



## **CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD**

### **AGENDA**

**July 18, 2022**

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

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

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

### **PUBLIC COMMENTS**

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

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

### **AGENDA ITEMS**

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

## **CONSENT CALENDAR ITEMS**

### **A. MINUTES APPROVAL**

Development Advisory Board Minutes of July 6, 2022, approved as written.

## **PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-047:** A hearing to consider a Development Plan to construct 10 detached single-family dwellings on 10 vacant parcels totaling approximately 1.83 acres of land generally located at the northwest corner of Olive Street and Orange Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0108-481-18, 0108-481-19, 0108-481-20, 0108-481-21, 0108-481-22, 0108-481-23, 0108-481-24, 0108-481-25, 0108-481-26, and 0108-481-27) **submitted by Texton Construction Co., Inc. Planning Commission action is required.**

#### **1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

#### **2. File No. PDEV19-047 (Development Plan)**

Motion to recommend Approval/Denial

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-020:** A hearing to consider a Development Plan to construct a 45,000-square-foot industrial building on 2.02 acres of land, located at 1044 and 1050 East Holt Boulevard, within the IP (Industrial Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1049-131-15 and 1049-131-016); **submitted by HK Ventures, Inc. Planning Commission action is required.**

#### **1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PDEV21-020** (Development Plan)

Motion to recommend Approval/Denial

D. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE**

**REVIEW FOR FILE NOS. PDEV21-033 AND PVAR21-006**: A public hearing to consider a Development Plan (File No. PDEV21-033) to construct one 2,800 square-foot drive-thru restaurant and 500 square-foot outdoor patio, in conjunction with a Variance (File No. PVAR21-006) request to reduce the front drive aisle setback along an arterial street from 20 feet to 13 feet, on 0.42 acres of land located at 1610 East Fourth Street. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) and Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0110-181-11 and 0110-181-19) **submitted by Hannibal Petrossi. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332 & 15305

2. **File No. PVAR21-006** (Variance)

Motion to recommend Approval/Denial

3. **File No PDEV21-033** (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 **August 1, 2022**.

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 **July 14, 2022**, 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**

**July 6, 2022**

**ROLL CALL**

**BOARD MEMBERS PRESENT**

Rudy Zeledon, Chairman, Planning Department  
Anthony Vega, Community Improvement  
Charity Hernandez, Economic Development Agency  
Raymond Lee, Engineering Department  
Paul Ehrman, Fire Department  
Christy Stevens, Municipal Utilities Company  
Tony Galban, Police Department

**BOARD MEMBERS ABSENT**

James Caro, Building Department

**STAFF MEMBERS PRESENT**

Luis Batres, Planning Department  
Gwen Berendsen, Planning Department  
Chuck Mercier, Planning Department  
Angela Truong, Engineering Department

**PUBLIC COMMENTS**

No person from the public wished to speak.

**CONSENT CALENDAR ITEMS**

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the June 20, 2022 meeting of the Development Advisory Board was made by Ms. Stevens; seconded by Mr. Zeledon; and approved unanimously by those present (4-0). Mr. Vega, Ms. Hernandez and Mr. Ehrman recused themselves as they were not at the last meeting.

**PUBLIC HEARING ITEMS**

- B. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-011:** A public hearing to consider a Development Plan to construct a new motor vehicle sales lot (Genesis of Ontario), including a 33,117-square-foot showroom, office, and vehicle service building and a 2,660-square-foot carwash and detailing building on 4.175 acres of land generally located on the south side of Inland Empire Boulevard, approximately 225 feet west of QVC Way, at 2100 East Inland Empire Boulevard, within the Urban Commercial land use



district of the Meredith International Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15332 (Class 32, Infill Development) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0110-321-82) **submitted by Gorewhitfield.**

Mr. Zeledon opened the public hearing.

Mr. John Beed, representing Rusnak Auto Group was present and spoke in favor of the project.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval.

Mr. Beed stated he had reviewed the Conditions of Approval and if they had any issues, they would address them with the appropriate department.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to approve **File No. PDEV22-011**, subject to conditions was made by Ms. Stevens; seconded by Mr. Ehrman; and approved unanimously by those present (7-0).

**C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-009**: A public hearing to consider a Development Plan to construct a mixed-use project consisting of 59 multiple-family dwellings, 2,744 square feet of retail space, and two levels of parking on approximately 0.81-acres of land located at 549 West Holt Boulevard, within the MU-1 (Downtown Mixed-Use) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1049-021-09) **submitted by Kathy Huynh. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Mr. Eric Chan, the architect for the project, was present.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval.

Mr. Chan stated he had reviewed them and had a few questions regarding Planning Condition 2.15 Stucco Finish, and wanted to know if they could use a fine sand finish.

Mr. Batres stated he had talked with the applicant that morning and told him they would work this issue out during plan check and that the applicant also wanted clarification on item 2.15e – the finish for the exposed concrete. Mr. Batres also stated the applicant wanted to eliminate Fire condition 2.1 and that Mr. Batres had talked with Fire Marshal Ehrman that morning and had confirmed that this condition would not apply.

Mr. Zeledon stated Mr. Batres would work with the applicant on the two planning issues during plan check and the fire condition 2.1 would be eliminated, if Mr. Ehrman concurs.

Mr. Ehrman stated that since the first story would be parking and it is a fully sprinklered parking lot, which would not impact the residential, they would waive this condition.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File No. PDEV20-009**, subject to conditions, to the Planning Commission was made by Mr. Vega; seconded by Mr. Galban; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned to the next meeting on July 18, 2022.

Respectfully submitted,



Gwen Berendsen  
Recording Secretary



# Development Advisory Board Decision

July 18, 2022

**DECISION NO.:** DAB22-[insert #]

**FILE NO.:** PDEV19-047

**DESCRIPTION:** A Development Plan to construct 10 detached single-family dwellings on 10 vacant parcels totaling approximately 1.83 acres of land generally located at the northwest corner of Olive Street and Orange Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district; (APNs: 0108-481-18, 0108-481-19, 0108-481-20, 0108-481-21, 0108-481-22, 0108-481-23, 0108-481-24, 0108-481-25, 0108-481-26, 0108-481-27); **submitted by Texton Construction Co. Planning Commission action is required.**

## ***Part I—BACKGROUND & ANALYSIS***

TEXTON CONSTRUCTION CO, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-047, 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 1.83 acres of unimproved vacant land generally located at the northwest corner of Olive Street and Orange Avenue and is depicted in Exhibit A—Project Location Map, attached. The site is located in a well-established, traditional single-family residential neighborhood with improved streets, parkways, curb, and gutter. Residences adjacent to the project site are single-story with front loaded or side-on garages, two-story homes are also present in the surrounding area. San Antonio Christian School is north of the project site. Existing land uses, General Plan and zoning designations on and surrounding the Project site are as follows:

	<b><i>Existing Land Use</i></b>	<b><i>General Plan Designation</i></b>	<b><i>Zoning Designation</i></b>
<b><i>Site:</i></b>	Vacant	LDR (Low Density Residential)	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac)
<b><i>North:</i></b>	Educational Facility (Private School)	LDR (Low Density Residential)	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac)
<b><i>South:</i></b>	Single Family Residential	LDR (Low Density Residential)	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac)
<b><i>East:</i></b>	Single Family Residential	LDR (Low Density Residential)	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac)
<b><i>West:</i></b>	Single Family Residential	LDR (Low Density Residential)	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac)

(2) **Project Description:**

(a) **Background** — In 2003, a Tentative Tract Map (File No. PMTT03-014), submitted by San Antonio Jr. Academy, was approved to subdivide 8.5 acres of land located at 1722 East Eighth Street, into 12 lots. Ten of the lots that front Olive Street were intended to be developed with single-family dwellings, one parcel was proposed for a future well site, and was developed with a City well site in 2007. The final parcel consisted of the original school campus that was retained by San Antonio Jr. Academy. In 2005, the academy changed their name to San Antonio Christian School and remains in operation.

On August 6, 2019, a Development Plan (File No. PDEV19-047) application was submitted to construct 10 single-family dwelling units on the 10 lots fronting Olive Street. On January 29, 2020, a neighborhood meeting was held to receive comments regarding the project from surrounding property owners. Ninety notices were sent out, no calls were received by staff leading up to the meeting, 6 neighboring property owners and 2 applicant representatives attended the meeting. Overall, the residents were in support of the project. Subsequently, the property was sold, and the project was slightly modified. Revisions include new architectural styles and the reduction of building square footages by approximately 500-700 square feet to accommodate the future construction of Accessory Dwelling Units (ADU) at the rear of the lots. Review and approval of the proposed ADUs will be processed administratively as required by State law.

(b) Site Design/Building Layout — The Project proposes construction of 10 traditional single-family homes with 3 different floor plans (Exhibit B—Site Plan). Each lot is approximately 0.18-acre in area and measures 64 feet wide and 123 feet deep. Detached homes will be oriented towards Olive Street, with recessed front entries facing the street. Front yards are minimum 20 feet in depth, as measured from the Olive Street property line. Side yards will range from 5 feet to approximately 19 feet in width, and rear yards are approximately 50 feet in depth. Lots 1, 5, and 10 will have attached side-on garages at the rear of the lots. Lots 2, 4, 6 and 8 will provide attached side-on garages at the front of the lots. Lots 3, 7, and 9 will provide front facing two-car garages. The location of attached 2-car garages vary with each floor plan and are front-loaded or side-on at the front or rear of the home. Lots 1, 5, and 10 will be developed with single-story designs in order to achieve compatibility with the existing neighborhood.

(c) Site Access/Circulation — As a condition of project approval, Olive Street will be widened by an additional 8 feet, to the ultimate right-of-way of 60 feet. Required public right-of-way improvements include 8-inch curb and gutter, a 5-foot wide sidewalk, a 5-foot wide landscaped parkway, and 16-foot wide drive aprons will provide vehicular access to each property.

(d) Parking — The Project provides an enclosed 2-car garage for each dwelling, meeting the minimum Development Code requirement. Driveways can accommodate at least 2 additional off-street parking spaces.

(e) Architecture — Architectural styles proposed include Spanish, Bungalow, Cottage, Ranch, Farmhouse, and Craftsman. The transitional architectural styles combine elements of both traditional and modern architectural styles. All plans incorporate various design features such as horizontal and vertical building articulation, varied entry designs, and covered entryways. Each architectural style will include the following (see Exhibit C—Floor Plans and Elevations, attached):

- Spanish: Varying gable and shed roofs with “S” concrete roof tiles, stucco siding, decorative shaped entryways, decorative details at the gable ends, recessed windows, and decorative window/door framing.
- Craftsman: Varying gable and shed roofs with flat shake concrete tiles, a mix of stucco, horizontal lap, and brick siding, decorative wood posts, gable vents, and shutters.
- Cottage: Varying gable and hipped roofs with flat shake concrete roof tiles, stucco and stone siding, arched windows and entryways, shutters, and decorative window/door framing.
- Ranch: Cross-gable roofs with flat shake concrete tiles, a mix of stucco, horizontal lap and stone siding, decorative beams at the gable ends, and shutters.
- Farmhouse: Cross-gable roofs and shed dormers with flat shake concrete roof tiles, with a mix of stucco, horizontal lap and board and batten siding, and decorative beams and vents at the gable ends.
- Bungalow: Cross-gable roofs and shed dormers with flat shake concrete roof tiles, with a mix of stucco, horizontal lap and brick siding, decorative vents at the gable ends, shutters, and decorative window/door framing.

The Project proposes 3 floor plans. Plan 1 is a 1,928-square-foot, single-story design, with a side on garage attached to the rear of the residence and has 4 bedrooms and 3 bathrooms. Plan 2 is a 1,933-square-foot,

2-story design, with a side on garage attached to the front of the residence and has 3 bedrooms and 3 bathrooms. Plan 3 is a 2,119-square-foot, 2-story design, with an attached front-facing garage and has 4 bedrooms and 3 bathrooms.

<b>Dwelling Unit Summary</b>					
<b>Plan Type No.</b>	<b>No. of Bedrooms/ Bathrooms</b>	<b>Total Living SF</b>	<b>Garage SF</b>	<b>No. of Stories</b>	<b>No. of Units</b>
1	4 Bedroom/ 3 Bathroom	1,928 SF	Attached (Rear) Side On (2-car) 427 SF	1 Story	3
2	3 Bedroom/ 3 Bathroom	1,933 SF	Attached (Front) Side On (2-car) 427 SF	2 Story	4
3	4 Bedroom/ 3 Bathroom	2,119 SF	Attached (Front) (2-car) 415 SF	2 Story	3
<b>TOTAL</b>					<b>10</b>

(f) Landscaping — The front yard areas will be landscaped and irrigated. Each home will have a concrete driveway and a pedestrian pathway to the front entry of the home. Landscape coverages range between 63 and 75 percent. Parkways will be planted with 24-inch box London Plane trees and groundcover. Front yards will be planted with 24-inch box Chitalpa trees and 15-gallon Western redbud trees. A variety of low or moderate water usage shrubs and groundcovers will complete each yard. The proposed on-site and public right-of-way improvements will contribute to a walkable, safe area for pedestrians along Olive Street.

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm quality discharge/water quality requirements. The PWQMP includes site design measure that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration. The proposed development will not substantially alter the existing drainage pattern.

**Part II—RECITALS**

WHEREAS, the Application is a Project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

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

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

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

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

WHEREAS, on July 18, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### **Part III—THE DECISION**

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets each of the following conditions:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed Project is located within the LDR (Low Density Residential) land use district of the Policy Plan Land Use Map, and the CC (Community Commercial) zoning district. The proposed project is consistent with all applicable general plan policies, as well as with the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning designation and applicable Development Code regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 1.83 acre of land, which is surrounded by established residential land uses.

(c) The Project site has no value as habitat for endangered, rare, or threatened species. The site was previously graded and is located on an existing private elementary school property that regularly maintains the Project site to prevent weed growth.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed single-family residential development is similar to, and of no greater impact than other allowed residential uses and development projects within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district.

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

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

**SECTION 4: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been

designed consistent with the requirements of the City of Ontario Development Code and the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district, including standards relative to the particular land use proposed (Single Family Residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the Project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.***

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

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.***

The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (Single Family Residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

**SECTION 5: *Development Advisory Board Action.*** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

**SECTION 6: *Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: *Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 18th day of July 2022.

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Development Advisory Board Chairman



Exhibit A—PROJECT LOCATION MAP

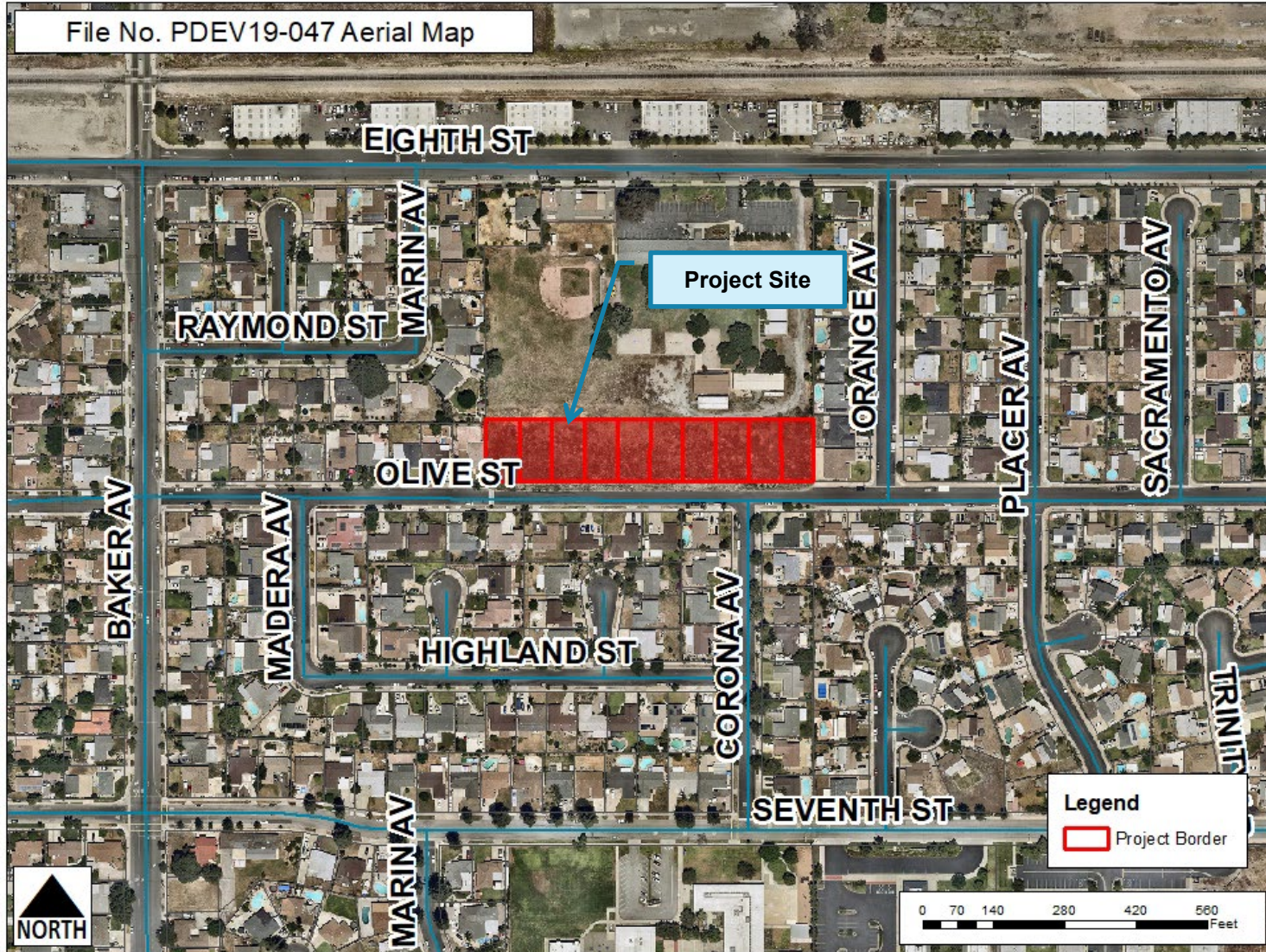
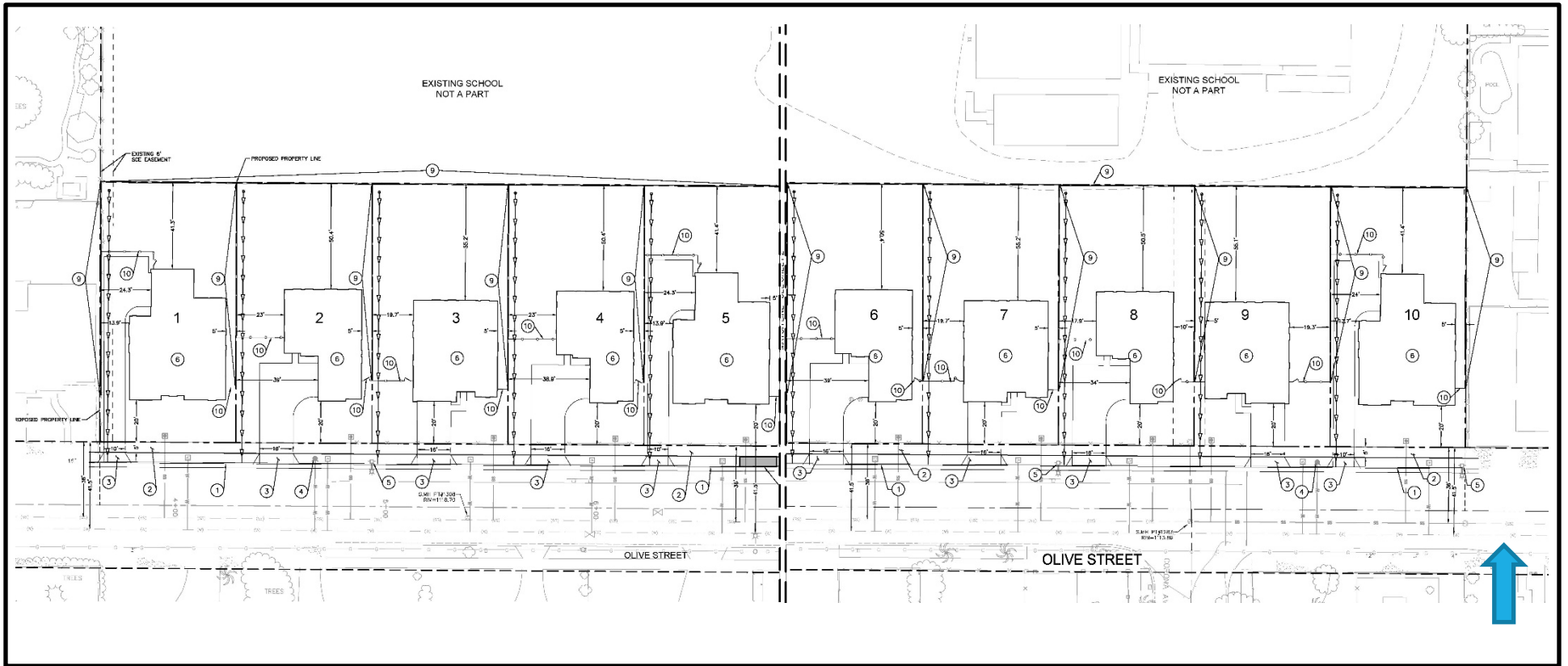


Exhibit B—SITE PLAN





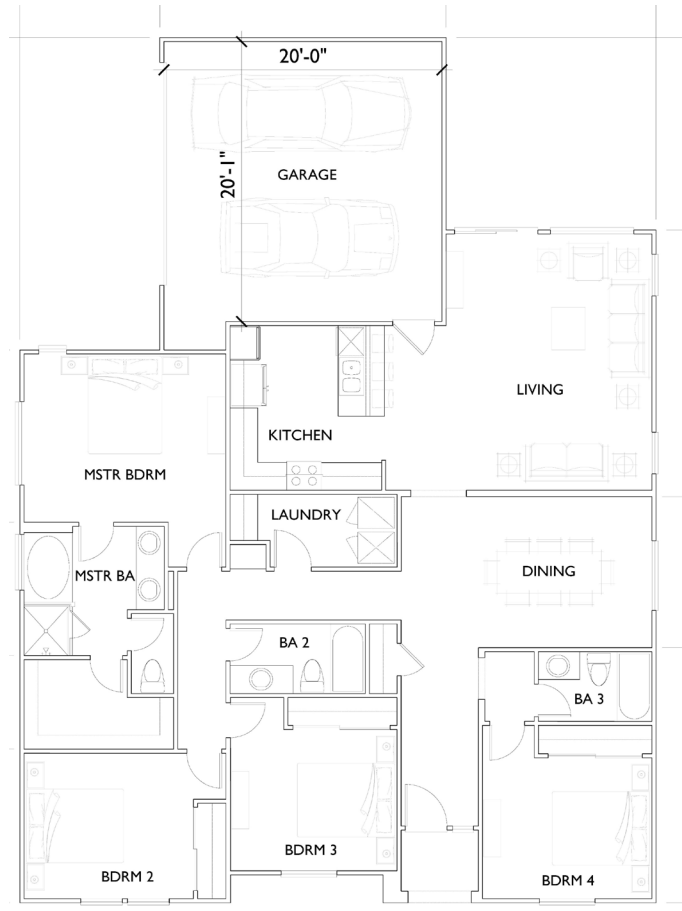
**Exhibit C—ELEVATIONS**



**Plan 1A - Ranch**



**Plan 1B - Craftsman**



**Plan 1 Floor Plan – 1,928 SF  
4 Bedroom/3 Bath**

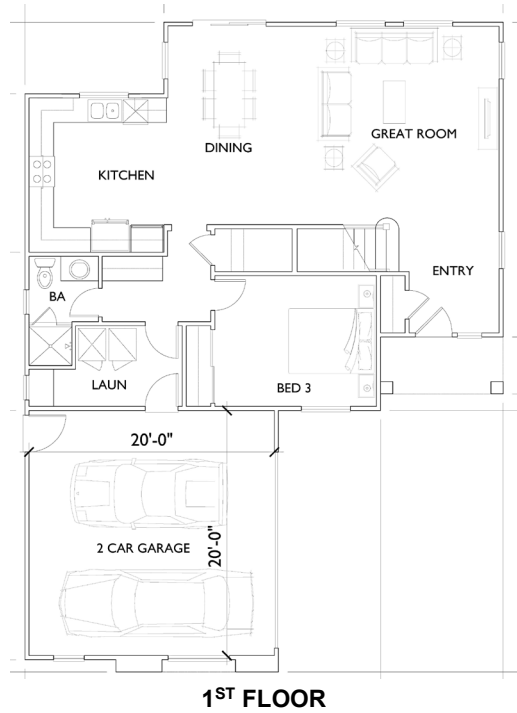
**Exhibit C—ELEVATIONS CONT'D**



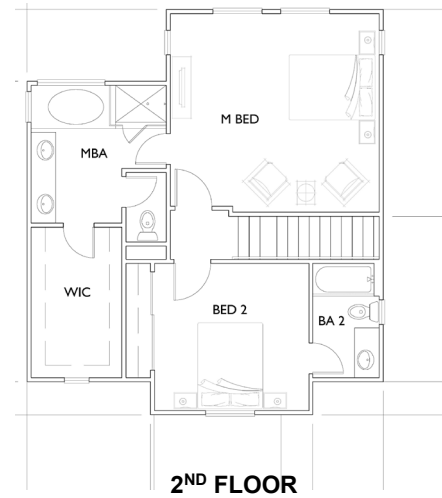
**Plan 2A - Cottage**



**Plan 2B - Spanish**



**1<sup>ST</sup> FLOOR**



**2<sup>ND</sup> FLOOR**

**Plan 2 Floor Plan – 1,933 SF  
3 Bedroom/3 Bath**

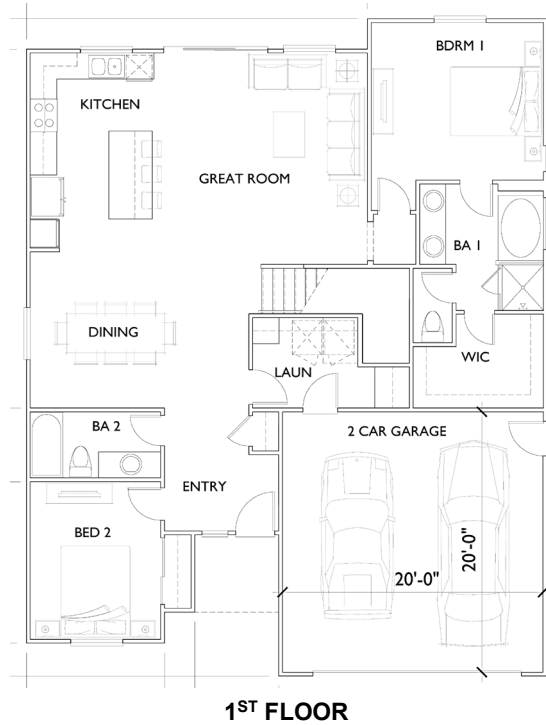
**Exhibit C—ELEVATIONS CONT'D**



**Plan 3A - Bungalow**



**Plan 3B - Farmhouse**



**Plan 3 Floor Plan – 2,120 SF  
4 Bedroom/3 Bath**



**Exhibit C—ELEVATIONS CONT'D**



3A BUNGALOW - TWO STORY - FRONT LOAD GARAGE



2A COTTAGE - TWO STORY - SWING IN GARAGE



1A RANCH - ONE STORY - REAR GARAGE



3B FARMHOUSE - TWO STORY - FRONT LOAD GARAGE



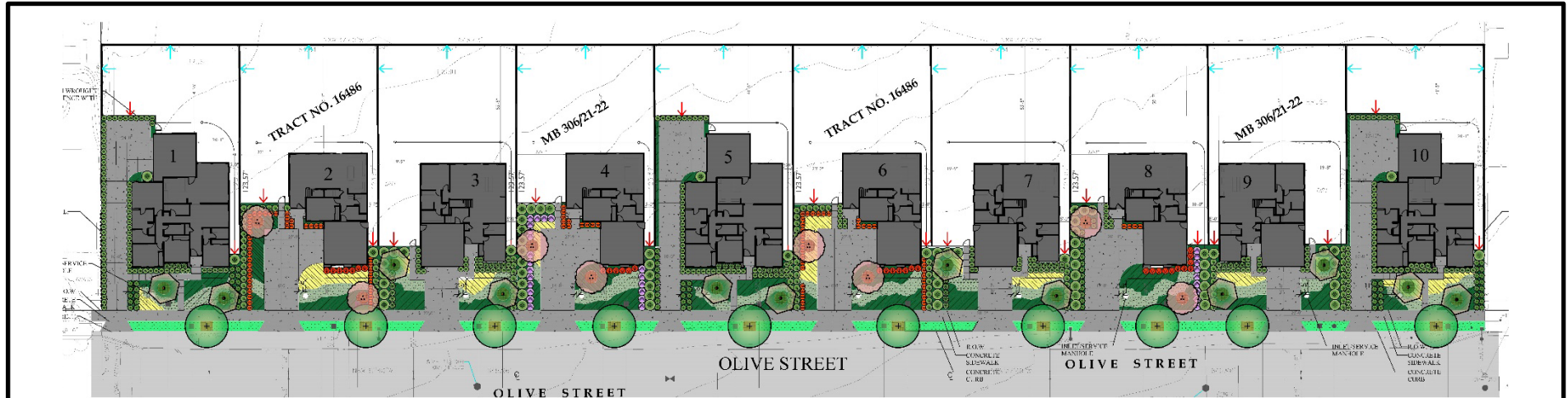
2B SPANISH - TWO STORY - SWING IN GARAGE



1B CRAFTSMAN - ONE STORY - REAR GARAGE



Exhibit D—LANDSCAPE PLAN



PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	WATER USE
	CERCIS OCCIDENTALIS MULTI TRUNK	WESTERN REDBUD	15 GAL	4	LOW
	CHITALPA 'PINK DAWN' SINGLE TRUNK	CHITALPA	24" BOX	6	LOW
	PLATANUS HISPANICA CITY STREET TREE	LONDON PLANE TREE	24" BOX	11	MODERATE
	CALLISTEMON 'LITTLE JOHN'	DWARF BOTTLE BRUSH	5 GAL	95	LOW
	CALLIANDRA ERIOPHYLLA	FAIRY DUSTER	15 GAL	36	LOW
	DIANELLA 'LITTLE REV'	DIANELLA	1 GAL	179	LOW
	FESTUCA MAIREI	ATLAS FESCUE	1 GAL	86	LOW
	FRANGULA 'EVE CASE'	COFFEEBERRY	5 GAL	68	LOW
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL	30	LOW
	SALVIA CLEVELANDII 'WINNIFRED GILMAN'	WINNIFRED GILMAN BLUE SAGE	5 GAL	29	LOW
	WESTRINGIA 'MORNING LIGHT'	COAST ROSEMARY	5 GAL	103	LOW
	ACHILLEA 'MOONSHINE'	FERN LEAF YARROW	1 GAL	@ 24" OC	LOW
	CAREX DIVULSA	BERKELEY SEDGE	1 GAL	@ 18" OC	LOW
	PENNISETUM SPATHEOLATUM	SLENDER VEET GRASS	1 GAL	@ 24 OC	LOW
	PHYLA NODIFLORA	KURAPPA SOD	N/A	N/A	LOW
	ROSMARINUS 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	1 GAL	@ 36" OC	LOW
		3" MIN. DEEP LAYER OF MULCH			
		24" INLET AND STORM CHAMBER ACCESS PER GRADING PLAN			
		6" TAN SLUMPSTONE BLOCK WALL WITH DECORATIVE CAP			
		5' HIGH WROUGHT IRON FENCING WITH GATE			



## **Attachment A**

### **Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*





## LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

**Date Prepared:** 7/18/2022

**File No:** PDEV19-047

**Related Files:** PMTT03-014

**Project Description:** A Development Plan to construct 10 detached single-family dwellings on 10 vacant parcels totaling approximately 1.83 acres of land generally located at the northwest corner of Olive Street and Orange Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district; (APNs: 0108-481-18, 0108-481-19, 0108-481-20, 0108-481-21, 0108-481-22, 0108-481-23, 0108-481-24, 0108-481-25, 0108-481-26, 0108-481-27); **submitted by Texton Construction Co.**

**Prepared By:** Elly Antuna, Associate Planner  
Phone: 909.395.2414 (direct)  
Email: [eantuna@ontarioca.gov](mailto:eantuna@ontarioca.gov)

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

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

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

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

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

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

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

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

### **2.3** Landscaping.

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

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

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

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

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

**(a)** New block walls constructed along the perimeter of the project site and interior side property lines shall be constructed of tan slump stone block with a decorative concrete cap. Walls shall not exceed 6 FT in height.

**(b)** New block walls or fences constructed between side yard walls and the adjacent dwelling shall be setback a minimum of 1 FT from adjacent front wall plane. Block walls shall be constructed of tan slump stone block with a decorative concrete cap and fences shall be constructed of ornamental wrought iron with gates providing rear yard access. Block walls and fences shall not exceed 6 FT in height.

### **2.5** Parking, Circulation and Access.

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

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

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

**2.6** Architecture.

(a) Dwellings shall be constructed in the Ranch, Craftsman, Cottage, Spanish, Bungalow and Farmhouse architectural styles.

(b) Windows visible from the public right-of-way shall be recessed a minimum of 2" from building wall face and feature enhanced trim and/or sills.

(c) Stucco finishes shall be a 20/30 Sand Finish

**2.7** Mechanical Equipment.

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

**2.8** 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).

**2.9** Disclosure Statements.

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

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

**2.10** Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to **Section 15332 (Class 32, In-Fill Development Projects)** of the CEQA Guidelines, and meets all of the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

**2.11** 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.

**2.12** Additional Fees.

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

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

**2.13** Additional Requirements.

(a) Lots 1, 5, and 100 shall feature single-story designs with attached side-on garages located at the rear of the dwellings.

(b) Lots 2, 4, 6 and 8 will provide attached side-on garages at the front of the lots.

(c) Lots 3, 7, and 9 will provide front facing two-car garages.



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
<b>PROJECT FILE NO. <u>PDEV19-047</u></b>  <b>RELATED FILE NO(S). <u>TM-16486</u></b>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u>  </u> / <u>  </u> / <u>  </u>		

**CITY PROJECT ENGINEER & PHONE NO:** Angela Truong (909) 395-2134

**CITY PROJECT PLANNER & PHONE NO:** Elly Antuna (909) 395-2414

**DAB MEETING DATE:** July 18, 2022

**PROJECT NAME / DESCRIPTION:** A Development Plan to construct 10 single-family dwellings on 10 vacant parcels totaling 1.83 acres of land within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district. APN: 108-481-18, 19, 20, 21, 22, 23, 24, 25, 26 and 27

**LOCATION:** Northwest corner of East Olive Street and North Orange Avenue

**APPLICANT:** Texton Construction Co., Inc.

**REVIEWED BY:**  6/22/22  
 Raymond Lee, P.E. Date  
 Assistant City Engineer

**APPROVED BY:**  6.22.22  
 Khoi Do, P.E. Date  
 City Engineer





accompanying security as required, or complete all public improvements.

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

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per TM-16486.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a: 
  - Certificate of Compliance with a Record of Survey;
  - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
  - Make a Dedication of Easement.





- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.
  
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
  
- 2.08 **Submit a soils/geology report.**
  
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
  
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

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

Property line corner 'cut-back' required at the intersection of \_\_\_\_\_ and \_\_\_\_\_.
  
- 2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_
  
- 2.12 **Vacate the following street(s) and/or easement(s):** 
  - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.**
  
- 2.13 Ontario Ranch Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay





any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

2.14 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.

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

2.16 Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.

2.17 Other conditions:

1) All the required improvements for this project shall be subject to completion of the required public improvements as specified in the Conditions of Approval for TM-16486.

2) As part of the precise grading plans submittal, provide a Final Utilities System Map that shows all existing and proposed utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities), including each of the City's public utility's points of connection to the existing system.

3) The applicant/developer shall submit the previously approved off-site improvement plans approved under TM-16486 to verify conformance of updated City Standards. Any applicable plan check fees shall be paid by the developer.

4) The applicant/developer shall provide a fully executed Improvement Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



**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	Olive Street	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> <b>New; 20 ft. from C/L</b> <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>Widen approx. 7 additional feet along frontage to achieve an ultimate 18 feet, including pavm't transitions</b>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/ irrigation)</b>	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): Olive Street from centerline to gutter. Limits may expand due to the multiple water services being constructed and the sewer main extension.
- 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 7-7.302.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 Olive Street. (Ref: Sewer plan bar code: S13032)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: 
  - 1) **The applicant/developer shall extend the existing sewer main by constructing a sewer main at the intersection of Corona Avenue and Olive Street to 130 feet easterly.**
  - 2) **The applicant/developer shall construct an 8" sewer lateral (private) stub-out for the school between lot 8 and 9. No permanent structure and/or tree cannot be within the recorded 15' wide private utilities easement (Tract Map 16486) for this sewer lateral. This private 8" sewer lateral is to start at the existing manhole at the intersection of Olive Street and Corona Avenue, continues northerly, terminates five to ten feet past the project northerly property line between lot 8 and 9.**
  - 3) **The applicant/developer shall install a manhole immediate north of the project southerly property line and a clean out just north of the project northerly property line.**

**D. WATER**

- 2.27 **A 6 inch water main is available for connection by this project in Olive Street. (Ref: Water plan bar code: W11164)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 Other conditions: \_\_\_\_\_ 
  - 1) **The applicant/developer shall be responsible to design and construct utilities with the minimum separation requirements in accordance with the Department of Drinking Water (DDW) Separation Requirements and California Code of Regulations (CCR) § 64572 Compliance. Refer to OMUC Exhibit herein.**

**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:

1) The applicant/developer shall be responsible to design and construct street improvements along property frontage of Olive Street in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.

2) The applicant/developer shall be responsible to design and construct the following streets to their ultimate half-width along the project frontage: Olive Street (60' R/W, 40' C/C).

3) The applicant/developer shall be responsible to design and construct in-fill public street lights and potential new service along its project frontage of Olive Street. Street lighting shall be LED-type and in accordance with the City's Traffic and Transportation Design Guidelines.

4) Driveways shall be designed in accordance with the City of Ontario Standard Drawing No. 1203.

5) All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirement per the City of Ontario Standard Drawing No. 1309.

6) The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the signing/striping and street lighting design plans to define limits of improvements.

**G. DRAINAGE / HYDROLOGY**

2.38 A \_\_\_\_\_ inch storm drain main is available to accept flows from this project in \_\_\_\_\_.   
(Ref: Storm Drain plan bar code: \_\_\_\_\_)

2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.





- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:** 
  - 1) **The applicant/developer shall dedicate a private drainage easement to the property to the north (existing school site APN: 108-481-28). Drainage easement shall be located on the area of the lots being used to convey flow to Olive Street from the school. The applicant/developer shall also enter into an agreement with the property owner of APN: 108-481-28 for the construction and maintenance of the drainage improvements being constructed to convey the historical flow. The agreement shall be reviewed and approved by the City Engineer and City Attorney. City Attorney fees shall be paid by the applicant/developer. See Section 2.39 above for required hydrology study and drainage analysis.**

**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 A \_\_\_\_\_ fiber optic line is available for connection by this project in \_\_\_\_\_. (Ref: Fiber Optic plan bar code: \_\_\_\_\_)
- 2.51 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. There is no existing fiber optic infrastructure near the site, see Fiber Optic Exhibit herein for proposed conduit and handhole locations.
- 2.52 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

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

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



and reports (i.e. hydrology, traffic, WQMP, etc.).

**4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**





## **EXHIBIT 'A'**

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

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Project Number: PDEV 19-047

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

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



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



# CITY OF ONTARIO MEMORANDUM



**DATE:** June 9, 2022  
**TO:** Angela Truong, Engineering  
**CC:** Elly Antuna, Planning  
**FROM:** Peter Tran, Utilities Engineering  
**SUBJECT:** DPR #2 (***Changed of Ownership, Design, etc.***)- Conditions of Approval (#8380)  
**PROJECT NO.:** PDEV19-047 (A Development Plan to construct 10 single-family dwelling on 10 vacant parcels)

## BRIEF DESCRIPTION

*A Development Plan to construct 10 single-family dwellings on 10 vacant parcels totaling approximately 1.83 acres of land generally located on the northwest corner of E Olive Street and N Orange Ave, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district (APNs: 0108-481-18, -19, -20, -21, -22, -23, -24, -25, -26, -27)..*

## THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

**CONDITIONS OF APPROVAL:** *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

### **General Conditions: (Add following to Section 2.A of Engineering Department COA)**

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. **Final Utilities Systems Map (USM):** As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems
3. **Department of Drinking Water (DDW) Separation Requirements and California Code of Regulations (CCR) § 64572 Compliance:** All DDW Separation Requirements under CCR § 64572 must be met. In order to assure compliance with CCR § 64572, label the separation dimensions, measure from outside wall of the conveyances, between potable water to any other non-potable conveyance (sewer, storm drain, storm water, storm water infiltration, recycled water, recycled water irrigation, high pressure gas/petroleum, etc) publicly or privately maintained. Provide one label per sheet per conveyance and additional labels where separation dimensions and alignments change. For any facilities not currently meeting the following separation requirements, revise plans so that the facilities meet the following separations requirements:
  - a. **Minimum Separations (and Alignment Requirements) for Conveyances running Parallel to Potable Water Mains, Services, Laterals, and Conveyances (services, meters, fire hydrants, blowoff, airvacs, etc.):**
    - i. **At least 10 feet horizontally from and one foot vertically above, any parallel pipeline conveying Sewer or Fluid Fuels.**
    - ii. **At least 4 feet horizontally from, and one foot vertically above, any parallel pipeline conveying Recycled Water, Storm Drainage, or Raw Ground Water.**
  - b. **Minimum Separations (and Alignment Requirements) for Conveyances Crossing Potable Water Mains, Services, Laterals and Conveyances:**
    - i. **Potable Water Conveyances shall cross no less than 45-degrees to and at least one foot above any pipeline conveying Sewer, Fluid Fuels, Recycled Water, Storm Drainage, Raw Ground Water, or Private Water.**
    - ii. **No connection joints shall be made in the Potable Water Conveyance within eight horizontal feet of crossing the non-potable conveyance.**
  - c. **Other Minimum Separations for Potable Water Mains, Services, Laterals and Conveyances:**

- i. 100 horizontal feet of the nearest edge of any sanitary landfill, wastewater disposal pond, or hazardous waste disposal site.
- ii. 25 horizontal feet of the nearest edge of any cesspool, septic tank, sewage leach field, or seepage pit.
- iii. 25 horizontal feet of the nearest edge of any underground hazardous material storage tank.
- iv. 25 horizontal feet of the nearest edge of any storm water retention, storm water infiltration, bioswale, or groundwater recharge site.

***Sewer Conditions: (Add following to Section 2.C of Engineering Department COA)***

4. Construct Sewer Main Extension: Extend the existing sewer main by constructing a sewer main at the intersection of Corona Avenue and Olive Street to 130 feet easterly.
5. Construct Sewer Lateral Stub-out and Appurtenances:
  - d. Construct an 8" sewer lateral (private) stub-out for the school between lot 8 and 9.
  - e. No permanent structure and/or tree cannot be within the recorded 15' wide private utilities easement (Tract Map 16486) for this sewer lateral.
  - f. This private 8" sewer lateral is to start at the existing manhole at the intersection of Olive Street and Corona Avenue, continues northerly, terminates five to ten feet past the project northerly property line between lot 8 and 9.
  - g. Install a manhole immediate north of the project southerly property line and a clean out just north of the project northerly property line.

ORANGE AVENUE

CORONA AVENUE

STREET

OLIVE

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

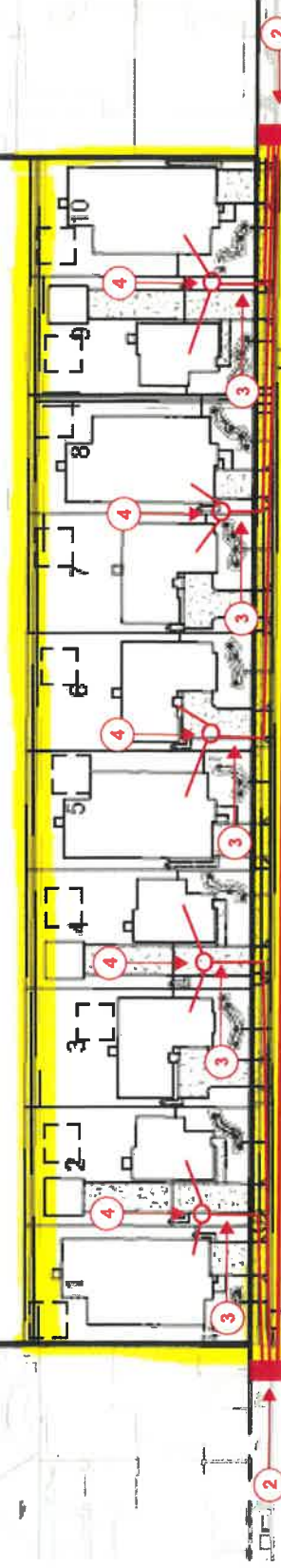
**CONSTRUCTION NOTE 2**  
 ALL HANDHOLES (H-302) (RCA004836-00944) NEWBASIS; LESS THAN OR EQUAL TO 432 STRANDS, PER CITY STANDARD 1306. HANDHOLES SWEEPING INTO HANDHOLES SHALL ENTER IN FLUSH WITH THE CUT OUT MOUSE HOLES, ALIGNED PARALLEL TO THE BOTTOM OF THE BOX AND COME IN PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN PARALLEL, PROVIDE 5" MIN CLEARANCE FROM EXISTING PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4 INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL ITS PLACED ON.

**CONSTRUCTION NOTE 3**  
 FROM THE NEAREST HANDHOLE TO THE BUILDING ENTRANCE, DESIGN AND INSTALL FIBER OPTIC CONDUIT AT A MINIMUM DEPTH OF 36-INCHES. TRENCHING SHALL BE PER CITY STANDARD FOR COMMERCIAL BUILDINGS: (1) 2-INCH HDPE SDR-11 (SMOOTHWALL) ROLL PIPE (ORANGE) DUCT, INSTALL LOCATE/TRACER WIRES MINIMUM 12AWG WITHIN CONDUIT BANK AND FIBER WARNING TAPE 16-INCH ABOVE THE UPPERMOST DUCT.

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

LOCATION OF TELECOMMUNICATIONS ROOM IS CONCEPTUAL

**CONSTRUCTION NOTE 4**  
 INSTALL FIBER OPTIC FLOWERPOT HH-FP (PLA1000101-00002) NEWBASIS, PER CITY STANDARD 1316 CONDUITS SWEEPING INTO THE FLOWERPOT SHALL ENTER IN FLUSH WITH THE CUT OUT MOUSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE BOX. CONDUITS SHALL PROTRUDE FROM THE BASE OF THE FLOWERPOT, WITH 2" OF CLEARANCE FROM THE GRAVEL BASE. ALLOW MINIMUM 8" OF CLEARANCE BETWEEN THE CONDUIT AND FLOWERPOT LID FOR CABLE MANAGEMENT. PROVIDE 5" MIN CLEARANCE FROM EXISTING PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4 INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AS THE GRAVEL BASE. ALL HANDHOLES WITH A 1316MM MICRODUCT WILL EXTEND FROM THE FLOWER POT TO EACH DWELLING UNIT.



**SHEET INDEX MAP**  
 SCALE: 1" = 100'





# CITY OF ONTARIO MEMORANDUM

## DEVELOPMENT PLAN REVIEW COMMENTS Broadband Operations Section

**DATE: 06-22-22**

**PROJECT: PDEV19-047**

**LOCATION: Olive ST and Orange ST.**

**PROJECT ENGINEER: Angela**

**BROADBAND PLAN CHECKER: Cameron Chadwick - CChadwick@ontarioca.gov**

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### **A. General Comments:**

1. The applicant/developer shall respond to these comments as well as the comments provided by the Environmental Section, Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations and address all of them prior to the next submittal.
2. The applicant/developer shall address all additional redlined comments on the plans attached.
3. Provide plans in digital format (PDF) for future submittals.
4. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines

### **B. The following items will be incorporated in the Conditions of Approval Report prior to the Development Advisory Board and/or Zoning Administrator Hearing upon all departments' comments being satisfactorily addressed:**

1. Project shall be designed and constructed to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole in the Right-of-Way (ROW) and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties within a reasonable distance. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
3. Where a joint telecom or street light street crossing is required, include (2) 2" HDPE SDR-11 conduits or (1) 4" schedule 80 conduit sleeve. Terminate the street crossing conduit(s) in a new HH-3/22 OntarioNet hand hole in the right of way
4. The City requires a public utility easement for fiber optics on all private aisles/alley ways.
5. Hand holes - Design and install OntarioNet fiber optic hand hole HH-FP (10x00x10), HH-1 (13x24x18), HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively, Newbasis Part # PLA100010T-00002, PCA132418-00006, PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 or equivalent as specified per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of

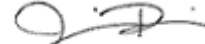
the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5-foot minimum clearance from existing/proposed utilities. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.

6. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
7. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
8. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct
9. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
10. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
11. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
12. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
13. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
14. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
15. Multi-family dwellings are considered commercial property.
16. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.

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

**DAB CONDITIONS OF APPROVAL**

**Sign Off**



Jamie Richardson, Sr. Landscape Planner

5/19/2022

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

PDEV19-047

Case Planner:

Elly Antuna

Project Name and Location:

10 Unit Residential Project  
 NW Corner of Olive Street and Orange Avenue

Applicant/Representative:

Texon Construction [sean@texonco.com](mailto:sean@texonco.com)  
 300 W Valley Blvd.  
 San Gabriel, CA 91776



**A Preliminary Landscape Plan (dated 5/4/2022) 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**



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

- After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Landscape construction plans with building permit number for plan check may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)





# CITY OF ONTARIO MEMORANDUM



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**DATE:** June 20, 2022  
**TO:** Elly Antuna, Planning Department  
**FROM:** Blaine Ishii, Integrated Waste Department (via Transtech Engineers)  
**PROJECT NO.:** PDEV19-047  
**ATTACHMENTS:** None

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## BRIEF DESCRIPTION

*10 SINGLE FAMILY DWELLINGS*

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## THE INTEGRATED WASTE DEPARTMENT HAS THE FOLLOWING CONDITIONS. RESUBMITTAL OF PLANS IS NOT REQUIRED

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The plan submitted adequately addressed the concerns of the Integrated Waste Department, but the Department is proposing the following conditions of approval.

### *Integrated Waste Conditions of Approval:*

1. Each residential Dwellings shall have a minimum of three cans (Refuse, Recycling, and Green/Organics).
2. Residential Homes that have private landscaping shall require a minimum storage area of 36" x 96" to accommodate three containers: Refuse, Recycle, and Organic Waste (Green Waste).
3. External Refuse, Recycling, and Organic (Green Waste) Waste container storage shall be located in an interior courtyard, or rear or side yard with appropriate access. Automated cans shall not be stored in a location that is visible from the street, in front or street side yard, or in required parking areas.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Elly Antuna, Assistant Planner  
Planning Department

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

**DATE:** August 21, 2019

**SUBJECT:** PDEV19-047 – A Development Plan to construct 10 single-family dwellings on 10 vacant parcels totaling approximately 1.83 acres of land generally located on the northwest corner of E Olive Street and N Orange Ave, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district (APNs: 0108-481-18, -19, -20, -21, -22, -23, -24, -25, -26, -27).

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

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

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Number of Stories: 2
- D. Total Square Footage: Varies, 2,400 – 2,900 Sq. Ft.
- E. 2016 CBC Occupancy Classification(s): R3

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

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

### **3.0 WATER SUPPLY**

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

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

#### **4.0 FIRE PROTECTION SYSTEMS**

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

#### **5.0 BUILDING CONSTRUCTION FEATURES**

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



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Elly Antuna, Assistant Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** August 27, 2019

**SUBJECT:** PDEV19-047– A DEVELOPMENT PLAN TO CONSTRUCT 10 SINGLE-FAMILY HOMES GENERALLY LOACTED AT THE NORTHWEST CORNER OF OLIVE STREET AND ORANGE AVENUE.

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

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

The Applicant is invited to contact Officer Emily Hernandez at (909)408-1755 with any questions or concerns regarding these conditions.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-047  
 Address: NWC Olive St & Orange Ave  
 APN: 0108-481-18 thru 27  
 Existing Land Use: Vacant  
 Proposed Land Use: Development Plan to construct 10 Single Family Homes on 10 vacant parcels  
 Site Acreage: 1.83 Proposed Structure Height: 26 ft  
 ONT-IAC Project Review: N/A  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Elly Antuna  
 Date: 11/6/19  
 CD No.: 2019-055  
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 80 FT	
<input type="radio"/> Zone 5			

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

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

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

## CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure Required

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



# Development Advisory Board Decision

July 18, 2022

**DECISION NO.:** DAB22-[insert #]

**FILE NO.:** PDEV21-020

**DESCRIPTION:** A hearing to consider a Development Plan to construct a 45,000-square-foot industrial building on 2.02 acres of land located at 1044 and 1050 East Holt Boulevard, within the IP (Industrial Park) zoning district; (APNs: 1049-131-15 and 1049-131-016) **submitted by HK Ventures, Inc. Planning Commission action is required.**

## Part I—BACKGROUND & ANALYSIS

HK VENTURES, INC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV21-020, 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 2.02 acres of land located at 1044 and 1050 East Holt Boulevard and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Business Park (0.6 FAR)	IP (Industrial Park)	N/A
<i>North:</i>	Sky Villa Trailer Park and Multi-Family Residential	Mixed Use 2 - East Holt	MU-2, East Holt Mixed-Use	N/A
<i>South:</i>	Railroad	Rail	RC (Rail Corridor)	N/A
<i>East:</i>	Office (Social Security Administration)	Business Park (0.6 FAR)	IP (Industrial Park)	N/A
<i>West:</i>	Industrial (Under Construction)	Business Park (0.6 FAR)	IP (Industrial Park)	N/A

(2) **Project Description:**

(a) **Background** — On June 9, 2021, the Applicant submitted a Development Plan application requesting to construct a 45,000-square-foot industrial building on the Project site, having a floor area ratio (“FAR”) of 0.52. The Project site consists of two parcels that will be consolidated through a lot line adjustment to accommodate the proposed Project.

(b) **Site Design/Building Layout** — The proposed rectangular-shaped building is located toward the northernly portion of the Project site, with the office located at the southeast corner of the building and oriented to the east, towards Cucamonga Avenue. The building is setback 23 feet from the north (Holt Boulevard) property line, 191 feet from the south (rear) property line, 10 feet from the east (Cucamonga Avenue) property line, and a zero-setback condition is proposed along the west (interior) property line. The Project will provide a small off-street parking lot for visitors and office employees

immediately south of the building’s office area. The majority of the off-street parking spaces are located within the yard area, along the west and south property lines, which will serve warehouse employees (see Exhibit B—Site Plan, attached).

A yard area designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located south of the proposed building. The yard area will be screened from public view (from Cucamonga Avenue) by the proposed building and a combination of landscaping and a 10-foot-high tilt-up screen wall with view-obstructing gates that will match the architecture of the building. An 8-foot-high masonry block wall will also be provided along the west and south property lines to screen and secure the yard area. Additionally an outdoor employee patio area with an overhead trellis is proposed immediately south of the building, adjacent to the office area.

(c) Site Access/Circulation — The Project site will have one point of access from Cucamonga Avenue, via a 50-foot-wide driveway located near the southeast corner of the Project site. The driveway will provide vehicular access and truck access to the yard area and office parking lot. Pursuant to the conditions of approval, decorative pavement will be provided at the drive approach, which will extend from the back of the driveway apron to the intersecting parking lot drive aisle.

(d) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The Project requires a total of 28 passenger vehicle parking spaces, which have been provided. The off-street parking calculations for the building are as follows:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Warehouse / Distribution	42,750 SF	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF.	28	28
Office	2,250 SF	4 spaces per 1,000 SF (0.004/SF) of GFA. Parking is required when “general business offices” and other associated uses, exceed 10 percent of the building GFA.	0	0
<b>TOTAL</b>	<b>45,000 SF</b>		<b>28</b>	<b>28</b>

The City’s off-street parking and loading standards require that the Project provide a minimum of one tractor-trailer parking space for each four dock-high loading spaces. There are 6 dock-high doors proposed, requiring one tractor-trailer parking space, and two spaces have been provided.

(e) Architecture — The proposed industrial warehouse building will be of concrete tilt-up construction and feature a modern architectural design with a grey, white, and blue color palette. Architecturally, the building incorporates smooth-painted concrete, form-liner textured accent panels, horizontal and vertical reveals, color blocking, clerestory windows with clear anodized aluminum mullions and blue reflective glazing, and painted steel canopies over the main office entry (see Exhibit C—Elevations, attached). The mechanical equipment for the building will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; and
- Articulation in the building parapet/roof line, which serves to accentuate the building’s entry and breaks up large expanses of building wall; and



- A mix of exterior colors, finishes, reveal lines, materials, and fixtures; and
- Incorporation of base and top treatments defined by changes in color, building reveals, and recessed wall areas.
- The building was designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent on all four building elevations.

(f) Landscaping — The Project provides landscaping along Holt Boulevard, Cucamonga Avenue, and tractor-trailer yard area. The Development Code requires a minimum 15 percent landscape coverage for corner lots, which has been provided. Additionally, the Project includes, street widening, the construction of a cul-de-sac at the terminus of Cucamonga Avenue, right-of-way improvements (curb, gutter, sidewalk, and parkway) and street trees. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the Project site. The landscape plan incorporates a combination of 48-inch and 36-inch, and along Holt Boulevard, which includes a mix of Coast Live Oak, Arizona Sycamore, Holly Oak, and Chinese Pistache trees. In addition, a mix of 24-inch box shade trees will be provided throughout the Project site that includes Raywood Ash, Chitalpa, London Plane Tree, Crape Myrtle, and Cajeput trees. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought tolerant (see Exhibit D—Landscape Plan, attached).

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater chamber system located on the southern portion of the Project site. Any overflow drainage will be conveyed to the 36-inch parkway drain located within Cucamonga Avenue via a 12-inch diameter pipe connection to the catch basin. In addition, the Engineering Department has conditioned that the applicant provide approval from the Union Pacific Railroad accepting additional post development runoff; or design and construct a storm water detention facility on the project site in accordance with the approved hydrology study and improvement plans.

### **Part II—RECITALS**

WHEREAS, the Application is a Project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

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

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

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

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

WHEREAS, on July 18, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### **Part III—THE DECISION**

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines and meets all of the following conditions:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 2.02 acres of land, which is surrounded by established industrial park (to the east and west) and mixed-use (to the north, across Holt Boulevard) land uses.

(c) The Project site has no value as habitat for endangered, rare, or threatened species. The site has been previously graded and is void of any flora or fauna.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed industrial building is similar to, and of no greater impact than other allowed uses and development projects within the surrounding IP (Industrial Park) zoning district.

(e) The site is adequately served by all required utilities and public services. All necessary wet and dry utilities are available to the Project site.

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

**SECTION 4: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) ***The proposed 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 BP (Business Park) land use district of the Policy Plan Land Use Map, and the IP (Industrial Park) 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 IP (Industrial Park) zoning district, including standards relative to the particular land use proposed (industrial building), as-well-as building intensity, building, and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

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

it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

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

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision and incorporated herein by this reference.

**SECTION 6: Indemnification.** The Applicant shall agree to defend, indemnify, and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 18th day of July 2022.

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Development Advisory Board Chairman



**Exhibit A—PROJECT LOCATION MAP**







**Exhibit C—ELEVATIONS**



Exhibit D—LANDSCAPE PLAN



## **Attachment A**

### **Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*

C

**Date Prepared:** 7/7/2022

**File No:** PDEV21-020

**Project Description:** A Development Plan to construct a 45,000-square-foot industrial building on 2.02 acres of land, located at 1044 and 1050 East Holt Boulevard, within the IP (Industrial Park) zoning district. (APNs: 1049-131-15 and 1049-131-016); **submitted by HK Ventures, Inc.**

**Prepared By:** Jeanie Irene Aguilo, Associate Planner  
Phone: 909.395.2418 (direct)  
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The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

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

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

**2.1** Time Limits.

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

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

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



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

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

### **2.3** Landscaping.

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

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

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

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

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

### **2.5** Parking, Circulation and Access.

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

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

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

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

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

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

**2.6** Outdoor Loading and Storage Areas.

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

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

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

(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:

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

**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).

**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 proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions:

**(i)** The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

**(ii)** The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

**(iii)** The project site has no value as habitat for endangered, rare, or threatened species;

**(iv)** Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

**(v)** The Project site can be adequately served by all required utilities and public services.

**(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 Exemption ("NOE") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). The filing of a NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

**2.15** Additional Requirements.

**(a)** A Lot Line Adjustment shall be reviewed and approved by the City prior to building permit issuance.

**(b)** Provide a minimum 8-foot-tall decorative masonry block screen wall along the west and south property lines, which matches the architectural design of the building.

**(c)** The decorative masonry block screen wall proposed along the east side of the truck yard shall be 14 feet in height, so as to full screen the view of tractors, trailers, and loading doors from view of Cucamonga Avenue.

**(d)** The employee break area shall include an overhead trellis as shown on the site plan. Final design shall be subject to Planning Director review and approval.

**(e)** Architectural projections into the required setback shall not increase floor area. Final design shall be subject to Planning Director review and approval.

**(f)** A truck backing and maneuvering area having a minimum clear depth of 120 feet shall be maintained in front of the dock-high loading door area.

**(g)** Final sets of plans shall be provided after project approval per the directions to be provided by the Planning Department.

**(h)** Final project details, including but not limited to architecture, grading, landscaping, and recreation facilities, shall be subject to review and approval as part of the Plan Check process.

**(i)** All conditions of approval from all other City agencies and departments shall be complied with.



**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
<b>PROJECT FILE NO. <u>PDEV21-020</u></b> <b>RELATED FILE NO(S). _____</b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u>  </u> / <u>  </u> / <u>  </u>	

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

**CITY PROJECT PLANNER & PHONE NO:** Jeanie I. Aguilo (909) 395-2418

**DAB MEETING DATE:** 07/18/2022

**PROJECT NAME / DESCRIPTION:** PDEV21-020 – A Development Plan to construct one (1) industrial building totaling 45,000 square feet on 1.98 acres of land, within the IP (Industrial Park) zoning district (APN: 1049-131-15 and -016).

**LOCATION:** SWC of Holt and Cucamonga

**APPLICANT:** HK Ventures Inc

**REVIEWED BY:** Raymond Lee      6/29/22  
 Raymond Lee, P.E.      Date  
 Assistant City Engineer

**APPROVED BY:** [Signature]      7-1-22  
 Khoi Do, P.E.      Date  
 City Engineer







accompanying security as required, or complete all public improvements.

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

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcels are recognized parcels in the City of Ontario per Map of Bon View Tract Lots 1-2 recorded in the County of San Bernardino Map Book 18 Page 24.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 **Apply for a:** 
  - Certificate of Compliance with a Record of Survey;
  - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);**
  - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
  
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](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: Union Pacific Railroad**
  
- 2.10 **Dedicate to the City of Ontario the right-of-way described below:** 
  1. **17-foot street dedication along entire property frontage of Holt Boulevard per the West Valley Connector project final plans (reference M-1254, E202000865).**
  2. **Property line corner 'cut-back' required at the south-west corner of the Holt Boulevard and Cucamonga Avenue intersection.**
  3. **Right-of-way necessary to construct offset cul-de-sac at the southeast corner of the property at Cucamonga Avenue.**
  
- 2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_
  
- 2.12 **Vacate the following street(s) and/or easement(s):** 
  1. **All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.**
  
- 2.13 Ontario Ranch Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust



control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

- 2.14 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
- 2.15 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$45,090.00, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.17 **Other conditions:** 
  - a. **Submit a Final Utilities System Map (USM) as part of the precise grading plan submittal that conforms to the Conceptual USM emailed on 3/23/2022 and meets all the of the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Divisions of Drinking Water (CCR §64572) Separation Requirements.**

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

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

Improvement	Holt Blvd.	Cucamonga Ave.	Street 3	Street 4
<b>Curb and Gutter</b>	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> <b>Replace damaged<sup>2.18.a</sup></b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New; 24 ft. from C/L</b> <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
<b>AC Pavement</b>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>Widen to achieve a half street of 24-ft paved</b>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
<b>PCC Pavement (Truck Route Only)</b>	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing





<b>Drive Approach</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> <b>Abandon existing approach</b>	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> <b>Replace damaged panels</b> 2.18.a	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> <b>Remove and replace</b> 2.18.a	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Parkway</b>	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> <b>Landscaping (w/ temporary irrigation)</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
<b>Raised Landscaped Median</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Fire Hydrant</b>	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
<b>Sewer (see Sec. 2.C)</b>	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> <b>Lateral</b>	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water (see Sec. 2.D)</b>	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> <b>Services (Fire, Irrigation, Domestic)</b>	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Recycled Water (see Sec. 2.E)</b>	<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
<b>Traffic Signal System (see Sec. 2.F)</b>	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Traffic Signing and Striping (see Sec. 2.F)</b>	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Street Light (see Sec. 2.F)</b>	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
<b>Bus Stop Pad or Turn-out (see Sec. 2.F)</b>	<input type="checkbox"/> New <input type="checkbox"/> Modify	<input type="checkbox"/> New <input type="checkbox"/> Modify	<input type="checkbox"/> New <input type="checkbox"/> Modify	<input type="checkbox"/> New <input type="checkbox"/> Modify



	existing	existing	existing	existing
<b>Storm Drain (see Sec. 2G)</b>	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Relocate outlet <sup>2.18.c</sup>	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Fiber Optics (see Sec. 2K)</b>	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	<input checked="" type="checkbox"/> Fire Hydrant <sup>2.30.d</sup>			
Other Improvements				

**Specific notes for improvements listed in item no. 2.18, above:**

- a. If at the time of construction, the West Valley Connector Project improvements have not been constructed along Holt Boulevard, the applicant is responsible to build interim frontage improvements necessary to accommodate pedestrian access. (i.e ADA ramp, sidewalk, etc.)
- b. The applicant/ developer shall be responsible for relocating/abandoning all existing water meters, fire hydrants, pull boxes, and other appurtenances to their ultimate location per the Parson's final plans for the West Valley Connector.
- c. The applicant/developer shall design and construct the extension and relocation of the existing storm drain outlet on Cucamonga Avenue. The outlet shall be at its ultimate location.
- d. The applicant/developer shall design and construct an offset cul-de-sac at the termination of the south end of Cucamonga Avenue, including street improvements (sidewalk, curb and gutter, parkway & irrigation, etc.) past the project frontage, connecting to the existing improvements on the East side of Cucamonga Avenue.
- e. Construct new drive approach for the property affected by the construction of the new cul-de-sac.

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): 
  - a. Cucamonga Avenue along entire frontage from centerline to gutter including the entire cul-de-sac. Exact limits to be determined during plan check.
  - b. Holt Boulevard along entire frontage a minimum of 12-feet adjacent to the gutter. Exact limits to be determined during plan check.
- 2.20 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.21 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.22 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately                     , for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code.





2.23 Other conditions: \_\_\_\_\_

**C. SEWER**

2.24 An 8-inch sewer main is available for connection by this project in Cucamonga Avenue. (Ref: Sewer plan bar code: S11546)

2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.

2.26 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.

2.27 Other conditions:   
a. Install a sewer lateral connected to the 8-inch City of Ontario sewer main in Cucamonga Avenue with a monitoring manhole located at the back of the property line.  
b. The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit ([https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/1\\_commercial\\_and\\_industrial\\_wastewater\\_permit\\_application\\_fillable.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/1_commercial_and_industrial_wastewater_permit_application_fillable.pdf)). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact: [omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)

**D. WATER**

2.28 An 8-inch water main is available for connection by this project in Cucamonga Avenue.

2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.

2.30 Other conditions:   
a. Install two potable water services (one for the building's use and the other for irrigation use) each with a meter and backflow prevention device that meets the current City Standards.  
b. Install one fire water service with a double check detector assembly that meets the current City Standards.  
c. Install one fire hydrant in Cucamonga Avenue along the Project's frontage within 100' of the proposed fire department connection.  
d. The existing fire hydrant at the SWC of Cucamonga Avenue and Holt Boulevard shall be relocated by abandoning the existing fire hydrant service back to the main and installing a new fire hydrant service connected to the 12-inch potable water main in Holt Boulevard. The fire hydrant shall be located a minimum of 5' back of the BCR.

**E. RECYCLED WATER**

2.31 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_. (Ref: Recycled Water plan bar code: \_\_\_\_\_)

2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.

2.33 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.



- 2.34 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.35 Other conditions: \_\_\_\_\_

#### F. TRAFFIC / TRANSPORTATION

- 2.36 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
  2. Traffic level of service (LOS) at 'build-out' and future years
  3. Impact at specific intersections as selected by the City Engineer

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

- 2.38 Other conditions:
- a. **Property frontage along Holt Boulevard and Cucamonga Avenue shall be signed "No Parking Anytime".**
  - b. **Access to Cucamonga Avenue shall be restricted to right-in/right-out access only once the West Valley Connector Project raised median is installed along Holt.**
  - c. **The applicant/developer shall be responsible to design and construct in-fill public streetlights and a potential new service along it project frontage on Holt Boulevard and Cucamonga Avenue. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines. Streetlights on Holt shall be installed at their ultimate location.**
  - d. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**

#### G. DRAINAGE / HYDROLOGY

- 2.39 A \_\_\_\_\_ inch storm drain main is available to accept flows from this project in \_\_\_\_\_.   
(Ref: Storm Drain plan bar code: \_\_\_\_\_)

- 2.40 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**

- 2.41 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.

- 2.42 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.

- 2.43 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.

- 2.44 Other conditions:



- a. Provide approval from Union Pacific Railroad accepting additional post development runoff; or design and construct a storm water detention facility on the project site where the 100-year post-development peak flow to the railroad right-of-way 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.

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

- 2.45 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.  
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.46 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcountry.gov/dpw/land/npdes.asp>.**
- 2.47 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.48 Other conditions:

**J. SPECIAL DISTRICTS**

- 2.49 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.50 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.51 A \_\_\_\_\_ fiber optic line is available for connection by this project in \_\_\_\_\_.  
 (Ref: Fiber Optic plan bar code: \_\_\_\_\_)
- 2.52 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole per provided broadband exhibit.**



- 2.53 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

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

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

### 4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.





**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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Project Number: PDEV21-020

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

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



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



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

**CONDITIONS OF APPROVAL**

**Sign Off**

	06/10/22
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
--------------------------------------------------------------------	---------------------------------

D.A.B. File No.: PDEV21-020	Case Planner: Jeanie Aguilo
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Project Name and Location:  
 Twins Industrial Park  
 SWC Holt Blvd. and Cucamonga Ave.

Applicant/Representative:  
 HK Ventures, Inc.  
 3 Pointe Dr., Suite 217  
 Brea, CA 92821

- |                                     |                                                                                                                                                                                                                                   |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <b>Preliminary Plans (dated 5/10/2022) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.</b> |
| <input type="checkbox"/>            | <b>Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.</b>                                                                                         |

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

Civil/ Site Plans

1. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. **There is 104" of heritage tree diameter that requires mitigation; see #2 for mitigation:**
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. **Planting of 104 15-gallon trees in addition to required trees.**
  - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required. **Planting of 69 24" box trees in addition to required trees.**
  - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size. **Identify on plan.**
  - 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. **\$10,400 in monetary value or a combination of A-D.**

Landscape Plans

3. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-020  
 Address: 1044 & 1050 East Holt Blvd.  
 APN: 1049-131-15 & 16  
 Existing Land Use: Vacant  
 Proposed Land Use: Development Plan to construct two industrial buildings totaling 50,121 SF  
 Site Acreage: 2.02 Proposed Structure Height: 40 FT  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Jeanie Aguilo  
 Date: 8/17/2021  
 CD No.: 2021-034  
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> 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: 100 FT	
<input type="radio"/> Zone 5			

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

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

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

## CONSISTENCY DETERMINATION

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

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

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



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** June 23, 2021

**SUBJECT:** PDEV21-020 - A Development Plan to construct two (2) industrial buildings totaling 50,121 square feet on 2.02 acres of land located at 1044 and 1050 E Holt Blvd, within the IP (Industrial Park) zoning district (APN(s): 1049-131-15 and -016).

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

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

- A. 2019 CBC Type of Construction: Type V-A
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 14,460 Sq. Ft.
- D. Number of Stories: 4
- E. Total Square Footage: 57,060 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): R-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](http://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 3250 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.
- ☒ 3.4 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.
- ☒ 4.4 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.
- ☒ 5.6 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:** Jeanie Irene Aguilo, Associate Planner

**FROM:** Officer Bill Lee, Police Department

**DATE:** June 16, 2021

**SUBJECT:** PDEV21-020- A DEVELOPMENT PLAN TO CONSRUCT TWO (2) INDUSTRIAL BUILDINGS TOTALING 50,121 SQUARE FEET LOCATED AT 1044 AND 1050 EAST HOLT BLVD.

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

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

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



# Development Advisory Board Decision

July 18, 2022

**DECISION NO.:** DAB22-[insert #]

**DECISION NO.:** DAB22-[insert #]

**FILE NOS.:** PDEV21-033 and PVAR21-006

**DESCRIPTION:** A Development Plan (File No. PDEV21-033) to construct one 2,800-square-foot drive-thru restaurant (The Habit Burger Grill) and 500-square-foot outdoor patio, in conjunction with a Variance (File No. PVAR21-006) to reduce the front drive aisle setback along an arterial street from 20 feet to 13 feet, on 0.42-acre of land located at 1610 East Fourth Street, within the CC (Community Commercial) zoning district (APNs: 0110-181-11 and 0110-181-19); **submitted by Hannibal Petrossi. Planning Commission action is required.**

## Part I—BACKGROUND & ANALYSIS

HANNIBAL PETROSSI, (herein after referred to as “Applicant”) has filed an application requesting Development Plan and Variance approval, File Nos. PDEV21-033 and PVAR21-006, respectively, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site totals 0.42-acre of land located at 1610 East Fourth Street, which is comprised of an existing numbered parcel (Parcel 1 of Parcel Map No. 14389) and a portion of an existing lettered parcel (Parcel A of Parcel Map No. 14389). The Project site is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	General Commercial (0.4 FAR)	CC (Community Commercial)	N/A
<i>North:</i>	Drive-thru restaurant and gas station	High Density Residential (25.1-45 du/ac), I-10/Grove Interchange Area Overlay	HDR-45, ICC Overlay (Interim Community Commercial)	N/A
<i>South:</i>	Commercial – Services and Retail	General Commercial (0.4 FAR)	CC (Community Commercial)	N/A
<i>East:</i>	Drive-thru restaurant	General Commercial (0.4 FAR)	CC (Community Commercial)	N/A
<i>West:</i>	Motel	General Commercial (0.4 FAR)	CC (Community Commercial)	N/A

(2) **Project Description:**

(a) **Background** — The Applicant is requesting to construct a 2,800-square-foot fast food drive-thru restaurant and 500-square-foot outdoor patio to accommodate The Habit Burger Grill restaurant. Additionally, the Applicant is requesting a Variance approval to reduce the required front drive

aisle setback along an arterial street from 20 feet to 13 feet, which will allow for the drive-thru facility to be constructed. The site has remained vacant since it was graded in 1993. The surrounding commercial shopping center was primarily constructed between the early 1990's and early 2000's, and the anchor tenant space was previously occupied by K-Mart, which closed in 2018. The shopping center has remained under-utilized over the past few decades, and the Project is part of the property owners' effort to catalyze revitalization of the commercial shopping center.

(b) Site Design/Building Layout — The Project site is located at the northwest corner of the existing commercial shopping center and occupies two parcels (see Exhibit A—Project Aerial). The westerly parcel primarily contains the proposed building and drive-thru canopy. The remaining parcel, which includes a thin strip of land at the northerly edge of the Project site and large rectangle on the eastern portion of the Project site, primarily contains the proposed landscape setback, drive-thru lane, and parking lot. The entrance to the drive-thru is proposed near the center of the Project site, accessible from the parking lot, and exits at the southwest corner of the Project site, to the existing drive aisle located along the Project's southerly boundary.

The pedestrian entrance to the building is located on the eastern elevation, and a pedestrian walkway connects the building to the public sidewalk located north of the Project site. The drive-thru order menu boards are proposed along the northern elevation, and the pickup window is proposed along the western elevation of the building (see Exhibit B—Site Plan). The floor plan has been designed with the dining area primarily occupying the eastern one-half of the building, and the kitchen/employee space occupying the western one-half of the building (see Exhibit C—Floor Plan). An outdoor patio (500 square feet) has also been provided on the north side of the building. In addition, a new trash enclosure is proposed for the Project, located south of the site, within the common areas of the shopping center.

(c) Site Access/Circulation — The shopping center is served by one primary and one secondary vehicular access point from Fourth Street. The proposed Project will not alter the location of any shopping center vehicular access points or drive aisles.

(d) Parking — The existing shopping center contains approximately 137,000 square feet of commercial space, consisting of an assortment of retail and service-oriented uses that requires approximately 680 parking spaces. The center has been developed with 726 parking spaces, which are shared between the five existing buildings, providing a parking surplus of 46 spaces. The Covenants, Conditions, and Restrictions (“CC&Rs”) for the shopping center include provisions for shared parking and access throughout the center, except for the Project site. As such, the Project has been conditioned to revise the CC&Rs to include the Project site and developed parking spaces, as well as to include the site in the fair share breakdown of property management fees.

The Development Code requires fast food restaurants to provide 13.3 spaces for each 1,000 square feet of gross floor area, with a credit of one parking space for each 24 lineal feet of the drive-thru lane behind the pickup window. The proposed 2,800-square-foot building, with 150 lineal feet of drive-thru lane, would require 31 parking spaces (37 spaces for the building and a credit of 6 spaces for the drive-thru lane), and 14 spaces have been proposed on-site, resulting in a parking deficit of 17 spaces. However, given the existing shopping center's surplus of 46 parking spaces, staff believes that the proposed use, as conditioned, will not adversely affect the overall parking demand within the existing shopping center and sufficient parking will continue to be provided to support both the proposed use and existing tenants.

(e) Architecture — The proposed building has a contemporary architectural design, which incorporates varying roof and parapet heights and a decorative cornice treatment (see Exhibit D—Elevations and Rendering). The exterior walls are treated with a combination of stone veneer, metal, and stucco finishes, with a contrasting color palette in neutral earth tones. The building incorporates a 360-degree stone wainscot, which also covers the entire height of a tower element at the northeast corner of the building. The north elevation includes vine trellises to help soften the appearance of the building and drive-thru lane from Fourth Street. Additionally, all four sides of the building incorporate a metal awning

and/or canopy for visual interest. A covered canopy will be provided over the drive-thru pickup window, which has been conditioned to be redesigned during the plan check process, to include a more substantial post/column/beam to better complement the building's architecture.

The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and/or equipment screens, which will incorporate design features consistent with the building's architecture. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through use of:

- Articulation in the elevations, incorporating a combination of recessed and popped-out areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- A mix of exterior materials, finishes, and fixtures; and
- Incorporation of base and top treatments defined by changes in color and materials, and recessed wall areas designed to ensure that the building's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

(f) Landscaping — The Project provides landscaping improvements throughout and beyond the Project site, including areas along the street frontage and adjacent to the center's main access drive, around the perimeter of the building, along the drive-thru lane, and around the new trash enclosure. The Development Code requires a minimum of 15 percent landscaping for drive-thru facilities, and the Project site is proposing 23 percent landscape coverage, which exceeds the minimum requirement (see Exhibit E—Landscape Plan). The Project proposes a low garden wall and plantings to screen the drive-thru lane and help shield glare from headlights to adjacent streets. The proposed plant palette includes an array of trees, shrubs, vines, screen plantings, and ground cover, including Engelmann Oak, Chinese Pistache, Brisbane Box, Western Redbud, Crape Myrtle, Bay Laurel, Little Ollie Olive, Fern Pine, Jerusalem Sage, Wynabbie Gem Coast Rosemary, Little John Weeping Bottlebrush, Kangaroo Paw, Lily, Yucca, Trumpet Vine, Silver Carpet Dymondia, and Starfire Verbena, among other plantings.

(g) Signage — The Project will be required to submit a sign plan application prior to the installation of signage at the site. The conceptual sign location and design have been included into the proposed building elevations for reference.

(h) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP") which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration. The proposed development will not substantially alter the existing drainage pattern. An underground storm drain infiltration system has been proposed to be located under the easterly parking spaces on the Project site.

(i) Variance — The Applicant is requesting approval of a Variance to reduce the required front drive aisle setback along an arterial street (Fourth Street), from 20 to 13 feet. The Project site is odd in that it consists of two parcels — one small parcel that would accommodate a building, which is surrounded by another parcel that would contain a common facility (off-street parking). The entire building must exist on one lot and cannot cross parcel lines, which further impacts the orientation and placement of the drive-thru facility and restaurant building. The 0.42-acre Project site is substandard in terms of lot size for the development of drive-thru facilities, as the Development Code typically requires a minimum one-acre site; however, the Code also allows for a reduction in the site size when integrated within a shopping center, as this Project is. Additionally, an existing drive-thru business in the same shopping center has a drive-thru lane with a 12.5-foot setback from the Fourth Street property line. Due to these substantial site

constraints, as well as the orientation of internal drive aisles within the existing shopping center, the Variance application is necessary to successfully facilitate the related Development Plan application.

Furthermore, Staff believes that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the TOP Vision. Additionally, it is Staff's belief that the proposed development of the Project site will help catalyze revitalization of the underused commercial shopping center by introducing a new, high-quality development. For these reasons, Staff supports granting the Variance request to reduce the front drive-aisle setback in order to allow for the construction of the proposed drive-thru facility.

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

### ***Part II—RECITALS***

WHEREAS, the Application is a Project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("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 July 18, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

**Part III—THE DECISION**

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

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

(1) The proposed Development Plan is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets all of the following conditions:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed Project is located within the General Commercial land use district of the Policy Plan Land Use Map, and the CC (Community Commercial) zoning district. The proposed project is consistent with all applicable general plan policies, as well as with the CC (Community Commercial) zoning designation and applicable Development Code regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 0.42-acre of land, which is surrounded by established commercial land uses.

(c) The Project site has no value as habitat for endangered, rare, or threatened species. The site was previously graded and is located within an existing shopping center that regularly maintains the Project site to prevent weed growth.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed fast-food restraint with drive-thru is similar to, and of no greater impact than other allowed uses and development projects within the CC (Community Commercial) zoning district.

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

Furthermore, the proposed Variance is categorically exempt pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, consisting of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density.

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of



the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

**SECTION 4: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) Development Plan (File No. PDEV21-033).

(a) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the General Commercial land use district of the Policy Plan Land Use Map, and the CC (Community Commercial) zoning district. With the Project's conditions of approval and the related Variance file, the development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed drive-thru restaurant will add commercial options and an additional convenience to patrons of the commercial shopping center, as well as provide landscaping, drainage, parking, and other visual improvements to the vacant site. The development has potential to contribute to the revitalization of the existing shopping center; and

(b) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** With implementation of the Project's conditions of approval and approval of the related Variance file, the Project has been designed consistent with the requirements of the City of Ontario Development Code and the CC (Community Commercial) zoning district, including standards relative to the particular land use proposed (drive-thru restaurant), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The Project will be located within an existing shopping center and is adjacent to other commercial land uses; as such, the Project will not impose any impacts to privacy or views. The hotel located to the west of the Project site does not have windows facing the Project site, and no other residential-type land uses exist in close proximity to the Project site; and

(c) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the Project and the minimum safeguards necessary to***

**protect the public health, safety and general welfare have been required of the proposed Project.**

The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code 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. With implementation of the Project's conditions of approval and approval of the related Variance application, the Project will improve the vacant site with a well-designed new building, paving, infrastructure, and landscaping, and will visually complete the existing shopping center from Fourth Street; and

(d) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code 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 (drive-thru restaurant). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval and related Variance application, will be consistent with the development standards and guidelines described in the Development Code.

(2) Variance (File No. PVAR21-006).

(a) **The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.** The existing shopping center was built between the early 1990s and early 2000s; however, the Project site has remained vacant since it was graded in 1993. Since development of the shopping site, Development Codes have been updated, and the strict application of the drive aisle setbacks would not allow the applicant to feasibly build the proposed restaurant and drive-thru facility. The Project site contains two parcels, and as the building cannot cross parcel lines, this further limits the placement and orientation of restaurant and drive-thru lane. The 0.42-acre Project site is substandard in size, as the Development Code requires a minimum of one acre to develop drive-thru facilities. Additionally, the adjacent restaurant's drive-thru lane, located in the same commercial center, is set back 12.5 feet to the north property line. As such, the Variance application is necessary to facilitate the related Development Plan application and various other site improvements, such as compliance with building setbacks, landscaping, and trash enclosure standards. Strict interpretation and enforcement of the Development Plan's drive aisle setbacks would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code. Further, TOP Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision; and

(b) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.** The requested relief from the minimum drive aisle setback along Fourth Street (an arterial street) will allow for greater design flexibility and will serve to provide an economically viable development on the Project site. The Variance application will enable the Project to be consistent with the other drive-thru facility in the same commercial shopping center. In addition, the setback deviations will provide the Applicant the ability to comply with other Development Code regulations, such as landscaping, building setbacks, and safe and effective site circulation. Therefore, the strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by owners of other properties in the same zoning district and reduce the applicant's ability to create a well-designed, economically viable project; and

(c) **The strict or literal interpretation and enforcement of the specified regulation would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zoning district.** The requested relief to reduce the front drive aisle setback along an arterial street from 20 feet to 13 feet will allow for greater design flexibility and will serve to equalize development rights between the Applicant and owners of property in the same zoning district, located within the area of the Project site, as the adjacent drive-thru restaurant within the same shopping center was constructed with a 12.5-foot drive aisle setback to the same street; and

(d) **The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the Project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements, and orientation of menu boards away from the adjacent motel land use; and

(e) **The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.** The proposed Project is located with the General Commercial (0.4 FAR) land use district of the Policy Plan Land Use Map, and the Community Commercial (CC) zoning district. With the Project's conditions of approval and approval of the related Variance request, the development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Project will serve to intensify commercial development in the region, will provide an additional convenience to visitors of the shopping site, and may help to catalyze overall revitalization of the surrounding commercial shopping center.

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision and incorporated herein by this reference.

**SECTION 6: Indemnification.** The Applicant shall agree to defend, indemnify, and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 18th day of July 2022.

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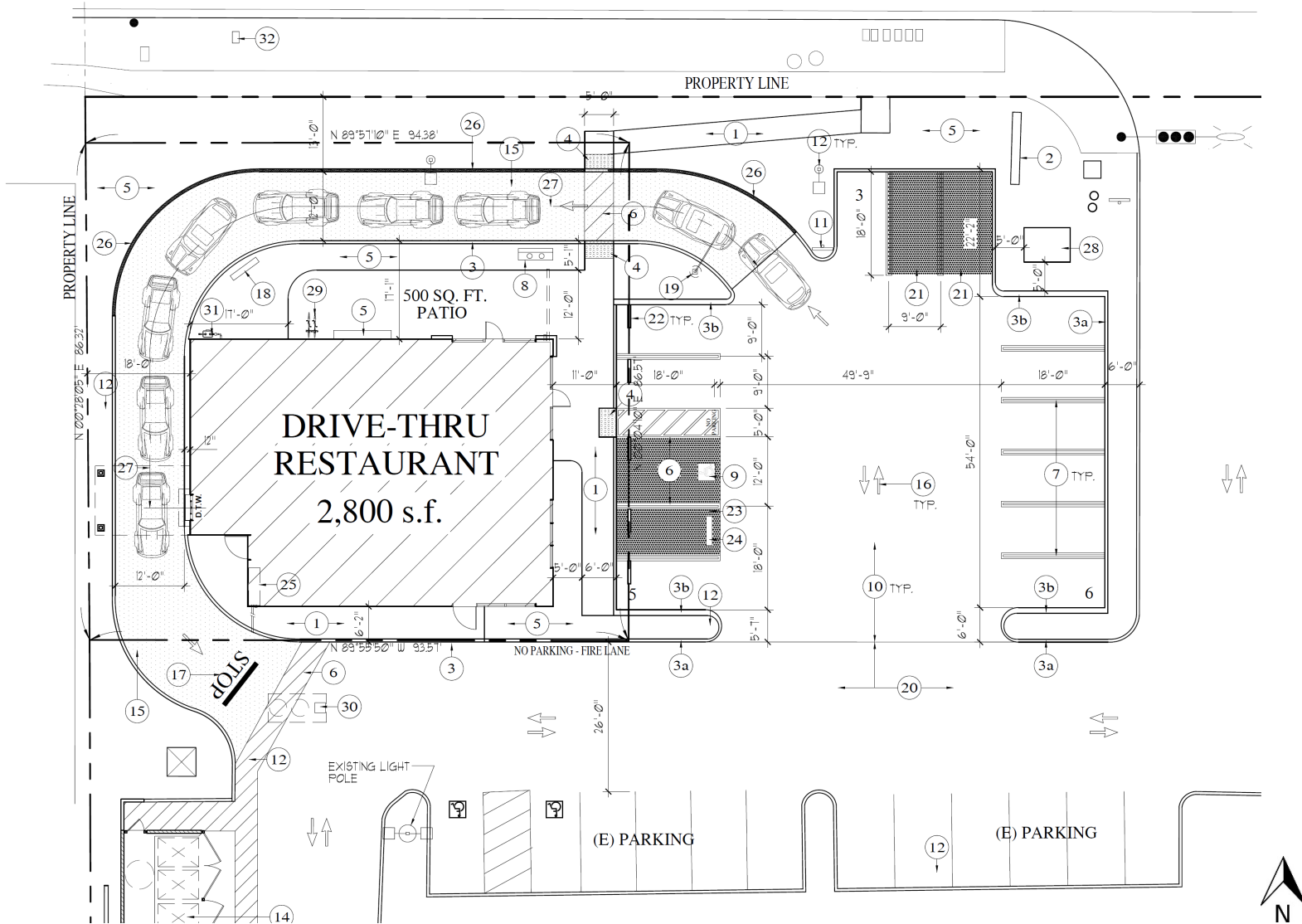
Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



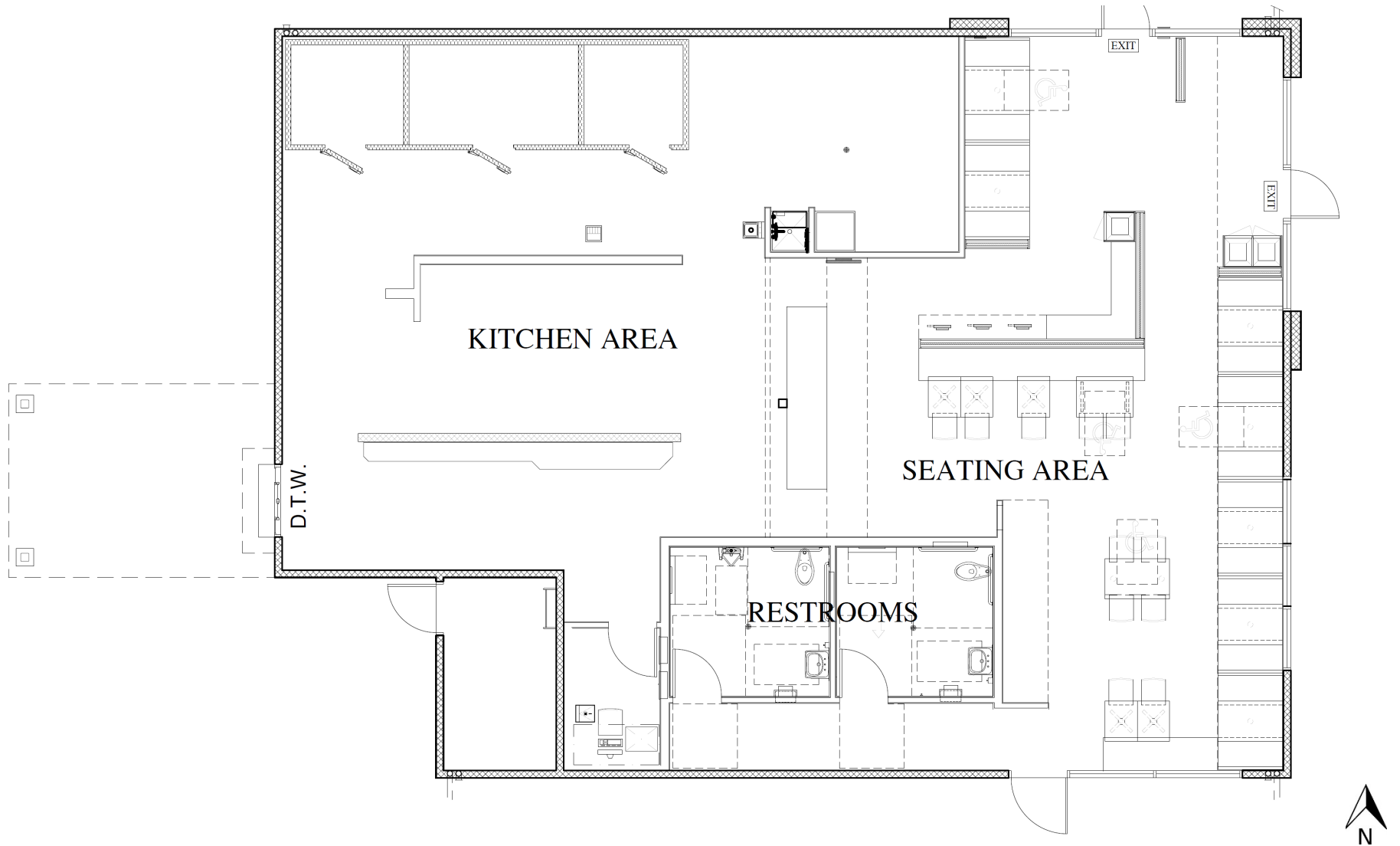


Exhibit B—SITE PLAN





**Exhibit C—FLOOR PLAN**



**Exhibit D—ELEVATIONS AND RENDERING**



**NORTH ELEVATION**



**EAST ELEVATION**



**SOUTH ELEVATION**



**WEST ELEVATION**

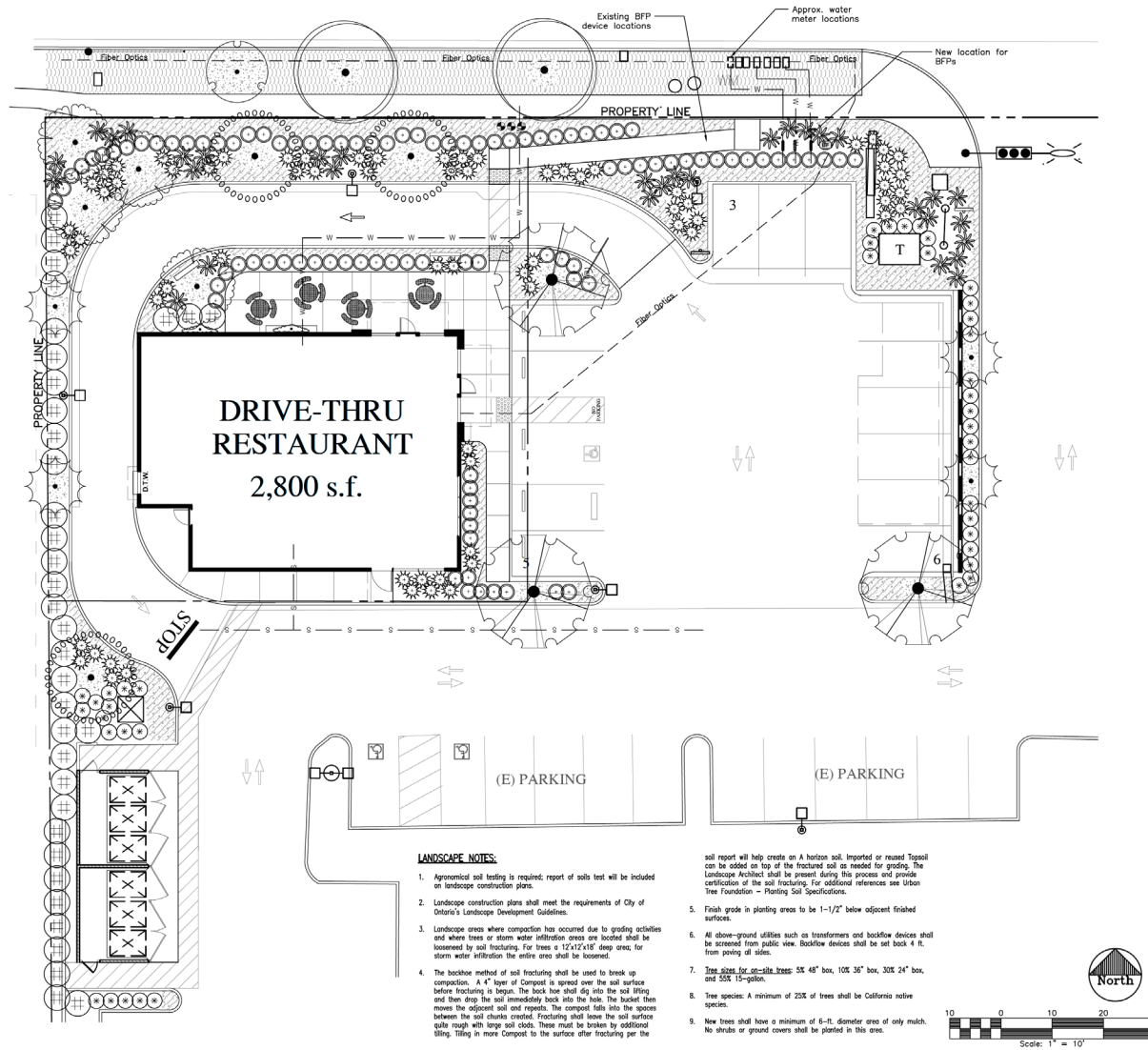


**Exhibit D—ELEVATIONS AND RENDERING CONTINUED**



**Northeast Corner**

**Exhibit E—LANDSCAPE PLAN**

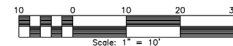


**LANDSCAPE NOTES:**

1. Agronomical soil testing is required; report of soils test will be included on landscape construction plans.
2. Landscape construction plans shall meet the requirements of City of Ontario's Landscape Development Guidelines.
3. 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.
4. 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 back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves 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 references see Urban Tree Foundation - Planting Soil Specifications.

5. Finish grade in planting areas to be 1-1/2" below adjacent finished surfaces.
6. All above-ground utilities such as transformers and backflow devices shall be screened from public view. Backflow devices shall be set back 4 ft. from paving of sides.
7. Tree sizes for on-site trees: 58' 48" box, 108' 36" box, 308' 24" box, and 558' 15-gallon.
8. Tree species: A minimum of 25% of trees shall be California native species.
9. New trees shall have a minimum of 6-in. diameter area of only mulch. No shrubs or ground covers shall be planted in this area.



## **Attachment A**

### **Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*

**Date Prepared:** 6/9/2022

**File No:** PVAR21-006

**Related Files:** PDEV21-033

**Project Description:** A Development Plan (File No. PDEV21-033) to construct one 2,800 square-foot drive-thru restaurant and 500 square-foot outdoor patio, in conjunction with a Variance (File No. PVAR21-006) request to reduce the front drive aisle setback along an arterial street from 20 feet to 13 feet, on 0.42 acres of land located at 1610 East Fourth Street, within the CC (Community Commercial) zoning district (APNs: 0110-181-11 and 0110-181-19); **submitted by Hannibal Petrossi.**

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

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

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

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

**2.1 Time Limits.** Variance approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

**2.2 Environmental Review.**

**(a)** The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines.



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

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

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

**2.4** Additional Fees.

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

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

**2.5** Additional Requirements.

**(a)** Variance approval shall not be final and complete until the related Development Plan, File No. PDEV21-033, has been approved by the required Approving Authority.



## LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

**Date Prepared:** 6/9/2022

**File No:** PDEV21-033

**Related Files:** PVAR21-006

**Project Description:** A Development Plan (File No. PDEV21-033) to construct one 2,800 square-foot drive-thru restaurant and 500 square-foot outdoor patio, in conjunction with a Variance (File No. PVAR21-006) request to reduce the front drive aisle setback along an arterial street from 20 feet to 13 feet, on 0.42 acres of land located at 1610 East Fourth Street, within the CC (Community Commercial) zoning district (APNs: 0110-181-11 and 0110-181-19); **submitted by Hannibal Petrossi.**

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

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

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

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

**2.1 Time Limits.** 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, and any design

requirements that were not satisfied in the entitlement review shall be accommodated in plan check.

**(b)** The project site shall be developed in conformance with the approved plans on file with the City, and/or updated where required by City staff. 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)** A low garden wall shall be constructed to screen the drive-thru lane and shall extend from the easterly entrance to the drive-thru and terminate after the curve at the northwest portion of the site. The wall shall be treated to match the colors and architecture of the building. Final wall design and location subject to Planning Department review and approval.

### **2.5** Parking, Circulation and Access.

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

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

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

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

**(e)** Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11). Location of bicycle parking facilities shall be shown on construction plans at plan check submittal and shall be subject to Planning review and approval.

## **2.6** Site Lighting.

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

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

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

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

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

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

**2.9** Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). A sign permit application shall be submitted for review and approval prior to installation of any signage for the site.

**2.10** Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise). All noise-generating units (such as menu talk boxes) shall be oriented away from the neighboring motel to the extent possible.

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

**(a)** The Applicant shall submit, for review and approval, an application for CC&R and revised CC&R document for the shopping center. The revised CC&Rs shall incorporate the Project and shall be recorded prior to the issuance of a building permit.

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

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

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

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

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

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

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

**2.12** Environmental Review.

**(a)** The proposed Development Plan is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions:

**(i)** The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

**(ii)** The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

**(iii)** The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

(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 Exemption ("NOE") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). The filing of an NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

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

**2.15** Additional Requirements.

(a) The Applicant shall work with City Staff during plan check to address all outstanding requirements that were not satisfied on the entitlement review, including but not limited to the following:

(i) Provide decorative mesh screening on all four sides of the trash enclosure, to close the gap between the structure's roof and walls/gates.



**(ii)** Provide a more substantial trellis structure for the drive-thru that incorporates more substantive design, including thicker columns/posts that are proportionate to the architectural design of the main building.

**(iii)** Coordinate the location of the trellis with the grading and landscape plans. Trees shall not be placed underneath the trellis.

**(b)** Development Plan shall not be final and complete until the related Variance, File No. PVAR21-006, has been approved by the required Approving Authority.



**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
<b>PROJECT FILE NO. <u>PDEV21-033</u></b>  <b>RELATED FILE NO(S). _____</b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

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

**CITY PROJECT PLANNER & PHONE NO:**      Alexis Vaughn      (909) 395-2416

**DAB MEETING DATE:**      July 18, 2022

**PROJECT NAME / DESCRIPTION:**      PDEV21-033; A Development Plan to construct a 2800 sqft fast-food restaurant (The Habit Burger Grill) on 0.19 acres of land within the CC (Community Commercial) zoning district.

**LOCATION:**      1610 East Fourth Street (APN: 0110-181-11)

**APPLICANT:**      Hannibal Petrossi

**REVIEWED BY:**      Raymond Lee      6/23/22  
                                          Raymond Lee, P.E.      Date  
                                          Assistant City Engineer

**APPROVED BY:**      [Signature]      7-1-22  
                                          Khoi Do, P.E.      Date  
                                          City Engineer



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

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

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



accompanying security as required, or complete all public improvements.

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

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Parcel Map 14389 Parcel 1 recorded in the County of San Bernardino Parcel Map Book 173 Pages 72-75.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a: 
  - Certificate of Compliance with a Record of Survey;
  - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
  - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
  
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
  
- 2.08 Submit a soils/geology report.
  
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
  
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

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

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

\_\_\_\_\_
  
- 2.12 Vacate the following street(s) and/or easement(s): 
  - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
  
- 2.13 Ontario Ranch Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay



any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

- 2.14 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
- 2.15 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$4,030.09, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.17 Other conditions: \_\_\_\_\_

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

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

Improvement	Fourth Street	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace





ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral; if applicable, see 2.27.a	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Services (Irrigation, Fire, Domestic Water); if applicable, see 2.30.c	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



<b>Fiber Optics (see Sec. 2K)</b>	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.18, above: \_\_\_\_\_

- 2.19 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**   
 a. **In-lieu of constructing a 2" asphalt concrete (AC) grind and overlay, the developer shall pay an in-lieu fee.**
- 2.20 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.21 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.22 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code.
- 2.23 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.24 **A 10-inch sewer main is available for connection by this project in Fourth Street. (Ref: Sewer plan bar code: S13114)**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.26 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.27 **Other conditions:** 
  - a. **If the onsite private sewer main is not available for connection, then the connection of the proposed sewer lateral must be connected to the existing sewer main in Fourth Street.**
  - b. **Provide a separate sewer lateral with a grease interceptor and connect it down stream of the domestic waster sewer lateral.**
  - c. **The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their establishment and shall comply will all the requirements of the Wastewater Discharge Permit. The application can be downloaded from the City's Utilities website in the drop-down of the "Pretreatment" section ([www.ontarioca.gov/OMUC/Utilities](http://www.ontarioca.gov/OMUC/Utilities)). Please select the appropriate application that applies to your type of business. Requirements of the**



**Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact:**

**Michael Birmelin, Environmental Program Manager**

**[omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)**

**Phone: (909) 395-2661**

**D. WATER**

- 2.28 A 12-inch water main is available for connection by this project in Fourth Street. (Ref: Water plan bar code: W11353)
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.30 Other conditions: 
  - a. Each meter connected to the Public Potable Water System serving more than one (1) single family residential unit, any non-residential unit, or irrigation requires a backflow prevention device.
    - i. The backflow device must be located directly behind the meter with a single 90-degree bend in the pipe between the backflow and the meter.
    - ii. As measured along the pipeline between the meter and backflow, the backflow assembly shall be installed with a separation of 3' minimum to 5' maximum, from the concrete pad to the property line or adjacent back of sidewalk, whichever is closer, to minimize the length of pipe between the meter and the backflow.
  - b. The proposed relocation of the existing backflows as shown on the conceptual entitlement plans does not meet backflow location requirements and must be redesigned per the requirements above.
  - c. If the existing bank of water meters fronting 4th Street is not available for connection, then new domestic water services must connect to the existing 12" water main in the Pressure Zone 1212 (PZ1212) in 4th Street to service the project site. This may require redesigning the sidewalk ramp not to conflict with the backflows or abandon the existing water meters back to main and install new water meters to align with the proposed backflow locations.

**E. RECYCLED WATER**

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

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.35 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**



- 2.36 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.37 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
  - a. **Property frontage along Fourth Street shall be signed "No Parking Anytime".**
  - b. **The applicant/developer shall provide reciprocal access between the project site and all other adjacent properties.**

**G. DRAINAGE / HYDROLOGY**

- 2.39 A \_\_\_\_\_ inch storm drain main is available to accept flows from this project in \_\_\_\_\_. (Ref: Storm Drain plan bar code: \_\_\_\_\_)
- 2.40 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.41 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.42 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.43 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.44 Other conditions: \_\_\_\_\_

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

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





- 2.47 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.48 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.49 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.50 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.51 A \_\_\_\_\_ fiber optic line is available for connection by this project in \_\_\_\_\_. (Ref: Fiber Optic plan bar code: \_\_\_\_\_)
- 2.52 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. See Fiber Optic Exhibit herein
- 2.53 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage. 
  - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
  - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
  - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.



- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 Ontario Ranch Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

**4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**





## EXHIBIT 'A'

### ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

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Project Number: PDEV21-033

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

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



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



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner  
Planning Department

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

**DATE:** September 29, 2021

**SUBJECT:** PDEV21-033 - A Development Plan to construct a 2800-square foot fast-food restaurant (The Habit Burger Grill) on 0.19 acres of land located at 1610 E 4th Street, within the CC (Community Commercial) zoning district (APN: 110-18-111).

- 
- 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: V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 2,800 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 2,800 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): A-2

## **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](http://www.ontarioca.gov/Fire/Prevention).
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

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

### **3.0 WATER SUPPLY**

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

#### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

#### **5.0 BUILDING CONSTRUCTION FEATURES**

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

#### **6.0 OTHER SPECIAL USES**

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including

Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Planning Department

**FROM:** Antonio Galban, Police Department

**DATE:** September 23, 2021

**SUBJECT:** PDEV21-033 – A DEVELOPMENT PLAN TO CONSTRUCT A FAST FOOD RESTAURANT WITH DRIVE-THRU AT 1610 EAST FOURTH STREET.

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

In addition, the Ontario Police Department places the following conditions on the project:

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 720p of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.

- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.
- Trash enclosure shall be fully secured by locks and screens/grates in order to reduce crime and encampment opportunities for homeless persons.
- Maintain all landscaping on property to a standard that all ground covering shrubbery and hedges are no taller than 2 feet (24") and the lower canopy of all trees is no lower than 6 feet (72").

The Applicant is invited to call Antonio Galban at (909) 408-1006 regarding any questions or concerns.



# CITY OF ONTARIO MEMORANDUM



**DATE:** June 1, 2022  
**TO:** David Zurita, Engineering  
**CC:** Alexis Vaughn, Planning  
**FROM:** Peter Tran, Utilities Engineering  
**SUBJECT:** DPR #3 – Conditions of Approval (COA) (#8277)  
**PROJECT NO.:** PDEV21-033 (A Development Plan to construct a 2800-sqft Habit Burger)

## BRIEF DESCRIPTION

*A Development Plan to construct a 2800-square foot fast-food restaurant (The Habit Burger Grill) on 0.19 acres of land located at 1610 E 4th Street, within the CC (Community Commercial) zoning district (APN: 110-18-111).*

## THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

**CONDITIONS OF APPROVAL:** *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

### **General Conditions: (Add following to Section 2.A of Engineering Department COA)**

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. **Final Utilities Systems Map (USM):** As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.

### **Potable Water Conditions: (Add following to Section 2.D of Engineering Department COA)**

3. **Backflow Prevention:**
  - a. Each meter connected to the Public Potable Water System serving any use for more than one (1) single family residential unit or any non-residential unit or irrigation requires a backflow prevention device. A meter connected to the Public Potable Water System serving only one (1) single family residential unit (and an Accessory Dwelling Unit and/or Junior Accessory Dwelling Unit) does not require a backflow device.
    - i. The backflow device must be located directly behind the meter with a single 90-degree bend in the pipe between the backflow and the meter, located at the backflow device.
    - ii. As measured along the pipeline between the meter and backflow, the backflow assembly shall be installed with a separation of 3' minimum to 5' maximum, from the concrete pad to the property line or adjacent back of sidewalk, whichever is closer, to minimize the length of pipe between the meter and the backflow.
  - b. Proposed backflow relocation: The proposed relocation of the existing backflows as shown on the conceptual entitlement plans does not meet backflow location requirements and must be redesigned per the requirements above.
4. **Domestic Water Services:** If the existing bank of water meters fronting 4<sup>th</sup> Street is not available for connection, then new domestic water services must connect to the existing 12" water main in the Pressure Zone 1212 (PZ1212) in 4<sup>th</sup> Street to service the project site. This may require redesigning the sidewalk ramp not to conflict with the backflows or abandon the existing water meters back to main and install new water meters to align with the proposed backflow locations.

### **Sewer Conditions: (Add following to Section 2.C of Engineering Department COA)**

5. **Sewer Lateral:** If the onsite private sewer main is not available for connection, then the connection of the proposed sewer lateral must be connected to the existing sewer main in 4<sup>th</sup> Street.

6. Grease Interceptor: Provide a separate sewer lateral with a grease interceptor and connect it down stream of the domestic waste sewer lateral.
7. The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their establishment and shall comply will all the requirements of the Wastewater Discharge Permit. The application can be downloaded from the City's Utilities website in the drop-down of the "Pretreatment" section ([www.ontarioca.gov/OMUC/Utilities](http://www.ontarioca.gov/OMUC/Utilities)). Please select the appropriate application that applies to your type of business. Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact:

**Michael Birmelin, Environmental Programs Manager**

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

**Phone: (909) 395-2661**



# 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

*NATHAN*

FROM: Alexis Vaughn, Assistant Planner

DATE: September 21, 2021

SUBJECT: FILE #: PDEV21-033 Finance Acct#:

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

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

**PROJECT DESCRIPTION:** A Development Plan to construct a 2800-square foot fast-food restaurant (The Habit Burger Grill) on 0.19 acres of land located at 1610 E 4th Street, within the CC (Community Commercial) zoning district (APN: 110-18-111).

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

*ENG./TRAF.*  
Department

*[Signature]*  
Signature

*ENG. ASST*  
Title

*10/27/21*  
Date



# CITY OF ONTARIO

## MEMORANDUM

### Development Plan Review

Engineering Department:  
Transportation Section

Project: PDEV21-033

Date: October 26<sup>th</sup>, 2021

Location: 1610 East 4<sup>th</sup> Street

By: Nathan Kuan

---

***The Transportation Division recommends the following to be incorporated into the Project's Conditions-of-Approval:***

Conditions:

1. Property frontage along 4<sup>th</sup> Street shall be signed "No Parking Anytime".
2. The Applicant/Developer shall provide reciprocal access between the project site and all other adjacent properties.

nk;





# CITY OF ONTARIO

## MEMORANDUM

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

Revision #2

FROM: Alexis Vaughn, Assistant Planner

DATE: March 18, 2022

SUBJECT: FILE #: PDEV21-033

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 2800-square foot fast-food restaurant (The Habit Burger Grill) on 0.19 acres of land located at 1610 E 4th Street, within the CC (Community Commercial) zoning district (APN: 110-18-111).

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.

Engineering-ENV  
Department

Signature

Engineering Assistant  
Title

4/11/2022  
Date



# CITY OF ONTARIO

## MEMORANDUM

**TO:** David Zurita, ENGINEERING DEPARTMENT  
**FROM:** Nathan S. Pino  
**DATE:** April 11, 2022  
**SUBJECT:** File No. PDEV21-033

---

The Site Plan for this project approved for DAB based on the following condition:

- This project will be conditioned in the Engineering DAB Report to prepare a WQMP based on the approved PWQMP.
  - The WQMP template is available at: <http://www.sbcounty.gov/dpw/land/npdes.asp> or on the City's website under Engineering/Environmental Services.

**Note:** Activities resulting in one acre or more land disturbance are required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
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Lorena Mejia, Airport Planning  
Eric Woosley, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department

FROM: Alexis Vaughn, Assistant Planner

DATE: September 21, 2021

SUBJECT: FILE #: PDEV21-033

Finance Acct#:

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

- Note:
- Only DAB action is required
  - Both DAB and Planning Commission actions are required
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  - DAB, Planning Commission and City Council actions are required
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**PROJECT DESCRIPTION:** A Development Plan to construct a 2800-square foot fast-food restaurant (The Habit Burger Grill) on 0.19 acres of land located at 1610 E 4th Street, within the CC (Community Commercial) zoning district (APN: 110-18-111).

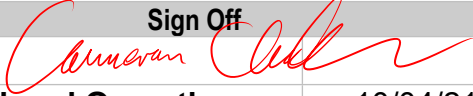
- The plan does adequately address the departmental concerns at this time.
  - No comments
  - Report attached (1 copy and email 1 copy)
  - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
  - The conditions contained in the attached report must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

**Broadband Operations**  
Department

*Cameron Chadwick*  
Signature

**Fiber Technician** 10/06/2021  
Title Date

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

<b>CONDITIONS OF APPROVAL</b>	
Sign Off 	
<b>Broadband Operations</b>	10/04/21

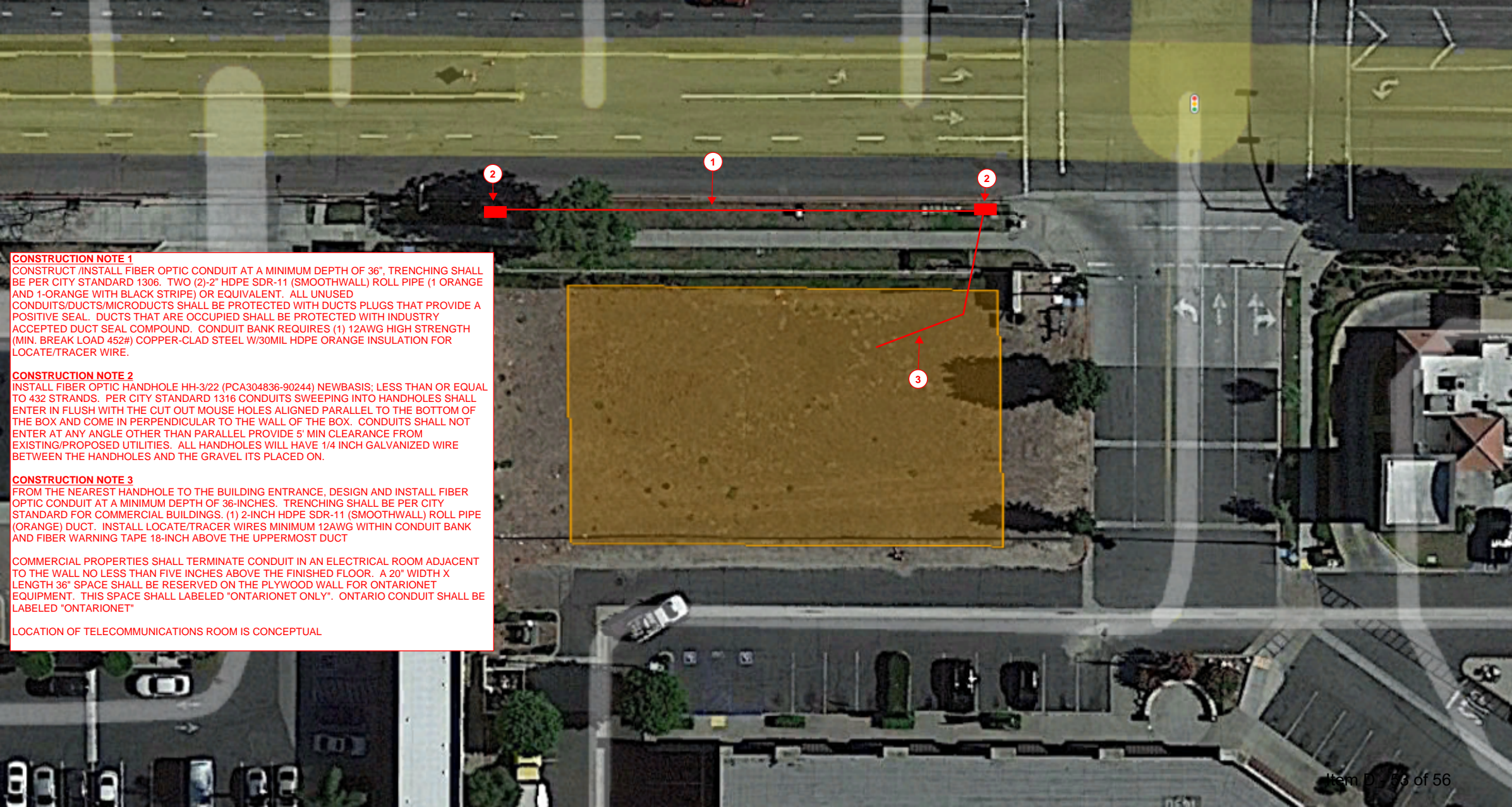
Reviewer's Name <b>Cameron Chadwick</b>	Phone <b>909-395-2090</b>
File # <b>PDEV21-033</b>	Project Engineer: David
Project Name and Location: Habit burger. 1610 E. 4 <sup>th</sup> St.	
Sent to: David	

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

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

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





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

**CONSTRUCTION NOTE 2**  
INSTALL FIBER OPTIC HANDHOLE HH-3/22 (PCA304836-90244) NEWBASIS; LESS THAN OR EQUAL TO 432 STRANDS. PER CITY STANDARD 1316 CONDUITS SWEEPING INTO HANDHOLES SHALL ENTER IN FLUSH WITH THE CUT OUT MOUSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE BOX AND COME IN PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN PARALLEL PROVIDE 5' MIN CLEARANCE FROM EXISTING/PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4 INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL ITS PLACED ON.

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

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

LOCATION OF TELECOMMUNICATIONS ROOM IS CONCEPTUAL





# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)  
Rudy Zeledon, Planning Director (Copy of memo only)  
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Eric Woosley, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department  
Ben Mayorga, Integrated Waste

Revision #2

FROM: Alexis Vaughn, Assistant Planner

DATE: March 18, 2022

SUBJECT: FILE #: PDEV21-033

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 2800-square foot fast-food restaurant (The Habit Burger Grill) on 0.19 acres of land located at 1610 E 4th Street, within the CC (Community Commercial) zoning district (APN: 110-18-111).

- 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.
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Department

Signature

Title

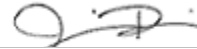
Date

Landscape Planning Division J.P. Landscape Planner 4/18/22

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

**CONDITIONS OF APPROVAL**

Sign Off



04/18/2022

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

PDEV21-033

Case Planner:

Alexis Vaughn

Project Name and Location:

The Habit  
 1610 E 4<sup>th</sup> Street

Applicant/Representative:

Hannibal Petrossi (949) 833-3240 [hp@petroassassoc.com](mailto:hp@petroassassoc.com)  
 18831 Bardeen Avenue, Suite 100  
 Newport Beach, CA 92660



**Preliminary Plans (dated 3/18/2022) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.**



**Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.**

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

Landscape construction plans with plan check number may be emailed to:  
[landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

Civil/ Site Plans

1. Reduce the length of the ramp, avoid switchback, show grades, and slopes. Use max slope 8.33%.
2. Note on grading plans: for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
3. Relocate utilities, lights, and signage out of required tree locations. Trees are required at parking lot island planters and setbacks to allow for a tree every 4 spaces and at end islands.
4. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division. Any stormwater devices in parkway areas shall not displace street trees.
5. Show transformers set back 5' from paving all sides; dimension on plans. Coordinate with landscape plans.

Landscape Plans

6. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans; see #3 above.
7. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
8. Show parking lot trees in island planters. Trees are required at parking lot island planters and setbacks to allow for a tree every 4 spaces and at end islands. Add a tree in the southern island planter adjacent to the trash enclosure.
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 the resolution of the City Council.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-033  
 Address: 1610 E Fourth Street  
 APN: 110-18-111  
 Existing Land Use: Vacant  
 Proposed Land Use: Development Plan to construct 2,800 SF fast food restaurant (The Habit Grill)  
 Site Acreage: 0.19 Proposed Structure Height: 32FT  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Alexis Vaughn  
 Date: 12/23/2021  
 CD No.: 2021-054  
 PALU No.: n/a

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

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