



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

June 21, 2021

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

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

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

PUBLIC COMMENTS

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

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

AGENDA ITEMS

For each of the items listed below the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of May 17, 2021, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-031**: A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the 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); (APNs: 1011-371-15 and 1011-371-16) **submitted by Pedro Maltos. Planning Commission action is required.**

1. CEQA Determination

Motion to recommend Approval/Denial of a Mitigated Negative Declaration

2. File No. PDEV19-031

Motion to recommend Approval/Denial

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-010**: A Development Plan to construct a 1,400,000 square foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. 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 Areas of Ontario International Airport and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) and the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport; (APNs: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02) **submitted by Prologis. Planning Commission action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. **File No. PDEV21-010** (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 **July 7, 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 **June 17, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Administrative Assistant

CITY OF ONTARIO

Development Advisory Board

Minutes

May 17, 2021

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman - Planning Department
Matt Monteith, Building Department
Elda Zavala, Community Improvement
Charity Hernandez, Economic Development Agency
Khoi Do, Engineering Department
Michelle Starkey, Fire Department
Dennis Mejia, Municipal Utilities Company
William Lee, Police Department

BOARD MEMBERS ABSENT

STAFF MEMBERS PRESENT

Derrick Womble, Community Development Agency
Katryna Gonzalez, Housing Department
Jesus Plasencia, Engineering Department
Gwen Berendsen, Planning Department
Diane Ayala, Planning Department
Jeanie Aguilo, Planning Department

PUBLIC COMMENTS

Mr. Zeledon stated no public comment correspondence were received and no one wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the April 19, 2021 meeting of the Development Advisory Board was made by Mr. Do; seconded by Ms. Zavala; and approved unanimously by those present (8-0).

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT20-012 (TM 20389):** A Tentative Tract Map (TTM 20389) to subdivide 5.99 acres of land into one numbered lot and three lettered lots for condominium purposes, is bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood Control District and the City of Eastvale to the south. Staff has prepared an Addendum to the Subarea 29 Specific Plan (PSP03-003) EIR (SCH# 2004011009) certified by City Council on October 17, 2006. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario

International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN: 0218-331-42) **submitted by SL Ontario Development Company, LLC. Planning Commission action is required.**

Damon Gascon, representing the applicant was present and stated he was available to answer any questions. He stated he had reviewed the adjusted conditions of approval and had no objections.

Mr. Zeledon stated for the record that the changes on the conditions of approval were on page 95 of 114, Item 1.02, changing the wording at the applicant's request to: "Curb-to-curb easements on all private streets for public utilities purposes including but not limited to potable water, sewer, and fiber optic improvements proposed within the private interior streets (Private streets "A" and "B" and all private alleys). Ultimate location of the easements will be determined prior to Final Map approval or the easements may be recorded by separate instrument." The other change was on page 101 of 114, Item 2.26, OMUC had requested to include bullet #2 to read: "The developer is responsible for mitigating any measures identified from the OSS2021-0004-Subarea 29 Specific Plan Amendment for Park Place Planning Area 27 Sewer Study dated February 16, 2021."

Motion recommending approval of the **Addendum and File No. PMTT20-012 (TM 20389)**, subject to conditions to the Planning Commission was made by Mr. Do; seconded by Mr. Mejia; and approved unanimously by those present (8-0).

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-008:** A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 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); (APN: 0211-222-66) **submitted by Vogel Properties, Inc. Planning Commission action is required.**

Bridget Herdman with Herdman Architecture and Design Inc., was present.

Mr. Zeledon asked if she had reviewed and accepted the conditions of approval.

Ms. Herdman stated they were okay with them.

Motion recommending approval of **Addendum and File No. PDEV20-008**, subject to conditions to the Planning Commission was made by Mr. Do; seconded by Ms. Zavala; and approved unanimously by those present (8-0).

- D. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT21-004 AND PDEV21-008:** A Tentative Parcel Map (File No. PMTT21-004/TPM 20339) to consolidate 4 lots and the vacation of an adjoining section of Fern Avenue, for a total of 1.71 acres of land, in conjunction with a Development Plan (File No. PDEV21-008) to construct 50 multiple-family affordable dwelling units, generally located at the northwest and southwest corners of Emporia Street and Palm Avenue,

within LUA2-N (Arts District- North) and LUA-3 (Holt Boulevard District) of the MU-1 (Downtown Mixed-Use) zoning district. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 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: 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC. Planning Commission action is required.**

Senior Planner Ayala stated that two conditions had been added, on page 143 of 163 Item 2.16 bullet number E. regarding parking management plan and F. regarding new sidewalk will be scored to match the pattern of existing.

Randy Mai with the Related Companies of California, LLC, was present and stated he had no comment regarding the conditions of approval.

Motion recommending approval of **Addendum and File Nos. PMTT21-004 (TPM 20339) and PDEV21-008**, subject to conditions to the Planning Commission was made by Mr. Do; seconded by Ms. Zavala; and approved unanimously by those present (8-0).

There being no further business, the meeting was adjourned at 1:44PM, to the next meeting on June 7, 2021.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



Development Advisory Board Decision

June 21, 2021

DECISION NO.: [insert #]

FILE NO.: PDEV19-031

DESCRIPTION: A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district; (APNs: 1011-371-15 and 1011-371-16) **submitted by Pedro Maltos. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PEDRO MALTOS, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-031, 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 1.58 acres of land located at 890 South Magnolia Avenue. The project site is currently improved with a single-family home that will be removed for the proposed project. 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>	Single-Family Home & Nursery	High Density Residential (25.1 to 45.0 du/ac)	HDR-45 (25.1 to 45.0 du/ac)	N/A
<i>North:</i>	Four-Story Multiple-Family Dwellings	High Density Residential (25.1 to 45.0 du/ac)	HDR-45 (25.1 to 45.0 du/ac)	N/A
<i>South:</i>	Single Family Home	Rural (0-2 du/ac)	AR-2 (0-2 du / ac)	N/A
<i>East:</i>	Two-Story Multiple-Family Dwellings	Medium Density (11.1 to 25.0 du/ac) & Rural (0-2 du/ac)	MDR-18 (11.1 to 25.0 du/ac)	N/A
<i>West:</i>	Two-Story Multiple-Family Dwellings	Medium Density (11.1 to 25.0 du/ac)	MDR-18 (11.1 to 25.0 du/ac)	N/A

(2) **Project Description:** The Project analyzed under the Mitigated Negative Declaration (included as Attachment 1—Mitigated Negative Declaration, attached) consists of a Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district.

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 nonsignificance, 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 No. PDEV19-031 (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 No. PDEV19-031 analyzed under the Initial Study/MND, consists of a Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district, 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 environment 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 recommending body 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 Decision 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 June 21, 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 21st day of June 2021.

Development Advisory Board Chairman

**Attachment 1 — Initial Study/Mitigated Negative
Declaration (“MND”) and Mitigation Monitoring and
Reporting Program (“MMRP”)**

(Initial Study/MND and MMRP 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 Initial Study

1. Project Title/File No.: PDEV19-031
2. Lead Agency: City of Ontario, 303 East “B” Street, Ontario, California 91764, (909) 395-2036
3. Contact Person: Luis Batres, Senior Planner, Lbatres@ontarioca.gov, (909) 395-2431
4. Project Sponsor: Mr. Pedro Maltos, 3841 Saint James Circle, Baldwin Park, CA. 91706
5. Project Location: The project site is 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 at 890 South Magnolia Avenue (APN’s: 1011-371-15 & 1011-371-16).

Figure 1: REGIONAL LOCATION MAP



Figure 2: AERIAL PHOTOGRAPH



Figure 3: SITE PLAN



6. General Plan Designation: High Density Residential (HDR)
7. Zoning: HDR-45 (25.1 to 45.0 du / ac)
8. Description of Project: A Development Plan to construct a four-story, 49-unit multiple-family dwellings (Magnolia Apartments), over one-level of at-grade podium structured parking, for a total of 5-stories, on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district.
9. Project Setting: The project site is currently used as a commercial nursery and has a single-family home on the site that will be demolished to make space for the proposed project.
10. Surrounding Land Uses:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Single-Family Home & Commercial Nursery	High Density Residential (25.1 - 45 du/ac)	HDR-45 (25.1 - 45 du/ac)	N/A
North:	Four-Story Multiple-Family Residential Apartment Complex	High Density Residential (25.1 - 45 du/ac)	HDR-45 (25.1 - 45 du/ac)	N/A
South:	Single Family Home	Rural (0-2 du / ac)	AR 2 (0-2 du / ac)	N/A
East:	2-Story Multiple-Family Residential Condos	Medium Density (11.1 -25 du/ac) & Rural (0-2 du / ac)	MDR 18 (11.1 -25 du/ac)	N/A
West:	2-Story Multiple-Family Residential Condos	Medium Density (11.1 -25 du/ac)	MDR 18 (11.1 -25 du/ac)	N/A

11. Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement):
None
12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? Yes No
If "yes", has consultation begun? Yes No Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION (To be completed by the Lead Agency)

Based on this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Luis E. Batres, Senior Planner
Printed Name and Title

May 19, 2021
Date

City of Ontario-Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analyses Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7. Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
- 8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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 checked="" type="checkbox"/>	<input type="checkbox"/>

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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 checked="" type="checkbox"/>	<input 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 risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death 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 other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river 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"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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"/>
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 ground borne vibration or ground borne 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:				

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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/TRAFFIC. Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3 ¹ 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹ CEQA Guidelines section 15064.3(c) provides that a lead agency “may elect to be governed by the provisions” of the section immediately; otherwise, the section’s provisions apply July 1, 2020. Here, the District has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.

Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

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

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located at Magnolia Avenue, not a major north-south arterial street. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: None required.

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

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east-west direction. I-15 traverses the northeastern portion of the City in a north-south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings, or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: None required.

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

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is in an area that is characterized by single family and multi-family residential developments and is surrounded by urban land uses. In addition, the property to the north of the project site is already developed with a 4-story residential apartment complex, so no new impacts are being introduced to the area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code, project on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage. In addition, site lighting plans will be subject to review by the Planning and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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 is presently developed with a single-family home and much of the project site is currently being used as a commercial nursery. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not zoned for agricultural use. The project site zoned is HDR-45, which allows 25.1 to 45.0 units per acre. The propose development is proposing to develop the site with 49-units, which is 31.1 units per acre. Therefore, no impacts to agricultural uses are anticipated.

Mitigation: None required.

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 is zoned HDR-45, which allows 25.1 to 45.0 units per acre. 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 HDR-45 zone. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither the Ontario Plan (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: None required.

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 HDR-45, which allows 25.1 to 45.0 units per acre. The propose development is proposing to develop the site with 49-units, which is 31.1 units per acre. The project site is currently developed with a single-family home, and the site is used as a commercial nursery. 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-agricultural use. Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither the Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: None required.

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, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use low emission fuel, use low VOC architectural coatings and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

Mitigation: None required.

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 [please refer to Sections 3(a) and 3(b)]. Short term air quality impacts will result from construction related activities associated with construction activity, such as excavation and grading, machinery and equipment emissions, vehicle emissions from construction employees, etc. The daily emissions of nitrogen oxides and particulates from resulting grading and vehicular emissions may exceed threshold levels of the South Coast Air Quality Management District (SCAQMD).

Mitigation: The following fugitive dust mitigation measures shall be required:

i. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving, or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.

ii. Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:

- (1) Scheduling receipt of construction materials to non-peak travel periods.
- (2) Routing construction traffic through areas of least impact sensitivity.
- (3) Limiting lane closures and detours to off-peak travel periods.
- (4) Providing rideshare incentives for contractor and subcontractor personnel.

iii. After clearing, grading or earth moving:

- (1) Seed and water until plant cover is established;
- (2) Spread soil binders;
- (3) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and
- (4) Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.

iv. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants

identified in SCAQMD Rule 1401.

The project site is located across and next to single-family homes, however, measures have been incorporated into the design of the project to mitigate any negative impacts. In addition, the project site will be located next to an existing 4-story tall residential apartment complex to the north, therefore, it will not be introducing anything new into the area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The use proposed on the subject site (49-unit residential apartment complex), as well as those permitted within the HDR-45 (25.1 to 45.0 d/a) zoning district, 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: None required.

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 located within an area that has not been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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: None required.

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

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: None required.

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 has no native resident or migratory fish or wildlife. The site is currently used as a commercial nursery and is also developed with a single-family home. Therefore, project implementation would have no impact on these resources.

Mitigation: None required.

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

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plans. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

5. CULTURAL RESOURCES. Would the project:

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

Discussion of Effects:

The project site is developed with a single-family home that has been found not to have historical significance by our Historical Preservation Division. Therefore, no adverse impacts are anticipated

Mitigation: None required.

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

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project 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: None required.

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

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development, as the site is developed with a single-family home. 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: None required.

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?

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

Discussion of Effects: The main forms of available energy supply are electricity, natural gas, and oil. A description of the 2016 California Green Building Standards Code and the Building Energy Efficiency Standards, with

which the proposed project would be required to comply, as well as discussions regarding the proposed project's potential effects related to energy demand during construction and operations are provided below.

California Green Building Standards Code

The 2016 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the California Building Standards Code (CBSC), which became effective with the rest of the CBSC on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of electric vehicles charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory use of low pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board; and
- For some single-family and low-rise residential development developed after January 1, 2020, mandatory on-site solar energy systems capable of producing 100 percent of the electricity demand created by the residence(s). Certain residential developments, including those developments that are subject to substantial shading, rendering the use of on-site solar photovoltaic systems infeasible, are exempted from the foregoing requirement.

Building Energy Efficiency Standards

The 2016 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy efficiency measures from the 2013 Building Energy Efficiency Standards resulting in a 28 percent reduction in energy consumption from the 2013 standards for structures. Energy reductions relative to previous Building Energy Efficiency Standards are achieved through various regulations including requirements for the use of high-efficacy lighting, improved water heating system efficiency, and high-performance attics and walls.

Mitigation: None required.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be following the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

iii. Seismic-related ground failure, including liquefaction?

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

Mitigation: None required.

iv. Landslides?

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

Mitigation: None required.

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

Discussion of Effects: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed 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: The following mitigation measures shall be implemented:

- i.** Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion impacts.
- ii.** Fugitive dust generated during cleaning, grading, earth moving, or excavation should be controlled by regular watering, paving of construction roads, or other dust-preventative measures.
- iii.** After clearing, grading, or earth moving:
 - (1)** Seed and water until plant cover is established;
 - (2)** Spread soil binders;
 - (3)** Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and
 - (4)** Sweep streets if silt is carried to adjacent public thoroughfares.
- iv.** Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.

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: The 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. The Ontario Plan FEIR (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: None required.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: None required.

8. GREENHOUSE GAS EMISSIONS. Would the project:

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

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

Pursuant to Public Resources Code section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

As part of the City’s certification of The Ontario Plan EIR and its adoption of The Ontario Plan, the City adopted mitigation measures 6-1 through 6-6 regarding the significant and unavoidable impact relating to GHG emissions. These mitigation measures, in summary, required:

MM 6-1. The City is required to prepare a Climate Action Plan (CAP).

MM 6-2. The City is required to consider for inclusion in the CAP a list of emission reduction measures.

MM 6-3. The City is required to amend its Municipal Code to incorporate a list of emission reduction concepts.

MM 6-4. The City is required to consider the emission reduction measures and concepts contained in MMs 6-2 and 6-3 when reviewing new development prior to adoption of the CAP.

MM 6-5. The City is required to evaluate new development for consistency with the Sustainable Communities Strategy, upon adoption by the Southern California Association of Governments.

MM 6-6. The City is required to participate in San Bernardino County’s Green Valley Initiative.

While Public Resources Code section 21083.3 requires that relevant mitigation measures from a General Plan EIR be imposed on a project that is invoking that section’s limited exemption from CEQA, these mitigation measures impose obligations on the City, not applicants, and hence are not directly relevant. However, the mitigation proposed below carries out, on a project-level, the intent of The Ontario Plan’s mitigation on this subject.

Mitigation Required: The following mitigation measures shall be required:

i. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:

ii. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;

iii. Require all new landscaping irrigation systems installed 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;

iv. Reduce heat gain from pavement and other similar hardscaping;

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

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: None required.

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 is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required.

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 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: None required

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: None required.

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: None required.

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: According to Land Use Element (Exhibit LU-06 Airport Environs) of the Policy Plan (General Plan), the proposed site is located within the airport land use plan. However, the project will not result in a safety hazard for people working or residing in the project area because it will not obstruct aircraft maneuvering because of the project's low elevation and the architectural style of the project. Additionally, the Land Use Compatibility Guidelines for Noise Impacts (Table LU-08) shows the proposed use as normally accepted in the 65 CNEL. The proposed use will comply with standards for mitigating noise. Therefore, any impacts would be reduced to a less than significant level.

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required.

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

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required.

10. HYDROLOGY & WATER QUALITY. Would the project:

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: 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 project 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: None required.

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

Discussion of Effects: 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: None required.

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

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required.

f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

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

policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required.

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 urban land uses. This project will be of similar design and size to other surrounding developments. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

12. MINERAL RESOURCES. Would the project:

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

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required.

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: None required.

13. NOISE. Would the project result in:

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

Discussion of Effects: The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: None required.

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

Discussion of Effects: The uses associated with this project normally do not induce ground borne vibrations. As such, no impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. However, the project is located within the acceptable 60-65 dB CNEL noise contour. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

14. POPULATION & HOUSING. Would the project:

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

Discussion of Effects: The project is in a developed area and will not induce population growth. Therefore, no impacts are anticipated

Mitigation: None required.

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

Discussion of Effects: The project site is currently developed with a single-family home and the site is also used as a commercial nursery. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project site is currently developed with a single-family home and the site is also used as a commercial nursery. Therefore, no impacts are anticipated.

Mitigation: None required.

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. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

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. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

iii. Schools?

Discussion of Effects: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

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: None required.

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. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

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 proposing the development of a 49-unit multiple-family dwellings (apartments), however, it is being required to provide recreational amenities per our Ontario Development Code requirements. This includes private and common open space. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

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: This project is proposing the development of 49-unit multiple-family dwellings (apartments), per our Ontario Development Code requirements. This includes private and common open space. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

17. TRANSPORTATION/TRAFFIC. Would the project:

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

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to be increased significantly. Therefore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the number of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Less than significant impacts are anticipated.

Mitigation: None required.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

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

Mitigation: None required.

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

Discussion of Effects: The project is in an area that is mostly developed. All street improvements are complete, and no alterations are proposed for adjacent intersections or arterials. The project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: None required.

e. Result in inadequate emergency access?

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will

therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: None required.

f. 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: None required.

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

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

Mitigation: None required.

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

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

Discussion of Effects: The project is not listed as a Historical Resource.

Mitigation: None

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The project is not listed as a public resource.

Mitigation: None

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The proposed project is served by the City of Ontario. The project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. Therefore, no impacts are anticipated.

Mitigation: None required.

e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. Therefore, no impacts are anticipated.

Mitigation: None required.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. Therefore, no impacts are anticipated.

Mitigation: None required.

g. Comply with federal, state, and local 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: None required.

20. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. The site is currently developed with a single-family home; therefore, no impacts are anticipated.

Mitigation: None required.

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: None required.

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required.

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: None required.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.

- a) The Ontario Plan Final EIR
- b) The Ontario Plan
- c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

1. **Air Quality**—The following fugitive dust mitigation measures shall be required:

a. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving, or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.

b. Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:

- i. Scheduling receipt of construction materials to non-peak travel periods.
- ii. Routing construction traffic through areas of least impact sensitivity.
- iii. Limiting lane closures and detours to off-peak travel periods.
- iv. Providing rideshare incentives for contractor and subcontractor personnel.

c. After clearing, grading or earth moving:

- i. Seed and water until plant cover is established;
- ii. Spread soil binders;
- iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind;

and

iv. Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.

d. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.

2. **Geology and Soils**—The following mitigation measures shall be implemented:

- a. Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion

impacts.

b. Fugitive dust generated during cleaning, grading, earth moving, or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.

c. After clearing, grading, or earth moving:

i. Seed and water until plant cover is established;

ii. Spread soil binders;

iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind;
and

d. Sweep streets if silt is carried to adjacent public thoroughfares.

e. Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.

3. Greenhouse Gas Emissions—The following mitigation measures shall be implemented:

a. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:

i. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;

ii. Require all new landscaping irrigation systems installed 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;

iii. Reduce heat gain from pavement and other similar hardscaping;

MITIGATION MONITORING AND REPORTING PROGRAM

Project File No.: PDEV19-031

Project Sponsor: Mr. Pedro Maltos, 3841 Saint James Circle, Baldwin Park, CA. 91706

Lead Agency/Contact Person: Luis Batres, Senior Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2431

<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>
1. AIR QUALITY						
a. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
b. Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures: i. Scheduling receipt of construction materials to non-peak travel periods. ii. Routing construction traffic through areas of least impact sensitivity. iii. Limiting lane closures and detours to off-peak travel periods. iv. Providing rideshare incentives for contractor and subcontractor personnel.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c. After clearing, grading or earth moving: i. Seed and water until plant cover is established. ii. Spread soil binders. iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv. Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
d. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

<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>
2. GEOLOGY & SOILS						
a. The applicant shall submit an erosion control plan to reduce wind erosion impacts.	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
b. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c. After clearing, grading, or earth moving: i. Seed and water until plant cover is established. ii. Spread soil binders. iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv. Sweep streets if silt is carried to adjacent public thoroughfares	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
d. Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
3. GREENHOUSE GAS EMISSIONS						
a. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: i. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects. ii. Require all new landscaping irrigation systems installed 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. iii. Reduce heat gain from pavement and other similar hardscaping.	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order; or withhold building permit



Development Advisory Board Decision

June 21, 2021

DECISION NO.: [insert #]

FILE NO.: PDEV19-031

DESCRIPTION: A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district; (APNs: 1011-371-15 and 1011-371-16); **submitted by Pedro Maltos. Planning Commission action is required.**

PART I: BACKGROUND & ANALYSIS

PEDRO MALTOS, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV19-031, 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 1.58 acres of land located at 890 South Magnolia Avenue, located within the HDR-45 (High Density Residential - 25.1 to 45 du/ac) zoning district and is depicted in Exhibit A—Aerial Photograph, attached. The site is composed of two parcels that will be consolidated into one, by a Lot Line Adjustment. The subject site is currently developed with a single-family dwelling and a commercial nursery. The site is relatively flat, with a gentle slope to the south of just over one percent. 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>	Single-Family Home & Commercial Nursery	High Density Residential (25.1 - 45.0 du/ac)	HDR-45 (High Density Residential - 25.1 to 45.0 du/ac)	N/A
<i>North:</i>	Four-Story Multiple-Family Dwellings	High Density Residential (25.1 - 45.0 du/ac)	HDR-45 (High Density Residential - 25.1 to 45.0 du/ac)	N/A
<i>South:</i>	Single Family Home	Rural Residential (0 - 2 du/ac)	AR-2 (Residential-Agriculture - 0-2 du/ac)	N/A
<i>East:</i>	Two-Story Multiple-Family Dwellings	Medium Density Residential (11.1 - 25.0 du/ac) & Rural Residential (0 - 2 du/ac)	MDR-18.0 (Medium Density Residential - 11.1 to 25 du/ac)	N/A
<i>West:</i>	Two-Story Multiple-Family Dwellings	Medium Density Residential (11.1 - 25.0 du/ac)	MDR-18 (Medium Density Residential - 11.1 to 25.0 du/ac)	N/A

(2) **Project Description:**

(a) **Background** — On June 5, 2019, the Applicant submitted a Development Plan (File No. PDEV19-031) application for the construction of a five-story, 49-unit apartment building (Magnolia Apartments) on the above-described Project site.

(b) **Site Design/Building Layout** — The 49-unit apartment building has an L-shape configuration and situated along the southeast portion of the 1.58-acre lot, with the east elevation oriented towards Magnolia Avenue. The common open recreational amenity area is located at the center of the site, with the surface parking distributed along the north and west sides of the building.

The building will be five-stories in height (67-feet), with four floors of residential over one-level of at-grade podium structured parking. Additional common recreational amenities will be incorporated within the second and third floors of the building. The Project is proposed at a density of 31 dwellings per acre, consistent with the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) land use designation.

The north, west and south property lines will feature a decorative 6-foot tall block wall designed to match the architecture design of the building (see Exhibits B: Site Plan, attached).

As demonstrated in the table below, five floor plans will be provided that will range in size from 789 to 1,173 square feet (see Exhibits E to I: Floor Plans, attached).

Table 1: Floor Plan Summary

Plan No.	Area (in SF)	No. Units	No. Bedrooms	No. Baths
A	789	3	1	1
B	834	9	1	1
C	1,007	6	2	2
D	1,062	18	2	2
E	1,173	13	2	2

(c) **Site Access/Circulation** — The Project is designed with one point of vehicular ingress and egress from Magnolia Avenue, by way of a 30-foot wide driveway and a 26-foot wide drive that is located at the northeast area of the site. The 26-foot wide drive aisle loops around the interior of the site, providing access to the surface parking lot and podium parking structure. One-way access into the at-grade podium parking structure will be provided at the garage entry, located along the southwest area of the building, with a one-way exit located along the northeast area of the building. A 26-foot wide drive aisle will accommodate the one-way access through the parking structure. Pedestrian access into the building will be provided at the northeast area of the building through a lobby entry and on the west side of the building, from Magnolia Avenue, through a street entry. The residential units will be accessed through interior corridors, which are accessible by stairs and an elevator located in the lobby, located at the parking structure level.

(d) **Parking** — The Ontario Development Code requires the project to provide off-street parking at the rate of 1.75 spaces per dwelling unit for one-bedroom units, with one covered space (garage or carport), two spaces per dwelling unit for two-bedroom units, with one covered space (garage or carport), and one guest parking space for every four dwelling units. A total of 108 off-street parking spaces are required for the project, which includes 13 guest parking spaces. The project will provide 108 parking spaces, in compliance with Code. Off-street parking has been provided in the form of a one-level at-grade podium parking structure and uncovered surface parking. Parking will be composed of 53 spaces within the podium parking structure and 55 spaces within the uncovered surface parking lot.

(e) Architecture — The project proposes a Spanish Contemporary architectural design, exemplifying the type of high-quality architecture promoted by the Ontario Development Code and The Ontario Plan (see Exhibit C & D- Perspective, attached). The mass and scale of the building is designed to be proportionate to the site. The varying stacked massing of the building, articulated roof line and the two and three story step downs at the corners (northeast and southeast) of the building, provides visual interest and helps soften the pedestrian interface between the building façade and the street frontage along Magnolia Avenue. Special attention was given to the colors, materials, massing, building form, and architectural details. This is exemplified by the use of:

- Articulation in the building's roof line;
- Flat and gable roof lines;
- Architectural towers;
- Stone veneer along the first and second floors;
- Malibu S-tile roof;
- An exterior smooth stucco finish;
- Decorative metal railings at all balconies along the second, third, fourth and fifth floors;
- Decorative metal canopies over key architectural elements and windows;
- Precast concrete trim around doors and windows;
- Decorative faux wood trellis at the second and third floors within the outdoor recreation deck area;
- Decorative metal mesh over the exterior of the parking structure openings;
- A decorative roofline trim; and
- Several exterior building colors.

(f) Landscaping/Common Open Space — The project exceeds the minimum landscape requirements established by the Development Code. The project will provide an average of 66 square feet of private open space per unit (50 sq. ft. minimum required), in the form of private balconies, and 259 square feet of common open space for each unit (250 sq. ft. minimum required). The common open space (totaling 12,670 square feet) will be provided as follows:

- Ground Floor — The ground floor recreation common open area will be located at the center of the surface parking area (northwest side of the building). Area will include a 20' x 20' decorative steel picnic shelter, decorative metal outdoor benches, open play turf area, children's play structure, decorative lighting, decorative paving, and BBQ area.
- Second Floor — Floor will include an open deck area with a decorative overhead metal trellis, gymnasium, kitchen area, lobby, and restrooms.
- Third Floor — Floor will include an exercise room, open deck with an overhead decorative trellis, restrooms, and a multi-purpose room, to be used for social gatherings.

In addition, the project will provide a 13-foot wide landscape setback along the Magnolia Avenue frontage (east property line), a 6-foot wide landscape setback along the north property line, a 12-foot wide landscape setback along the south property line and a 5.5-foot wide landscape setback along the west property line. Furthermore, the project will also provide landscaping throughout the interior area of the parking lot. The plant pallet will consist of a mix of shade trees, ground cover and shrubs. At key areas of the project, accent planting is featured, including Canary Island Pine, Brisbane Box, Date Palms, California Fan Palms, California Sycamore, Western Redbud, Paperback, Italian Cypress, Japanese Blueberry, Water Gum and Carolina Laurel Cherry (see Exhibits N & O: Landscape Plans, attached).

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Additionally, the applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices

(BMPs), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes to install stormtech infiltration chambers under the parking lot area along the western portion of the surface parking lot.

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 makes 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 June 21, 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 June 21, 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. 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 49 and density 31.01 units/acre specified in the Available Land Inventory.

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 (High Density Residential) land use district of the Policy Plan Land Use Map, and the HDR-4 (High Density Residential – 25.1 to 45.0 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. In addition, the proposed development will comply with all the Development Guidelines of the HDR-45 zone, and is not requesting any Variances; 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 to be consistent with the requirements of the City of Ontario Development Code and the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district, including standards relative to the particular land use proposed, 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. Approval of the project will result in the development of a 49-unit residential apartment complex. The project will include full on-site and off-site infrastructure improvements that will improve the street frontage along Magnolia Street. In addition, the proposed density of 31 units per acre is consistent with the minimum density requirement of the HDR-45 zone; 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. In addition, the project includes full on-site and off-site improvements and the project will improve the quality of the existing site. In addition, the proposed project will provide much needed housing which will also allow the City to comply with our Housing Element housing needs; 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. 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 21st day of June 2021.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH



Exhibit B—SITE PLAN

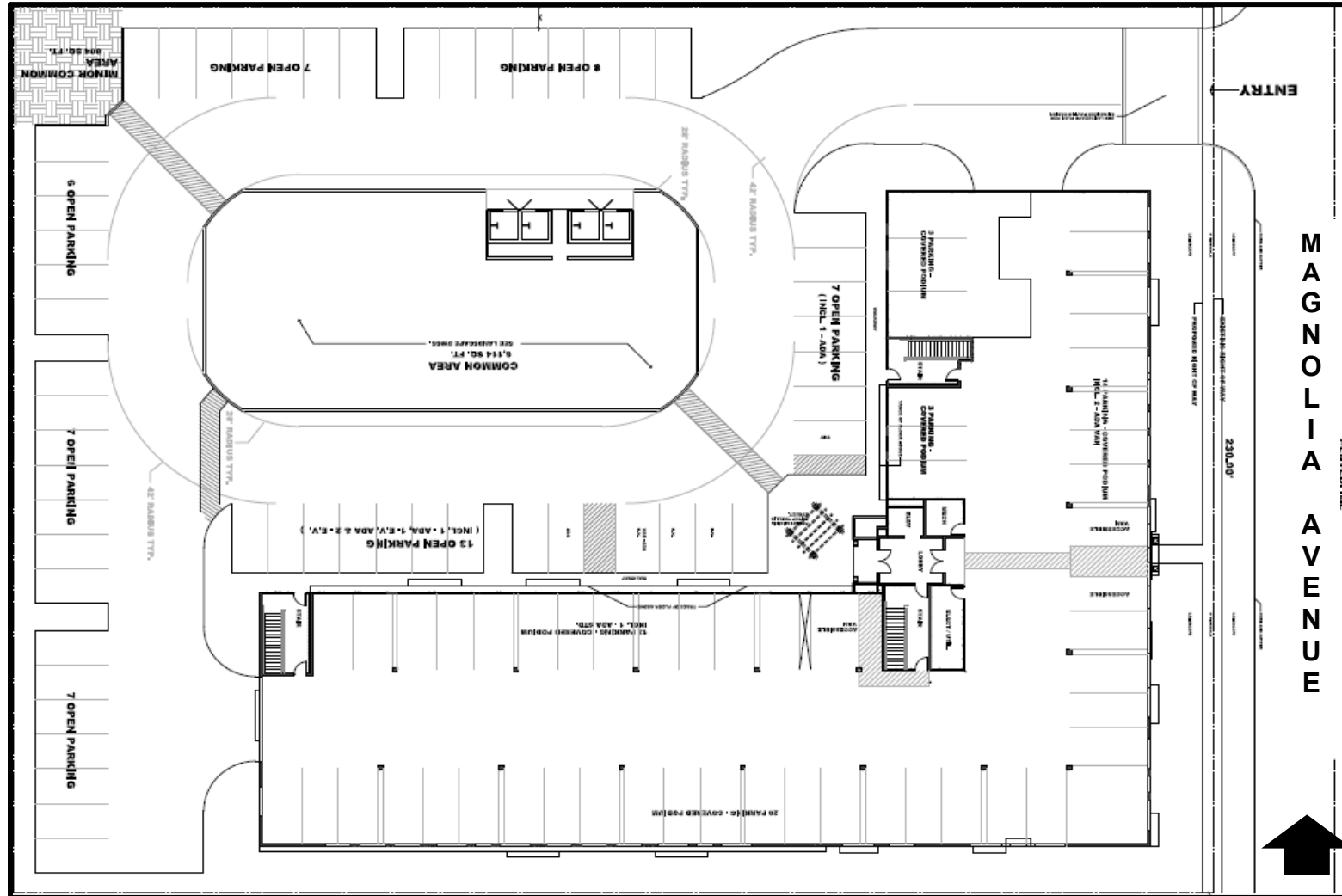


Exhibit C—PERSPECTIVE



View Looking Northeast Along Magnolia Avenue

Exhibit D—PERSPECTIVE



View Looking Southeast From Interior of Project Site

Exhibit E—1ST FLOOR PLAN

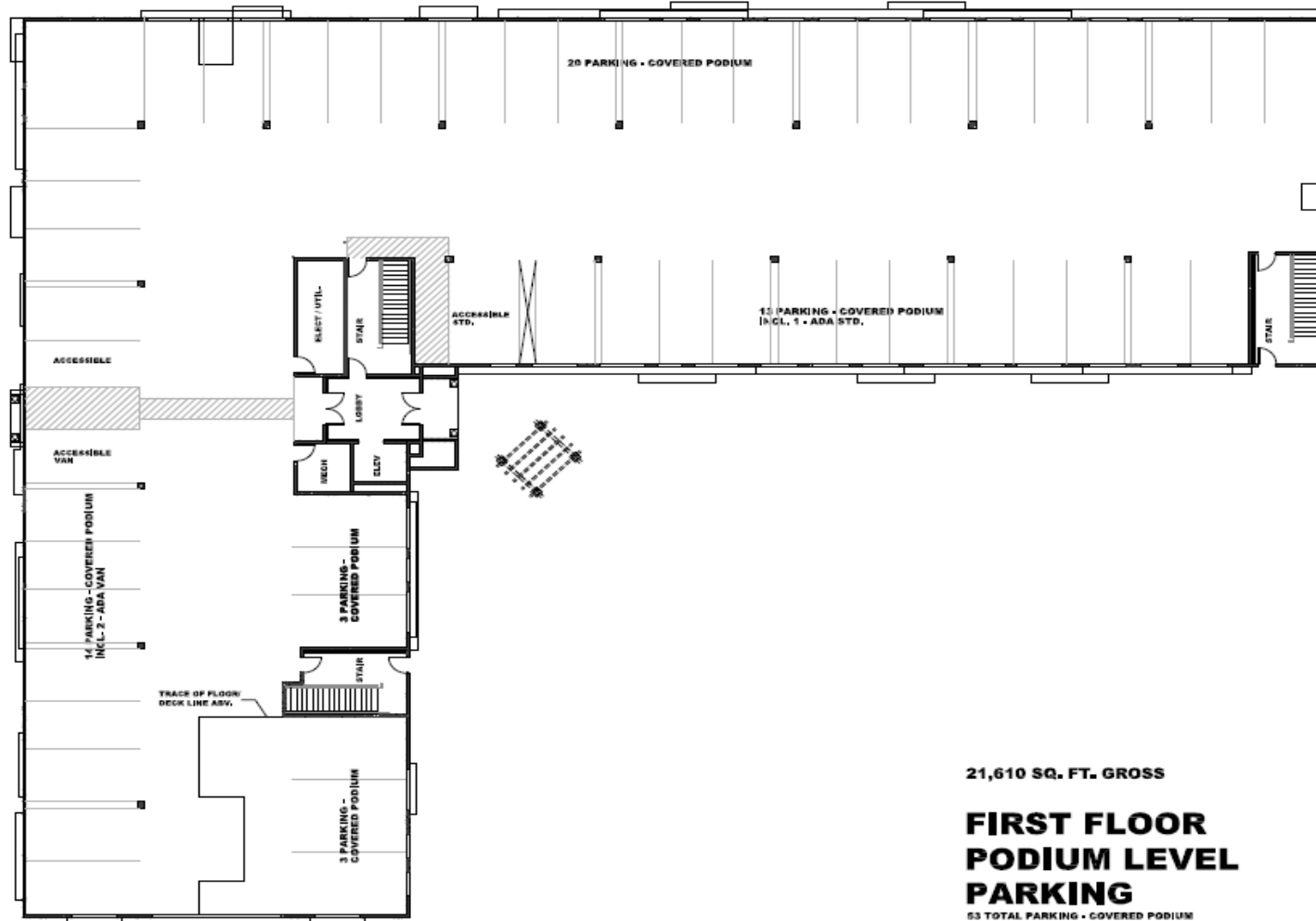
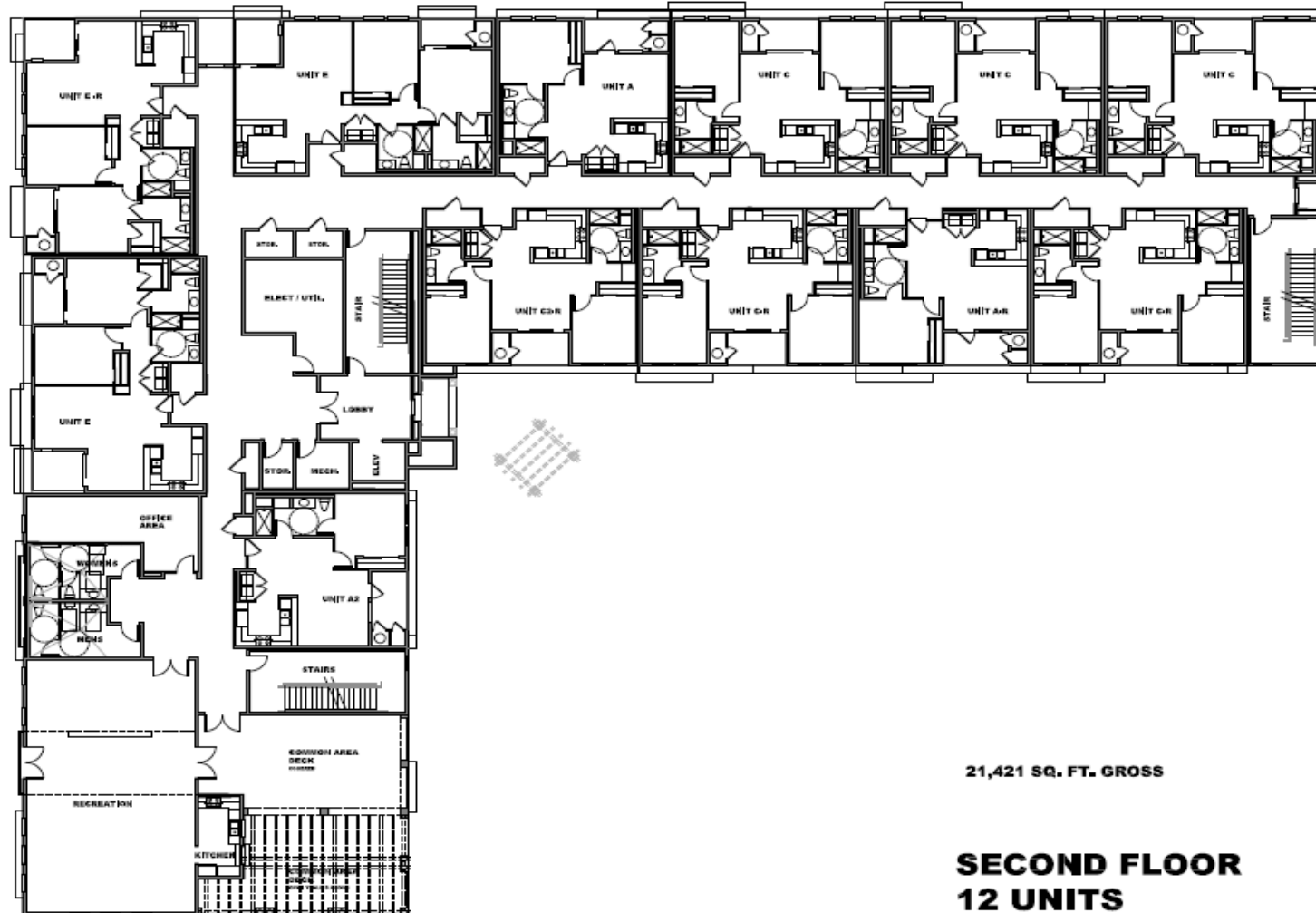


Exhibit F—2ND FLOOR PLAN

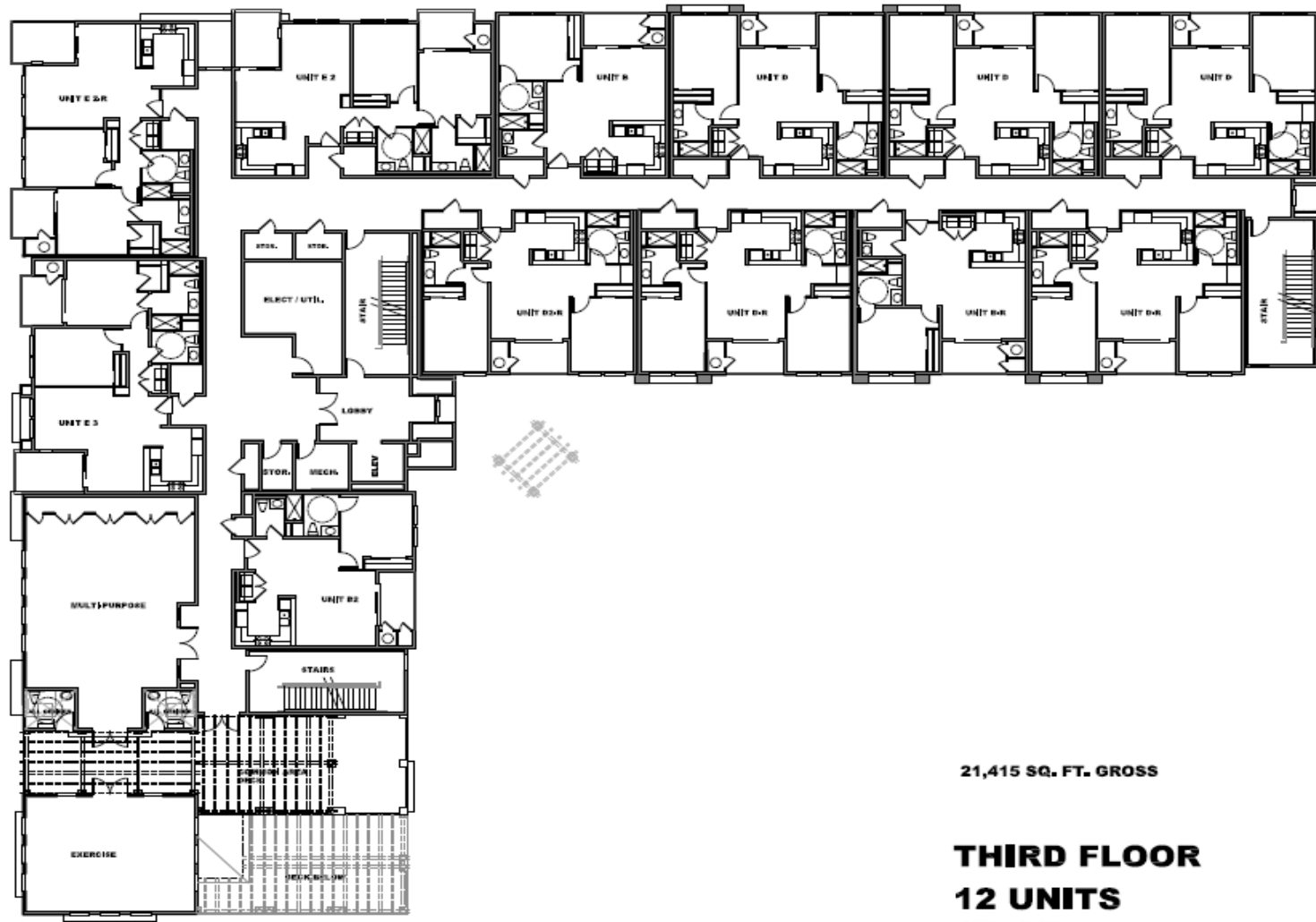


21,421 SQ. FT. GROSS

**SECOND FLOOR
12 UNITS**

1/8" = 1'-0"

Exhibit G—3rd FLOOR PLAN



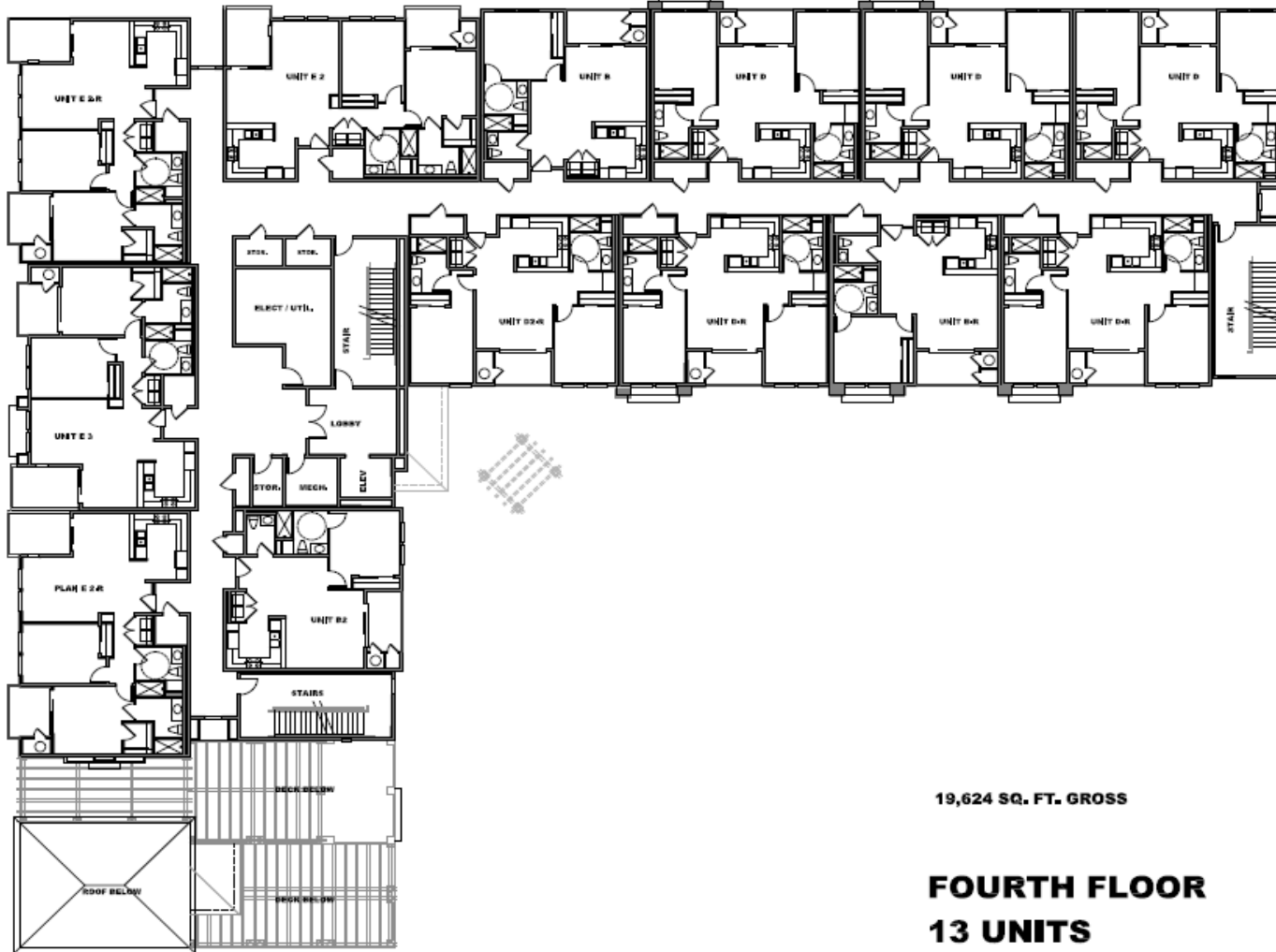
21,415 SQ. FT. GROSS

THIRD FLOOR

12 UNITS

1/8" = 1'-0"

Exhibit H—4th FLOOR PLAN

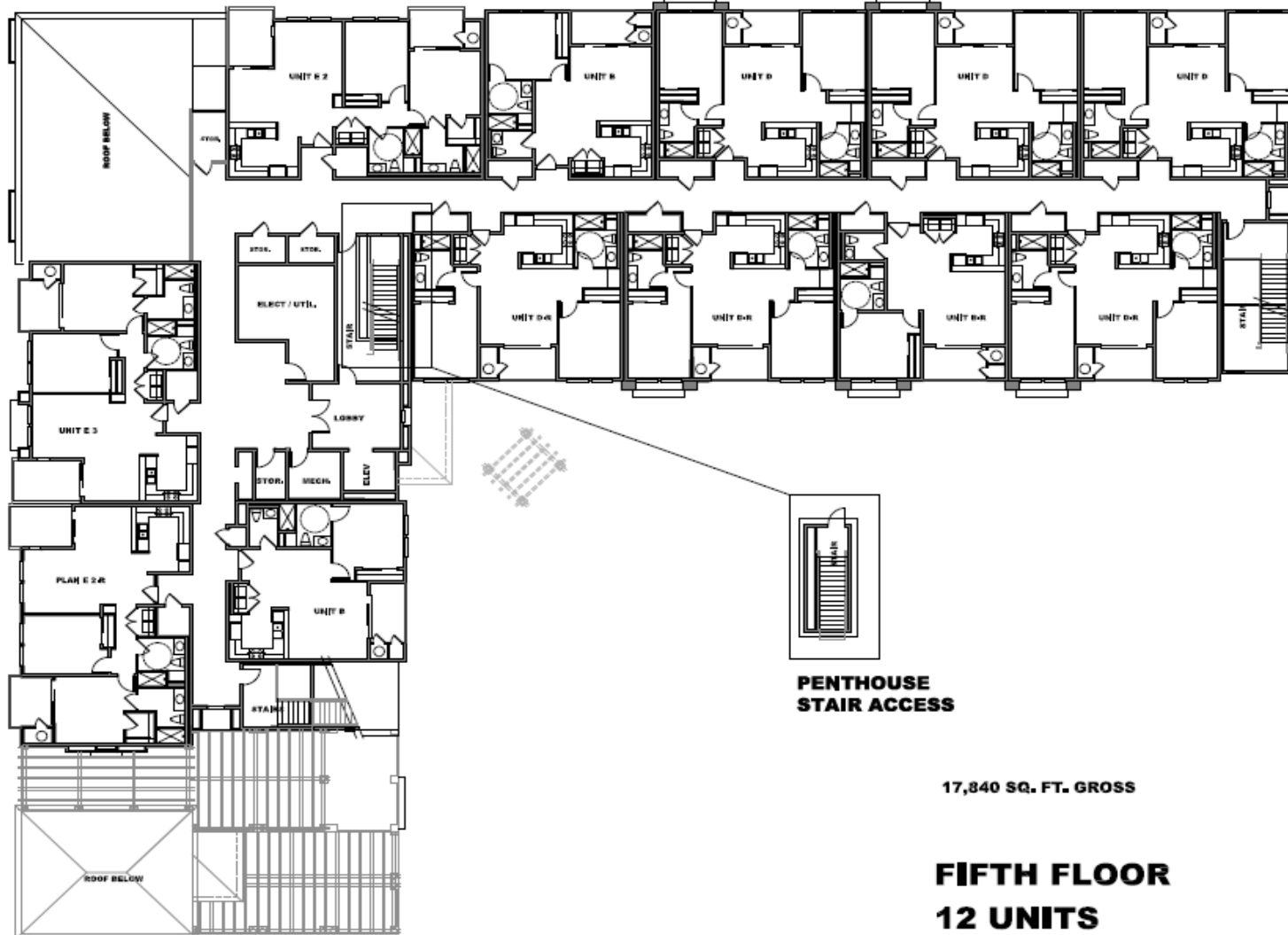


19,624 SQ. FT. GROSS

**FOURTH FLOOR
13 UNITS**

1/8" = 1'-0"

Exhibit I—5th FLOOR PLAN



17,840 SQ. FT. GROSS

**FIFTH FLOOR
12 UNITS**

Exhibit J—EAST ELEVATION (MAGNOLIA AVENUE STREET FRONTAGE)



Exhibit K—SOUTH ELEVATION



Exhibit L—WEST ELEVATION



Exhibit M—NORTH ELEVATION



Exhibit N—LANDSCAPE PLAN



Exhibit P—WALL PLAN

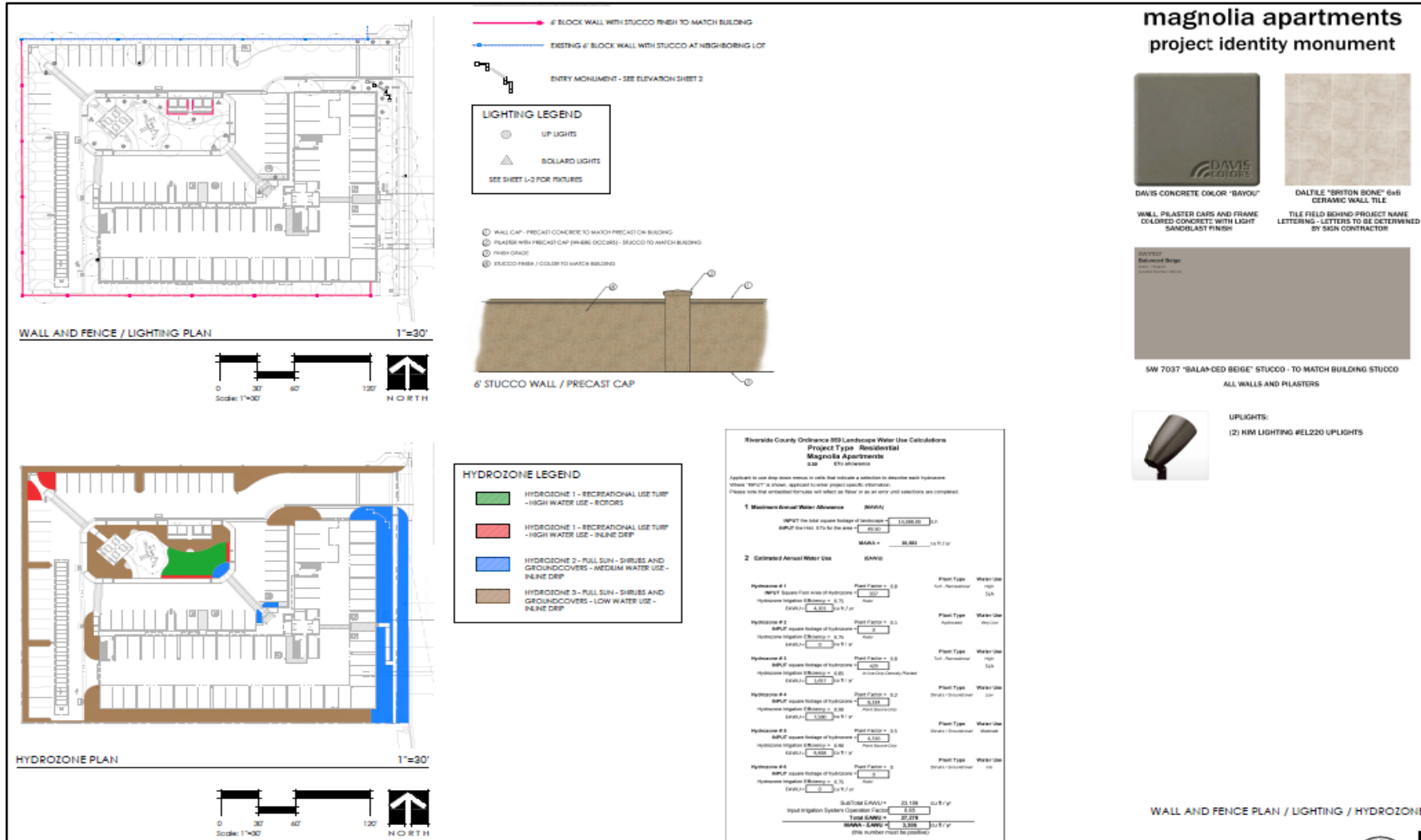
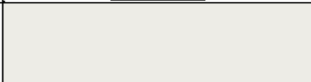




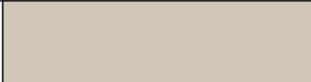

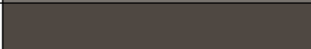
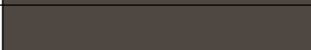
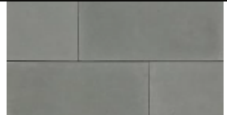
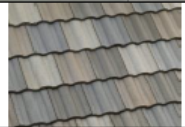


Exhibit Q—COLOR SCHEDULE

PAINT: SW: SHERWIN WILLIAMS STONE: EL DORADO STONE		ROOF: EAGLE ROOF TILE	1	ISSUED FOR SUBMITTAL 11/30/18
			2	REVISED FOR SUBMITTAL 12/5/18
			3	REVISED FOR SUBMITTAL 1/18/19 – ADDED FLASHING
		COLOR		SCHEME
STUCCO PAINT MATCH (A) (PARAPET, FASCIA & CORBEL) (SMOOTH FINISH)				SW 7005 PURE WHITE
STUCCO TRIM & PRECAST PAINT MATCH USED WITH STUCCO (A)				SW 7017 DORIAN GRAY
STUCCO PAINT MATCH (B) (PARAPET, FASCIA & CORBEL) SMOOTH FINISH				SW 7037 BALANCED BEIGE
STUCCO TRIM & PRECAST PAINT MATCH USED WITH STUCCO (B)				SW 7005 PURE WHITE
STUCCO PAINT MATCH (C) (PARAPET, FASCIA & CORBEL) SMOOTH FINISH				SW 7018 DOVETAIL
STUCCO TRIM, PRECAST CONCRETE BAND & PRECAST PAINT MATCH USED WITH STUCCO (C)				SW 7036 ACCESSIBLE BEIGE
DOORS				SW 7109 GAUNTLET GRAY
WIRE MESH, WROUGHT IRON RAILINGS & WOOD TRELLIS				SW 7020 BLACK FOX
FLASHING				BRONZE
STONE				FOGGY MEADOW LONGITUDE 24
ROOF MALIBU "S" TILE				SCM 8805

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: June 21, 2021

File No: PDEV19-031

Project Description: A Development Plan to construct a four-story, 49-unit multiple-family dwellings (Magnolia Apartments), over one-level of at-grade podium structured parking, for a total of 5-stories, on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. (APN's: 1011-371-15 and 1011-371-16); **submitted by Pedro Maltos.**

Prepared By: Luis E. Batres, Senior Planner 
Phone: 909.395.2431 (direct)
Email: Lbatres@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).

(a) Any damage to existing block wall along the north property line shall be repaired to industry standards. If existing block wall does not match new proposed walls, existing wall shall be plastered and painted to match the new walls. The height of new and existing walls shall be a minimum of 6-feet, measured from finished grade.

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

(g) All required guest parking shall be located within the same general area.

2.6 Outdoor Loading and Storage Areas.

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

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

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

(a) Any proposed monument signs will also require the review and approval from the Landscape Division.

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

2.12 Environmental Review.

(a) The 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.

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

2.14 Additional Fees.

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

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

2.15 Additional Requirements.

(a) Location of gas meters shall be located away from public views and they shall also be screened with landscaping and or a combination of a decorative block wall and landscaping.

(b) Trash enclosure decorative trellis shall be constructed of steel or a similar material, in addition, all proposed trellis elements on the site shall also be constructed of steel or a similar material.

(c) Applicant shall work with staff during the plan check process to add a few more up-lighting fixtures along the east side of the building.

(d) Along the east building elevation, the Applicant shall work with staff during the plan check process to project out the front main entry area three additional feet and one foot along the west elevation.

(e) All community area restrooms shall feature baby changing tables.

(f) Any proposed false windows shall feature some type of glazing, such as spandrel or other similar material that gives the look of a real window.

(g) All primary architectural towers shall feature two small recess areas and not one, along the upper portion of the towers.

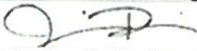
(h) Applicant shall work with staff during the plan check process to add two additional decorative metal canopies over upper level windows along the east elevation and three windows along the south elevation.

(i) Applicant shall incorporate decorative sconce lighting fixture to the main entry areas of the building to enhance entry areas in the PM hour. Fixtures selected shall go with the propose architecture style.

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

CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

4/30/21
 Date

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

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV19-031

Case Planner:
 Luis Batres

Project Name and Location:
 Magnolia Condominiums

890 S Magnolia Ave

Applicant/Representative:

LSA Architecture Inc – Chuck Steichen csteichen@lsaarchitecture.com (949) 873-5255

1901 Newport Blvd, Suite 350

Costa Mesa, CA 92627

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 4/2/21) 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. Appraised value from the tree inventory is \$9,053; payment can be made to the City of Ontario Historic Preservation Fund. Coordinate payment with the Landscape planning Division.
2. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
3. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
4. Show backflow devices set back 4' from paving all sides. Locate on level grade.
5. Show location of gas meters.

Landscape Plan

6. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
7. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
8. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
9. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
10. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV19-031</u> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

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

CITY PROJECT PLANNER & PHONE NO: Luis Batres (909) 395-2431

DAB MEETING DATE: June 7th, 2021

PROJECT NAME / DESCRIPTION: PDEV19-031, a Development Plan to construct a 49-unit multiple-family development, over podium structure parking on 1.58 acres of land.

LOCATION: 890 South Magnolia Avenue

APPLICANT: Pedro Maltos

REVIEWED BY: Raymond Lee 5/27/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: Khoi Do 5-27-21
 Khoi Do, P.E. Date
 City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4th, 1972.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment to merge the northerly parcel (APN 1011-371-15) and southerly parcel (APN 1011-371-16)
 - 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:**

3-feet on the Magnolia Avenue property frontage for an ultimate right-of-way of 33-feet from street centerline.

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.**

Project File No. PDEV19-031
Project Engineer: Antonio Alejos
DAB Date: 6/7/2021



- 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	Magnolia Av	Street 2	Street 3	Street 4
Curb and Gutter (see Sec. 2.F)	<input checked="" type="checkbox"/> New; 20-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 (see Sec. 2.F)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 4-ft 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 driveways	<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"/> Two (2) laterals w/ clean-outs behind PL	<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"/> One (1) service for Domestic Use w/ Meter & Backflow <input checked="" type="checkbox"/> One (1) service for Irrigation Use w/ Meter & Backflow <input checked="" type="checkbox"/> One (1) service for Fire Use w/ DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New "No Parking Any Time" signs <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. 2G)	<input checked="" type="checkbox"/> New under sidewalk drain <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	<input checked="" type="checkbox"/> Remove existing curb & curb/gutter	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____



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

- a. 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.
- b. 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): **Magnolia Avenue - 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 sewer main is available for connection by this project in Magnolia Avenue. (Ref: Sewer DWG No.: S12721)**
- 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. **The applicant/developer shall install two (2) new sewer laterals to the existing 8-inch public sewer main in Magnolia Avenue and equip each lateral with a clean-out behind the property line per the latest City Design Guidelines/Standard Drawings.**

D. WATER

- 2.27 **An 8-inch water main is available for connection by this project in Magnolia Avenue. (Ref: Water DWG No.: W12194)**
- 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. **The applicant/developer shall install a domestic water service to the existing 8-inch domestic water main in Magnolia Avenue and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.**
 - b. **The applicant/developer shall install a separate water service (for irrigation purposes only) to the existing 8-inch domestic water main in Magnolia Avenue and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.**



- c. The applicant/developer shall install a fire service to the existing 8-inch domestic water main in Magnolia Avenue and equip a double check detector assembly (DCDA) to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
- d. The applicant/developer shall install a new fire hydrant, along the Magnolia Avenue property frontage, with a break-off check valve per City Standard Drawing Number 4101.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____ (Ref: Recycled Water plan bar code: _____)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - a. The applicant/developer shall construct curb & gutter along Magnolia Avenue property frontage per City Standard Drawing Number 1201.
 - b. The applicant/developer shall widen half the street section along Magnolia Avenue property frontage to the ultimate 20-ft from street centerline per City Standard Drawing Number 1052 and to the satisfaction of the City Engineer.
 - c. The applicant/developer shall provide an AC berm transition to the existing narrower street section's curb and gutter to the southern neighboring property per City Standard Drawing Number 1052 and to the satisfaction of the City Engineer.
 - d. The applicant/developer shall construct the proposed driveway approach per City Standard Drawing Number 1204.
 - e. The applicant/developer shall construct new sidewalk along Magnolia Avenue property frontage per City Standard Drawing Number 1209.
 - f. The applicant/developer shall in-fill existing driveway approaches with full height curb/gutter, parkway landscaping and sidewalk per the latest City Design Guidelines/ Standard Drawings and to the satisfaction of the City Engineer.
 - g. The applicant/developer shall install parkway trees/landscaping along Magnolia Avenue property frontage per the Landscape Planning Division Requirements.
 - h. 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.



- i. The applicant/developer shall remove all hardscape (concrete, rocks, etc.) from the within the parkway landscape area along the entire property frontage per Landscape Planning Division Requirements.
- e. The applicant/developer shall install "No Parking Anytime" signs with arrows (R28(CA)(L) & (R)) along Magnolia Avenue per the latest City Design Guidelines/Standard Drawings and to the satisfaction of the City Engineer. The parking shall be restricted 40-feet on either side of the proposed driveway.
- j. The applicant/developer shall be responsible to design and construct in-fill public street lights along Magnolia Avenue property frontage. Street lighting shall be LED-type and in accordance with the City's Traffic & Transportation Design Guidelines.

G. DRAINAGE / HYDROLOGY

- 2.38 A storm drain main is not available to accept flows from this project. (Ref: Storm Drain DWG No.: 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.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. Generally located along Magnolia Avenue.
- 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. The applicant/developer shall submit a final Solid Waste Handling Plan (SWHP) with the Precise Grading Plan for the Ontario Municipal Utilities Company to review & approve.
- i. Provide a trash enclosure with four (4) 4-Cubic Yard bins and a solid roof.

For questions on the SWHP and IWMR 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 include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV19-031

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:**
 - a. **Three (3) copies of the Lot Line Adjustment Form (Include all items in the Lot Line Adjustment Application Checklist)**



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: September 10, 2020

SUBJECT: PDEV19-031 - A Development Plan to construct 49 multiple-family dwellings on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district (APNs: 1011-371-15 and 1011-371-16).
Revision 1.

-
- The plan **does** adequately address Fire Department requirements at this time.
- See previous report, dated June 18, 2019.
-



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: June 18, 2019

SUBJECT: PDEV19-031 - A Development Plan approval to construct 49-unit multi-family dwellings on approximately 1.58 acres of land located at 890 S Magnolia Ave, within the High Density Residential (HDR-45) zoning district (APN(s): 1011-371-15 & -16).

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 21,604 Sq. Ft.
- D. Number of Stories: 5
- E. Total Square Footage: 101,735 Sq. Ft.
- F. 2016 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.
- 2.4 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 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

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

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

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: June 20, 2019

SUBJECT: PDEV19-031: A DEVELOPMENT PLAN TO CONSTRUCT 49-UNIT MULTI-FAMILY DWELLINGS AT 890 S. MAGNOLIA AVENUE

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

The Applicant is invited to call Emily Hernandez at (909) 408-1755 regarding any questions or concerns.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: June 20, 2019

SUBJECT: PDEV19-031: A DEVELOPMENT PLAN TO CONSTRUCT 49-UNIT MULTI-FAMILY DWELLINGS AT 890 S. MAGNOLIA AVENUE

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

The Applicant is invited to call Emily Hernandez at (909) 408-1755 regarding any questions or concerns.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-031
 Address: 890 South Magnolia
 APN: 1011-371-15 & 16
 Existing Land Use: Single Family Residential
 Proposed Land Use: Development Plan to construct 49 multi-family units
 Site Acreage: 1.5 acres Proposed Structure Height: 66 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 7/25/19
 CD No.: 2019-041
 PALU No.:

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

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

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

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

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: 

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2019-041

PALU No.: _____

PROJECT CONDITIONS

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

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 11, 2019
SUBJECT: PDEV19-031

-
- 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

June 21, 2021

DECISION NO.: [insert #]

FILE NO.: PDEV21-010

DESCRIPTION: A Development Plan to construct a 1,400,000 square foot industrial building on 70.4 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan; [APNs: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02] **submitted by Prologis, L.P. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PROLOGIS, L.P., (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV21-010, 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 70.4 acres of land located south of Eucalyptus Avenue, approximately 1,200 feet west of Carpenter Avenue, and is depicted in Exhibit A—Aerial Photograph, 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>	Agriculture and Dairy	Business Park (0.6 FAR) and Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial, Business Park
<i>North</i>	Agriculture and Dairy	Mixed Use (NMC West)	Specific Plan / Agricultural Overlay	N/A
<i>South</i>	Industrial (City of Chino)	Light Industrial (City of Chino)	The Preserve Specific Plan (City of Chino)	Light Industrial
<i>East</i>	Truck Terminal	Business Park (0.6 FAR) and Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial, Business Park
<i>West</i>	Agriculture and Dairy	Business Park (0.6 FAR) and Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial, Business Park

(2) **Project Description:**

(a) **Background** — On February 2, 2021, the City Council approved the introduction (first reading) of Ordinance No. 3178 for the Merrill Commerce Center Specific Plan ("MCCSP"), adopted Resolution No. R2021-011, certifying the MCCSP Final Environmental Impact Report ("Certified EIR"; State Clearinghouse No. 2019049047), and adopted Resolution No. R2021-012, approving the associated General Plan Amendment (File No. PGPA18-003) establishing the Business Park (0.6 FAR) and Industrial (0.55 FAR) land uses on the project site. On February 16, 2021, the City Council adopted (second reading) Ordinance No. 3178, approving the MCCSP (File No. PSP18-001). The MCCSP establishes the land use

designations, development standards, and design guidelines on 376.3 acres of land, which includes the potential development of up to 8,455,000 square feet of industrial and business park development.

On March 23, 2021, the Planning Commission approved Tentative Parcel Map No. 20273, a request to subdivide the Merrill Commerce Center Specific Plan area to create 22 numbered lots, 22 lettered lots, public streets and to facilitate future development of industrial and business park projects. On April 21, 2021, the final parcel map application for Parcel Map No. 20273 (File No. E202100114) was submitted to the Engineering Department for review and processing. At the time of writing this staff report, the final map was under review and anticipated to be presented to the City Council in late Summer or early Fall of 2021 for consideration. Approval of the subject Development Plan is contingent on approval and recordation of final Parcel Map No. 20273.

On March 9, 2021, the applicant submitted the subject Development Plan (File No. PDEV21-010) to develop Parcels 10, 14, and 15 of Tentative Parcel Map No. 20273 with one industrial building, to be used as a fulfillment center, totaling 1,434,010 square feet of leasable area. Final Parcel Map No. 20273 will combine Parcels 10, 14, and 15 shown on the Tentative Parcel Map, into a single parcel to accommodate the proposed development.

(b) Site Design/Building Layout — The proposed development includes a warehouse distribution building, with a footprint of 823,103 square feet, located entirely on Parcel 10 of Tentative Parcel Map No. 20273. The building is centrally located on the project site, setback approximately 630 feet from Eucalyptus Avenue, 600 feet from Merrill Avenue, 235 feet from future Vineyard Avenue, and 260 feet from future Baker Avenue. Employee parking lots are located west and south of the building. Truck access and trailer parking are located to the north and east of the building. In the north portion of the site, Parcels 14 and 15 will be improved with the truck entry, truck queuing lanes, guard house structure, and landscaping.

The proposed warehouse building is oriented to face west, towards Baker Avenue. The main entrance and office area will be a single-story structure encompassing 44,941 square feet. This area will include the employee entrance, locker rooms, break rooms, restrooms, recruitment offices, employee training rooms, and other ancillary uses.

The main, five-level warehouse building will include areas for warehousing, product processing and packaging, employee breakrooms, restrooms, and walkways. The first level also has 68 dock-high loading doors along the north and east building elevations. In addition to breakrooms, restrooms, and walkways, Levels 2 through 5 of the building will also have a total of 2,621,880 square feet of robotic storage platforms that are in addition to the building's 1.4 million square feet of leasable floor area. In accordance with the Development Code definition of "Floor Area, Gross," the robotic storage platform is considered a "platform for conveyers, equipment and related workstations" and is not included in the floor-area calculations. The robotic storage platforms will be a restricted area for robotic equipment, automated product handling, conveyers, and associated workstations. Only certain staff, such as maintenance staff, will be allowed in these areas as needed.

(c) Site Access/Circulation — The Project site will be accessible from Baker Avenue to the west and Merrill Avenue to the south. One access point on Baker Avenue will serve as the truck ingress and egress points. Three additional access points on Baker Avenue are for employee use, leading to the parking lot areas and the main building entrance. Two access points along Merrill Avenue are also provided for access to employee parking. Lastly, the project is designed with a truck exit along Vineyard Avenue, just north of the Merrill Avenue intersection. Passenger vehicle and truck access is not provided along Eucalyptus Avenue.

Internal circulation within the employee parking lot areas will include appropriate traffic control measures such as stop bars, speed bumps, and dedicated pedestrian paths to maximize safety and efficiency. In addition, all vehicle and truck access points are designed with enhanced paving as required by the Development Code.

(d) Parking — The Project is required to provide 727 parking spaces and 16 trailer parking spaces, based on 1,434,010 square feet of floor area and 65 dock-high loading doors, respectively. The Project provides 1,784 parking spaces for passenger vehicle parking and 367 spaces for trailer parking, exceeding the minimum off-street parking requirements.

Table A: Parking Summary					
Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
		Required	Provided	Required	Provided
Warehouse / Distribution	1,434,010 SF	16	367	727	1,784

The Project also provides 16 spaces for motorcycle parking near the main entrance of the building.

(e) Architecture — The Project incorporates a Contemporary Architectural style. The proposed building will be constructed with a combination of concrete tilt-up walls and insulated metal panels (Exhibit D—Sample Materials Board). The concrete tilt-up walls will be used at the base of the building, generally covering the first 30 to 40 feet of building height. The wall material above the concrete tilt-up panels consists of insulated metal panels fastened onto steel framing.

The main entrance and office area will be constructed with insulated metal panels, though the building corners will have concrete tilt-up walls using form liners with contemporary geometric patterns. The geometric pattern in the tilt-up panels will create visual interest and dimension at the human scale. The proposed color scheme is primarily monochromatic and presented in four gray hues, with a blue accent color at the building entrance and along portions of the building parapet.

The proposed building will be approximately 95 feet in height and will be taller than other industrial buildings existing and proposed in the area, which are typically limited to the maximum 55 to 65 feet tall. Overall, the proposed building footprint is approximately 1,200 feet wide and 700 feet deep, presenting long expanses of building elevations that would be more visible from further distances. To add variation on the building facades, the east and west elevations have portions of the building protruding from the main wall envelope, creating vertical breaks in the elevation. These protrusions include stairwells, electrical rooms, ventilation shafts, and other ancillary spaces that serve to support the main activity of warehousing and distribution.

As conditioned, the Project is required to incorporate additional architectural details on the north and south elevations to increase the visual interest at areas that may be viewed by the public. The Applicant, in coordination with the Planning Department, will revise the design to include additional glazing on the north and south elevations to improve the massing of the building and enhance visual engagement.

(f) Chino Airport Land Use Compatibility Compliance — The project site is located within the Chino Airport Influence Area (AIA). Pursuant to the California Airport Land Use Planning Handbook, the project site is located within Safety Zone 6 (Traffic Pattern/Overflight Zones), as shown on Exhibit E—Chino Airport Safety Zones, attached. Safety Zone 6 is subject to intensity limits (number of people on the site) and open land criteria requirements. The Project is required to be consistent with the policies and criteria of the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook.

(g) Landscaping — The MCCSP requires a minimum 10 percent landscape coverage be provided for buildings within the Industrial and Business Park land use districts. As proposed, at least 17 percent landscape coverage has been provided for the Project site, far exceeding the minimum requirement. The Project provides substantial landscaping along the full perimeter of the site, with additional buffering provided along Eucalyptus Avenue (see Exhibit E—Landscape Plan). The landscaping within the project interior is provided adjacent to the building, screen walls, and throughout the parking lot area to

soften the appearance of these areas and provide additional shading. The landscape plan incorporates 36-inch box trees, such as palo verde, crepe myrtle, shagbark hickory, pistache, fruitless olive, pine and oak varieties. The Project will also incorporate low-water usage and drought-tolerant shrubs and groundcovers throughout the site.

The Project also includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along the surrounding streets. The proposed on-site and off-site landscape improvements will assist toward creating a walkable, safe area for pedestrians to access the Project site. A multi-purpose trail and neighborhood edge will also be installed along Merrill and Vineyard Avenues.

The landscape area along Eucalyptus Avenue encompasses at least 2.75 acres of open space and is north of the main truck access and driveway. This open space area presents a unique opportunity for the development to provide a meaningful landscape feature and amenity such as shaded walking paths and respite areas. However, the current conceptual design shows this area with landscaping only and is not intended to be accessed by employees or patrons due to concerns about pedestrians crossing the truck access lanes and driveway. It is staff's opinion that a pedestrian crosswalk at the truck access lanes can be designed to ensure visibility and safety. As conditioned, the Applicant will coordinate with the Planning Department to create a final design that provides a landscape and employee amenity.

(h) Signage — All future signage will be subject to review and approval of a comprehensive sign program for the Specific Plan area. The sign program will facilitate integration of the signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs. Key provisions will include an entry monument, center and tenant identification signage, traffic and wayfinding signs, building signs, secondary monumentation, and visitor and directional signage.

(i) Utilities (drainage, sewer) — The Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-004) and requirements of the MCCSP. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of landscape areas designed as swales and grade to accept runoff, underground storm water retention chambers where downstream landscape areas are limited, surface retention basins to receive impervious area runoff and installation of storm water drywells in detention areas.

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 Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021, ("Certified EIR") in conjunction with File Nos. PGPA18-003 and PSP18-001, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce some of those significant effects to a less-than-significant level and adopted a Statement of Overriding Considerations for those impacts that would be significant and unavoidable; and

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

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

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

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

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

WHEREAS, the project site is also located with the Airport Influence Area of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 21, 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 previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which an

Environmental Impact Report (State Clearing House #2019049079) ("Certified EIR") was adopted by the City Council on February 2, 2021.

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

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

(4) The previous Certified EIR reflects the independent judgment of the City Council; and

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

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

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. 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 2011 California Airport Land Use Planning Handbook compatibility factors. As a result, the DAB, therefore, finds and determines that the Project, is consistent with the policies and criteria set forth within the Handbook, subject to conditions.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Industrial and Business Park land use districts of the Policy Plan Land Use Map, and the Merrill Commerce Center Specific Plan 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 Merrill Commerce Center Specific Plan zoning district, including standards relative to the particular land use proposed (fulfillment center), 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 Merrill Commerce Center Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in

which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Merrill Commerce Center 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 Merrill Commerce Center 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 (fulfillment center). 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 Merrill Commerce Center Specific Plan.

SECTION 6: ***Development Advisory Board Action.*** Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the 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 21st day of June 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

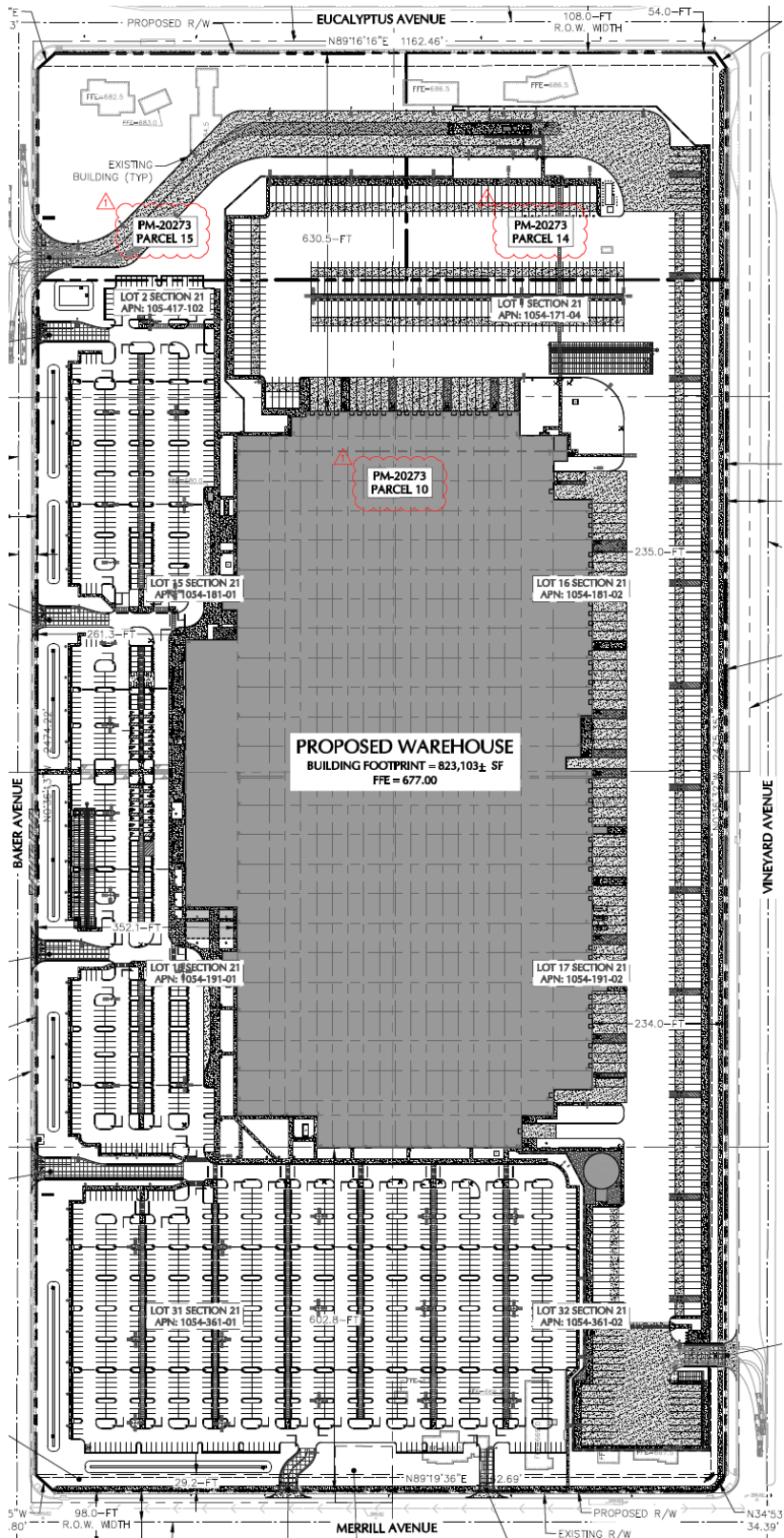
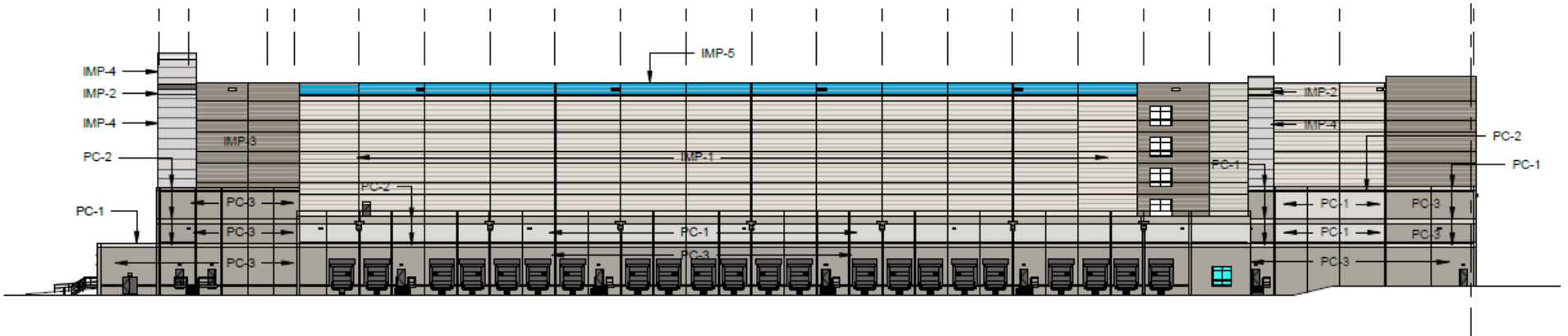
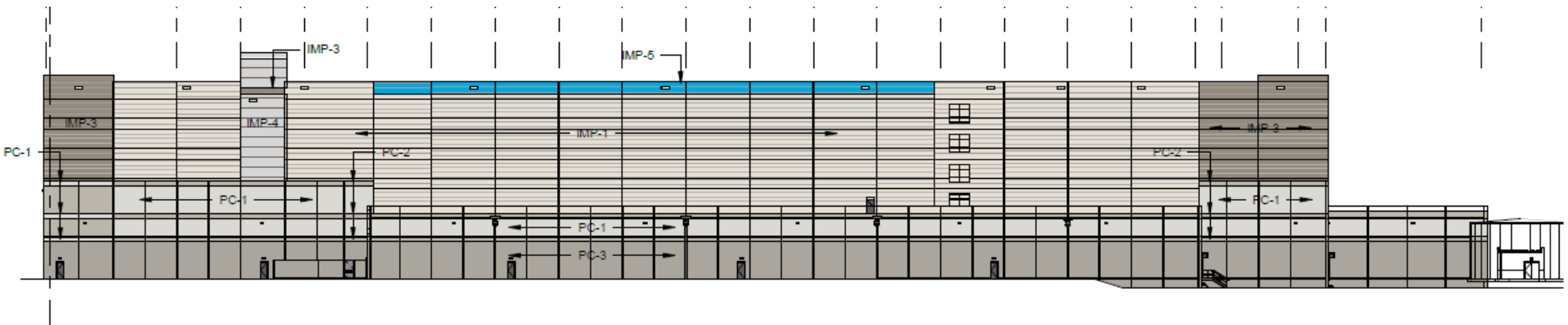


Exhibit C—EXTERIOR ELEVATIONS

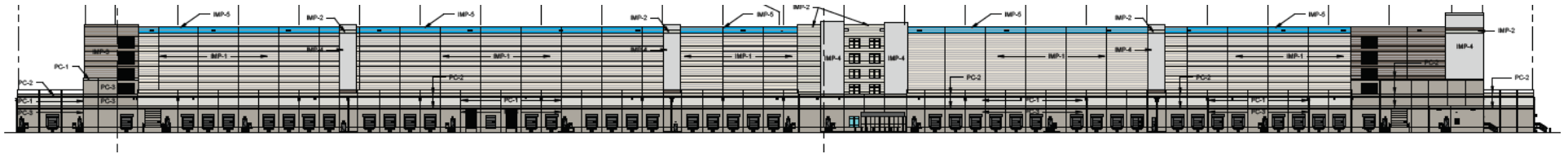


North Elevation

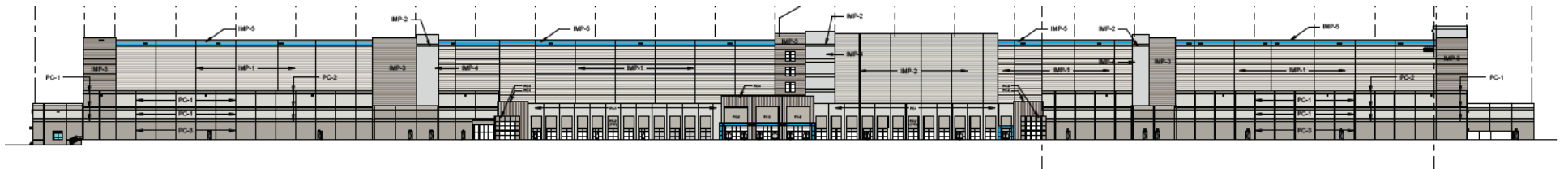


South Elevation

EXHIBIT C—EXTERIOR ELEVATIONS (continued)

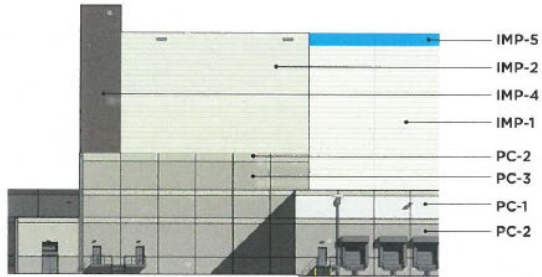


East Elevation



West Elevation

EXHIBIT D – SAMPLE MATERIALS BOARD



Enlarged South Elevation



Enlarged West Elevation



South Elevation



West Elevation

PC-1 "SW First Star"



PC-2 "SW Mindful Gray"



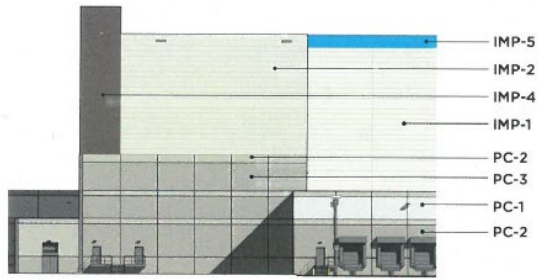
PC-3 "SW Dorian Gray"



PC-4 "SW Dove Tail"



EXHIBIT D – SAMPLE MATERIALS BOARD (continued)



Enlarged South Elevation



Enlarged West Elevation



South Elevation



West Elevation

Project Abby
Ontario, CA
Preliminary Review Application

Color and Materials Board

02.19.2021
2200371.00

IMP-3 "Dove Gray"

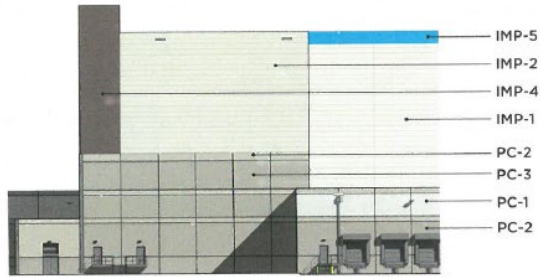


IMP-4 "Zinc Gray"



MACKENZIE.
DESIGN DRIVEN | CLIENT FOCUSED

EXHIBIT D – SAMPLE MATERIALS BOARD (continued)



Enlarged South Elevation



Enlarged West Elevation



South Elevation

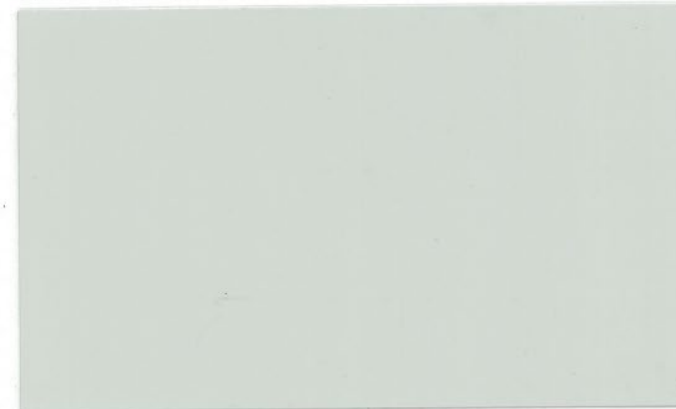


West Elevation

IMP-1 "Bone White"



IMP-2 "Drift Wood"

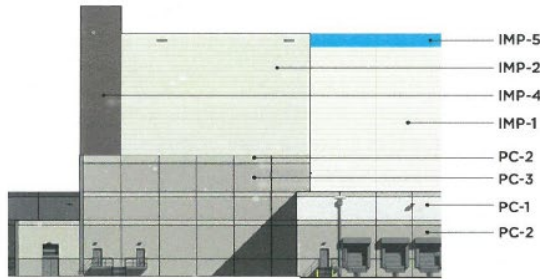


Project Abby
 Ontario, CA
 Preliminary Review Application

Color and Materials Board
 02.19.2021
 2200371.00

MACKENZIE.
 DESIGN DRIVEN | CLIENT FOCUSED

EXHIBIT D – SAMPLE MATERIALS BOARD (continued)



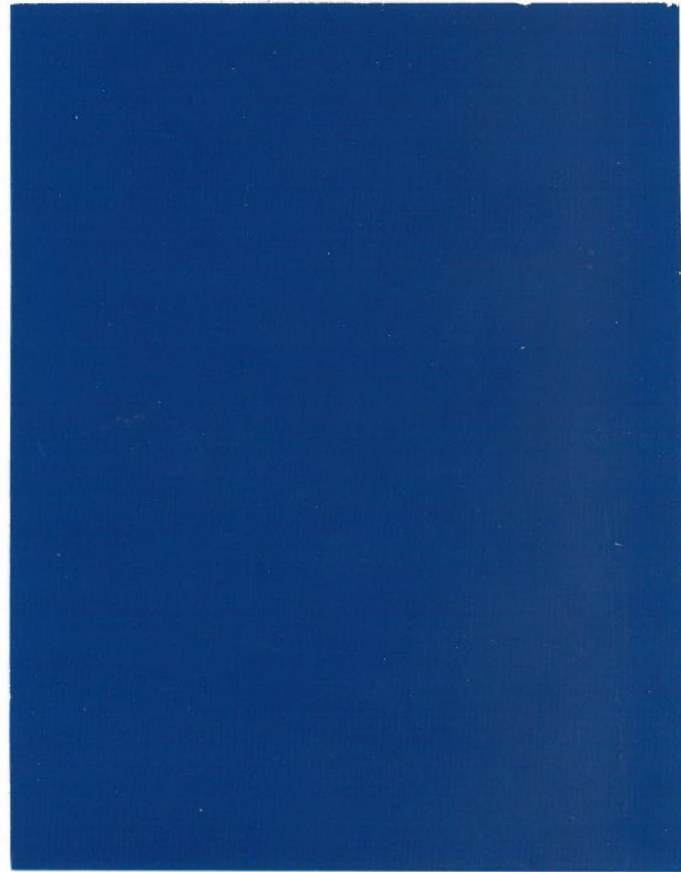
Enlarged South Elevation



Enlarged West Elevation



IMP-5 "Pantone 2995C"

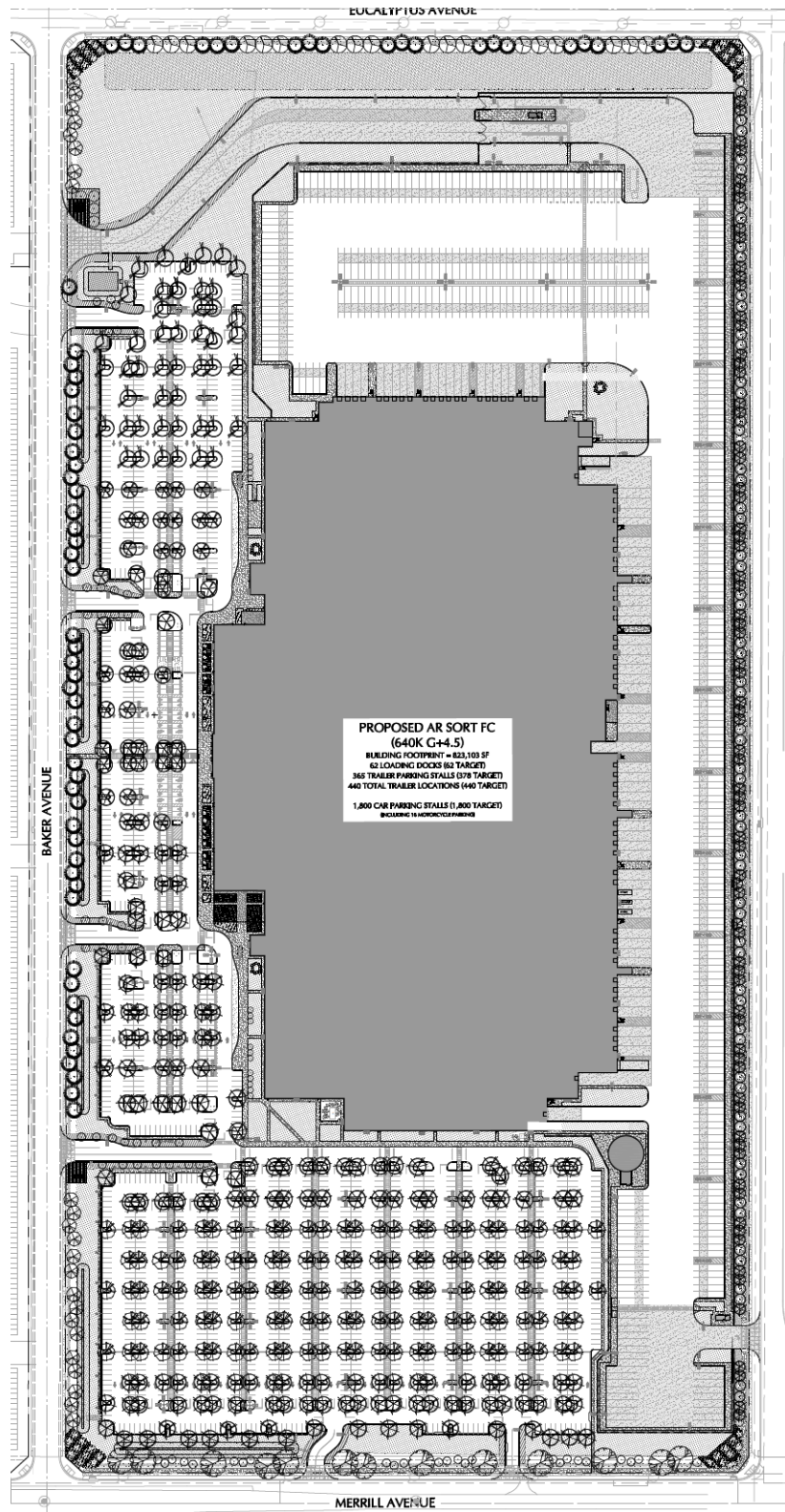


Project Abby
Ontario, CA
Preliminary Review Application

Color and Materials Board
02.19.2021
2200371.00

MACKENZIE.
DESIGN DRIVEN | CLIENT FOCUSED

Exhibit E—LANDSCAPE PLAN



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: June 21, 2021

File No: PDEV21-010

Related Files: PMTT20-010

Project Description: A Development Plan to construct a 1,400,000 square-foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PGPA18-003 and PSP18-001, for which an Environmental Impact Report (State Clearinghouse No. 2019049079 was certified by the City Council on February 2, 2021; (APN(s): 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02); **submitted by Prologis L.P.**

Prepared By: Edmelyne V. Hutter, AICP, Senior Planner
Phone: 909.395.2429 (direct)
Email: ehutter@ontarioca.gov

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

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

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

2.1 Final Parcel Map Approval. Development Plan approval shall not be final and complete until such time that Final Parcel Map No. 20273 (Engineering Department Plan Check No. E202100114) has been approved by the City Council and recorded with the County of San Bernardino.

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

2.3 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 Architecture. The Project shall incorporate additional architectural details and enhancements as follows:

(a) The North and South Elevations shall be designed with additional glazing in a horizontal alignment along the building façade area, underneath the blue banded parapet. The glazing and mullion design shall match the proposed glazing on the respective elevations. The glazing may be spandrel or true window openings.

(b) The design revisions shall be done in coordination with and approval from the Planning Department.

2.5 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) The Applicant shall redesign the landscape area along Eucalyptus Avenue, in coordination with the Planning Department, to incorporate walking paths, respite areas, and other passive amenities.

(d) 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.

(e) 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.

2.6 Walls and Fences.

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

(b) Walls and fences shall be located to place landscape areas outside of walls and fences to the greatest extent possible, resulting in maximizing the landscape areas visible to the public.

2.7 Parking, Circulation and Access.

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

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

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

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

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

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

2.8 Outdoor Loading and Storage Areas.

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

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

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

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.9 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.

2.10 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, including but not limited to tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from public streets or adequately screened through the use of landscaping and/or decorative low garden walls, to the satisfaction of the Planning Director.

(c) The enclosure for ground mounted generators shall be constructed of masonry material and match the design of perimeter walls or adjacent building walls, to the satisfaction of the Planning Director.

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

2.12 Signs. Prior to approval and issuance of a sign permit, the Applicant shall submit for review and approval a comprehensive sign program, pursuant to Development Code Sections 4.02.075 and 8.01.020.F.

2.13 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).

2.14 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079), certified by the Ontario City Council on February 2, 2021, in conjunction with File Nos. PGPA18-003 (City Council Resolution No. 2021-012) and PSP18-001 (Ordinance No. 3178). 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.

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

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

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

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

2.16 Additional Fees.

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

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

(c) The applicant shall provide payment for sign program review at the rate established by resolution of the City Council.

2.17 Additional Requirements.

(a) Parcel Map No. 20273 shall be recorded prior to prior to City approval of precise grading plans.

(b) The Project shall comply with all Federal, State, and local regulations regarding use, transportation, and storage of hazardous materials during construction and project implementation.

(c) Prior to building occupancy, the Project shall record a deed restriction on the property, or properties, documenting the requirement for development to be consistent with the Chino Airport Land Use Compatibility Plan and/or applicable airport related land use intensity requirements in the Development Code.



CITY OF ONTARIO

MEMORANDUM

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

FROM: Edmelynn Hutter, Senior Planner

Revision #1

DATE: May 17, 2021


SUBJECT: FILE #: PDEV21-010

Finance Acct#:

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

PROJECT DESCRIPTION: A Development Plan to construct a 1,438,926 square foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenues, within the within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan (APNs: 1054-171-01, 1054-171-02, -03 & -04, 1054-181-01 & -02, 1054-191-01 & -02, 1054-361-01 & -02, 1054-161-02). Related File: PSP-18-001 & PMTT20-010 (TPM 20273).

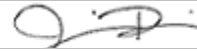
- The plan does adequately address the departmental concerns at this time.
- No comments
 - See previous report for Conditions
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
- The conditions contained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

Landscape Planning Division  Landscape Planner 5/26/21
Department Signature Title Date
Item C - 24 of 80

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

CONDITIONS OF APPROVAL

Sign Off



05/26/2021

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV21-010

Case Planner:

Edmelynne Hutter

Project Name and Location:

Industrial Building
 SW Corner of Vineyard Avenue and Eucalyptus Avenue

Applicant/Representative:

Prologis LP
 3546 Concours Street, Suite 100
 Ontario, CA 91764



Preliminary Plans (dated 5/17/2021) 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.



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

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

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15-gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallons to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Parkway tree locations shall be shown on landscape plans. Parkway trees are to be 30' apart. Relocate utilities to minimum clearances to allow parkway trees.
4. Corners: verify dimension and grade for required monumentation.
5. DG trails and parkways at corners (Vineyard and Merrill Ave.) shall have the trail curve into the sidewalk rather than out to the corner ramp; OK to end parkway landscape before corner utilities.
6. Show storm water infiltration areas and show basins and swales to be no greater than 40% of the landscape area width to allow for ornamental landscape. Provide a level grade minimum 4' from

- paving for landscape. Remove rip rap and cobble from water quality basin at western entry.
7. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
 8. Show decorative or enhanced paving at entries.
 9. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
 10. Show backflow devices set back 4' from paving all sides. Locate on level grade
 11. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
 12. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.
 13. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept. Eliminate expanse of concrete at corners.
 14. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
 15. Dimension all planters to have a minimum 5' wide inside dimension.
 16. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
 17. Show outdoor employee break area with table or bench and shade trees on the south and west sides; locate tables and benches in the open lawn area at the north west landscape area.
 18. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.
 19. Work with staff during the plan check process on the "North End Landscaping Concept"; see below for general comments:
 - Provide broad canopy shade trees throughout the open grass area, north west corner of Baker and Eucalyptus.
 - Provide employee break area and include tables and benches in the open grass area, north west corner of Baker and Eucalyptus.
 - Provide employee access to the open areas.
 - Provide vertical screening trees along the "Truck Court Screen Wall" and "Pedestrian Fence."
 - Provide dense plantings of shrubs and groundcovers along the "Pedestrian Fence."
 - Provide details for the "Pedestrian Fence", materials, colors, etc.
 - Extend the "Truck Court Screen Wall" 40' or so it does not align with the interior driveway screen wall to the south.
 - Provide vertical screening trees to the landscape area adjacent to the interior screen wall adjacent to the truck court drive entry. Provide enhanced, dense landscaping of shrubs, vines, and groundcovers.
 - Show ROW and neighborhood edge improvements per the Ontario Ranch Streetscape Master Plan.

Landscape Plans

20. Provide an arborist report and tree inventory as noted in #1-2.
21. See comments #3-10 and #19 above.
22. Replace plant material: *Carya ovata* (consider an Oak such as *Quercus engelmannii*, *virginiana*, *muhlenbergii*), deciduous shrubs (use long-lived evergreen shrubs appropriate for climate and water use), *Lavandula* (short-lived consider *Salvia clevelandii*), *Lippia* (specify sod), use an approved seed mix for basins and meadow grasses appropriate for southern California; see attached.
23. 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.
24. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
25. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
26. Street trees for this project are: Vineyard Ave.; *Celtis sinensis* in the parkway with groupings or clusters of *Pinus elderica* and *Cercis occidentalis* within the neighborhood edge. Eucalyptus Avenue; *Pistacia chinensis* in the parkway and clusters or groupings of *Podocarpus gracilior* and *Pistacia Chinensis* within the neighborhood edge. Merrill Avenue; *Quercus agrifolia* in the parkway and clusters or groupings of *Quercus agrifolia* and *Cercis canadensis* 'Forest Pansy' within the neighborhood edge.
27. Locate trees for shade on buildings, parking lots, seating areas and paving, screen blank walls and adjacent properties where missing, accent trees to entries and driveways, provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
28. Show parking lot island planters adjacent to trash enclosures for screening.
29. Show ADA access route from the public sidewalk, ADA path to employee break area and ADA path to adjacent industrial buildings within the same development. Include required ADA parking spaces and access aisles.
30. Show appropriate parking lot shade trees with min 30' canopy at maturity. Use trees that are appropriate for planter 5' width in parking lots; consider *Quercus ilex*, *Pistachia chinensis*, *Tristania conferta*.
31. Planting details (for plan check); remove wire basket from tree and shrub planting details, provide tree staking details, detail dripline away from tree trunk, detail stream spray pop-ups a minimum 3' from tree trunk, provide full on center spacing for plant material adjacent to paving. See City of Ontario Landscape Development Standards and tree detail.
32. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
33. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
34. Overhead spray systems shall be designed for plant material less than the height of the spray head.
35. Provide a planting list of proposed water efficient plants. Use turfgrass for recreation areas only. Proposed water use must meet water budget.
36. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
37. Provide an appropriate hydroseed plant mix for water quality basins and swales.
38. Show storm water infiltration areas and show basins and swales to be no greater than 40% of the landscape area width to allow for ornamental landscape. Provide a level grade minimum 4' from paving for landscape.
39. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. Remove general specs and notes for amendments and include recommendations from soils report.
40. Call out all fences and walls, materials proposed and heights.
41. Show concrete mowstrips to identify property lines to separate maintenance areas.
42. Construction plans shall be designed and signed by a licensed landscape architect.
43. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape

Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.

44. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
45. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
46. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV21-010</u> RELATED FILE NO(S). <u>PMTT20-010 (TPM-20273)</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>	

CITY PROJECT ENGINEER & PHONE NO: Jesus Plasencia, (909)395-2128

CITY PROJECT PLANNER & PHONE NO: Edmelyne Hutter, (909) 395-2429

DAB MEETING DATE: June 21, 2021

PROJECT NAME / DESCRIPTION: A Development Plan to construct one (1) industrial building totaling 3,174,060 square feet on 78.15 acres of land

LOCATION: Southwest corner of Vineyard Avenue and Eucalyptus Avenue

APPLICANT: Prologis, L.P.

REVIEWED BY: Raymond Lee 6/9/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: Khoi Do 6-10-21
 Khoi Do, P.E. Date
 City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

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

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to approved access points per the tentative Parcel Map and Merrill Commerce Center Specific Plan.
- 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.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: _____

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

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

- 2.01 Record Parcel Map No. 20273 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 Please note that the subject parcels will be recognized parcels in the City of Ontario upon recordation of the Parcel Map.
- 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) – Euclid Avenue Improvements
 - 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) – Kimball Avenue sewer connection
 - Other:
 - City of Chino – For any improvements encroaching into their jurisdiction including but not limited to the required Merrill Avenue improvements

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

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.

- 2.11** Dedicate to the City of Ontario the following easement(s): _____

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

- 2.13** Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at % of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for



release, in accordance with City procedure, upon completion and acceptance of said public improvements.

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**

- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$2,820,273.00, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

- 2.16 Other conditions:**
 - 1. **The applicant/developer shall comply with the requirements specified in the Merrill Commerce Center Specific Plan, the Development Agreement (PDA18-004), and the Conditions of Approval for TPM-20273.**
 - 2. **The applicant/developer shall provide an emergency access easement and blanket reciprocal access easement over all parcels in favor of all parcels.**
 - 3. **The applicant/developer shall provide a blanket cross lot drainage easements in favor of all parcels.**



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	Merrill Avenue	Eucalyptus Avenue	Baker Avenue	Vineyard Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 42 ft. North of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. South of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; 54 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (A)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 40 ft. from C/L north, including pavement transitions (B)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen 40 ft. from C/L south, including pavement transitions (C)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 20 ft. from C/L both sides along frontage	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen 52 ft. from C/L both sides along frontage
PCC Pavement (Truck Route Only)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (D) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (D) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (D) <input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- A. Ultimate utilities must be installed concurrently with eligible street improvements in order for the applicant/developer to receive DIF credit.
- B. Unless constructed by others, pavement widening will be required on both sides from the west end of PA4 to Carpenter Avenue. Pavement widening shall extend 30 feet south of C/L to accommodate the ultimate full width pavement. Obtain approval from City of Chino on these improvements. Please note, if the existing Merrill Avenue pavement is not consistent with current pavement standards, it will be required to be



- removed and replaced to be brought up to current standards.
- C. Pavement widening will be required from the west end of PA4 to Carpenter Avenue. Pavement widening shall extend 25 feet north of C/L to accommodate a striped median, one westbound lane, and a 5-foot wide graded shoulder. Please note, if the existing pavement is not consistent with the current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- D. Includes Neighborhood Edge
- E. Fiber Optic lines will be installed only if needed to serve buildings.

- 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 on Merrill Avenue and Eucalyptus Avenue. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).
- 2.22 This project shall follow the Merrill Commerce Center Utilities System Map, dated 01/14/2021, and any deviation from this plan shall require the Utility Plan to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted with all public improvement plan submittals. See Utility Systems Map (USM) Requirements document for details.

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____
 (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct sewer main extensions. A sewer main is not available for direct connection. The closest mains are located at the intersections of Merrill Avenue/Carpenter Avenue and Kimball Avenue/Euclid Avenue.
- 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 following sewer system improvements shall be installed per Master Plan and Specific Plan Requirements. Final sewer main sizes and alignments are subject to the findings of the Technical Study:

- A. 36-inch main in Euclid Avenue between Merrill Avenue and Kimball Avenue with a connection to the existing 60-inch IEUA Kimball Interceptor Trunk Sewer main at Kimball Avenue
- B. 36-inch main in Merrill Avenue between Grove Avenue and Euclid Avenue
- C. 30-inch main in Merrill Avenue between Walker Avenue and Grove Avenue
- D. 12-inch main in Merrill Avenue between Baker Avenue and Walker Avenue
- E. 8-inch main in Merrill Avenue from west of Vineyard Avenue to Baker Avenue
- F. 10-inch main in Merrill Avenue from east of Vineyard Avenue to Carpenter Avenue with a connection to the existing Carpenter Trunk Sewer main



- G. 8-inch main in Baker Avenue from Eucalyptus Avenue to Merrill Avenue. Extend 8-inch sewer main in Baker Avenue north through the intersection of Eucalyptus Avenue to a point in line with the northern edge of the Right-of-Way. This main will ultimately be extended northward to serve the properties on both sides of Baker Avenue between Eucalyptus Avenue and Edison Avenue
- H. 15-inch main in Eucalyptus Avenue between Carpenter Avenue and Vineyard Avenue with a connection to the existing Carpenter Trunk Sewer main

2. The applicant/developer shall submit a written request letter to the City for a new Regional Sewer Connection. The request letter shall include: an exhibit that shows the tributary area of the Regional Connection; the proposed sewer system main connection through the proposed Regional Connection; IEUA record drawing number, station number and manhole number or the connection point; and a plan and profile detail of the manhole connection and any modification proposed to the manhole. Once received from the applicant, the City will request the new Regional Connection from IEUA. If approved by IEUA, the applicant shall be responsible for meeting all terms, conditions, standards, and requirements IEUA has for the Regional Connection.
3. Each Occupant of the building, or units, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to including possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____.
 (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is located along Carpenter Avenue.
- 2.29 Other conditions

1. The following potable water system improvements shall be installed per Master Plan and Specific Plan Requirements:
 - A. 24-inch main in Eucalyptus Avenue between Carpenter Avenue and Grove Avenue with a connection to the existing 24-inch main in Eucalyptus Avenue
 - B. 16-inch main in Merrill Avenue from the west end of PA4 to Vineyard Avenue
 - C. 12-inch main in Merrill Avenue between Vineyard Avenue and Carpenter Avenue with a connection to the existing 12-inch main in Merrill Avenue
 - D. 12-inch main in Baker Avenue between Eucalyptus Avenue and Merrill Avenue
 - E. 16-inch main in Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue
2. Preparation of a hydraulic analysis funded by the developer is typically required in order to confirm that the proposed water infrastructure and associated construction phasing will be able to meet the Master Plan potable water service criteria for the proposed development area. Analyses have been previously prepared for the Ontario Ranch Business Park, including nearby general areas. If the City determines that assumptions in the analysis are no longer valid or sufficient for this proposed development, the applicant will be required to amend the existing analysis prior to approval of any water improvement plans.
3. Pursuant to Section 4.5.2 of the Development Agreement (DA18-004), the Applicant/Developer shall pay the applicable Phase 2 Water Fee.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____.
 (Ref: Recycled Water plan bar code: _____)



- 2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**
Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 **Other conditions:**
 - 1. **This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for CFD and/or HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.**
 - 2. **The following recycled water system improvements shall be installed per Master Plan and Specific Plan Requirements:**
 - A. **16-inch main in Eucalyptus Avenue between Carpenter Avenue and Vineyard Avenue with a connection to the existing 16-inch main in Eucalyptus Avenue**
 - B. **12-inch main in Eucalyptus Avenue from the west end of PA4 to Vineyard Avenue**
 - C. **16-inch main in Merrill Avenue from the west end of PA4 to Carpenter Avenue with a connection to the existing 16-inch main in Merrill Avenue**
 - D. **8-inch main in Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue**

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 be responsible to perform applicable mitigation measures and operational improvements in accordance with the Merrill Commerce Center Specific Plan TIA by Urban Crossroads dated June 30, 2020, and to the satisfaction of the City Engineer.**
 - 2. **The Applicant/Developer shall be responsible to design and construct street improvements along Baker Avenue, Vineyard Avenue, Eucalyptus Avenue, and Merrill Avenue as specified in these Conditions of Approval. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.**
 - 3. **The Applicant/Developer shall be responsible to design and construct the necessary pavement and striping transitions from existing roadway conditions to the widened roadway portions along all project frontages. Striping improvements shall include the removal existing interim signing and striping beyond the project frontage limits and the installation of ultimate signing and striping.**



4. Unless constructed by others, the Applicant/Developer shall be responsible to design and construct the following streets to their ultimate half-width including additional pavement for circulation lanes, and graded shoulder (where applicable) beyond the centerline of the roadway:
 - a. Merrill Avenue from Carpenter Avenue to west of Baker Avenue
 - b. Eucalyptus Avenue from Carpenter Avenue to west of Baker Avenue
 - c. Baker Avenue from Eucalyptus Avenue to Merrill Avenue
 - d. Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue

Additional R/W shall be provided to accommodate additional left turn and right turn lanes at intersections based on required queue lengths per the Merrill Commerce Center Specific Plan TIA by Urban Crossroads. Improvements shall include, but not be limited to concrete curb and gutter, sidewalk, LED street lights, landscaped parkways, signing & striping, and necessary pavement transitions.

5. The Applicant/Developer shall be responsible to design and construct modifications to the existing traffic signal on Merrill Avenue at Carpenter Avenue. The traffic signal modification shall address relocation of any equipment including video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
6. The Applicant/Developer shall be responsible to design and construct traffic signals at the following intersections:
 - a. Merrill Avenue at Vineyard Avenue
 - b. Merrill Avenue at Baker Avenue
 - c. Baker Avenue at P.A. 4/5 Signalized Entrance
 - d. Vineyard Avenue at P.A. 5/6 Signalized Entrance
 - e. Carpenter Avenue at P.A. 6 Signalized Entrance
 - f. Eucalyptus Avenue at Baker Avenue
 - g. Eucalyptus Avenue at Vineyard Avenue
 - h. Eucalyptus Avenue at Carpenter Avenue

The new traffic signals shall include video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.

7. Merrill Avenue is designated truck route in the City of Ontario. Unless constructed by others, the Applicant/Developer shall be responsible to design and construct concrete pavement at the following intersections in accordance with City of Ontario Standard Drawing No. 1207:
 - a. Merrill Avenue at Carpenter Avenue
 - b. Merrill Avenue at Vineyard Avenue
 - c. Merrill Avenue at Baker Avenue
8. Proposed driveways onto Vineyard Avenue shall be restricted to right-in/right-out access only unless the driveway located at a signalized intersection. On-site signage and pavement markings shall be provided for driveway access restrictions. Median breaks along Vineyard Avenue shall only be allowed at signalized intersections.
9. Driveways shall be constructed in accordance with City of Ontario Standard Drawing No. 1204. Provide truck turning templates for the site-specific design vehicles. The vehicle shall be capable of making the inbound and outbound maneuvers such that it does not impact more than one lane of traffic.



10. Driveways spacing shall be designed in accordance with Traffic and Transportation Guidelines Access Guidelines.
11. The Applicant/Developer shall be responsible to design and construct in-fill public street lights along its project frontages. Street lighting shall be LED-type and in accordance with the City's Traffic and Transportation Guidelines.
12. The Applicant/Developer shall be responsible to design and construct bus turnouts to serve future stops on the west side of Vineyard Avenue, north of Merrill Avenue (along Parcel 11), south of Eucalyptus Avenue (along Parcel 14), and north of and south of the signalized entrance (departure side) to P.A. 5/6 (along Parcel 10 & 11) . The bus turnouts shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
13. The Applicant/Developer shall be responsible to design and construct bus pads to serve future stops on the south side of Eucalyptus Avenue, east of Baker Avenue and Vineyard Avenue. The bus pads shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
14. The Applicant/Developer shall be responsible to design and construct a bus pads to serve future stops on the north side of Merrill Avenue, west of Carpenter Avenue, Vineyard Avenue, and Baker Avenue. The bus pads shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
15. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to start of signing and striping, traffic signal, and street lighting design, and develop an interim striping plan that includes any necessary pavement transitions in preparation for the plan check stage.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
 (Ref: Storm Drain plan bar code:_____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project along Merrill Avenue. Design and construct a storm water detention facilities on the project site. Detention is required throughout the site until such time as downstream facilities are constructed and accepted by applicable government agencies such as San Bernardino County Flood Control District and U.S. Army Corps of Engineers. The 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:**
1. **Design and construct the following storm drain improvements in accordance with the Development Agreement:**
 - A. **13'x 8' RCB on Eucalyptus Avenue from the west end of PA4 to Vineyard Avenue**
 - B. **13'x 8' RCB on Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue**
 - C. **24" RCP on Baker Avenue from south of Eucalyptus Avenue to Merrill Avenue**
 - D. **Double 8'x4' RCB on Merrill Avenue from the west end of PA4 to Baker Avenue**
 - E. **Double 8'x9' RCB on Merrill Avenue from Baker Avenue to Vineyard Avenue**
 - F. **Double 12'x10' RCB on Merrill Avenue from Vineyard Avenue to the point of connection west of Carpenter Avenue on Merrill Avenue**
 2. **Public storm drain improvements shall accommodate for tributary flows in accordance with the City's Master Plan of Drainage.**
 3. **Design and construct all on-site storm drain improvements, which shall be privately owned and maintained.**

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>. The Preliminary WQMP shall be included as an attachment in the Final WQMP**
- 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. **Design and construct nutrient separating baffle boxes (NSBB) or hydrodynamic separators or equivalent alternative approved devices to satisfy the statewide trash mandate on Grove Avenue north of the Merrill Avenue intersection and on Merrill Avenue west of the Carpenter Avenue intersection.**
 2. **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. 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. Construct all Fiber Optic improvements included in the Development Agreement (DA18-004), Exhibit F-6, Phase A.
- 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 Solid Waste Manual location at: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update_0.pdf
- 2.53 Other conditions:
 - 1. Prior to approval of any Building Permits, the Final Solid Waster Handling Plan (SWHP) shall be submitted with the Precise Grading Plan for review and approval.
 - 2. 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.
 - 3. At minimum this site requires a trash enclosure sized to store three 4-cubic-yard bins (one for refuse, one for recycling, and one for organics) for each potential office area of each building.
 - 4. Prior to approval of the precise grading plan, submit the Integrated Water Management Report (IWMR) for review and approval. The IWMR shall comply with applicable requirements



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

- 3.01** Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.

- 3.02** Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.

- 3.04** 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.).

- 3.07** Other Conditions:
 - 1. Successfully pass water system start-up and cross-connection tests.
 - 2. Provide evidence demonstrating training of the on-site supervisor or designee as specified in the Recycled Water Engineering Report.
 - 3. The applicant/developer shall enter into a license agreement with the City of Ontario to cover any privately owned and maintained facilities to be located in Neighborhood Edge property including, but not limited to, monument signs and stormwater BMPs.

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

PDEV21-010

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

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
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 (e.g. SCE) 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

TO: Edmelyne Hutter, Senior Planner
Planning Department

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

DATE: May 24, 2021

SUBJECT: PDEV21-010 - A Development Plan to construct a 1,438,926 square foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenues, within the within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan (APNs: 1054-171-01, 1054-171-02, -03 & -04, 1054-181-01 & -02, 1054-191-01 & -02, 1054-361-01 & -02, 1054-161-02). Related File: PSP-18-001 & PMTT20-010 (TPM 20273).

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type IA/IIIB
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 823,103 Sq. Ft.
- D. Number of Stories: 5
- E. Total Square Footage: 3,842,788 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): S-1

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

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

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and 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 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards. (See 7.0 for further project specific conditions).
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

7.0 PROJECT SPECIFIC CONDITIONS

- ☒ 7.1 Provide a secondary water storage tank of 540,000 gallons capacity. The tank shall be NFPA 22 compliant and have a maximum 8-hour fill.
- ☒ 7.2 The fire sprinkler heads shall be Reliable N252EC sprinkler heads with a maximum 10' X 10' spacing. The system design shall be 30psi for (8) heads, or a minimum 768sqft area, whichever is greater, with a 500gpm hose stream demand. The other design shall be 10psi for (12) heads,

also with a 500gpm hose demand. This design shall be throughout the building. Provide sprinkler protection in all concealed spaces.

- ☒ 7.3 Provide a minimum of (2) 4-way Fire Department Connections (FDC). Each FDC shall be designed to supply both the city water supply system as well as the tank system piping, or independently should one or the other supplies be non-operational. The FDC's shall be located at the public street curb face, in locations as approved by the Fire Department.
- ☒ 7.4 Provide a manually activated post-fire smoke purge system, which will expedite the clearance of smoke within the building during an emergency incident.
- ☒ 7.5 Provide a one-hour rated fire alarm room near the site entrance area with an exterior access. Include the fire alarm control unit, ERRC equipment, graphic annunciator panel, two-way communication, smoke purge system controls, and other emergency response equipment within the room.
- ☒ 7.6 Provide a Class I automatic wet standpipe system in all required stairwells at all levels, as well as throughout the first floor and mezzanine floor areas. Also, provide hose connections at the fence line going into the robotic warehouse areas near the openings into the areas at levels 2-5. Outlets shall be provided with 2 ½" X 1 ½" reducers with caps and chain.
- ☒ 7.7 Provide 2-way roof hose connections at the roof for each standpipe.
- ☒ 7.8 Provide six rated stairwells (one at each corner, and one in the middle on each side of the longer side of the building). The stairwells shall go to the roof.
- ☒ 7.9 Provide an audible and visual notification system throughout the building. Provide a minimum 15-minute secondary power supply for the fire alarm system with the system in an alarm condition.
- ☒ 7.10 The access roads used for fire department vehicular access to the buildings shall be at least 26 feet wide and located to provide an acceptable climbing angle to the roof level from aerial apparatus. Locate the access road within 15'-20' away and parallel to the building on at least one of the longest sides of the building.
- ☒ 7.11 The required fire flow for the building shall be 4,000gpm at 20psi for a 4-hour duration, and be fed from the city water supply.
- ☒ 7.12 Provide each rated stair enclosure with positive pressurization to prevent the spread of smoke into the enclosures.
- ☒ 7.13 Provide an addressable spot-type smoke detection system throughout all occupiable areas of the building (warehouse, offices, mechanical / electrical rooms, etc.).
- ☒ 7.14 The fire sprinkler design and standpipe design shall be based on the most demanding single water supply, and not consider both water supplies (city supply and water tank) to design the fire sprinkler system and / or standpipe system.

- ☒ 7.15 Provide a minimum 10% cushion in the allowable water supply from the Ontario Hydrant Flow test report.
- ☒ 7.16 The Performance-Based Design exit analysis shall take into account the requirements for travel distances for high piled combustible storage without smoke and heat removal per the 2019 California Fire Code Chapter 32, Table 3206.2 footnote (h) and address how the PBD meets or exceeds these requirements.
- ☒ 7.17 The Performance-Based Design shall take into account the requirements for special fire protection provisions as required by the 2019 California Fire Code Chapter 32, Table 3206.2 footnote (f) and address how the PBD meets or exceeds these requirements.



CITY OF ONTARIO

MEMORANDUM

TO: Edmelyne Hutter, Senior Planner

FROM: Officer Bill Lee, Police Department

DATE: March 30, 2021

SUBJECT: PDEV21-010- A DEVELOPMENT PLAN TO CONSTRUCT ONE INDUSTRIAL BUILDING TOTALING 3,174,060 SQUARE FEET, LOCATED AT THE SOUTHWEST CORNER OF VINEYARD AVENUE AND EUCALYPTUS AVENUE.

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

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

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns regarding these conditions.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-010

Address: Southwest Corner of Vineyard Avenue & Eucalyptus Avenue

APN: 1054-171-01 (02,03 &04) 1054-181-01 & 02, 1054-191-01 & 02, 1054-161-02

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct 1 Industrial Building totaling 3,174,060 SF

Site Acreage: 78.15 Proposed Structure Height: 95 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT & Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Edmelynn Hutter

Date: 6/14/2021

CD No.: 2021-020

PALU No.: n/a

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

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

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

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

Allowable Height: 110 - 140 FT

CONSISTENCY DETERMINATION

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

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

The project is located within Safety Zone 6 of the Chino Airport Influence Area and subject to the following conditions.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2021-020
PALU No.: _____

PROJECT CONDITIONS

1. The project will need to provide a minimum of 10% open land for the project net area of 70.44 acres, 7.0 acres of open land is required and 8.83 acres has been provided.
2. The attached open land exhibit identifies the interior truck yard as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be remain free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
3. Project is located within Safety Zone 6 and above ground storage of hazardous materials greater than 6,000 gallons is not allowed.
4. Attached are the land use intensity calculations for the proposed building. Future land uses that deviate from what is currently being approved must meet the policies and criteria of the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport.
5. The maximum height limit for the project site is 110 feet and as such, any construction equipment such as cranes or any other equipment exceeding 110 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.
6. New development located within any of the Chino Airport Safety Zones are required to have a "Property Located within Chino Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number of people on site. Land uses are required to meet the policies and criteria of the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport.
7. The applicant shall adhere to the conditions set forth in FAA Aeronautical Study No's. 2021-AWP-5004-OE, 2021-AWP-5005-OE, 2021-AWP-5006-OE, 2021-AWP-5007-OE, 2021-AWP-5008-OE and 2021-AWP-5009-OE for a Determination of No Hazard to Air Navigation for a permanent structure.

Intensity Calculations for PDEV21-010

CD No. 2021-020

Proposed Land Use	Land Use SF	Acreage	Safety Zone	ALUCP Load Factor	ALUCP Load Factor	Land Use SF	ALUCP Load Factor				
Warehouse	1,434,010		6	1,000	1434	24,840	25				
Office	44,941		6	215	209	18,720	87				
Totals	1,478,951	70.44			23		112				
				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #003366; color: white; padding: 5px; text-align: center;">Sitewide Average Calculation</td> <td style="background-color: #660066; color: white; padding: 5px; text-align: center;">Single Acre Intensity Calculation</td> </tr> <tr> <td style="background-color: #e6f2ff; text-align: center; padding: 5px;">23</td> <td style="background-color: #ffe6e6; text-align: center; padding: 5px;">112</td> </tr> </table>				Sitewide Average Calculation	Single Acre Intensity Calculation	23	112
Sitewide Average Calculation	Single Acre Intensity Calculation										
23	112										
<p>Site Wide Average Calculation is for Zone 6. Chino criteria for Zone 6 allows a maximum of 300 people. The proposed project would generate a site wide average of 23 people as indicated in the calculations above.</p>											
<p>Single Acre Intensity Calculation is for Zone 6. Chino single acre criteria for Zone 6 allows a maximum of 1,200 people. The proposed project would generate a single acre intensity of 112 people as indicated in the above calculations.</p>											



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2021-AWP-5009-OE

Issued Date: 04/22/2021

Thomas Donahue
 Prologis
 3546 Concours St.
 Suite 100
 Ontario, CA 91764

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building Stairwell
 Location: Ontario, CA
 Latitude: 33-59-07.00N NAD 83
 Longitude: 117-36-48.00W
 Heights: 680 feet site elevation (SE)
 96 feet above ground level (AGL)
 776 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or vivian.vilaro@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5009-OE.

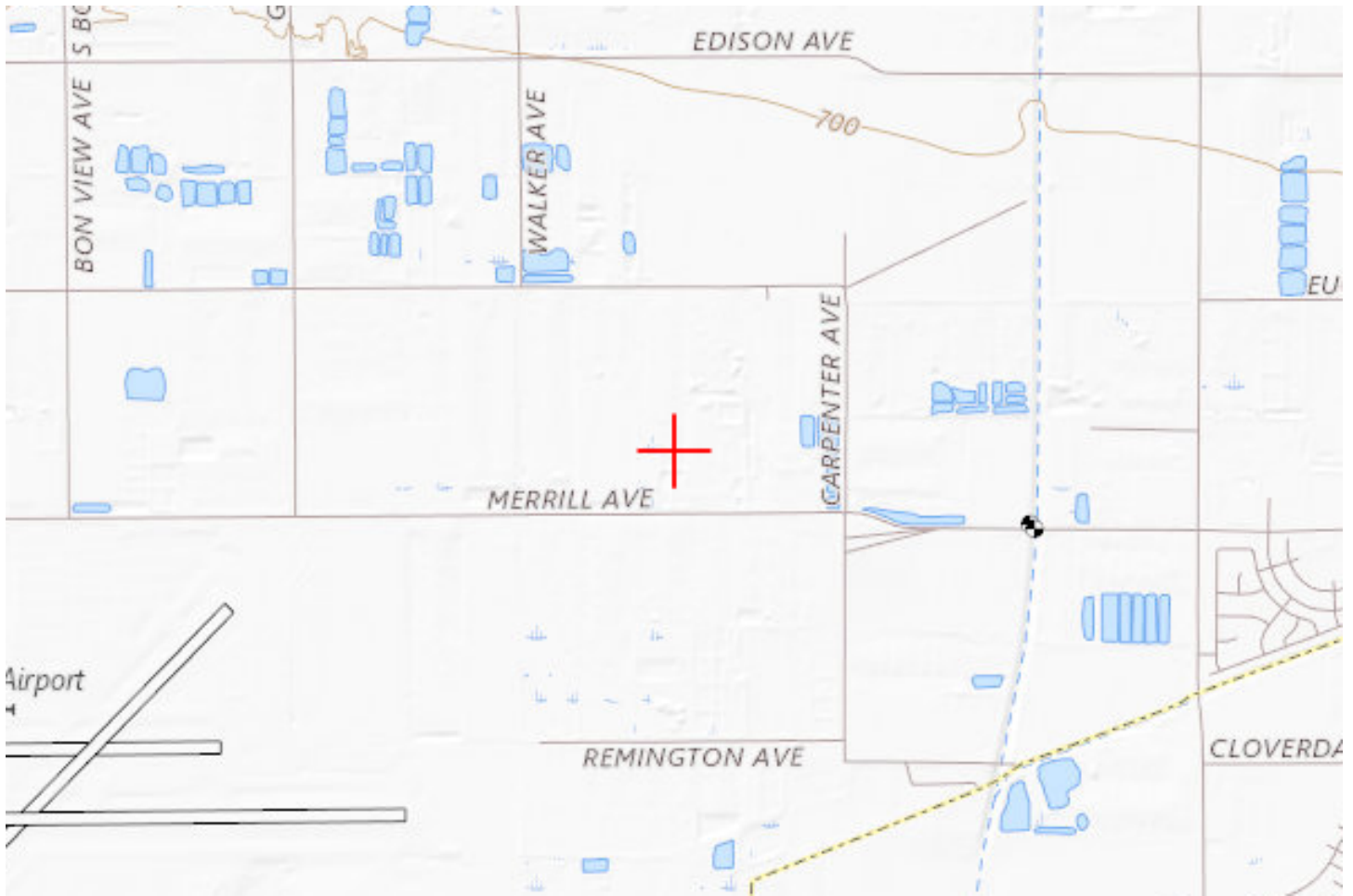
Signature Control No: 476695789-478641510

(DNE)

Vivian Vilaro
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2021-AWP-5009-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2021-AWP-5006-OE

Issued Date: 04/22/2021

Thomas Donahue
 Prologis
 3546 Concours St.
 Suite 100
 Ontario, CA 91764

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building SW Corner
 Location: Ontario, CA
 Latitude: 33-59-07.00N NAD 83
 Longitude: 117-36-49.00W
 Heights: 680 feet site elevation (SE)
 88 feet above ground level (AGL)
 768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or vivian.vilaro@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5006-OE.

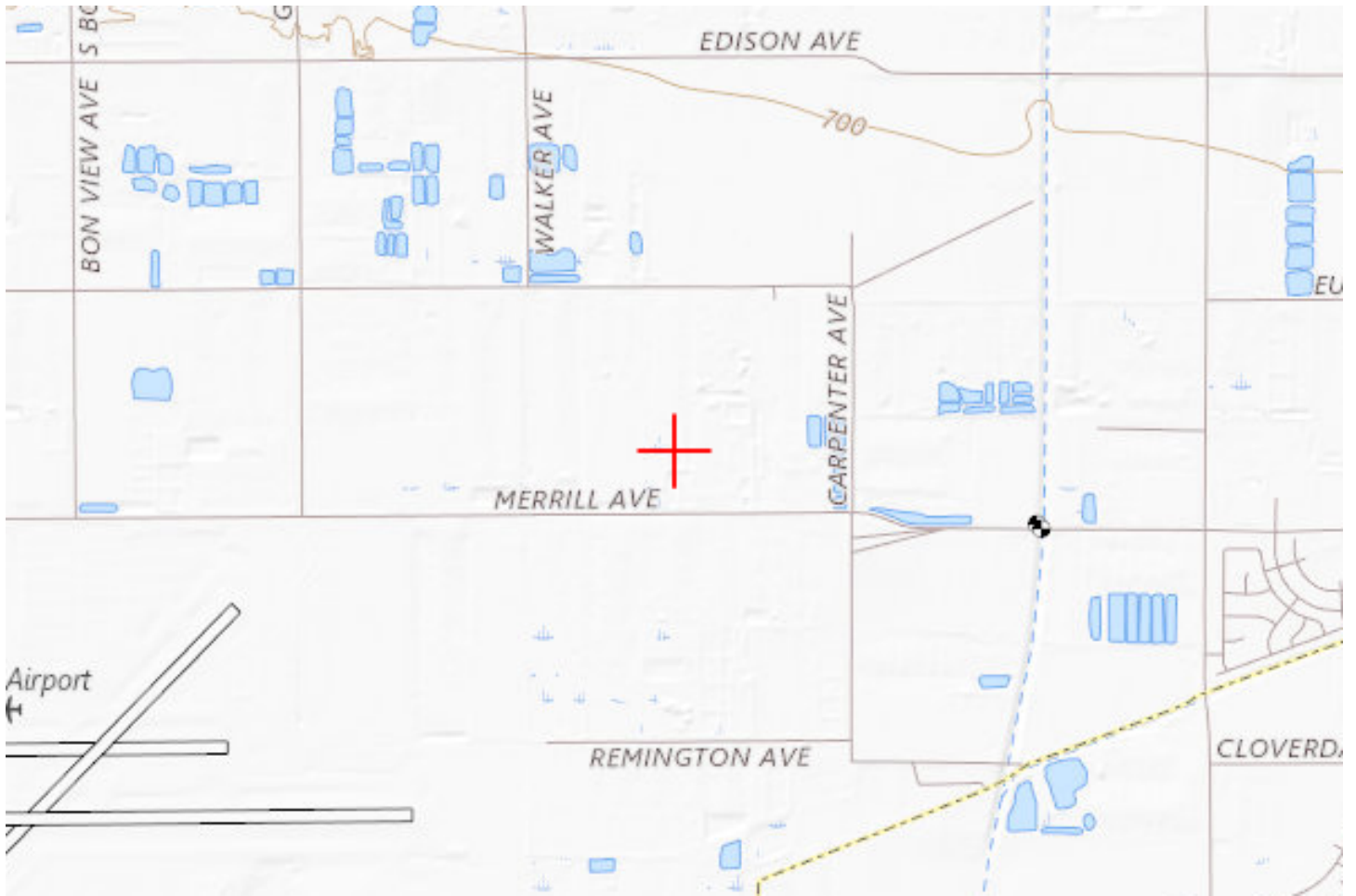
Signature Control No: 476695786-478641511

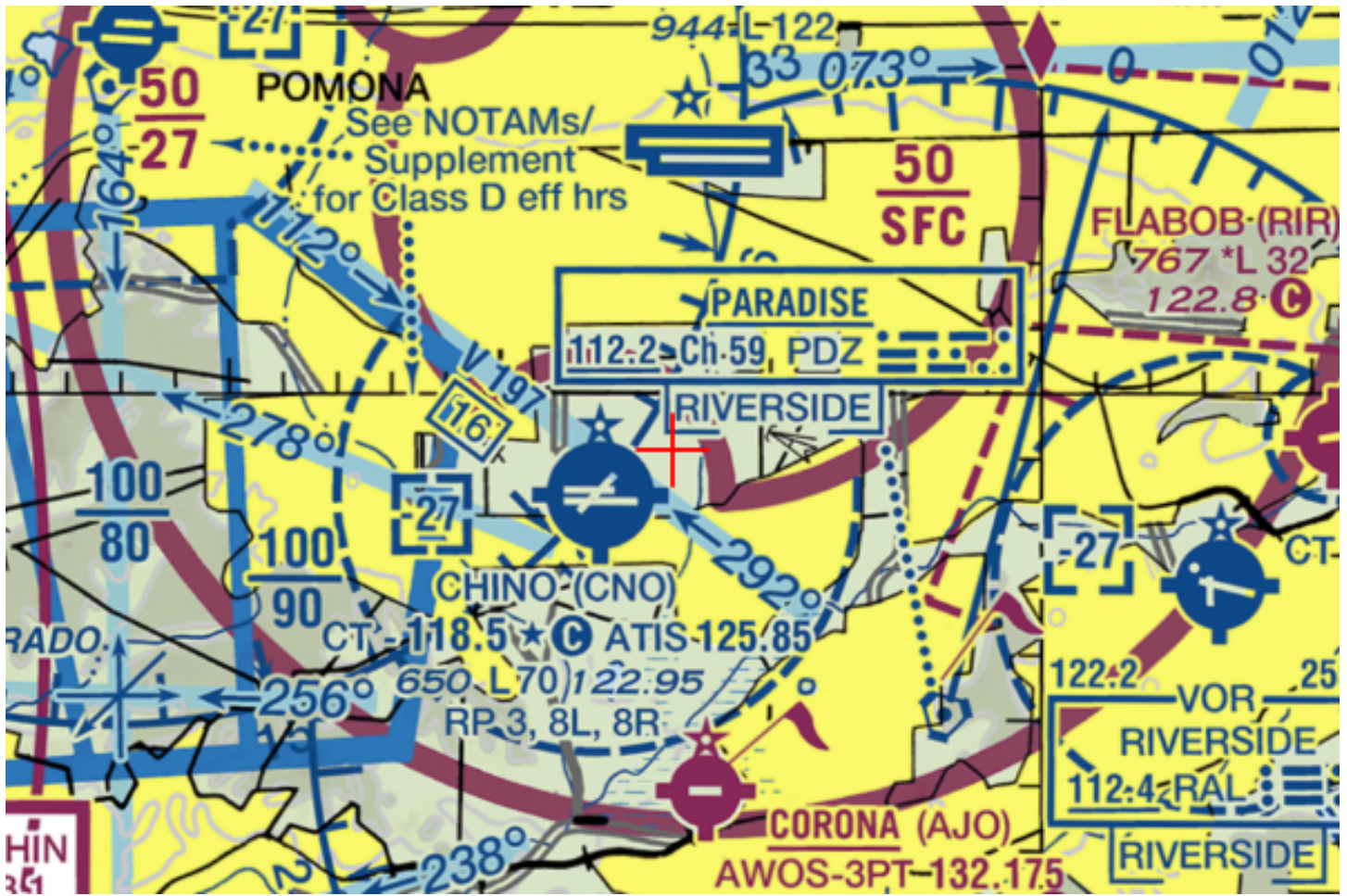
(DNE)

Vivian Vilaro
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2021-AWP-5006-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2021-AWP-5008-OE

Issued Date: 04/22/2021

Thomas Donahue
 Prologis
 3546 Concourse St.
 Suite 100
 Ontario, CA 91764

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building Equipment
 Location: Ontario, CA
 Latitude: 33-59-14.00N NAD 83
 Longitude: 117-36-48.00W
 Heights: 680 feet site elevation (SE)
 94 feet above ground level (AGL)
 774 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or vivian.vilaro@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5008-OE.

Signature Control No: 476695788-478641512

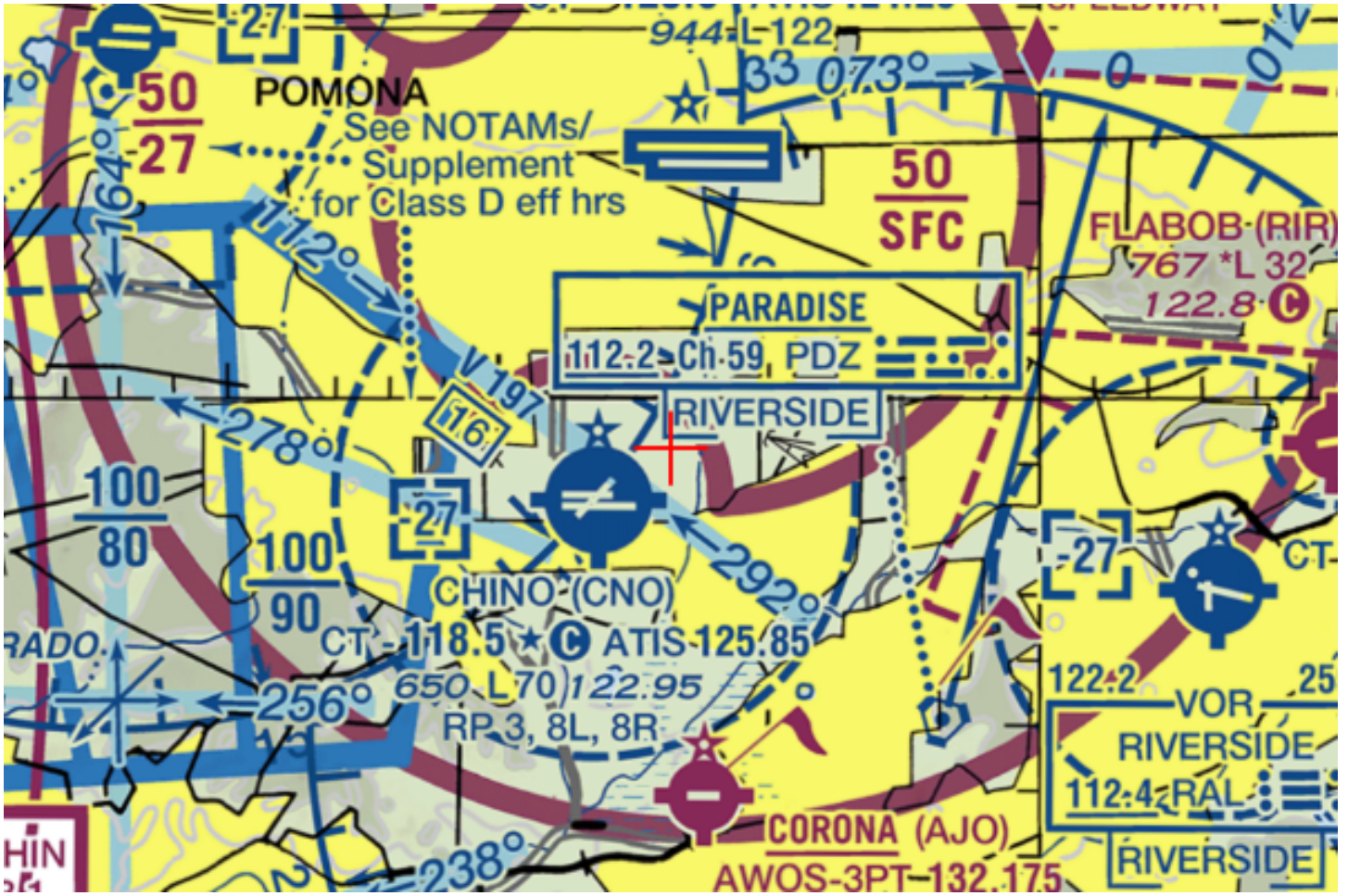
(DNE)

Vivian Vilaro
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2021-AWP-5008-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2021-AWP-5004-OE

Issued Date: 04/22/2021

Thomas Donahue
Prologis
3546 Concourse St.
Suite 100
Ontario, CA 91764

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building NW Corner
Location: Ontario, CA
Latitude: 33-59-19.00N NAD 83
Longitude: 117-36-49.00W
Heights: 680 feet site elevation (SE)
88 feet above ground level (AGL)
768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or vivian.vilaro@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5004-OE.

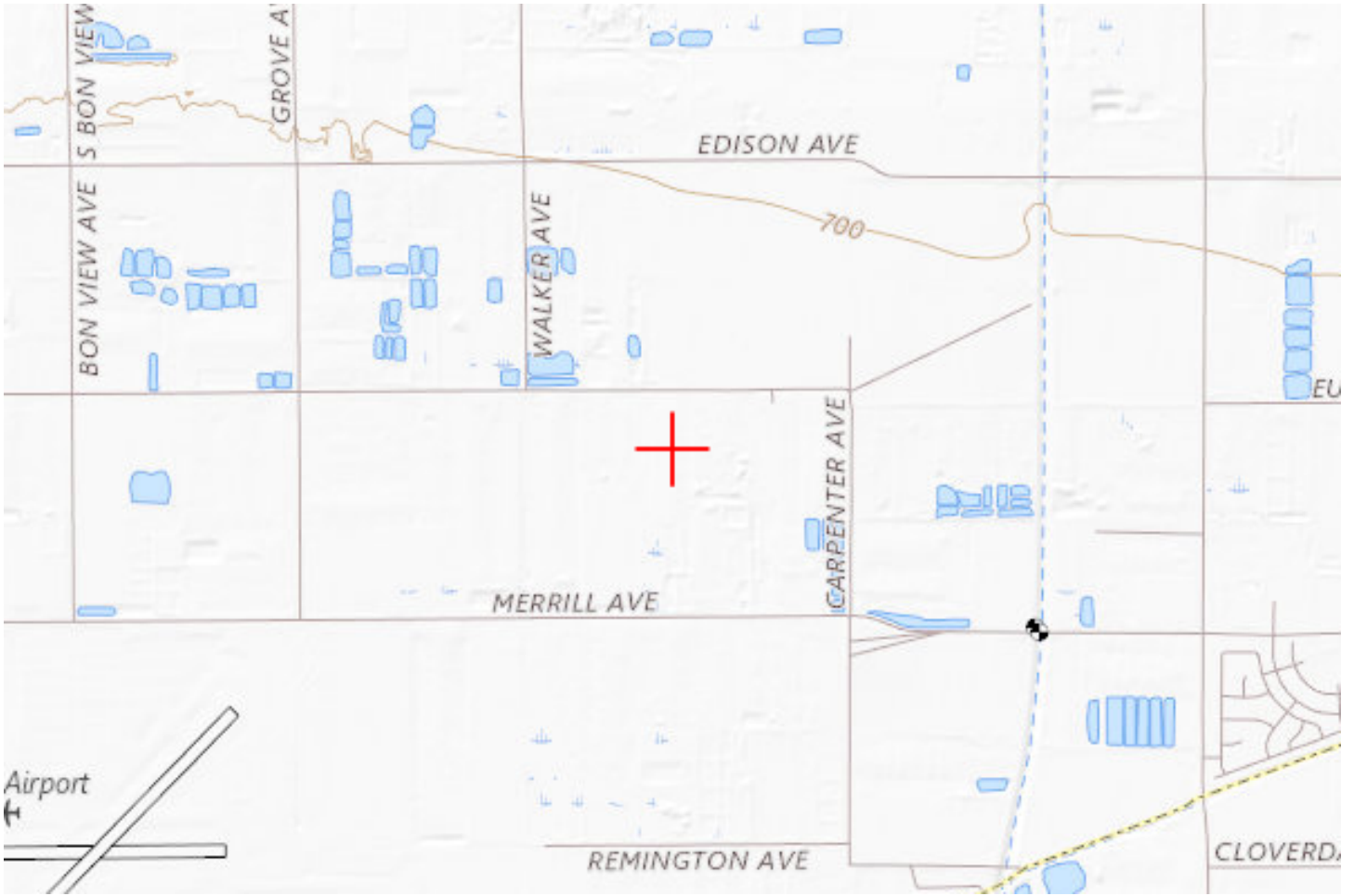
Signature Control No: 476695784-478641513

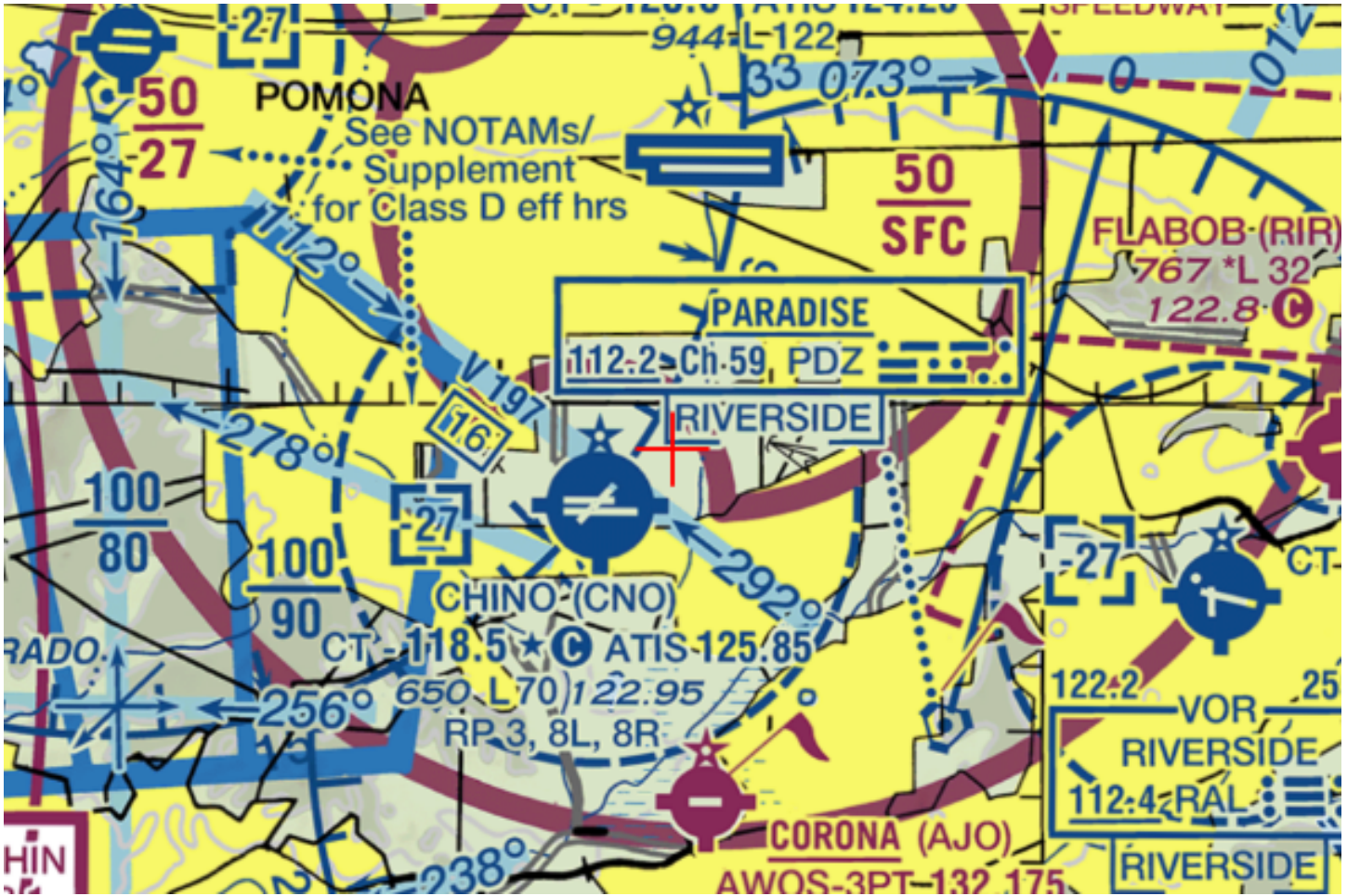
(DNE)

Vivian Vilaro
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2021-AWP-5004-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2021-AWP-5007-OE

Issued Date: 04/22/2021

Thomas Donahue
 Prologis
 3546 Concours St.
 Suite 100
 Ontario, CA 91764

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building SE Corner
 Location: Ontario, CA
 Latitude: 33-59-07.00N NAD 83
 Longitude: 117-36-43.00W
 Heights: 680 feet site elevation (SE)
 88 feet above ground level (AGL)
 768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or vivian.vilaro@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5007-OE.

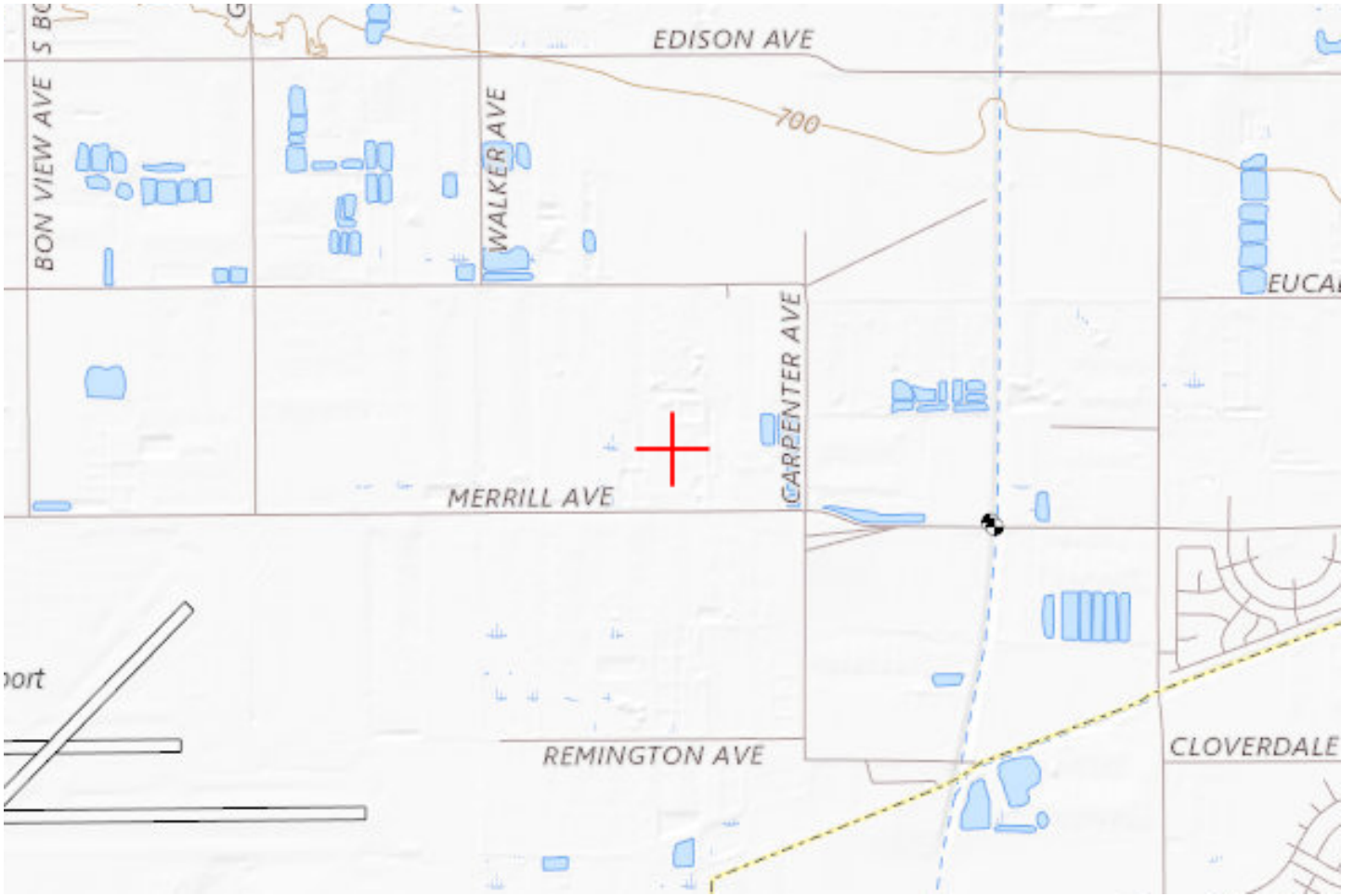
Signature Control No: 476695787-478641514

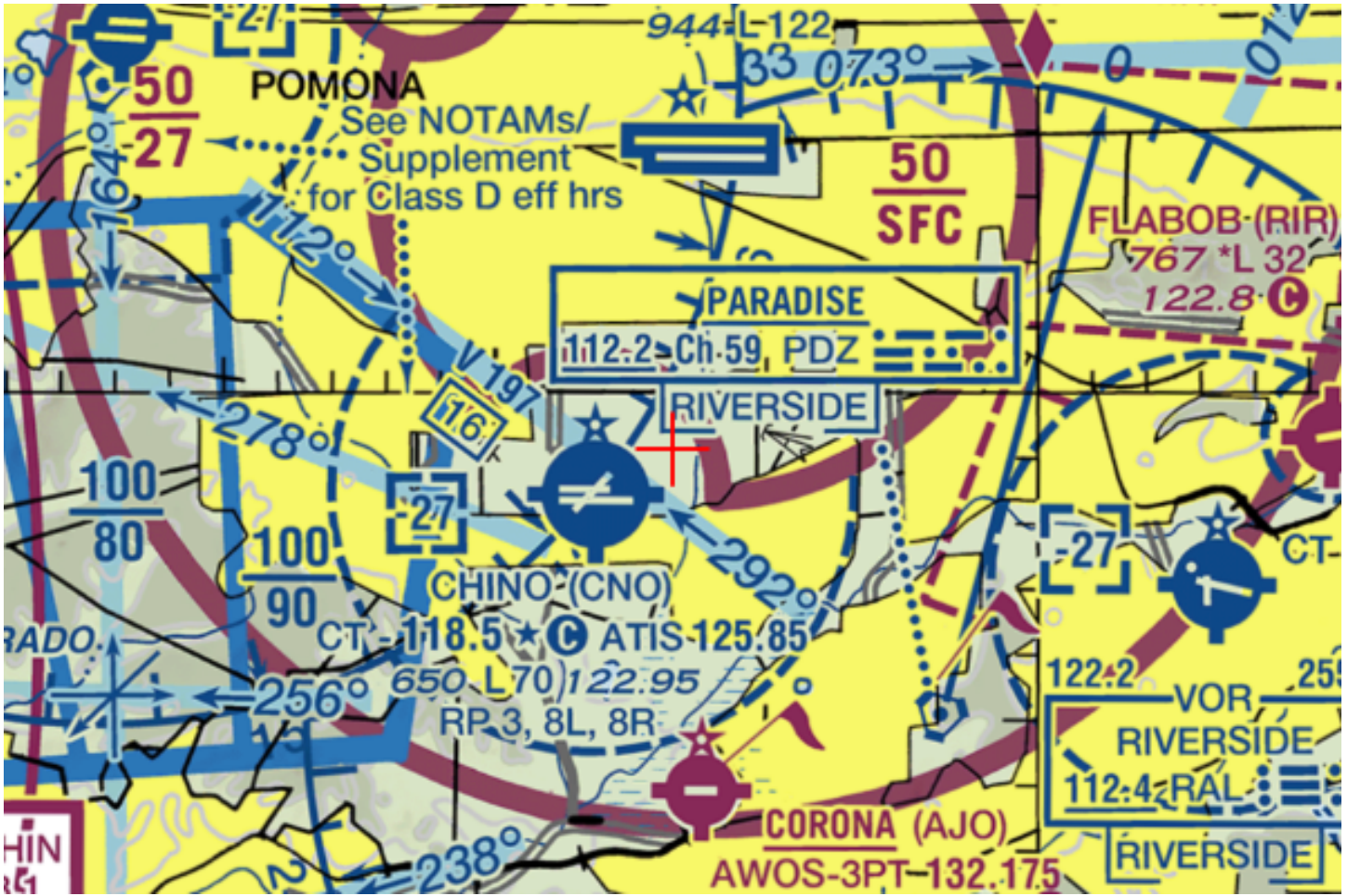
(DNE)

Vivian Vilaro
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2021-AWP-5007-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2021-AWP-5005-OE

Issued Date: 04/22/2021

Thomas Donahue
 Prologis
 3546 Concours St.
 Suite 100
 Ontario, CA 91764

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building NE Corner
 Location: Ontario, CA
 Latitude: 33-59-19.00N NAD 83
 Longitude: 117-36-42.00W
 Heights: 680 feet site elevation (SE)
 88 feet above ground level (AGL)
 768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or vivian.vilaro@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5005-OE.

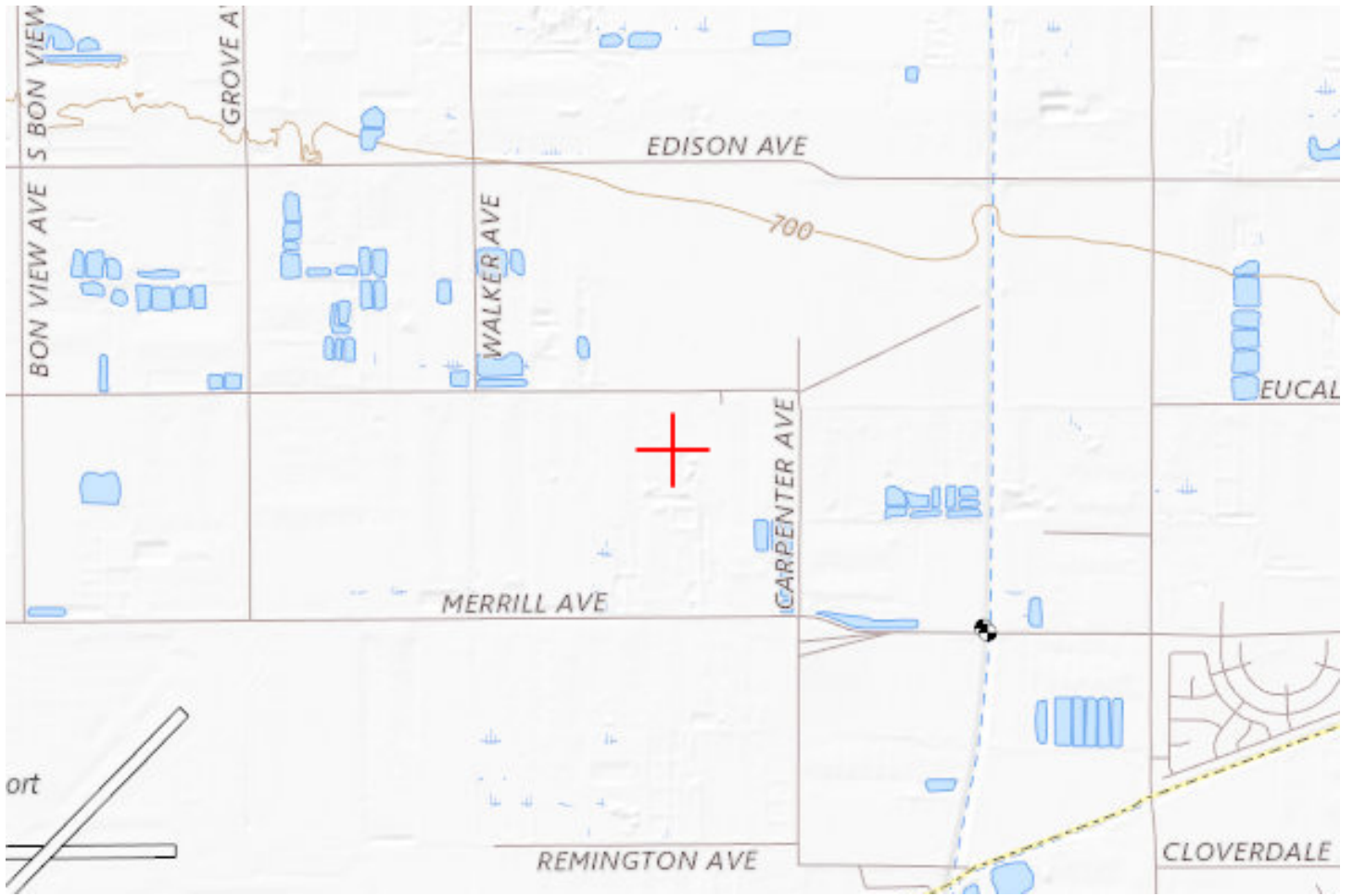
Signature Control No: 476695785-478641515

(DNE)

Vivian Vilaro
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2021-AWP-5005-OE



Sectional Map for ASN 2021-AWP-5005-OE

