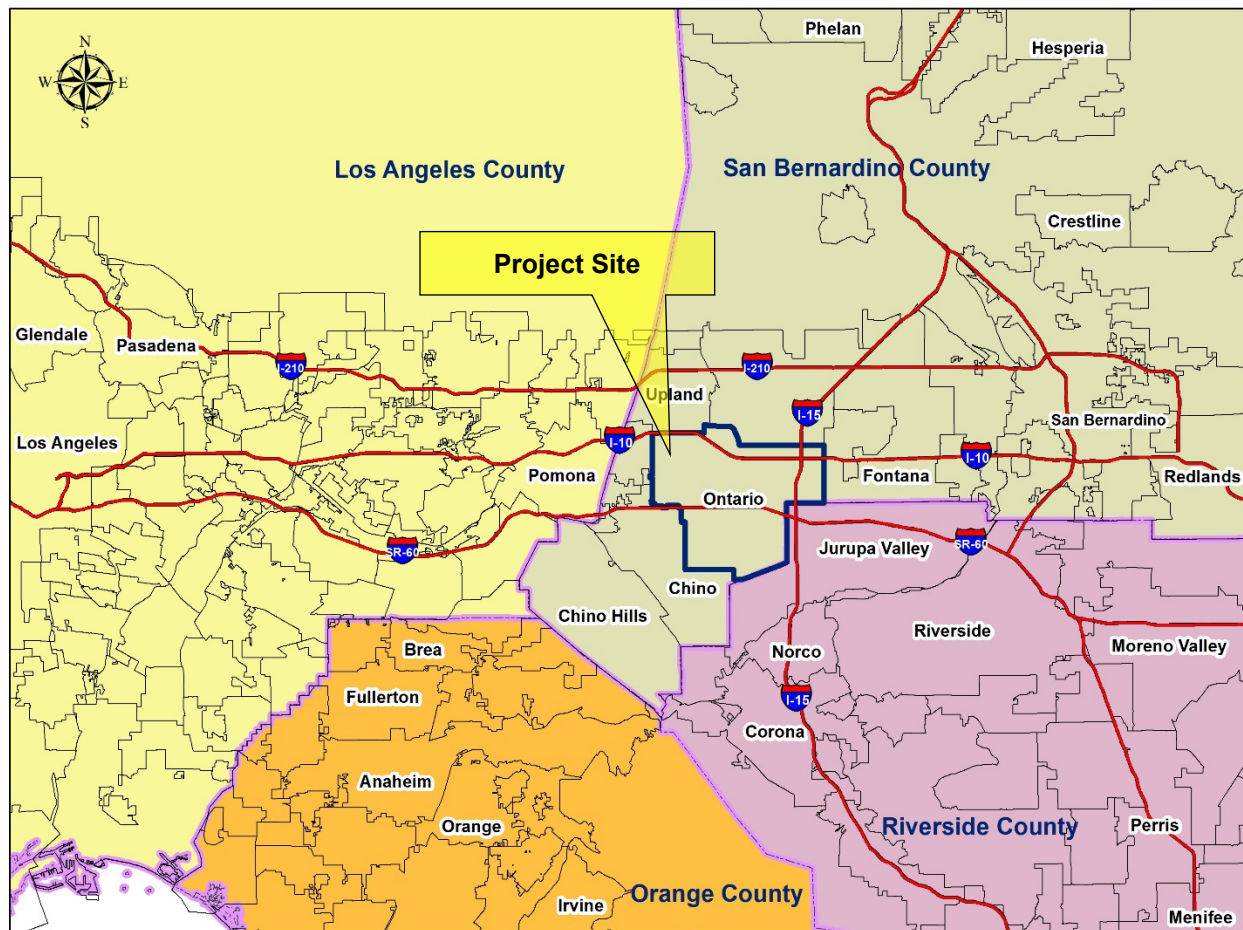


Figure 2: VICINITY MAP



Figure 3: AERIAL PHOTOGRAPH



General Plan Designation: Low Density Residential (LDR)

Zoning: LDR-5 (Low Density Residential 2.1-5.0 DU/Acre)

Description of Project: A Certificate of Appropriateness (File No. PHP20-008) and Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location, approximately 130 feet to the southeast to the corner of the existing site. The relocation will facilitate the subdivision of the 1.1-acre project site into four lots (File No. PMTT20-004/TPM 20255) for future residential development.

Project Setting: The Project consists of one parcel of land, which is currently developed with a historic single-family residence that was constructed in 1900 (est.) and a detached garage constructed in 1954. The buildings are generally located at the center of the site. The residence was one of the first in the area, which consisted largely of citrus groves until the late 1940s and 1950s, when the surrounding area was developed with tracts of small, family homes. The single-family residence has been determined a Tier III local historic resource. The detached garage was not a part of the Tier III determination and is not considered a historic resource.

	Existing Land Use	General Plan Designation	Zoning Designation
Site:	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 DU/ac)
North:	Religious Assembly	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 DU/ac)
South:	Vacant/ Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 DU/ac)
East:	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 DU/ac)
West:	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 DU/ac)

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

Tribal Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? Yes No

If "yes," has consultation begun? Yes No Completed

Section II - ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |

- | | | |
|--|--|---|
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Energy |

Section III - DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Elly Antuna, Associate Planner
Printed Name and Title

March 11, 2021
Date

City of Ontario
For

Section IV - EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how

they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) *Earlier Analyses Used.* Identify and state where they are available for review.

b) *Impacts Adequately Addressed.* Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) *Mitigation Measures.* For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) *Supporting Information Sources.* A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and

b) The mitigation measure identified, if any, to reduce the impact to less than significance.

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

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<p>2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
<p>a. Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
16. RECREATION. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION. Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3 or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<p>a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
<p>a. Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>21. MANDATORY FINDINGS OF SIGNIFICANCE.</p>				
<p>a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<p>b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Note:</u> Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09. <u>Reference:</u> Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

Section V - EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

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

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, TOP Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains. The Project site is located on Fourth Street which is a west-east street. The Project will not result in adverse environmental impacts with regard to views of the San Gabriel Mountains. Therefore, no adverse impacts are anticipated in relation to the Project.

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

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

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east-west direction. I-15 traverses the northeastern portion of the City in a north-south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. Therefore, it will not result in adverse environmental impacts.

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

c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Discussion of Effects: The Project would not degrade the existing visual character or quality of the site or its surroundings. The Project site is in an area that is characterized by residential development and is surrounded by urban land uses. The proposed Project is consistent with the policies of the Community

Design Element of the Policy Plan (General Plan) and zoning designation on the property as well as with the residential development in the surrounding area. Therefore, no adverse impacts are anticipated.

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

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

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

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

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

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The site does not contain any agricultural uses. As discussed in the Certified TOP EIR, a considerable portion of the Project site has been used for agricultural/dairy farming. The Project will convert this land, which is considered to be Urban and Built-Up Land pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. As a result, no adverse environmental impacts are anticipated.

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

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The Project site is not zoned for agricultural use. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

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

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Discussion of Effects: The Project would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. The Project site is zoned for Low Density Residential development. The proposed Project is

consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and the development standards and allowed land uses of the LDR-5 (Low Density Residential) zone. Therefore, no impacts to forest or timberland are anticipated.

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

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

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

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

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

Discussion of Effects: The Project site is currently zoned LDR-5 (Low Density Residential 2.1-5 du/ac) and is not designated as Farmland. There are no agricultural uses occurring on site. As a result, to the extent that the Project would result in changes to the existing environment, those changes would not result in loss of Farmland to non-agriculture use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed Project would result in changes to the existing environment, those changes would not impact forest land.

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

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The Project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed Project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the Project is consistent with the City's participation in the Air Quality Management Plan and will not conflict with or obstruct implementation of the plan. Mitigation (Mitigation Measure 5.3-2) has been adopted by the City that requires fugitive dust control measures pursuant to SCAQMD's Rule 403, use of Tier 3 construction equipment, proper service and maintenance of construction equipment, limiting nonessential idling of construction equipment, and use of Super-Compliant VOC paints for coating and architectural surfaces. As a condition of approval, the Project will comply with Mitigation Measure 5.3-2. No new impacts beyond those identified in the Certified TOP EIR that would result from Project implementation.

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

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Discussion of Effects: The Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because of the limited size and scope of the Project. Although no impacts are anticipated, the Project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant.

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

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: As discussed in Section 5.3 of TOP EIR, the proposed Project is within a non-attainment region of the SCAB. Essentially, this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The subject site was previously analyzed by TOP EIR as Low Density Residential and the proposed Project is consistent with The Ontario Plan (TOP) land use designation. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level with mitigation. No new impacts beyond those identified in TOP EIR would result from Project implementation.

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

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

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Low Density Residential (2.1 – 5.1 du/ac). The proposed parcel map and residential use proposed on the subject site do not create objectionable odors. Further, the Project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

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

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The Project site is not located within an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

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

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

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

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

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

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion of Effects: The site is developed with a single-family residence and the surrounding area was previously developed with citrus groves until the 1940s and 1950s when the surrounding area was developed with single family residences. The Project site is bounded on all four sides by residential development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

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

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

Discussion of Effects: The City of Ontario does have a tree preservation policy in place. A tree inventory has been provided and treatment or removal of the trees will be done in compliance with the approved tree preservation policy. The Project does not conflict with existing policies or ordinances protecting biological resources. As a result, no adverse environmental impacts are anticipated.

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

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or another approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

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

5. CULTURAL RESOURCES. Would the project:

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

Discussion of Effects: The Project site is developed with a historic single-family residence that was determined a Tier III historic resource by the City of Ontario Historic Preservation Subcommittee and is listed on the City's local historic resource registry. For the purposes of CEQA, the single-family residence is a historic resource. The one-story single-family residence was constructed in 1900 (est.) in the Victorian Bungalow style of architecture. The 1,680 square foot (approximate) residence possesses character defining features of the Victorian Bungalow architectural style such as a hipped roof covered in composition shingles, narrow horizontal wood siding, a gable dormer on the primary façade and a full width front porch supported by simple wood posts. The house sits on a stone (rock) foundation. The primary façade features

a single wood entry door surrounded by wood trim, a hung window with a multi-pane upper sash and hung-fixed-hung triple window. The house features a bay with a dormer roof on the eastern façade. The house has numerous wood frame hung and casement windows surrounded by wood trim.

The Project proposes to relocate the historic residence to accommodate the subdivision of the lot into 4 parcels. The relocation of the historic resource has the potential to cause adverse impacts to the historic resource. The Applicant consulted with an architectural historian to review the potential adverse effects of moving the historic resource (Exhibit A – Daly & Associates Letter). It was determined that if the Project is conducted using the Secretary of the Interior’s Standards and John Obed Curtis’ book, *Moving Historic Buildings*, the relocation Project would not impede the building from retaining its historic character. Moving the building (in its entirety) will not detrimentally change, destroy, or adversely affect the historic character or value of the resource. Furthermore, by moving the house to a different location within the existing parcel, it will preserve the integrity aspects of setting, location, feeling, and association of the resource.

Mitigation: Project is less than significant with implementation of mitigation measures. The historic residence shall be relocated approximately 130 feet southeast by a professional house moving company in accordance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings (SOIS)*. The SOIS and the guidelines outlined in *Moving Historic Buildings* by John Obed Curtis, U.S. Department of the Interior must be used as reference materials for the relocation project.

i) All character-defining features, including but not limited to building height, roof shape and material, exterior wood siding, windows, trim and front porch shall be preserved without alteration.

ii) A City approved relocation and structural plan of the residence that is in compliance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties* and the guidelines presented in *Moving Historic Buildings*, by John Obed Curtis shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the residence.

iii) Residence shall be relocated to newly created Lot 4 and shall be setback 20-feet from south property line (Fourth Street), 7-feet from east property line and 25-feet from west property line.

iv) A new, 2-car garage shall be constructed on Lot 4 in conjunction with the relocation of the residence. The garage shall be constructed to match the historic residence and shall feature a hipped roof, horizontal wood siding and wood trim around windows and doors.

v) The relocation of the historic residence, inspections and approvals shall be completed prior to issuance of any building permit for Lots 1 through 3 from proposed Tentative Parcel Map (File No. PMTT20-004).

vi) As-built drawings of historic residence in its original condition and location shall be provided and shall include site plan, elevations, and floor plan. Detailed cross-sections of significant architectural features shall be provided, included but not limited to windows and dormer.

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

Discussion of Effects: The Ontario Plan EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously rough graded when the property was developed with the single-family residence and detached garage, and no archaeological resources were found. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions will be imposed on future development that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the Project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

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

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

Discussion of Effects: The proposed Project is in an area that has been previously disturbed by human activity. No known religious or sacred sites exist within the Project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the Project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

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

6. ENERGY Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Discussion of Effects: Energy was not analyzed in the Certified TOP EIR but has been included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the Project would not substantially increase the demand for electricity and natural gas at the Project site and gasoline consumption in the region during construction and operation. Implementation of the Project will require compliance with CALGreen Building Code (CCR Title 24, Part11).

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to TOP EIR analyses are necessary.

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

Discussion of Effects: Implementation of the Project will not obstruct or conflict with a state or local renewable energy plan. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to TOP EIR analyses are necessary.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the Project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the Project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

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

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the Project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone

is located more than ten miles from the Project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will comply with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

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

iii. Seismic-related ground failure, including liquefaction?

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

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

iv. Landslides?

Discussion of Effects: The Project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the Project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General Plan and zoning will not create greater landslide potential impacts than were identified in the Certified TOP EIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code for any future development would reduce impacts to a less than significant level.

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

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

Discussion of Effects: Implementation of the Project will not create greater erosion impacts than were identified in the Certified TOP EIR. The Project will not result in significant soil erosion or loss of topsoil because of the previously disturbed nature of the Project site and the limited size and scope of the Project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

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

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion of Effects: Implementation of Project will not create greater landslide potential impacts than were identified in the Certified TOP EIR. Therefore, no adverse impacts are anticipated. In addition, the associated Project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the Project is less than significant. TOP EIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The

Project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

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

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the Project site, is located on alluvial and eolian soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

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

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

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

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

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Certified TOP EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

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

8. GREENHOUSE GAS EMISSIONS. Would the project:

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

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR as residential uses. According to the Certified TOP EIR, this impact would be significant and unavoidable (Recirculated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) The TOP EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Implementing the Project will not create significantly greater impacts than were identified in the Certified TOP EIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed Project would result in an impact that was previously analyzed in the Certified TOP EIR, which was certified by the City; (2) the proposed Project would not result in any greenhouse gas impacts that were not addressed in the Certified TOP EIR; (3) the proposed Project is

consistent with The Ontario Plan. The proposed impacts of the Project were already analyzed in the Certified TOP EIR and the Project will be built to current energy efficient standards. Potential impacts of Project implementation will be less than significant with mitigation already required under the Certified TOP EIR and current energy efficiency standards. No changes or additions to the Certified TOP EIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary. The mitigation measures adopted as part of TOP EIR adequately address any potential significant impacts.

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

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR as a residential land use. The proposed Project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed Project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the Project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed Project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

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

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: The Project will not involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

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

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR for residential use. The proposed Project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

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

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed Project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, no impacts are anticipated.

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

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion of Effects: The proposed Project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the Project would not create a hazard to the public or the environment and no impact is anticipated.

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

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. The Project site is located outside on the safety zone for ONT and Chino Airports. Therefore, no impacts are anticipated.

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

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

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the Project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because future development would be required to comply with all applicable State and City codes, no significant impacts are anticipated.

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

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Discussion of Effects: The Project site is not located in or near wildlands. Therefore, no impacts are anticipated.

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

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Discussion of Effects: The Project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor facilities, and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is

required to comply with the statewide National Pollutant Discharge Elimination System (“NPDES”) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario’s Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Furthermore, the applicant for the subject site has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the subject sites’ compliance with storm water discharge and water quality management 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.

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

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. Increases in the current amount of water flow to the Project site are anticipated and have been determined to not be significant. The proposed Project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The future development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 250 to 450 feet below the ground surface. No adverse impacts are anticipated.

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

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

Discussion of Effects: It is not anticipated that the Project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site, nor will the proposed Project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the site will not be altered, and it will have no significant impact on downstream hydrology. Stormwater generated by the Project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

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

ii. Substantially increase the rate or amount of surface runoff water in a manner which would result in flooding on- or off-site?

Discussion of Effects: The proposed Project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

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

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Discussion of Effects: It is not anticipated that the Project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" ("WQMP"), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. Therefore, no impacts are anticipated.

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

iv. Impede or redirect flood flows?

Discussion of Effects: Urbanization in the areas surrounding the Project site have resulted in increased responsiveness of the basin to rainfall. The increase in impervious surfaces such as roofs, roads, and parking lots has resulted in a decrease in groundwater infiltration and larger storm surges. The Project site is not impacted by offsite flows. The Project site is not located in a FEMA Firm Panel designated Flood Zone Risk, and according to the United States Fish and Wildlife Service National Wetlands Inventory ("NWI") no wetlands exist on the property. An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. However, the Project will be conditioned to design and construct a storm water detention facility on site so that the 100 year post-development peak flow does not exceed 80% of pre-development peak flows.

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

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is dominated by agricultural fallow fields and does not contain any vegetation associated with riparian features. No wetlands have been mapped on the Project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The Project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the Project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to project inundation.

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

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion of Effects: The Regional Water Quality Control Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the

region. Development allowed by the Project would be required to adhere to requirements of the water quality control plan, including all existing regulation and permitting requirements. This would include the incorporation of best management practices (“BMPs”) to protect water quality during construction and operational periods. Development of the Project would be subject to all existing water quality regulations and programs, as described in the regulatory section above, including all applicable construction permits. Existing General Plan policies related to water quality would also be applicable to the Project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, would ensure that water quality impacts related to the Project would be less than significant.

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

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The Project site is in an area that is currently developed with residential land uses. The Project will be of similar design and size to surrounding development. No adverse impacts are anticipated.

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

b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR residential land uses. Implementation of Project will not create greater impacts than were identified in the Certified TOP EIR. The proposed Project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

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

12. MINERAL RESOURCES. Would the project:

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

Discussion of Effects: Implementation of the Project on the subject site will not create greater impacts than were identified in the Certified TOP EIR. The Project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

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

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

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

13. NOISE. Would the project result in:

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: Implementation of the Project on the subject site will not create greater impacts than were identified in the Certified TOP EIR. The Project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan EIR (Section 5.12). No additional analysis will be required at the time of site development review.

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

b. Generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. The uses associated with this proposed Project are required to comply with the environmental standards contained in the City of Ontario Development Code and as such, no impacts are anticipated.

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

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

Discussion of Effects: The Project site is not located within the vicinity of a private airstrip. The proposed Project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The Project is located outside of the Safety, Noise Impact and Airspace Protection Zones. In addition, the Project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

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

14. POPULATION & HOUSING. Would the project:

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

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR for residential uses and is consistent with General Plan land use designations and would not induce significant population growth. Therefore, no impacts are anticipated.

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

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

Discussion of Effects: The Project site contains an existing historic single-family residence that will be relocated on-site. Relocating the existing residence on-site and subdividing the parcel will not create existing housing impacts.

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

15. PUBLIC SERVICES. Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to

maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

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

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

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

iii. Schools?

Discussion of Effects: Upon development, the Project proponent will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

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

iv. Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

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

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

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

16. RECREATION. Would the project:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Discussion of Effects: This Project is not proposing a significant number of new housing units that would result in the substantial physical deterioration of nearby existing parks. Future construction of housing would be very limited in scope due to the small size of the site and the project does not include a large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

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

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: Implementation of the Project on the subject site will not create greater impacts than were identified in the Certified TOP EIR. Future construction of housing would be very limited in scope due to the small size of the site and does not include a large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

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

17. TRANSPORTATION. Would the project:

a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. Implementation of the Project would result in public right-of-way improvements to include parkway along the north side of Fourth Street and installation of a sidewalk along Project frontage to connect to existing sidewalks located on the west and east. The Project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections beyond that was evaluated in the TOP EIR. Less than significant impacts are anticipated.

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

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdictions are required to develop and implement thresholds of significance criteria and methodologies for evaluating VMT. The City of Ontario has adopted and established a VMT analysis threshold or analysis methodology based on our Policy Plan (General Plan) baseline. However, the Project was submitted prior to the adoption of the threshold and therefore not subject to the adopted thresholds. Subsequently, The Ontario Plan EIR analyzed VMT, as part of the GHG analysis. The Ontario Plan (TOP) is consistent with the RTP/SCS for the Southern California region. The SBTAM model has incorporated TOP buildout which was then incorporated into the SCAG model in developing the RTP/SCS for the region. The thresholds used in these models can be found in the tool created for SBCTA that analyzes the various threshold options. TOP established VMT thresholds as such this option has already been found to be consistent with the RTP/SCS and these land use assumptions have been incorporated into the SBTAM and SCAG's regional models. The screening tool created for use in San Bernardino County can be utilized for locations within Ontario where additional analysis is not required, and the City thresholds be used for Projects to determine if additional analysis is required. If mitigation measures are included for the Project and the VMT brought down below the established threshold (City average), then the Project can be determined to have less than a significant impact on transportation (in terms of CEQA). Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

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

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

Discussion of Effects: The Project is in an area that is mostly developed, and street improvements are complete. The Project will not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

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

c. Result in inadequate emergency access?

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. Any future development on the Project site will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

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

d. Result in inadequate parking capacity?

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

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

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

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

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. Implementing the project will not create greater impacts than were identified in the Certified TOP EIR.

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

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects:, Pursuant to Assembly Bill A52, tribal consultation has been completed and the Kizh Nation Gabrieleño Band Of Mission Indians has requested mitigation (Exhibit B – Kizh Nation Gabrieleño Band Of Mission Indians Consultation) due to the project site being located within and around a sacred village (Wajijangna), adjacent to sacred water courses and a major traditional trade route. As such, there is a high potential to impact Tribal Cultural Resources still present within the soil from the thousands of years of prehistoric activities that occurred within and around these Tribal Cultural landscapes. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction. Therefore, it is concluded that the proposed Project's impact to Tribal Cultural Resources (TCR) or Native America artifacts relating to TCRs will be less than significant with mitigation.

Mitigation: Prior to the commencement of any ground disturbing activity at the Project site, the Project Applicant shall retain a Native American Monitor approved by the Gabrieleño Band of Mission

Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 - SB18 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Discussion of Effects: The proposed Project is served by City of Ontario water system and has an existing 10-inch water main available for connection in Fourth Street adequate for the Project. The proposed Project will connect to an existing sewer main east of the Project which has been found to be sufficient for the Project. The Project will therefore not require the construction of new water or wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

As discussed in the energy section above, the Project will have no anticipated impacts with regards to electric power and natural gas. In addition, the Project will not have an impact on telecommunications facilities.

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

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of

Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of TOP EIR. No impacts are anticipated.

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

c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: The Project site is served by the City of Ontario water system. The Project will be required to meet the requirements of the Ontario Engineering Department regarding wastewater. No significant impacts are anticipated.

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

d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with enough capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

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

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion of Effects: This Project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

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

20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

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

21. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

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

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

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

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Discussion of Effects: The Project does not have impacts that are cumulatively considerable.

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

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

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

Section VI - EARLIER ANALYSES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier Analyses Used. Identify earlier analyses used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan (TOP)
 - c) City of Ontario Official Zoning Map
 - d) City of Ontario Development Code
 - e) Ontario International Airport Land Use Compatibility Plan
 - f) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

Section VII - MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.) Mitigation Measures incorporated as part of the Certificate of Appropriateness (File No. PHP20-008) and Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family home are specific to Cultural Resources mitigations in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and Tribal Cultural Resources mitigations regarding tribal noticing and on-site monitoring during construction.

(Document follows this page)



2242 El Capitan Drive, Riverside, California 92506
(951) 369-1366 ■ daly.rvrsde@sbcglobal.net

October 15, 2019

Elly Antuna
Planning Department
City of Ontario
303 East "B" Street
Ontario, CA 91764

Re: 730 West Fourth Street, Ontario, San Bernardino County

Dear Ms. Antuna;

The purpose of this letter is to review the proposed project to move the single-family dwelling currently situated in the approximate middle of a large lot at 730 West Fourth Street, in the City of Ontario. The project proponents retained the services of Daly & Associates to ascertain if the project's plan to move the building has the potential to adversely impact a historic built-environment resource that was constructed circa 1900 per San Bernardino County Assessor's Office.¹ The project proponents propose to move the house from its present location, to a new site approximately 30 feet south and 120 feet to the east, and near the east boundary line, within the legal parcel.

This letter is being prepared by Principal Architectural Historian, Pamela Daly, who holds a Master of Science Degree from the University of Vermont in Historic Preservation. Ms. Daly has over 22 years experience in the field of Historic Preservation, and exceeds the Secretary of the Interior's Standards level of professional qualifications for architectural historians and historians.

Based upon a review of historic topographic maps dating to 1903, and aerial photographs dating from 1938, there is sufficient evidence to find that the single-family dwelling was associated with the history of the citrus industry in Ontario. The aerial photograph of 1938 shows only one or two small houses per city block surrounded by citrus groves, in this northwest area of the city. Between 1948 and 1959, the area surrounding the subject property was radically altered with the construction of tracts of small, family homes, and the removal of almost all the citrus groves.

According to building permits issued to the owners of the house in 1954, Mabel and Joseph Vieira, the rear porch of the house was enclosed in order to remodel the

¹ Due to lack of historic building permits, early dates of construction are based upon the change in the value of a property in the property tax rolls.

730 West Fourth Street
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kitchen and provide additional interior living space. The early aerial photographs present evidence that there had been a stable or garage structure located to the north of the house. This building was removed at some point in time, and the Vieira's built a new, two-car garage to the immediate northeast of the house in conjunction with the kitchen remodel project. The house at 730 West Fourth Street is a rare, remaining example of a modest, citrus grove house in the City of Ontario, dating from the period of significance of the early settlement of the city.

Based upon information from the City of Ontario's Planning Department, the property at 730 West Fourth Street has been determined by the City's Historic Preservation Subcommittee to be a Tier 3 Eligible Historical Resource. The building has a direct relationship to the Citrus industry, which is one of the principal historic contexts in the City's history.

Any property listed on the City's List of Historical Resources prior to September 1, 2003, or after September 1, 2003, surveyed at the intensive level in accordance with the standards set forth by the California Office of Historic Preservation, and determined to meet the designation criteria for historic landmarks, as set forth in Section 9-1.2615 by the Historic Preservation Subcommittee shall be determined to be an Eligible Historical Resource.

Per California Environmental Quality Act (CEQA) 14 CCR § 15064.5, a resource that is included in a local register of historical resources, such as the City of Ontario's Register of Historical Properties, shall be presumed to be historically significant.

The house should be raised and moved by a professional house moving company in accordance with a project that follows the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings* (SOIS) (Kay D. Weeks and Anne E. Grimmer, revised 2017). The SOIS, plus the use of guidelines as presented in *Moving Historic Buildings* by John Obed Curtis, U.S. Department of the Interior; 1979, must be used as reference materials for the proposed project activities.²

The use of the SOIS is instituted by CEQA to present the methods required to protect and preserve the historic character, features, and physical integrity of the Melton House.

The current property owners are proposing to develop the large parcel, and to move the historic dwelling on the property to a new location within the legal parcel. Moving the historic resource is a preferred alternative to demolishing the structure. By moving the house to a different location within the same parcel, it will preserve the integrity aspects of setting, location, feeling, and association of the resource. A project that follows the SOIS to preserve the physical aspects of the buildings

² While the technology of moving a building has greatly improved since 1979, with the introduction of computer-controlled hydraulic lift systems, Curtis' book is valuable for describing the protection of architectural features of a historic building before and during the move.

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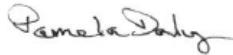
integrity shall be considered as having a less-than-significant impact on a historical resource.

Our review of the proposed project activity to move the house at 730 West Fourth Street from its present location to a new site within the same legal parcel, has determined that if the project is conducted using the SOIS and Curtis' book for moving historic buildings, the relocation project does not appear to impede the building from retaining its historic character. Moving the building (in its entirety) will not detrimentally change, destroy, or adversely affect the historic character or value of the resource.

Our review of the project was limited to presenting an opinion to the potential adverse effects of moving the historic resource. We have not been requested to review any plans or designs for any aspects of the rehabilitation of the historic building, including the new foundation, front porch landing, or landscaping.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Pamela Daly, M.S.H.P.
Principal

Cc: Fred Herzog; Studio Matrix

Exhibit B – Kizh Nation Gabrieleño Band of Mission Indians Consultation

(Document follows this page)

From: [Andrew Salas](#)
To: [Elly Antuna](#)
Cc: [Gabrieleno Administration](#); [Kara Grant](#)
Subject: Re: REQUEST FOR CONSULTATION - PHP20-008 & PDEV20-014
Date: Friday, February 19, 2021 3:57:24 PM

Hello Elly ,

Thank you for your phone Call this morning and email response . After going over the project location and some of our old documentation regarding the specific area location our tribal council as well as our legal counsel has suggested the city please utilize the attached mitigation's measure/ conditions to protect our last remaining tribal Cultural resources . If you have any questions feel free to contact us . Thank you and have a good weekend

Please note that CEQA has been revised to add Tribal Cultural Resources as their own element. The State has defined Tribes as the experts of the resources within this element. No longer are Archaeologist or Anthropologist or Historians or academic institution or any non-tribal entity the authority over our resources. We are the experts of our own resources. Therefore please keep our Tribal cultural Resources (TCR) separate from Archaeological resources . Also please utilize the attached mitigation measures in order to protect our tribal cultural resources .

MM TCR-1 Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 - SB18 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to nopotential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burialgoods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by

the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

Confidentiality Statement:

This email and any files transmitted with it may contain confidential information and trade secrets of Kizh Nation Gabrieleño Band Of Mission Indians and / or its subsidiaries and affiliates. It is intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, dissemination, distribution, or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

Sent from my iPhone

On Feb 19, 2021, at 12:05 PM, Elly Antuna <EAntuna@ontarioca.gov> wrote:

Hello Andrew Salas

In effort to preserve and protect California Native American traditional tribal cultural places, the City of Ontario invites you to consult on the proposed Certificate of Appropriateness (PHP20-008) and Development Plan (PDEV20-014), pursuant to Government Code 65352.3. The City of Ontario recognizes that the proposed project may have impacts to potential cultural resources and encourages tribal participation. It is important for the City and the Gabrieleño Band of Mission Indians - Kizh Nation to collaborate efforts in order to preserve cultural resources through the local planning process.

Project File Nos.: PHP20-008 & PDEV20-014 – Certificate of Appropriateness and Development Plan to Relocate a Tier III Historic Single-Family Residence (Related File No. PMTT20-004)

Applicant: Dan Liu, Shan Living Trust, 71 Gainsboro, Irvine, CA 92620

Lead Agency Contact: Elly Antuna, Associate Planner; City of Ontario, 303 East "B" Street, Ontario, California 91764; (909) 395-2414

Project Description and Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. The project site is bounded by Fifth Street to the north, Fourth Street to the south, Mountain Avenue to the west, and San Antonio Avenue to the east. The surrounding land uses include residential uses to the west, east and south and a religious assembly use to the north.

The project is a request for a Certificate of Appropriateness (File No. PHP20-008) and Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location approximately 130 feet southeast to the corner of the existing site to accommodate the subdivision of 1.1-acres of land into four (4) lots within the LDR-5 (Low Density Residential –2.1 to 5.0 DU/Acre) zoning district located at 730 West Fourth Street. The project consists of one parcel which is currently developed with a single-family residence that was constructed in 1900 (est.) and a detached garage constructed in 1954. The buildings are generally located at the center of the existing lot. The residence was one of the first in the area, which consisted largely of citrus groves until the late 1940s and 1950s when the surrounding area was developed with tracts of small, family homes. The single-family residence has been identified as a local historic resource and relocation of the historic resource on-site requires Certificate of Appropriateness and Development Plan approval. (APN: 1047-594-52). Related File: PMTT20-004 / TPM 20255.

More information is provided within the PDF attached. Please let me know if you need more information and/or whether or not consultation is required on behalf of your tribe. Thank you and have a great day.

Elly Antuna
Associate Planner

City of Ontario | Planning Department
303 East B Street, Ontario, CA 91764
T (909) 395-2414 | E ellantuna@ontarioca.gov
www.ontarioca.gov

<image003.png>

COVID-19 PLANNING DEPARTMENT UPDATES

- The Planning Department counter is open for appointments. [Click here to book your appointment.](#)
[\[booknow.appointment-plus.com\]](#)
- Contact us by phone at (909) 395-2036 or by email at PlanningCounterMail@ontarioca.gov for general Planning-related information.

- *TUP applications for large gatherings, as determined by the City, are not being accepted until further notice.*
- *We appreciate your business and your patience.*

<Request Consultation PHP20-008_Gabrieleno.pdf>



City of Ontario
 Planning Department
 303 East B Street
 Ontario, California 91764
 Phone: 909-395-2036
 Fax: 909-395-2420

**California Environmental Quality Act
 Mitigation Monitoring and Reporting Program**

Project Title: Fourth Street Relocation / **Project File Nos.:** PHP20-008, PDEV20-014 and PMTT20-004

Project Sponsor: Fred Herzog, Studio Matrix, 4351 E. Alderdale Avenue, Anaheim, CA 92807 and Dan Liu, Shan Living Trust, 71 Gainsboro, Irvine, CA 92620

Lead Agency/Contact Person: Elly Antuna, Associate Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764 (909) 395-2036

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
Cultural Resources						
a) As-built drawings of historic residence in its original condition and location shall be provided and shall include site plan, elevations, and floor plan. Detailed cross-sections of significant architectural features shall be provided, included but not limited to windows and dormer.	Planning Dept	Building Permit Issuance	Prior to issuance of Building Permit	Plan Check		Withhold Building Permit
b) A City approved relocation and structural plan of the residence that is in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the guidelines presented in Moving Historic Buildings, by John Obed Curtis shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the residence.	Planning Dept	Building Permit Issuance	Prior to issuance of Building Permit	Plan Check		Withhold Building Permit
c) The historic residence shall be relocated approximately 130 feet southeast by a professional house moving company in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings (SOIS). The SOIS and the guidelines outlined in Moving Historic Buildings by John Obed Curtis, U.S.	Planning Dept & Building Dept	Building Permit Issuance	Prior to issuance of Building Permit	Plan Check		Withhold Building Permit

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
<p>Department of the Interior must be used as reference materials for the relocation project.</p> <p>i) All character-defining features, including but not limited to building height, roof shape and material, exterior wood siding, windows, trim and front porch shall be preserved without alteration.</p> <p>ii) Residence shall be relocated to newly created Lot 4 and shall be setback 30-feet from south property line (Fourth Street), 7-feet from east property line and 25-feet from west property line.</p> <p>iii) A new, 2-car garage shall be constructed on Lot 4 in conjunction with the relocation of the residence. The garage shall be constructed to match the historic residence and shall feature a hipped roof, horizontal wood siding and wood trim around windows and doors.</p> <p>iv) Building permit to relocate the residence shall obtain all final inspections and approvals prior to permit issuance for any infill construction on Lots 1-3 from proposed Tentative Parcel Map (File No. PMTT20-004).</p>						
Tribal Cultural Resources						
<p>a) Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 - SB18 (the “Tribe” or the “Consulting Tribe”). A</p>	<p>Building Dept & Planning Dept</p>	<p>At issuance of grading permit</p>	<p>Prior to issuance of grading permit</p>	<p>Copy of executed contract</p>		<p>Withhold grading permit</p>

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
<p>copy of the executed contract shall be submitted to the City of Ontario Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area.</p>						
<p>b) The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified.</p>	<p>Building Dept & Planning Dept</p>	<p>At issuance of grading permit</p>	<p>Prior to issuance of grading permit</p>	<p>Copy of executed contract</p>		<p>Withhold grading permit</p>
<p>c) Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be</p>	<p>Building Dept & Planning Dept</p>	<p>At issuance of grading permit</p>	<p>Prior to issuance of grading permit</p>	<p>Copy of executed contract</p>		<p>Withhold grading permit</p>

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]).						



Development Advisory Board Decision

April 5, 2021

DECISION NO.: [insert #]

FILE NOS.: PDEV20-014

DESCRIPTION: A Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location, approximately 130 feet southeast, to the corner of the site, within the LDR-5 (Low Density Residential –2.1 to 5.0 du/ac) zoning district located at 730 West Fourth Street (APN: 1047-594-52); **submitted by Fred Herzog.**

PART I: BACKGROUND & ANALYSIS

FRED HERZOG, (herein after referred to as “Applicant”) has filed an application requesting Development Plan (File No. PDEV20-014) and Tentative Parcel Map (File No. PMTT06-030) approval, , as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The subject site is comprised of 1.1 acres of land located at 730 West Fourth Street and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>North:</i>	Religious Assembly	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>South:</i>	Vacant/ Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>East:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>West:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)

(2) **Project Description:**

(a) Background — In 2006, a Tentative Parcel Map (File No. PMTT06-030) was approved to subdivide the subject site into 3 parcels, with the existing single-family residence remaining at its original location. A one-year time extension was granted; however, the approved Tentative Parcel Map expired before its final recordation. Wu, Shan Living Trust purchased the subject property in 2017. On June 4, 2020, a Certificate of Appropriateness (File No. PHP20-008) and Development Plan (File No. PDEV20-014) to allow the relocation of the Tier III historic resource in conjunction with a Tentative Parcel Map (File No. PMTT20-004) to subdivide the lot were submitted and are being processed concurrently.

(b) Site Design/Building Layout — The Applicant is proposing to relocate the historic single-family residence from its current location, approximately 130 feet southeast, to the corner of the site (Exhibit B—Proposed Relocation, attached), and demolish a detached garage. The residence will be

located on Lot 4 of the proposed subdivision and will be oriented towards Fourth Street (Exhibit C—Site Plan). The residence will be setback 30 feet from the south (front), 7 feet from the east (side), 66 feet from the north (rear), and 25 feet from the newly created west (side) property lines. The residence will be set on a raised rock foundation to match the original foundation. A detached two-car garage will be constructed at the northwest corner of the site to satisfy the off-street parking requirement. The Project has one point of vehicular access from Fourth Street that will lead to the off-street parking at the rear of the lot.

The original floor plan features 3 bedrooms and one bathroom. Upon relocation, the interior of the residence will be altered to add an additional bathroom. No building area will be added, and the exterior of the residence will be repaired to its original condition upon relocation (Exhibit D—Residence Photographs, attached). Proposed single-family dwellings on Lots 1 through 3 will be oriented towards Fourth Street and will be constructed with attached two-car garages. Vehicular access for each lot will be from Fourth Street. New dwellings will be setback at least 40 feet from the front property line.

(c) Utilities (drainage, sewer) - Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm quality discharge/water quality requirements. The PWQMP includes site design measure that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration. The proposed development will not substantially alter the existing drainage pattern.

Part II—RECITALS

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

WHEREAS, an initial study has been prepared which analyzed the environmental impacts of the proposed Project. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, an Initial Study/Mitigated Negative Declaration (hereinafter referred to as "MND") and Mitigation Monitoring and Reporting Program (hereinafter referred to as "MMRP") were prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, the MND was made available to the public and to all interested agencies for review and comment pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

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

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

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

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

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

WHEREAS, on April 5, 2021, the DAB of the City of Ontario conducted a hearing to consider the MND and MMRP, and the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on April 5, 2021, the DAB recommended the Planning Commission approve a resolution adopting a MND and MMRP, each prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance, and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) zoning district, including standards relative to the particular land use proposed (single-family residence), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

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

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

SECTION 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 5th day of April 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

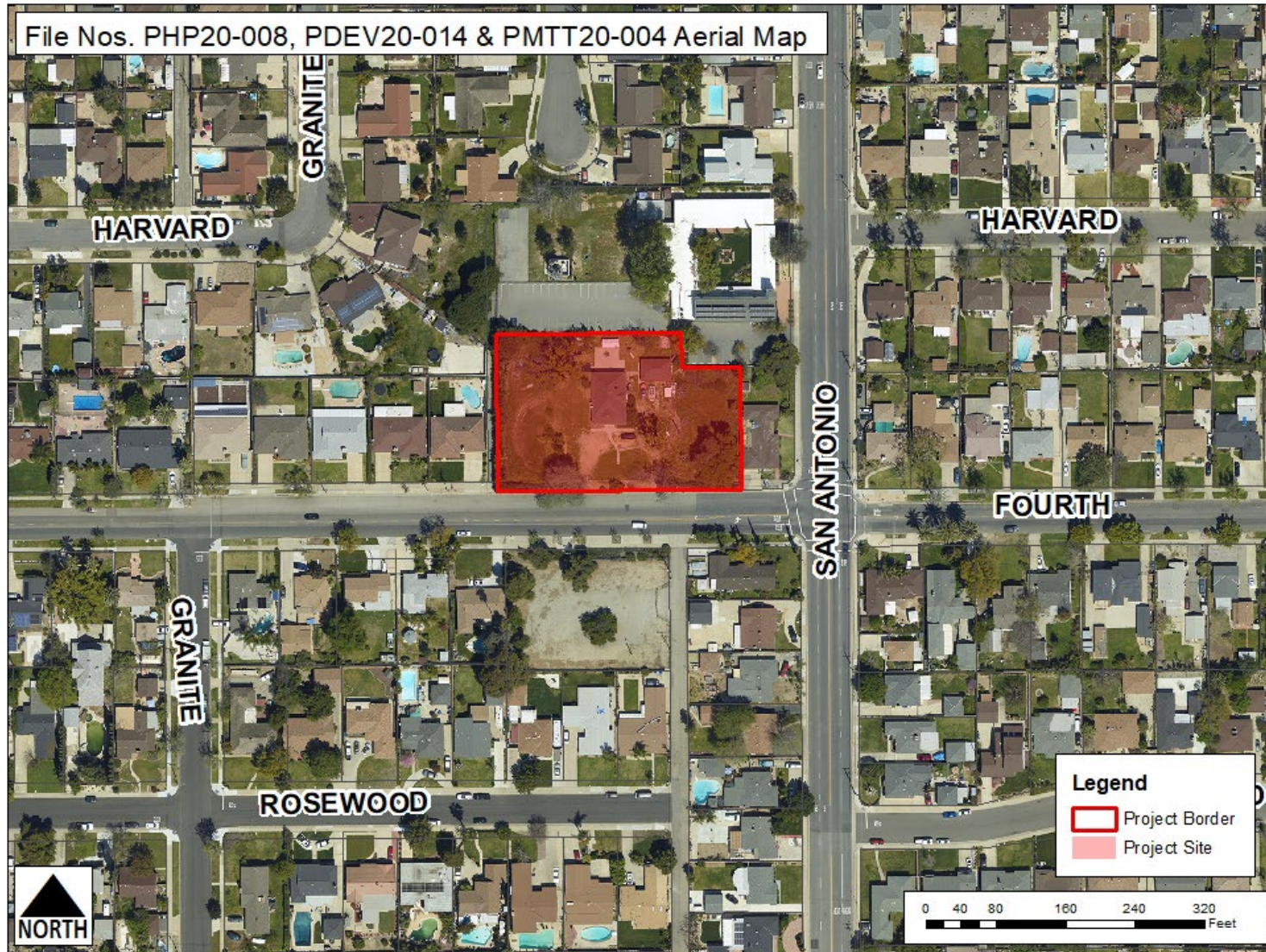


Exhibit B – PROPOSED RELOCATION

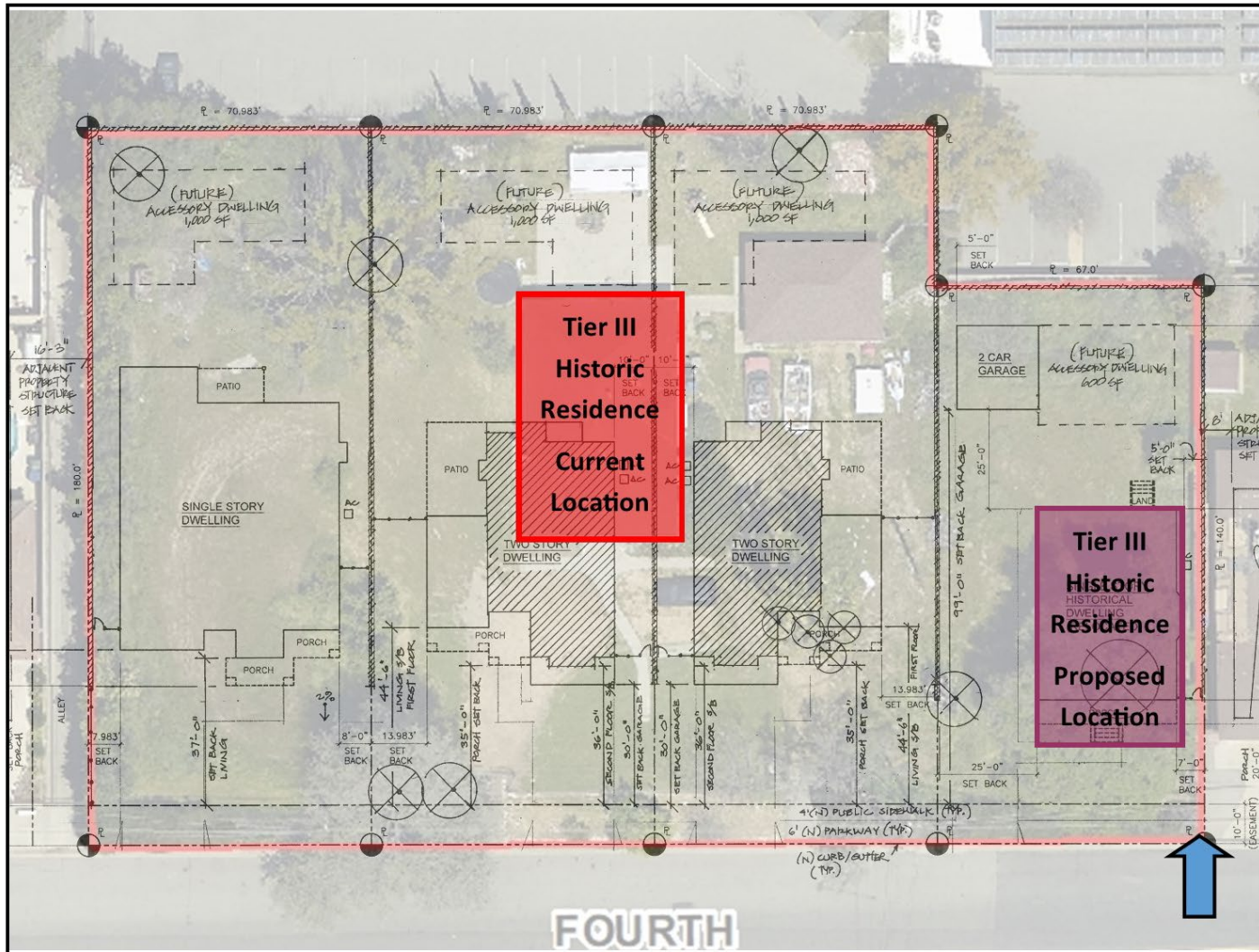


Exhibit C—SITE PLAN

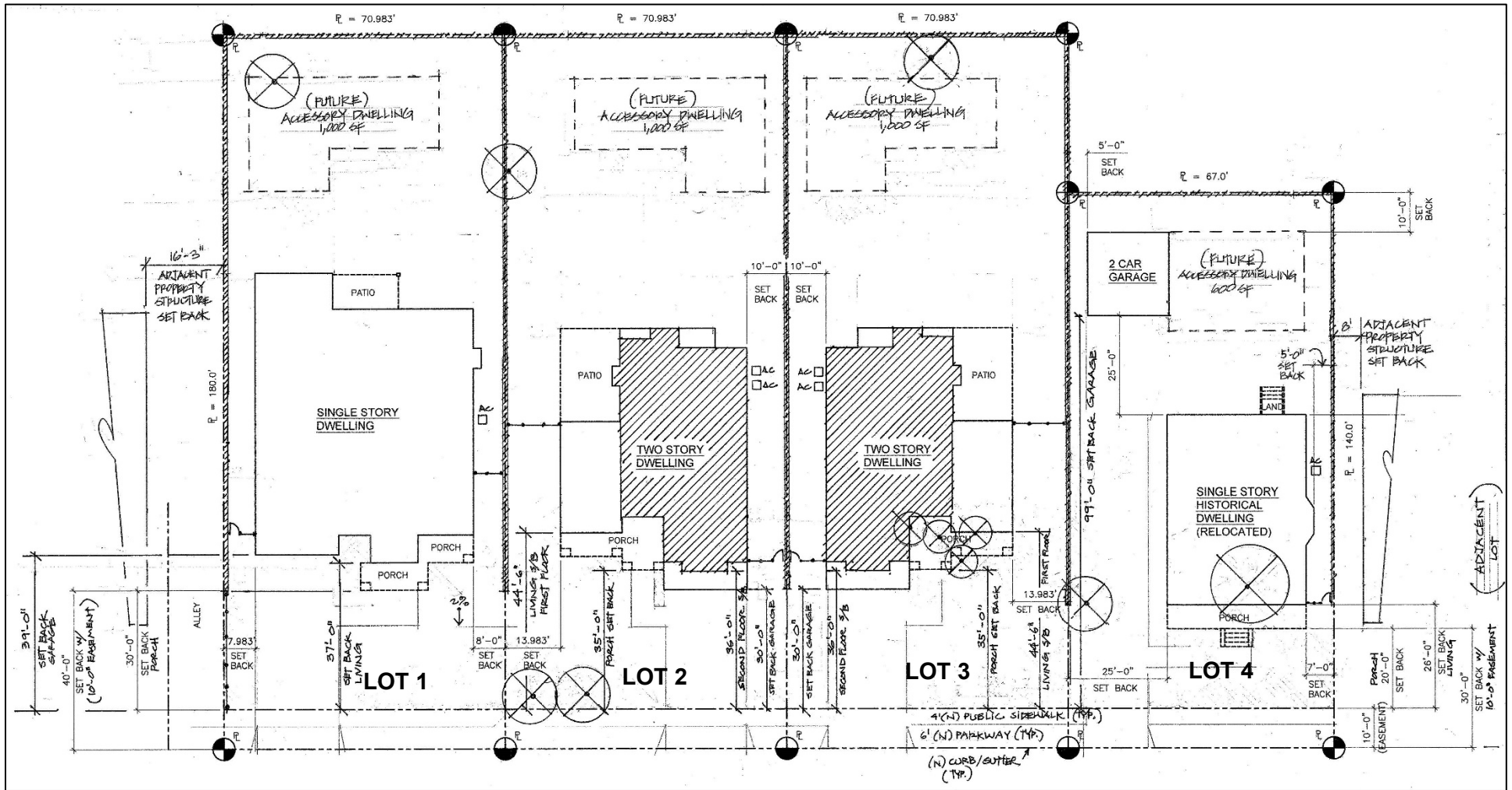


Exhibit D—RESIDENCE PHOTOGRAPHS



**Residence-Front
View looking north**



**Residence-Side
View looking northwest**



**Residence-Rear
View looking west**

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: April 5, 2021
File No: PDEV20-014
Related Files: PHP20-008 and PMTT20-004

Project Description: A Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location approximately 130 feet southeast to the corner of the site, within the LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) zoning district located at 730 West Fourth Street. (APN: 1047-594-52); **submitted by Fred Herzog**

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

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

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

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

2.1 Time Limits.

(a) 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) 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.

2.6 Mechanical and Rooftop Equipment.

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

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

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

2.8 Disclosure Statements.

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

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

2.9 Environmental Review.

(a) The Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 Et Seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a **Mitigated Negative Declaration** was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a **Mitigation Monitoring and Reporting Program** has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. All mitigation measures listed in the **Mitigation Monitoring and Reporting Program** 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) All character-defining features, including but not limited to building height, roof shape and material, exterior wood siding, windows, trim and front porch shall be preserved without alteration.

(b) A City approved relocation and structural plan of the residence that is in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the guidelines presented in *Moving Historic Buildings*, by John Obed Curtis shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the residence.

(c) Residence shall be relocated to newly created Lot 4 and shall be setback 20-feet from south property line (Fourth Street), 7-feet from east property line and 25-feet from west property line.

(d) A new, 2-car garage shall be constructed on Lot 4 in conjunction with the relocation of the residence. The garage shall be constructed to match the historic residence and shall feature a hipped roof, horizontal wood siding and wood trim around windows and doors.

(e) Building permit to relocate the residence shall obtain all final inspections and approvals prior to permit issuance for any infill construction on Lots 1-3 from proposed Tentative Parcel Map (File No. PMTT20-004).

(f) The applicant shall obtain a building permit prior to any demolition, relocation, or construction.

(g) Any deviation from the approved plans shall require approval of the Planning Department and, if necessary, the Planning Commission.

(h) Development Plan approval is contingent upon Planning/Historic Preservation Commission approval of the related Certificate of Appropriateness (File No. PHP20-008) application.

(i) Conditions of Approval and approved Mitigation Measures Monitoring table shall be reproduced onto the all plans submitted for permits.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PM-20255</u> RELATED FILE NO(S). <u>PMTT20-004 & PDEV20-014</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

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

CITY PROJECT PLANNER & PHONE NO: Elly Antuna (909) 395-2414

DAB MEETING DATE: March 1st, 2021

PROJECT NAME / DESCRIPTION: PM-20255, a Parcel Map to subdivide 1.09 acres of land into four (4) parcels located at 730 W 4th St, within the LDR-5 (Low Density Residential zoning district).

LOCATION: 730 West Fourth Street

APPLICANT: Fred Herzog

REVIEWED BY: *Raymond Lee* 1/28/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

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



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:**

11 feet on Fourth Street property frontage for an ultimate right-of-way of 44 feet from street centerline.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.

(1) _____

(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required or complete all public improvements.**
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.**



- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 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. 20255 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.



- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: Non-interference Letter required from each easement holder listed in the title report**
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



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

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

Improvement	Fourth St	Street 2	Street 3	Street 4
Curb and Gutter (see Sec. 2.F)	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see Sec. 2.18)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> In-fill existing drive approach no longer to be used	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant (see Sec. 2.D)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral w/ clean-outs	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Services w/ meters	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input 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:

- If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.**
- Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.**



- 2.18 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
 1. **Fourth Street – Minimum limits of construction shall be along the entire property frontage, from street centerline to curb/gutter.**
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8-inch water main is available for connection by this project in Fourth Street.**
 (Ref: Sewer plan bar code: S12822)
- 2.24 **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 200 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 install all new sewer laterals and connect them to the new 8-inch public sewer main in Fourth Street per the latest City Design Guidelines/Standard Drawings.**
 2. **The applicant/developer shall extend the existing sewer main east of the project to the westerly project property line to service lot numbers one and two. In addition, a manhole shall also be constructed at the end of the sewer main extension. The alignment of the new sewer extension shall be 12-ft away from the northerly curb face, which will result in a jog between the existing and proposed sewer alignment.**
 3. **As part of the precise grading plan submittal, the applicant/developer shall provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**

D. WATER

- 2.27 **A 10-inch water main is available for connection by this project in Fourth Street.**
 (Ref: Water plan bar code: Unknown)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 1. **The applicant/developer shall submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow requirements and to mitigate any potential deficiencies.**



2. The applicant/developer shall install a new fire hydrant and connect it to the existing 10-inch domestic water main in Fourth Street per the latest City Design Guidelines/Standard Drawings.
3. The applicant/developer shall install all new domestic water services and connect them to the existing 10-inch domestic water main in Fourth Street per the latest City Design Guidelines/Standard Drawings.
4. As part of the precise grading plan submittal, the applicant/developer shall provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.

E. RECYCLED WATER

- 2.30 A recycled water main is not available for connection by this project. (Ref: Recycled Water plan bar code: **None**)
 - 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 any curb/gutter currently damaged or damaged during construction per City Standard Drawing Number 1201.
 2. The applicant/developer shall construct all new driveway approaches per City Standard Drawing Number 1203.
 3. The applicant/developer shall in-fill all existing driveway approaches no longer to be used with full height curb, sidewalk and parkway landscaping per the latest City Guidelines/Standard Drawings.
 4. The applicant/developer shall install parkway trees/landscaping along Fourth Street property frontage per the Landscape Planning Division Requirements.
 5. The applicant/developer shall remove all hardscape (concrete, rocks, etc.) from within the parkway landscape area along the entire property frontage per Landscape Planning Division Requirements.



6. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.
7. The applicant/developer shall install new sidewalk along Fourth Street property frontage per City Standard Drawing Number 1209.
8. The applicant/developer shall be responsible to design and construct in-fill public street lights along Fourth Street property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines. In addition, a new service pedestal shall be constructed along Fourth Street property frontage if there is not an existing service pedestal available.

G. DRAINAGE / HYDROLOGY

- 2.38 A storm drain main is not available to accept flows from this project. (Ref: Storm Drain plan bar code: None)
- 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.sbccounty.gov/dpw/land/npdes.asp>.
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.



- 2.47 Other conditions:**
1. **If one acre or more is required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>.**

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

- 2.50** Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Generally located along Fourth Street property frontage.
- 2.51** Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52** Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53** Other conditions:
1. **The applicant/developer shall install new trash bins per the Refuse & Recycling Planning Manual.**
 2. **As part of the grading plan submittal, the applicant/developer shall provide a final Solid Waste Handling Plan (SWHP). See "SWHP Requirements" document for details.**
- For questions on the SWHP submittal requirements, please contact:**
Peter Tran, Associate Engineer
ptran@ontarioca.gov
Phone: (909) 395-2677



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV20-014, and Parcel Map No. 20255

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

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



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



CITY OF ONTARIO MEMORANDUM



DATE: December 14, 2020
TO: Antonio Alejos, Engineering Department
CC: Elly Antuna, Planning Department
FROM: Peter Tran, Utilities Engineering
SUBJECT: DPR #2 – Conditions of Approval (COA) - Utilities Comments (#7296 and 7297)
PROJECT NO.: PDEV20-014 and PMTT20-004 (A Development Plan to construct 4 single-family, 730 W. 4th St.)

BRIEF DESCRIPTION

A Development Plan approval to construct 4 single-family dwellings and to relocate 1 historic single-family dwelling on approximately 1.09 acres of land located at 730 W 4th St, within the LDR-5 (Low Density Residential zoning district. (APN(s): 1047-594-52). Related File(s): PMTT20-004 & PHP-20-008.

THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

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

General Conditions:

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. **Final Utilities Systems Map (USM):** As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems

Potable Water Conditions:

3. **Fire Hydrant:** Construct one new fire hydrant, fronting and midway of the proposed project site.
4. **Fire Water Flow Test:** Submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow requirements and to mitigate any potential deficiencies.

Sanitary Sewer Conditions:

5. **Sewer Main Extension:** Extend the existing sewer main east of the project to the most westerly project property line to service lot numbers one and two. In additions, construct the terminus manhole at the very end of the sewer main extension and the alignment of the new sewer extension is to be 12 away from the northerly curb face, which will result in the jog between the existing sewer alignment and the proposed.

Solid Waste Conditions:

6. **Final Solid Waste Handling Plan (SWHP):** Prior to approval of any building permits, submit a Final SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company.

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
	12/15/20
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PDEV20-014	Case Planner: Elly Antuna
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Project Name and Location:

Low-Density Residential
 730 W 4th Street

Applicant/Representative:

Fred Herzog
 4351 WE Alderdale Ave
 Anaheim, CA 92807

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | A Preliminary Landscape Plan (dated 12/14/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval. |

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

Civil/ Site Plans

- Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum utility spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.

Landscape Plans

- Investigate methods to preserve trees #1 and #12 identified on the tree inventory to be removed. Tree #1 is in the future backyard of Lot #1 and can be protected during construction and grading activities. Tree #12 on Lot 4 is located close to the porch of the historic home. This home is being relocated to this site. Work with the project planner to reduce the driveway's width to locate the house further to the west and look at the setbacks to locate the home further north on the lot. The tree will add instant value to the project, the historic home and will reduce mitigation fees.
- Note on landscape plans: 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.
- Residential projects shall include a stub-out for future back yard irrigation systems with anti-siphon valves. All single-family and multi-family residential front yards shall have landscape and irrigation.
- 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	\$1,561.00
Inspection—Construction (up to 3 inspections per phase).....	\$600.00
Total.....	\$2,161.00

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT20-004, PHP20-008 & PDEV20-014

Address: 730 West Fourth Street

APN: 1047-594-52

Existing Land Use: Single Family Home

Proposed Land Use: Parcel map to subdivide 1.09 acres into four parcels and construct 3 single-family homes

Site Acreage: 1.09 Proposed Structure Height: 25 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Elly Antuna

Date: 12/23/2020

CD No.: 2020-026

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

Real Estate Transaction Disclosure Required

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Elly Antuna, Associate Planner

FROM: Emily Hernandez, Police Officer

DATE: June 19, 2020

SUBJECT: PDEV20-014- A DEVELOPMENT PLAN APPROVAL TO CONSTRUCT 3 SINGLE-FAMILY DWELLINGS AND RELOCATE 1 HISTORIC SINGLE-FAMILY DWELLING AT 730 WEST 4TH STREET.

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

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

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Elly Antuna
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 10, 2020
SUBJECT: PDEV20-014

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



Development Advisory Board Decision

April 5, 2021

DECISION NO.: [insert #]

FILE NO.: PMTT20-004 (TPM 20255)

DESCRIPTION: A Tentative Parcel Map (TPM 20255) to subdivide 1.1-acres of land into 4 lots located at 730 West Fourth Street within the LDR-5 (Low Density Residential –2.1 to 5.0 du/ac) zoning district (APN: 1047-594-52); **submitted by Fred Herzog.**

Part I—BACKGROUND & ANALYSIS

FRED HERZOG, (herein after referred to as "Applicant") has filed an application requesting a Tentative Parcel Map approval, File No. PMTT20-004 (TPM 20255), as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The subject site is comprised of 1.1 acres of land located at 730 West Fourth Street, and is depicted in Exhibit A—Aerial Photograph, attached. The property is relatively flat, with a gentle one to two percent slope toward the southeast corner of the site. Existing land uses and General Plan and zoning designations, on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>North:</i>	Religious Assembly	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>South:</i>	Vacant/ Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>East:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)
<i>West:</i>	Single-Family Residential	Low Density Residential	LDR-5 (Low Density Residential-2.1 to 5.0 du/ac)

(2) **Project Description:** In 2006, a Tentative Parcel Map (File No. PMTT06-030) was approved to subdivide the subject site into three parcels, with the existing single-family residence remaining at its original location. A one-year time extension was granted; however, the approved Tentative Parcel Map expired before final recordation. Wu, Shan Living Trust purchased the subject property in 2017. On June 4, 2020, a Certificate of Appropriateness (File No. PHP20-008) and Development Plan (File No. PDEV20-014) to allow the relocation of the Tier III historic resource in conjunction with a Tentative Parcel Map (File No. PMTT20-004) to subdivide the lot were submitted and are being processed concurrently.

The proposed Tentative Parcel Map (TPM 20255) will subdivide the project site into four rectangular-shaped interior lots. Parcels 1, 2, and 3 are 12,067 square feet in size, with a lot width of 71 feet and a lot depth of 180 feet. Lot 4 is 8,710 square feet in size, with a lot width of 67 feet and lot depth of 140 feet. The Development Code requires interior lots within the LDR-5 zoning district to have a minimum lot size of 7,200 square feet, a minimum lot width of 60 feet, and a minimum lot depth of 75 feet. The proposed lots exceed

these minimum requirements. Access to the parcels will be taken from Fourth Street. Approval of the Tentative Parcel Map will facilitate the future construction of new single-family dwelling units on Lots 1 through 3. The development of the lots will require separate approval through the City's Building Plan Check process.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

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

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

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

WHEREAS, on April 5, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The Project consists of the division of property in an urbanized area and is zoned for residential use. The subject site will be divided into four parcels and the division is in conformance with the City's General Plan and zoning. No variances or exceptions are required and all services and access to the proposed parcels are consistent with City standards. The subject site was not involved in a division of a larger parcel within the past two years and the subject site does not have an average slope greater than 20 percent;

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

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

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract/Parcel Map is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City's policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide

spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the Project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity, and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 3.6 DUs/acre. The project site meets the minimum lot area and dimensions of the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district and is physically suitable for this proposed density.

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

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

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 5th day of April 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

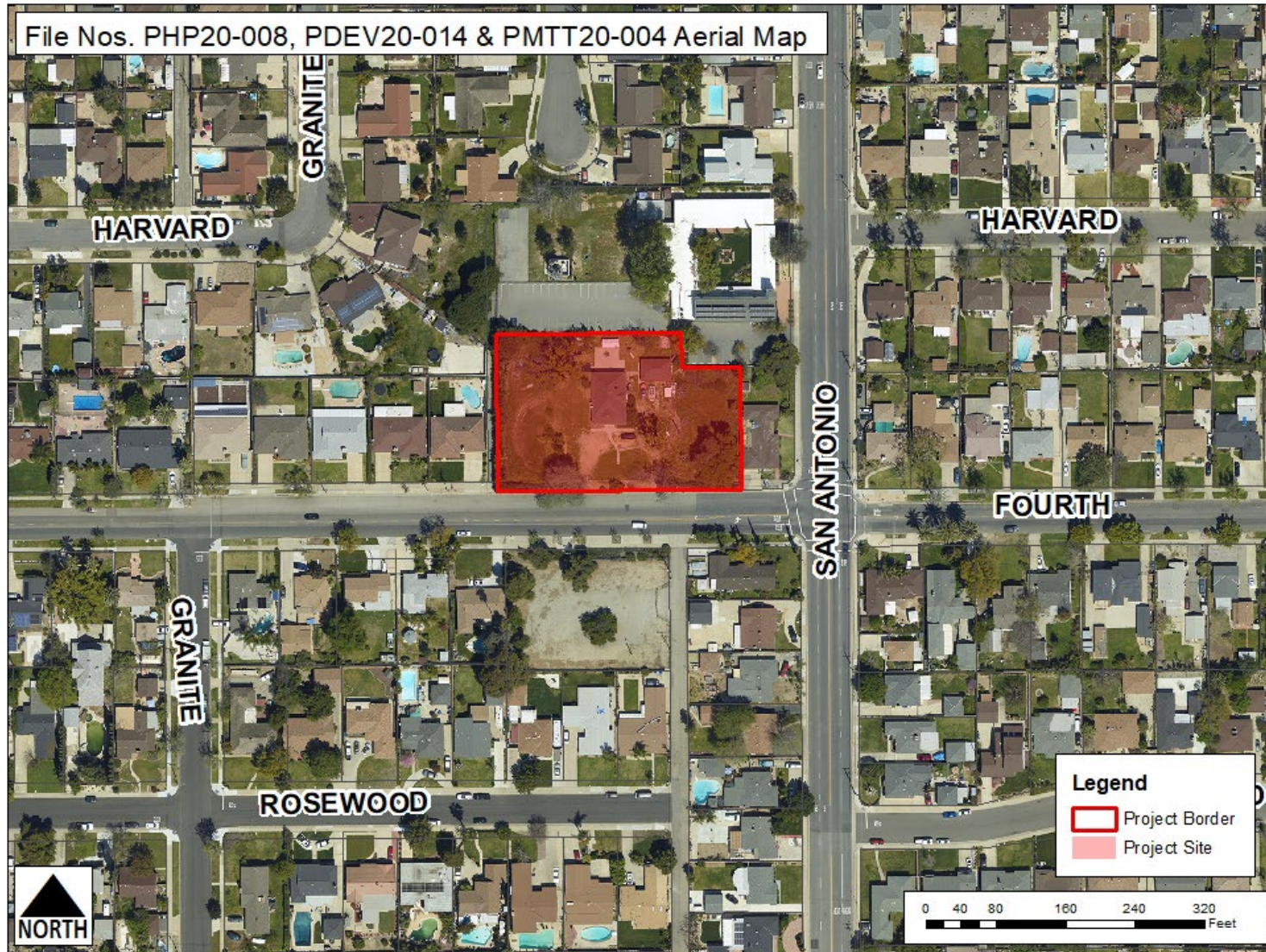
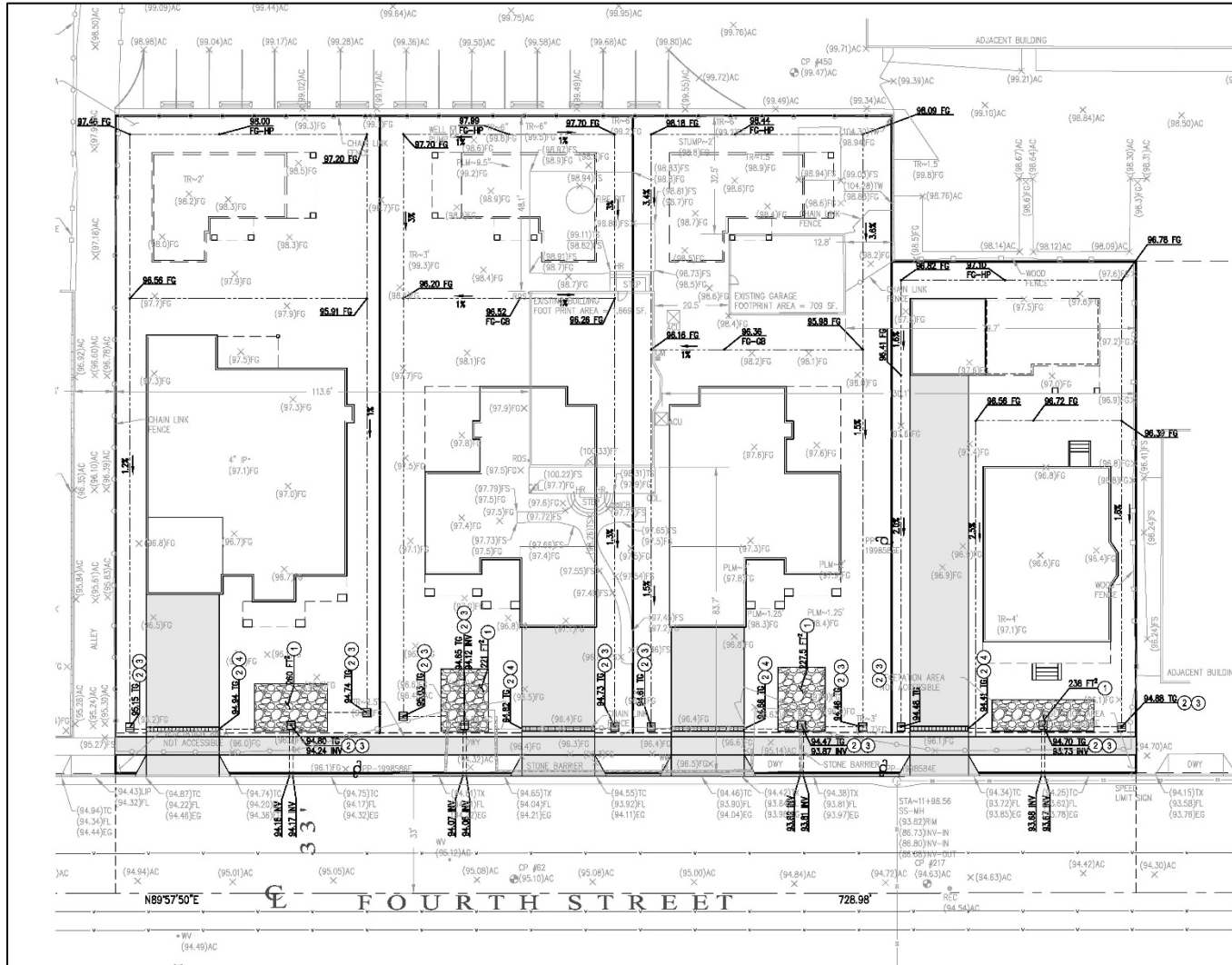


Exhibit B—PARCEL MAP



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: April 5, 2021
File No: PMTT20-004
Related Files: PHP20-008 and PDEV20-014

Project Description: A Tentative Parcel Map-TPM 20255 (File No. PMTT20-004) to subdivide 1.1-acres of land into 4 lots in conjunction with a Development Plan (File No. PDEV20-014) to relocate a Tier III historic single-family residence from its current location approximately 130 feet southeast to the corner of the site, within the LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) zoning district located at 730 West Fourth Street. (APN: 1047-594-52); **submitted by Fred Herzog**

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

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

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

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

2.1 Time Limits.

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

2.2 Subdivision Map.

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

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

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

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

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

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

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

2.4 Landscaping.

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

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

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

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

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

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

2.7 Disclosure Statements.

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

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

2.8 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15315 (Class 15, Minor Land Division) of the CEQA Guidelines, which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within 2 years, and the parcel does not have an average slope greater than 20 percent.

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

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

2.9 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.

2.10 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.

2.11 Additional Requirements.

(a) Infill single-family residential on Lots 1, 2 and 3 shall be single-story and setback 40 feet from front (south) property line.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PM-20255</u> RELATED FILE NO(S). <u>PMTT20-004 & PDEV20-014</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

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

CITY PROJECT PLANNER & PHONE NO: Elly Antuna (909) 395-2414

DAB MEETING DATE: March 1st, 2021

PROJECT NAME / DESCRIPTION: PM-20255, a Parcel Map to subdivide 1.09 acres of land into four (4) parcels located at 730 W 4th St, within the LDR-5 (Low Density Residential zoning district).

LOCATION: 730 West Fourth Street

APPLICANT: Fred Herzog

REVIEWED BY: *Raymond Lee* 1/28/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

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



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

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

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

11 feet on Fourth Street property frontage for an ultimate right-of-way of 44 feet from street centerline.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.

(1) _____

(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.



- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 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. 20255 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.



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

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



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

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

Improvement	Fourth St	Street 2	Street 3	Street 4
Curb and Gutter (see Sec. 2.F)	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see Sec. 2.18)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> In-fill existing drive approach no longer to be used	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant (see Sec. 2.D)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral w/ clean-outs	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Services w/ meters	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input 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:

- 1. If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.**
- 2. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.**



- 2.18 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
 1. **Fourth Street – Minimum limits of construction shall be along the entire property frontage, from street centerline to curb/gutter.**
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8-inch water main is available for connection by this project in Fourth Street.**
 (Ref: Sewer plan bar code: \$12822)
- 2.24 **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 200 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 install all new sewer laterals and connect them to the new 8-inch public sewer main in Fourth Street per the latest City Design Guidelines/Standard Drawings.**
 2. **The applicant/developer shall extend the existing sewer main east of the project to the westerly project property line to service lot numbers one and two. In addition, a manhole shall also be constructed at the end of the sewer main extension. The alignment of the new sewer extension shall be 12-ft away from the northerly curb face, which will result in a jog between the existing and proposed sewer alignment.**
 3. **As part of the precise grading plan submittal, the applicant/developer shall provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**

D. WATER

- 2.27 **A 10-inch water main is available for connection by this project in Fourth Street.**
 (Ref: Water plan bar code: Unknown)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 1. **The applicant/developer shall submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow requirements and to mitigate any potential deficiencies.**



2. The applicant/developer shall install a new fire hydrant and connect it to the existing 10-inch domestic water main in Fourth Street per the latest City Design Guidelines/Standard Drawings.
3. The applicant/developer shall install all new domestic water services and connect them to the existing 10-inch domestic water main in Fourth Street per the latest City Design Guidelines/Standard Drawings.
4. As part of the precise grading plan submittal, the applicant/developer shall provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.

E. RECYCLED WATER

- 2.30 A recycled water main is not available for connection by this project. (Ref: Recycled Water plan bar code: **None**)
- 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 any curb/gutter currently damaged or damaged during construction per City Standard Drawing Number 1201.
 2. The applicant/developer shall construct all new driveway approaches per City Standard Drawing Number 1203.
 3. The applicant/developer shall in-fill all existing driveway approaches no longer to be used with full height curb, sidewalk and parkway landscaping per the latest City Guidelines/Standard Drawings.
 4. The applicant/developer shall install parkway trees/landscaping along Fourth Street property frontage per the Landscape Planning Division Requirements.
 5. The applicant/developer shall remove all hardscape (concrete, rocks, etc.) from within the parkway landscape area along the entire property frontage per Landscape Planning Division Requirements.



6. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.
7. The applicant/developer shall install new sidewalk along Fourth Street property frontage per City Standard Drawing Number 1209.
8. The applicant/developer shall be responsible to design and construct in-fill public street lights along Fourth Street property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines. In addition, a new service pedestal shall be constructed along Fourth Street property frontage if there is not an existing service pedestal available.

G. DRAINAGE / HYDROLOGY

- 2.38 A storm drain main is not available to accept flows from this project. (Ref: Storm Drain plan bar code: None)
- 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.sbccounty.gov/dpw/land/npdes.asp>.
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.



- 2.47 Other conditions:**
1. **If one acre or more is required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>.**

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

- 2.50** Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Generally located along Fourth Street property frontage.
- 2.51** Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52** Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53** Other conditions:
1. **The applicant/developer shall install new trash bins per the Refuse & Recycling Planning Manual.**
 2. **As part of the grading plan submittal, the applicant/developer shall provide a final Solid Waste Handling Plan (SWHP). See "SWHP Requirements" document for details.**
- For questions on the SWHP submittal requirements, please contact:**
Peter Tran, Associate Engineer
ptran@ontarioca.gov
Phone: (909) 395-2677



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV20-014, and Parcel Map No. 20255

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

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



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



CITY OF ONTARIO MEMORANDUM



DATE: December 14, 2020
TO: Antonio Alejos, Engineering Department
CC: Elly Antuna, Planning Department
FROM: Peter Tran, Utilities Engineering
SUBJECT: DPR #2 – Conditions of Approval (COA) - Utilities Comments (#7296 and 7297)
PROJECT NO.: PDEV20-014 and PMTT20-004 (A Development Plan to construct 4 single-family, 730 W. 4th St.)

BRIEF DESCRIPTION

A Development Plan approval to construct 4 single-family dwellings and to relocate 1 historic single-family dwelling on approximately 1.09 acres of land located at 730 W 4th St, within the LDR-5 (Low Density Residential zoning district. (APN(s): 1047-594-52). Related File(s): PMTT20-004 & PHP-20-008.

THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

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

General Conditions:

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. **Final Utilities Systems Map (USM):** As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems

Potable Water Conditions:

3. **Fire Hydrant:** Construct one new fire hydrant, fronting and midway of the proposed project site.
4. **Fire Water Flow Test:** Submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow requirements and to mitigate any potential deficiencies.

Sanitary Sewer Conditions:

5. **Sewer Main Extension:** Extend the existing sewer main east of the project to the most westerly project property line to service lot numbers one and two. In additions, construct the terminus manhole at the very end of the sewer main extension and the alignment of the new sewer extension is to be 12 away from the northerly curb face, which will result in the jog between the existing sewer alignment and the proposed.

Solid Waste Conditions:

6. **Final Solid Waste Handling Plan (SWHP):** Prior to approval of any building permits, submit a Final SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company.

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
	12/15/20
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PDEV20-014	Case Planner: Elly Antuna
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Project Name and Location:

Low-Density Residential
 730 W 4th Street

Applicant/Representative:

Fred Herzog
 4351 WE Alderdale Ave
 Anaheim, CA 92807

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | A Preliminary Landscape Plan (dated 12/14/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval. |

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

Civil/ Site Plans

1. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum utility spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.

Landscape Plans

2. Investigate methods to preserve trees #1 and #12 identified on the tree inventory to be removed. Tree #1 is in the future backyard of Lot #1 and can be protected during construction and grading activities. Tree #12 on Lot 4 is located close to the porch of the historic home. This home is being relocated to this site. Work with the project planner to reduce the driveway's width to locate the house further to the west and look at the setbacks to locate the home further north on the lot. The tree will add instant value to the project, the historic home and will reduce mitigation fees.
3. Note on landscape plans: 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.
4. Residential projects shall include a stub-out for future back yard irrigation systems with anti-siphon valves. All single-family and multi-family residential front yards shall have landscape and irrigation.
5. 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	\$1,561.00
Inspection—Construction (up to 3 inspections per phase).....	\$600.00
Total.....	\$2,161.00

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT20-004, PHP20-008 & PDEV20-014

Address: 730 West Fourth Street

APN: 1047-594-52

Existing Land Use: Single Family Home

Proposed Land Use: Parcel map to subdivide 1.09 acres into four parcels and construct 3 single-family homes

Site Acreage: 1.09 Proposed Structure Height: 25 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Elly Antuna

Date: 12/23/2020

CD No.: 2020-026

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

Real Estate Transaction Disclosure Required

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Elly Antuna, Associate Planner
Planning Department

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

DATE: June 29, 2020

SUBJECT: PMTT20-004 – A Parcel Map to subdivide 1.09 acres of land into four (4) parcels located at 730 W 4th St, within the LDR-5 (Low Density Residential zoning district (APN(s): 1047-594-52). Related File(s): PDEV20-014 & PHP-20-008.

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

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: One and Two Story
- E. Total Square Footage: Various
- F. 2013 CBC 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, click on “Fire Department” and then on “Standards and Forms.”
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

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

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Elly Antuna
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 10, 2020
SUBJECT: PMTT20-004

1. The plan **does** adequately address the departmental concerns at this time.
No comments.

KS:lr



CITY OF ONTARIO

MEMORANDUM

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

FROM: Elly Antuna, Associate Planner

DATE: June 09, 2020

SUBJECT: FILE #: PMTT20-004

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Parcel Map to subdivide 1.09 acres of land into four (4) parcels located at 730 W 4th St, within the LDR-5 (Low Density Residential zoning district (APN(s): 1047-594-52). Related File(s): PDEV20-014 & PHP-20-008.

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

POLICE
Department

E. HERNANDEZ
Signature

POLICE OFFICER
Title

6/19/2020
Date