

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

October 27, 2015

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

6:30 P.M.

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

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

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

ROLL CALL

Delman __ Downs __ Gage __ Gregorek __ Mautz __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of September 22, 2015 approved as written.

A-02. RESOLUTION OF DENIAL FOR CONDITIONAL USE PERMIT FOR FILE NO.

PCUP14-028: A Conditional Use Permit to establish a metal salvage and scrap yard recycling facility on a 2.38 acre site, located at 901 South Sultana Avenue, within the M3 (General Industrial) zoning district. Pursuant to the California Environmental Quality Act, staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1049-353-14); **submitted by Star Scrap Metal.**

PLANNING COMMISSION PUBLIC HEARING ITEMS

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

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT15-002:** A Parcel Map (PM 19646) to subdivide a 1.85 acre parcel of land into a single parcel for condominium purposes, located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 210-501-23); **submitted by OA Partners, LLC.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15301

2. File No. PMTT15-002 (Tentative Parcel Map)

Motion to Approve/Deny

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA11-003:** A revision to certain provisions of a comprehensive update to the City of Ontario Development Code (previously reviewed by the Planning Commission on 6/23/2015, and introduced to the City Council on 8/4/2015), as follows: [1] establish consistency with Senate Bill 582, amending Civil Code Section 835, and allow electrified fences in commercial zones up to 10 feet in height, and within industrial zones up to 16 feet in height; [2] allow “architectural and structural metal manufacturing” and “converted paper product manufacturing” as conditionally permitted land uses within the proposed IL (Light Industrial) zoning district; and [3] modify Table 5.02-1 (Land Use Matrix), ensuring that the allowed land uses within the proposed ONT (Ontario International Airport) zoning district are consistent with the allowed land uses in the current M3 (General Industrial) zoning district. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and Mitigation Monitoring Program, certified by the City of Ontario City Council on January 27, 2010. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); **City Initiated. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDCA11-003 (Development Code Amendment)

Motion to recommend Approval/Denial

- D. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA15-001:** A City initiated request to:

1) Change the General Plan land use designation on twelve parcels (File No. PGPA15-001) from:

- a) Business Park to Industrial on seven parcels generally located on the north side of Brooks Street east of Mountain Avenue (APNs: 101113217-101113219, 101113221, 101114134, 101114137, and 101114139); and
 - b) Neighborhood Commercial to Low Density Residential on three parcels with an Industrial Overlay located at the northeast corner of Park Street and Sultana Avenue (APNs: 104923124-104923126);
 - c) Low Density Residential to Industrial on one parcel generally located between State and Park Streets west of Monterey Avenue (APN: 104923112); and
 - d) Industrial to Open Space-Non Recreation on one parcel generally located on the north side of Philadelphia Street west of Wineville Avenue (APN: 23815215); and
- 2) Modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03).

Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.; **City initiated. City Council action is required.**

1. CEQA Determination

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

2. File No. PGPA15-001 (General Plan Amendment)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT, ZONE CHANGE REVIEW FOR FILE NO.

PZC15-002: A City initiated request to change the zoning designations on various properties located throughout the city to BP (Business Park), IP (Industrial Park), IL (Light Industrial), and RC (Rail Corridor), and to change the zoning on various M3 (General Industrial) zoned properties to IG (General Industrial) and various other zones in order to make the zoning consistent with The Ontario Plan land use designations of the properties as follows:

- 1) **C1, Shopping Center to BP, Business Park** 104651101, 104651117-18, 104714301, 104925213, 104926811, 104934114-15
- 2) **C1, Shopping Center to IL, Light Industrial** 101118104-05, 101118205, 101118213
- 3) **C3, Commercial Service to BP, Business Park** 11006101, 11007101-02, 1107106-07, 101117101, 104925203, 104925212, 104925406-10, 104926207-12, 104926407-11, 104926606-07, 104926809-10, 104929214-25, 104929420, 104929423-29, 104931115, 104932101-04, 104932106, 104932201-11, 104933101-10, 104933201-08, 104933212, 104934103-12
- 4) **C3, Commercial Service to IP, Industrial Park** 101111104, 101111110, 101112102, 101112113, 101112117-18, 101112124, 101112126, 101113102-04, 101113119, 101113208-12, 101114106, 101114128, 101114111, 101114113, 101114135-36, 104910118, 104910138, 104914125, 104914128
- 5) **C3, Commercial Service to IP, Industrial Park with ICC, Interim Community Commercial Overlay** 101111121, 101114107
- 6) **PF, Public Facility to BP, Business Park** 11007225
- 7) **C3, Commercial Service and M3, General Industrial to IP, Industrial Park** 101111105, 101111118, 101111120, 101112121-22, 101113117, 101114116, 101114130, 104910104-16, 104910139
- 8) **C3, Commercial Service and M3, General Industrial to IP, Industrial Park with ICC, Interim Community Commercial Overlay** 101112105

- 9) **C3, Commercial Service and M1, Limited Industrial to IP, Industrial Park** 104910140, 104913102-06, 104913108-09, 104913113-16, 104913118-20, 104914118-20, 104914123-24
- 10) **C3, Commercial Service to IL, Light Industrial** 101117104, 101118109-10, 104925606-11, 104925806-13, 104934201-11
- 11) **C3, Commercial Service, M3, General Industrial and P1, Off-Street Parking to IP, Industrial Park** 101114132
- 12) **C3, Commercial Service and M3, General Industrial to BP, Business Park** 11013120
- 13) **Right of Way to RC, Rail Corridor** 1011151021, 104651104-05
- 14) **M1, Limited Industrial to BP, Business Park** 11012108-10, 11013101, 11013106-09, 11013113, 11013119, 11013124-25, 11013128, 104651102, 104713202
- 15) **M1, Limited Industrial to IP, Industrial Park** 104913101, 104614101-03, 104914121-22, 104914126
- 16) **M2, Industrial Park to IL, Light Industrial** 11345131, 11346303-04, 11346307, 11346310, 11346313-14, 11346319-20, 11346322, 11346324-29, 11346334-36, 11359101-13, 21006116, 21006237-38, 21006258-59, 21031101-04, 21031110-12, 104937409-13, 104938301-05, 104939101, 104942101-02, 104942104, 104943106, 104943108, 104943110-17, 104944218, 104946210-13, 104947203-04, 104948201-05, 104948207, 105010101, 105010127, 105011110-11, 105011114-24, 105012110-11, 105021103-04, 105021111, 105021115, 105022106-07, 105022109-10, 105043116, 105043118-25, 105044104-05, 105044163-64, 105044166-67, 105044169-72, 105045103-04, 105045107-08, 105050102-08, 105050117-22, 105051102, 105051105, 105051108-10, 105052101-08, 105052110-11, 105052113, 105052115
- 17) **M3, General Industrial to IG, General Industrial** 11327110, 11327122, 11327140, 21126301, 21128105, 21132110, 23802102, 23804218-19, 23804223-25, 23804227-28, 23804230-34, 23804422, 23805212, 23805249, 23812141, 23815201, 23815203, 23815205-07, 23815209, 23815233-34, 23818550-51, 23818554, 23824112-17, 101111205, 101111207-10, 101111212-24, 101111228-44, 101112201-08, 101112211-23, 101113217-19, 101113221, 101113307, 101113320-23, 101113401-02, 101113404-06, 101113410, 101113412-15, 101114114, 101114117, 101114127, 101114131, 101114133-34, 101114137-39, 101119101, 101120102, 101120105-07, 101120110-12, 101120114-26, 101123102-05, 101123107-12, 104903103, 104903106-12, 104903114-16, 104904110-12, 104904202, 104904205-06, 104904301-04, 104904306, 104904401, 104904404-05, 104904409-10, 104905918-20, 104906406, 104906803-04, 104906818, 104907101, 104907105, 104907108, 104908101-02, 104908106-08, 104908111, 104908205-06, 104908301, 104908303, 104908308-09, 104908311, 104908313, 104911101, 104911103-07, 104915101-02, 104915104, 104915106-07, 104915109-11, 104915113-16, 104915119-25, 104915138-40, 104916110-20, 104916126, 104917201-03, 104917205-06, 104918101, 104918104, 104918106-13, 104918205-06, 104919301-02, 104920103-19, 104920122-23, 104920127, 104920206-11, 104920214-15, 104920221-23, 104920301-22, 104920401-09, 104920417, 104920502-14, 104920517, 104921108-14, 104921201-15, 104921218-26, 104921301-14, 104921320-21
- 18) **C4, Airport Commercial Service to BP, Business Park** 11007208-11, 11007216, 11008102-03, 11008106-09, 11009105, 11009107-45, 11010101-02, 11011101-03, 11011106-12, 11012103-05
- 19) **M1, Limited Industrial and M3, General Industrial to IL, Light Industrial** 104950117-19
- 20) **M1, Limited Industrial to IL, Light Industrial with ES, Emergency Shelter Overlay** 101121106
- 21) **M1, Limited Industrial to RC, Rail Corridor** 11010105, 11323109, 11326117, 11337102, 104910224, 104911108, 104912129, 104913117,
- 22) **M3, General Industrial to UC, Utilities Corridor** 11327112, 23804424, 23815215,
- 23) **M3, General Industrial and P1, Off-Street Parking to IL, Light Industrial** 104923127, 104923221, 104923316
- 24) **R2, Medium Density Residential to IL, Light Industrial** 104928101-02
- 25) **M2, Industrial Park to RC, Rail Corridor** 11339601-02, 11343103, 21123101

- 26) **M2, Industrial Park to BP, Business Park** 104938417-35
- 27) **NC, Neighborhood Commercial to BP, Business Park** 104925202
- 28) **M3, General Industrial to IL, Light Industrial** 101116101-05, 101116108-14, 101116116-17, 101117105, 101118201, 101118209-10, 101118215, 101118217-18, 101119102-03, 101119201, 101119204, 101119301-04, 104909105-06, 104909109-12, 104909311-22, 104909505-06, 104922101-04, 104923104-12, 104923303-12, 104928104-06, 104935101-03, 104935201, 104935307-14, 104935408-12, 104936101-06, 104936203-05, 104936207-08, 104936210-11, 104936301-08, 104936401-04, 104937104-07, 104937201-12, 104938101-02, 104938201-05, 104950104-05, 104950110-15, 104950120, 104950210
- 29) **M3, General Industrial to IL, Light Industrial with ES, Emergency Shelter Overlay** 101121107, 101121110, 101121112-21, 101122101-03, 101122120
- 30) **M3, General Industrial to IP, Industrial Park** 101111112-17, 101111119, 101111122-23, 101112107, 101112109-12, 101112114-16, 101112123, 101112125, 101113113, 101113118, 104910101-02, 104910117, 104910129-37, 104910201-23
- 31) **P1, Off-Street Parking to IL, Light Industrial** 104923313
- 32) **M3, General Industrial to LDR-5, Low Density Residential** 104923124-26
- 33) **M3, General Industrial to MU-1, Downtown Mixed Use** 104906703-09, 104906711, 104906815
- 34) **M3, General Industrial to OH, High Intensity Office** 21019111, 21055102-03
- 35) **M3, General Industrial to RC, Rail Corridor** 11322201, 11325116, 11325124, 11327105, 11339603, 21021202, 21055105, 21124201-02, 21127205, 21129101, 23804217, 23805235, 101110107-10, 101115103-07, 104901301-02, 104901306-08, 104903113, 104903117-18, 104904107, 104904203, 104904305, 104904408, 104904411-13, 104905915-16, 104906407-08, 104906802, 104906817, 104907107, 104908110, 104908113, 104908204, 104908307, 104917101, 104918207, 104919214, 104920515-16, 108335201
- 36) **OS, Open Space to BP, Business Park** 11013121
- 37) **P1, Off-Street Parking to IG, General Industrial** 104920129

The environmental impacts of this project were previously analyzed in an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT; **City initiated. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PZC15-002 (Zone Change)

Motion to recommend Approval/Denial

HISTORIC PRESERVATION ITEMS

- F. MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP15-001: A Mills Act Contract for a 1,600 square foot Craftsman Bungalow style residential building, a designated local landmark, located at 509 East E Street, within the R1-Single Family Residential Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1048-391-13); **submitted by Ryan Castillo. City Council action is required.****

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15301

2. **File No. PHP15-001** (Mills Act)

Motion to recommend Approval/Denial

- G. **MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP15-004**: A Mills Act Contract for a 2,484 square foot Spanish Revival style residential building, a Contributor within the designated Euclid Avenue Historic District, located at 1258 North Euclid Avenue, within the R1-Single Family Residential Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1047-531-09); **submitted by Armando Villa. City Council action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15301

2. **File No. PHP15-004** (Mills Act)

Motion to recommend Approval/Denial

- H. **MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP15-005**: A Mills Act Contract for a 2,221 square foot French Eclectic Revival style residential building, a Contributor within the Designated Villa Historic District, located at 327 West H Street within the R1-Single Family Residential Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APN: 1048-271-07); **submitted by Richard and Jobelle Hernandez. City Council action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15301

2. **File No. PHP15-005** (Mills Act)

Motion to recommend Approval/Denial

- I. **MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP15-007**: A Mills Act Contract for a 1,235 square foot Vernacular style residential building, a Contributor within the designated Rosewood Court Historic District, located at 204 East J Street within the R1-Single Family Residential Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1048-071-06); **submitted by Elizabeth Soriano and Edmund Bañuelos. City Council action is required**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15301

2. File No. PHP15-007 (Mills Act)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing):
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT

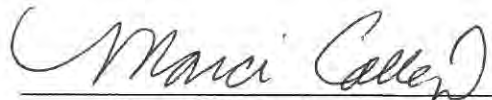
- 1) Monthly Activity Report

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


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



I, Marci Callejo, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Thursday, October 22, 2015**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Marci Callejo, Secretary Pro Tempore



Scott Murphy, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

September 22, 2015

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

MINUTES

September 22, 2015

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:40 p.m.

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman Downs, Delman, Gage, Gregorek, Mautz, and Ricci

Absent: None

OTHERS PRESENT: Planning Director Murphy, City Attorney Rice, Principal Planner Zeledon, Senior Planner Noh, Associate Planner Mejia, Assistant City Engineer Lee, and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Downs.

ANNOUNCEMENTS

Mr. Murphy announced that staff is requested Item C be continued to the October 27, 2015 meeting.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of August 22, 2015, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN FOR FILE

NO. PDEV15-008: A Development Plan to construct an approximate 24,800 square-foot industrial building, on approximately 1.12-acres of vacant land, located on the southeast corner of Francis Street and Bon View Avenue, at 926 East Francis Street, within the M2 (Industrial Park) zone. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP).

The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15332 (In-Fill Development Projects). (APNs: 1050-461-03, 1050-461-05, and 1050-461-06); **submitted by: On Bon View, LLC.**

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

It was moved by Mautz, seconded by Delman, to approve the Planning Commission Minutes of August 25, 2015, as written and Environmental Assessment and Development Plan, File No. PDEV15-008 as written. The motion was carried 7 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT FOR FILE NO. PCUP14-028:** A Conditional Use Permit to establish a metal salvage and scrap yard recycling facility on a 2.38 acre site, located at 901 South Sultana Avenue, within the M3 (General Industrial) zoning district. Pursuant to the California Environmental Quality Act, staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1049-353-14); **submitted by Star Scrap Metal.**

Associate Planner, Lorena Mejia, presented the staff report. She gave an overview of the project site. She explained how the project site transitions from industrial to residential land uses to the west. Ms. Mejia further explained the long-term uses for the residential areas are intended to be transitioned over into Industrial or Business Park primarily due to long-term airport impacts that are anticipated as Ontario International Airport grows. She explained that the project site is comprised of 2.3 acres of land and its current zoning is M3 (General Industrial) and currently used for vehicle storage. Ms. Mejia gave a description of the property and the buildings, explaining that there are three existing buildings and the site is relatively flat, paved with asphalt and has a slight slope from the northwest corner towards the southeast. Ms. Mejia presented visuals of the current site showing the entrance from Carlton Street and how the property is currently being maintained. She also shared that if the project should move forward, improvements would be needed and would include demolition of the existing block wall, improvements to the public right away along Mission Blvd., removal of existing trees, removal of guard rail and widening of Mission Blvd.

Ms. Mejia proceeded to give a background of the Applicant, Star Scrap Metal, a family owned business since 1947. The existing business is located in La Mirada, California near the 5-FWY, where eminent domain was exercised on their property by Caltrans for freeway off-ramp and widening improvements. The business has until December 2015 to vacate or relocate. Planning Staff contacted the City of La Mirada to find out if any Code violations had been made on the property within recent history and found out there have been none. Ms. Mejia continued by sharing, while looking for a new location, the Applicant expressed they also hope to modernize their existing operations, with equipment that is more efficient and environmentally friendly. Some general operation characteristics of the site are that they operate in a “drive-thru” type manner, so there are no individuals walking onto the property trying to recycle metal. The patrons basically drive through this type of business and employees help unload the materials and exit the

site. Ms. Mejia gave a list of the types of metals, ferrous, and non-ferrous which can included: aluminum, brass, copper, aluminum cans, insulated wire cables, high temp alloys, steel and stainless steel. Their hours of operation are proposed to be Monday through Friday from 8 AM to 5 PM, Saturdays 8 AM to 12 PM with a proposed security plan, which includes on-site security during operating hours and 24 hour surveillance. Ms. Mejia also explained they proposed 25 on-site employees and 43 planned parking spaces which meets code requirements. She also shared the activities of the operation which included, loading and unloading, breaking and separating the metals by other equipment and bailing, compacting and cutting. The metals are also being reduced for transportation so they can be reused for other purposes. She explains the melting of metals is not being proposed for this site.

Ms. Mejia shared the proposed Site Plan, which includes the buildings, landscape and metal processing areas. Areas she highlights are the widening of Mission Blvd., a masonry wall along the property line and landscaping to help with screening on various areas of the property. Ms. Mejia also explains the entry points onto the property, having new entrances off Mission Blvd. which currently do not exist and closing an existing entrance off Sultana Ave. and creating a new one. With this in mind, she shares that large vehicles would enter off of Mission Blvd. and smaller vehicles off of Sultana Ave. Ms. Mejia proceeds to explain the Site Plan using the visual as her guide. The various colors coincide with landscaping, buildings, etc. One of the areas she points out is a dashed-red line which will be used as a buffer from the closest residential property. This is required because, as she explains, the Development Code currently doesn't allow any metal processing within 300 feet of residential areas, so the Applicant proposes to have these areas within the buffers of the Site Planned area. Ms. Mejia also went through the rest of the Site Plan explaining each existing and proposed buildings, along with pieces of equipment which were planned for processing the metal.

Ms. Mejia shared that there were two Community Meetings due to the proximity of residential for this application. These meetings were held on July 13, 2015 where 84 property owners were notified and 25 attended. The second meeting was held on August 20, 2015 where the boundaries for notification were expanded and sent in English and Spanish. There were 14 residents in attendance for that meeting and an on-line petition was submitted to staff including 177 digital signatures. In general, residents were in opposition to the application due to noise, health issues, traffic, safety, and security were brought up between both meetings. That concluded the staff report and it was open for questions from the Commissioners.

Mr. Ricci questioned the 300 foot buffer which intersects the property line. He wanted clarification on the zoning stated within the Development Code.

Mr. Murphy answered that the Code says is that there can't be metal recycling within 300 feet; it does not specifically say property line to property line and so what we have done is try and push all recycling operations outside of that 300 foot arc.

Mr. Ricci asks that the current zone designation doesn't state specifically that this type of operations couldn't happen, but it can't be within the 300 feet?

Mr. Murphy answers he is correct.

Mr. Downs questions the location of small truck loading and/or weighing area and if that was within the 300 feet buffer.

Mr. Murphy answers that the area in question is proposed to be where vehicles are weighed and the materials would be unloaded. Staff did not see that as actual operations since materials would be carried over to the eastern portion of the site where the operations would occur.

Mr. Gregorek asks about requirements in the Development Code regarding vehicle stacking since there may be clogging of streets at Mission or Sultana.

Mr. Murphy states that the Code does not specify a particular stacking distance. He indicated that staff usually looks at the nature of the operation, existing examples of similar types of uses and gets a feel of what stacking demands are. One of the reasons the Applicant has gone to this scale system is to provide for that additional stacking and to minimize additional stacking which might occur onto Mission Blvd.

Mr. Gregorek asks again then that there is no specific number.

Mr. Murphy states no.

Mr. Willoughy asks what the approximate number of trucks or vehicles which are expected per hour.

Ms. Mejia responds by saying that for larger vehicles they are expecting 4 to 5 per hour and for smaller vehicles they are expecting 5 to 8 per hour.

Mr. Willoughby continues with one of two more questions; 1) what happens in the area marked "welding area"?

Ms. Mejia explains that some of the business equipment and general operations requires welding. Staff clarified with the Applicant that the welding area would not be used to cut metal and that was confirmed that it was not part of the operation.

Mr. Willoughy clarifies that the welding area would be for repair of existing equipment and then asks his second question is regarding the "Storm Shark" and asks what is the natural grade of the property; if it's northwest to southeast?

Ms. Mejia confirms that it is northwest to southeast and defers to Assistant City Engineer Raymond Lee.

Mr. Lee explains that the Storm Shark is basically a filtration system, and all the water will be directed to that corner by grading and would be captured on site and future use is for off-site.

Mr. Willoughby states that there is normal drainage from northwest to southeast and in the southeast corner there is the larger accumulation area and questions that there needs to be some way to get the water back up to the Storm Shark for filtration?

Mr. Lee confirms that is correct. He explains that there are two types of storm water; one type is generated on the site itself and the second is run-off from the site (north at Mission Blvd). He continues by saying there is an existing storm drain system on Mission and this project would relocate one of the catch basins so the water will bypass the site on Mission and go directly to the existing system. By grading the site, the water will go directly into the Storm Shark system.

Mr. Willoughby shares his concerns about years when large amounts of rain falls, like that being predicted this year, will the rain water seep out in the southeastern area and will there be chemicals from the metals before filtration? Has this been addressed?

Mr. Lee explains that the law only requires 2-year water storm be addressed for water quality purposes. For storm water purposes, a 100-year storm would have to be addressed. The site itself would be able to take care of the storm water. However, for water quality purposes, only a 2-year storm would be addressed. What it means in layman terms is that if there is a huge storm, only a portion of the water would need to be

treated, the majority of the water would still go out through the storm drain system without treatment.

Mr. Gregorek asks about storm water filtration and if it is supposed to be treated before it goes into the ground.

Mr. Lee answers that the regulation by the State is that only a 2-year storm has to be treated. He continues giving an example of a 2-year storm having rain of 10 cubic foot per second (cfs) of storm water – everything would have to be treated and infiltrated. However, if there was 100 cfs that would not be required to be infiltrated on-site.

Mr. Gregorek continues to ask if the Storm Shark will be lined on the bottom or if it is permeable.

Mr. Lee explains the law has different options. He shares that the first and preferred option is to infiltrate; if we can not infiltrate to underground, they allow us to treat the water before it goes out to the storm drain.

Mr. Gage has further questions regarding vehicles coming to the site. He says it was mentioned semi-trucks will use Mission Blvd. entrance and smaller vehicles will use Sultana Ave. He asks for clarification on what a “semi” is and if smaller vehicles are “passenger” trucks.

Ms. Mejia explains semi-trucks are larger trailer vehicles. Mr. Murphy interjects it would be considered commercial types, which would use Mission accessing the site. Mr. Murphy confirms what Ms. Mejia said, that smaller passenger vehicles would use Sultana.

Mr. Gage then questions where there might be directional signage.

Ms. Mejia confirms there will be directional signage explaining which vehicles use the appropriate entrance. She also explains that at the current La Mirada location, on-site staff help with directing customers. She concludes with stating that any semi-trailer trying to make the turn into the property from Sultana Ave., would not be able to make the turning radius.

Mr. Gregorek questions the screen wall height. Are products or equipment not allowed to be higher than that height and is the wall on all four sides?

Ms. Mejia answers that is correct on both.

Mr. Willoughby questions that the wall be on the south side of the property?

Ms. Mejia states there is a condition to construct a wall on the southern property line. Currently, the Applicant is proposing to construct a wall along Mission, Sultana and Monterey, but staff is requiring a wall along the southern part of the property.

Mr. Willoughby mentions he thought one piece of equipment was stated to be 24 feet high.

Ms. Mejia states that is correct.

Mr. Willoughby then questions that one piece of equipment will be taller than the 12 foot screen wall.

Ms. Mejia states that Staff has condition that no equipment or piles go beyond the existing proposed wall or be visible from the public right away.

PUBLIC TESTIMONY

Zack Stein, applicant and owner of Star Scrap Metal (La Mirada, CA). Mr. Stein thanked everyone for hearing what they had to say on behalf of their company and began with giving some background on the family-owned business. He explained his grandfather started the business in 1947, after moving to the United States from Poland being a Holocaust survivor and losing most of his family to WWII. The business was passed on to Mr. Stein's mother who was one of only a few women working in scrap metal at the time and is also a cancer survivor. Now the business is in the third generation and in the fight of their life. Mr. Stein continues by stating that the business has been in the same location since 1947, off the 5 Freeway in La Mirada. The freeway is expanding and they are being forced to leave by December 31st and they are fighting for the jobs of 50 families. Currently, they are loved by the city [of La Mirada] and as the City of Ontario did their own investigation, there are no code violations for a business that is off the freeway and visible to 250,000 people per day. Mr. Stein states he thinks that's impressive. He continues on saying they have great customers, get along great in the community and goes on to name the various types of community organizations which include high schools and religious institutions. He then shares that what they are asking from the City of Ontario and the community of Ontario is for a fighting chance of survival. They have done everything the City has asked of them, including State Laws, community concerns, conditions and they [the City of Ontario] are going to hold them accountable and that is understood. The Conditional Use Permit makes it that there are bi-annual inspections to make sure the conditions are being met. He states he's sure the community will keep them up to par as well. Mr. Stein continues stating that they are going to honor the 300 foot buffer, will only take metals which will ease the concern of smells, traffic will be circulated on-site and there won't be any traffic issues so it will be safer. In regards to safety, he states that every customer which drives into their facility has to have thumb print taken, a photo of their material, a photo of their face with the material and personal contact information given. He also explains their security program and emphasizes that they will have employees that care and will have a watchful eye on the community which is so important to the residents and businesses nearby. He continued by saying that he knows there might be a "sour taste" in some people's mouths by business like Sunkist and GE, but they are not those business, but a family-owned business and their employees are a family as well. Their health and safety is of the utmost importance to him, as well as their customers. He states he has been at their current facility running around as a child since the age of 4 with no issues. There have air quality tests at the current facility and again, there have been no issues. He concluded by stating that they want to be involved with the schools, churches and religious organizations, and the community. They can't stop everything that is bad in the community, but they know more good people and good jobs will help further Ontario on the path it is going and they want to be part of that. They want to bring jobs and bring a benefit to the city. He thanks everyone for their time.

Mr. Ricci asks a hypothetical question for Mr. Stein and his family. Would you purchase a home right across from this operation? With a family that has small children?

Mr. Stein states he has been around this environment his whole life, since he was four and spends more time at the facility than at home and understands all of the concerns of the citizens and that is why they are working so hard to address them. He continues by saying he is involved in his community, so he would be one of the individuals at the community meetings so he could hear both sides of the story. He concluded by saying he hopes to pass on this business to his kids. In short, yes, he would live across the street.

Mr. Gregorek questions the existing site, in regards to acreage, compared to the proposed site.

Mr. Stein states the current is 3.1 acres and the proposed site with the vacated street is 3.33 acres.

Mr. Gregorek states that their operations in La Mirada is an equivalent size to the proposed site.

Mr. Stein agrees, but shares they also have a sister company, Metal Depot, which is similar to Patton Steel, which they do not have a home for yet. So, there is more room for circulation and operations.

Mr. Gage asks Mr. Stein if he knows much noise may be generated from the operations at the facility.

Mr. Stein responds that it's hard to describe, but under the conditions they have to meet a certain decibel level and they are only allowed to operate within certain hours during the week and weekend. They do not do a lot of the heavy metal shredding, mostly packaging and separating for overseas containers and trucks. They don't re-melt the product.

Mr. Gage questions if they have equipment which they use that makes noise.

Mr. Stein responds that yes, they have equipment and trucks that make noise. At their current site, they are across the freeway from a Holiday Inn and other business. As the City of Ontario investigated, there have been no complaints. He concluded by saying the area around them has developed and that is why the freeway has to be expanded which, in turn is unfortunate for them.

Mr. Gage says he's trying to get an idea of what the noise would be like and questions if the noise was comparable to trash trucks.

Mr. Stein states that in some parts it's similar and in some parts it's not. Especially with the setback, how close is the truck to you and what is it doing? All of the trucks are beeping when they are reversing and hopefully that's taking place beyond the setback.

Mr. Gregorek questions why this current site was chosen and not one close to La Mirada.

Mr. Stein states that they felt comfortable with this city and the zoning. If they were able to obtain all the permits and work with the city to meet all the conditions, they would like to partner and grow with that city, like Ontario.

Mr. Willoughby questions whether they researched if their existing customers would follow them to Ontario.

Mr. Stein states they have done some business in Ontario and the surrounding area, but they are just looking for a fighting chance and even if they get this, it will be a struggle. They are just trying to survive and rebuild. Also, there are employees of 30 years who don't know any other type of work who are going to follow us and there are some who won't be able to handle the drive and we tried to handle that as best we could, so we'll have to hire some new employees for those who won't make with us.

Richard Jimenez, an Associate for JRMA, the architects for the project. He stated that a lot of the items have been addressed in the report, but there were a couple of clarifications which he wanted to bring up. Chairman Willoughby brought up side drainage. Currently it drains to the southeast corner, but with the vacated street, we are connecting to Mission Blvd. and Mission Blvd. is three feet higher than our site. We're adjusting the grading to take it away from that corner to some inlets more towards the center of the site so there won't be a condition where a pile of rain water is building up underneath a metal stack. With grading, we're addressing the storm water issue.

Commissioner Gage had concerns about noise. The block wall being provided is a masonry unit, solid, grouted block wall that is a stout wall. Part of the intent is to mitigate some of the noise within the site as much as possible. We are going as high as allowed by the city, which is 12 feet. All equipment operation is inside a building where possible, but because of the nature of how this works, not all of it is inside. He stated another item was circulation. He wanted to correct that all traffic would come in from Mission Blvd. and then the smaller trucks would go to the weights and commercial trucks into their area. Smaller vehicles would only exit onto Sultana. They want to minimize the traffic on Sultana as much as possible. He also talked about the larger setback of about 20 feet from the street curb to the wall that their proposing to build and includes Mediterranean landscape which is conducive to the area, it will help soften the wall. There was some concern about how the wall will look and this will help. We want the property to blend into the community and not stand out. That's the intent of the design and renderings. That's the process we're going through.

Mr. Delman states the grading is higher on the north and lower on the south. Grading will take place, but there are no plans to demo two existing buildings. How will the grade be brought up on the one building with grading being done?

Mr. Jimenez explains that they are raising the southeast corner to drain closer to the yellow cloud [looking at visual on screen]. The site itself is fairly flat and there is about a 5% grade ramped onto the site so just the southeast corner needs to be raised about 2 feet to get the grade to work. Raising it that 2 feet will still keep it lower than Sultana and Mission Blvd.

Donna Sherohman has worked for Star Scrap Metal for over 30 years. She stated that she started working with Rose when they were a one-truck operation and working out of a mobile-home. She continued by saying she watched her [Rose] grow the business and bring her two sons into the business and would like to see it continue to grow. Ms. Sherohman states that there are about 30-40 people working and about 20 have been there at least 10 years plus and some up to 35 years. They are all looking for the opportunity to see the company grow and the owner has always done what it takes to make the business safe. There have been things like having security, the thumbprints have been implemented and it has always been a safe place to work.

Jack Kozakar is the Project Manager for Star Scrap Metal on this project. He states to help the project out, on 9/21/15 he walked the neighborhood, about 1000 feet in all directions to meet people face to face and let them know about the project. He also handed out information to those he met in both English and Spanish. Mr. Kozakar stated there was not much negative response at the face-to-face level, but a lot of misinformation. He continues by saying that most people thought that the project was a recycling facility, because that is what the city's notification stated. According to Mr. Kozakar, the individuals he spoke with associated recycling facility with cardboard, bums, vagrancy, rats, plastics, all of those kinds of problems which goes with recycling centers. He continued by saying that's not what this operation is and once it was explained what the operation was and how it was good and would bring a lot of jobs to the local populations, most people were supportive. Mr. Kozakar then stated out of the 92 homes he stopped at, he was able to speak with individuals at 40 of them. From the 40 individuals, 10 signed support letters and asked if he could hand them, if possible.

City Attorney Rice mentioned that if these documents were passed along the Dias, the same document must be made available to the public.

Mr. Kozakar explained the contents of the document. A narrative is on the front with notes as to what he and the individuals talked about, the addresses and then signed statements of support. He continued by saying there were individuals who brought up concerns about traffic blocking on Sultana. He stated that those are issues that they want

to be sure to address. But the one thing he kept hearing about from the community was they were excited about the possibility of jobs. He then continued to speak directly about some of the individuals who signed the letters of support.

Terry Strom, from Strom Entitlement, shared he was a local Ontario boy attending both Vina Danks and Chaffey High School. He shared his support for the Planning Staff Report and the Mitigated Negative Declaration (MND), how complete and accurate it was. However, once he continued reading the comments from the Community meetings, Facebook comments, online petition which 177 people signed, he began to realize there were inaccuracies and incorrect information. Mr. Strom states that people just don't understand who they are and what they do. He points out there are two articles cited, one in the Daily Bulletin which talked about fire damage at a Fontana Recycling site, but that dealt with cardboard bale. However, this project doesn't work with cardboard, only scrap metal. The David Bacon article pointed out a problem with dust, but that was glass dust from the glass crushing dust. This site doesn't deal with glass. They only work with scrap metal. Mr. Strom continued to point out that there 8 items within the petition that 177 signed and all these items were incorrect. However, all the corrections were cited within the city's report. For example, No. 1 was "recycling center would store mountains of waste" and No. 3 "putrid rotting stench would severely affect homes". Mr. Strom continues by stating that within the report (MND) on page 17, it states "The proposed metal salvage and scrap yard recycling facility shall not accept contaminated metals or organic materials for recycling that cause objectionable odors." That's incorrect. On No. 2, it says, "Recycling centers are responsible for heavy pollution" and here on page 16 of the MND it talks about "Expose sensitive receptors to substantial pollutant concentrations" and it says to protect sensitive receptors mitigation measures are being required and these are:

- Metal salvage and scrap recycling operations shall be conducted at least 300 FT away.
- Scrap metals brought to the site for processing will be free of impurities and hazardous/radioactive chemicals.
- All baling, shearing and shredding equipment shall have advanced dust control features that encapsulate all dust and scrap from discharging into the atmosphere.

So that was incorrect as well. Now Nos. 4, 5 and 6. "We will see an increase in trash, litter, shopping carts. The recycling center will attract more homeless and transients and the recycling center will bring an increase in residential break-ins, in theft of glass, cans and aluminum for recycle for money." Mr. Strom continues by referencing page 7 of the Staff Report, saying it talks about increase crime and congregation of homeless near and around the facility. This is how it address it, "Facility will only conduct business with customers entering the site on vehicles and will not serve walk-in customers." So homeless won't be served. He continues reading, by stating, "On-site security and employees will turn away people who are walking in to the site in an effort to deter homeless." Mr. Strom reiterates that a few homeless might come by a few times but when they're turned away at the gate by the security, they will stop coming because there is no money there. He states they will not hang around there because there is no money there. He continues saying they will not steal cans and glass and things because there's no money there. So those are incorrect. No. 5 states "The safety of children, pedestrians, and commuters would be compromised due to the heavy traffic the recycling center". Now referencing page 29 of the MND it says "The number of vehicle trips per day is not expected to be increased significantly. Therefore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated." Mr. Strom said that hazardous materials was brought up and referenced page 22 of the MND. "The proposed project does not include the use of hazardous materials or volatile fuels." He concluded by thanking everyone and reiterating that the document that 177 individuals signed was completely inaccurate.

Xavier Lopez, a long-time Ontario resident comes up to speak. He says he has grown up and lives on the south-side which he feels is neglected. He continues by stating is that

there are three schools less than one mile from the project site, Sultana, Linda Vista and Euclid schools. Mr. Lopez continues that nobody has talked about the impacts this business will have on these schools and nobody from the business has talked to the Principals of these schools and what effects this will have on them. He says, he understands that they will not be going up and down Sultana, and that's cool. He also says their proposal is a lot different than they originally expected, which was a recycling center where people come off the street. But still, there will be more heavy trucks coming off of Euclid. He questions if everyone has ever crossed Euclid Ave. and Mission Blvd. during the day. He states it takes about 10 minutes to get from Phillips to Mission on a busy day. He continues stating that he's concerned about the traffic and environment in south Ontario. He believes it will bring jobs to Ontario, but this type of business should not be right there. He continues with "what are going to do about South Ontario?" Mr. Lopez concluded with, "we need businesses, but this is not the type of business we need."

Maria Gallardo, an Ontario resident. Ms. Gallardo began stating she grew up in the proposed area. She said she didn't want to address all of the issues brought up in the petition, but one of the primary concerns is the safety for everybody. She said Mr. Strom indicated that safety is not a concern, but you're talking about vehicles; 40 trucks and 4 trailers per hour and 8 hours business and 40 trucks per day, that is compromising the safety of the children and pedestrians walking through there. You talked about recycling aluminum that goes with cans which attract mosquitos. Ms. Gallardo mentions there was a death due to West Nile recently. She continues speaking of flooding and how Ontario was just recently mentioned in the news due to flooding. She states she may not understand how all the water may be recycled, but with just having floods and preparing for an El Niño year, we will not be prepared with this recycle center in a residential area. Ms. Gallardo continues by stating Ontario was mentioned in the news as having some of the worst air quality in the area. She states although it was talked about that daily operations would affect air quality, she believes it still affect the residents who live in the area, many who are seniors and susceptible to illnesses, disease and asthma. She moved onto children who play freely outdoors. She mentions the company is doing everything they have to do be responsible according to law and what is required, but she questions what happens outside of the 24-hour surveillance? She asks about the community, the homeless, people on drugs, who don't have common sense. To them this is a recycling center, just like any other. She continues stating that recently, there was a fire on Main Street Fibers and she's not comparing this project to them, but just having product sitting there and with the heat and extreme weather it does cause fires. The concern is for the safety of children and residents who are living there now. The community has worked very hard to come together and look better. She concluded with saying it's not personal or against you, but it becomes personal when it comes close to home.

Evette De Luca, stated she is not an Ontario resident, but her family had a home in south Ontario and her father is a former employee with the Parks and Recreation Services. Ms. De Luca stated that she is the Executive Director of Partners for Better Health and has the pleasure of working with *Healthy Ontario Healthy Eating Active Living* (HEAL Zone), an initiative known the city. She explains that the borders of the HEAL Zone are Bon View on the east, San Antonio on the west, Mission on the north and Francis on the south. Therefore, this project sits in the heart of the HEAL Zone. Ms. De Luca then directed her comments to the Applicant and stated she strongly sympathized with their family situation and thanked them for sharing it. She continued by stating that she, along with her partners were "pro-business" as many are in the City of Ontario, but she sympathizes more with the families that are situated around this particular business development. Partners for Better Health, the HEAL Zone network, The City of Ontario, Ontario-Montclair School District (OMSD), three different faith-based partners, a community garden in Ontario are working to get more business in our network. But the goal is to create Health Assets in Ontario and health hubs throughout the HEAL Zone in southern Ontario. Ms. De Luca states they are being recognized for this work having a

Kaiser Permanente grant that the City of Ontario holds and a new BUILD Health Challenge grant, which only 7 grants were selected across the nation and Ontario was one of them. She continues saying that she attended one of the "listening sessions" that Partners for Better Health had on Monday [9/21/15] which included about 30 community members who live in southern Ontario, several who live around this project site. What the community members were most interested in was 1) if this would create jobs? She states there is no clarity if there would be jobs created because her understanding is that current Star Scrap Metal is about 40 miles away and she doesn't know what that commute would consist of, but she knows many people who would be happy to have a job and commute to a good job. So she would hope there could be more dialogue about jobs, which were brought up during the listening session group, could be specified. 2) Safe Routes to School Initiative, which focuses on creating more walkable environments in south Ontario. So there are concerns about the traffic along Sultana and the children who might be walking there. She mentioned she appreciated the resident comments about the schools that are closely located to this project site. She asked the Commission, all involved and business partners to work together and create better health assets in south Ontario. Ms. De Luca concluded by saying that it is her hope that as we continue to have this pro-business lens and bring more business to southern Ontario that we could agree that the business would be building more assets in the community and there's specificity about job creation.

Miguel Gallardo, Jr. is an Ontario resident and lives across the street from the proposed project site. He states he is against the project. Mostly, he has concerns regarding the schools which are a half-mile away; there are students walking up and down the street and he thinks that's dangerous. Also, pollution. Ontario has been named one of the worst cities in the State for pollution and this will make it worse. Mr. Gallardo mentions he has kids which play outside and he would not feel safe to let his daughter play outside not knowing who these people are. They could have a criminal background. He continues mentioning Sultana, how it is backed up for blocks at 3 PM. If there is an exit onto Sultana, that will make it worse around 3 PM and at 2:30 PM there are students using their bicycles and he believes it will be dangerous for the community. Mr. Gallardo continues by questioning the names of the neighborhood survey done by John Mark Real Estate. He states that most of the people who live on Carlton and Maitland did not answer. He states he is against the project and feels it does not help the community.

Arthur Levine, states that he works with Evette and many members of the community very close to this proposed facility where he operates a community garden near this facility. He continues by stating their garden is beneficiaries to some of the recycling facilities nearby taking cardboard to recycle there and understands the benefit to recycling resource nearby. Mr. Levine then stated a quote, "We are all responsible for the logical consequences of our actions." He says everything we do has some sort of consequence and it's our responsibility whatever that is. He continues, saying knowing this type of use on this piece of land will bring more trucks, that will be diesel trucks, referencing as two other people mentioned the article about pollution and the high level of pollution in Ontario, that's directly from diesel emissions coming off of FWY 60 because there are several thousand trucks going by on that highway every day. Mr. Levine continues by saying this will bring those trucks ever closer to families, to children, to lungs that are breathing air every day. He stresses diesel pollution is one of the most dangerous pollutions being linked to cancer, asthma and other negative health outcomes. So if we know we are bringing more diesel trucks closer to homes, we are responsible for the actions. He states that if this is approved, we know those diesel trucks will be driving within the city streets but also sitting within the facility idling. Mr. Levine states that he knows recycling is an important activity to the benefit of environment and also living and having a safe place to live is very beneficial to families who make their residence in Ontario. He states, his question is two beneficial things: Can they coexist together? I'm not sure. His question to the Applicants is: Why here? Why next to homes? Is there not another 3-acre piece of land somewhere else where there's

opposition? Why couldn't you go where there is zero opposition? Perhaps there will always be opposition to any plan anyone has, but when people come up and express their concerns for their children, he said it would be hard to imagine how two things like a house and a salvage metaling facility can coexist. Mr. Levine states that when he has gone to other recycling facilities, they can be noisy operation and hurt one's ears. He says he can imagine it can be difficult for children trying to do homework after school during the day time, hearing the on-going noise of trucks and smashing and grinding. He said he was concerned about the dust issue, which was addressed, that the dust will be captured on-site. However, he was curious about how much waste or metal coming in would be from Ontario. Why does Ontario have to be the site that receives outside waste from other places? Can't some places recycle their own waste? Mainly, Mr. Levine just doesn't think these two types of activities, housing and recycling, can coexist so closing together. He wonders why not somewhere else? Why not where there is no opposition?

Jaime Campos, came up to speak on behalf of his father, Francisco Campos. Mr. Campos says that every concern he had, was addressed by the previous gentlemen. He also says the issues being addressed, he doesn't feel have been really addressed; the issues are existent. What has been said over and over again: the traffic, the air pollution, the safety of kids are the top, main concerns. He thought Commissioner Ricci's question about living right next was very accurate and he would ask each one how they would feel if a recycling center was being opened up right next to them. He concluded by referring by to Mr. Levine saying, that maybe for the kids.

Chairman Willoughby called for a five minute recess would be given before the Applicant would be given the opportunity to rebut.

Chairman Willoughby welcomed everyone back and thanked them for staying on time.

David Stein, applicant and owner of Star Scrap Metal came up to speak and rebut. He began thanking everyone for coming out and stated he understood their concerns and would do his best to address as many as possible. Mr. Stein started by summarizing that they are a third-generation company and it's their legacy now to continue forward. He states, as mentioned before, their grandfather wanted just a chance to over to America and now all they're asking for just an opportunity as well. All the family wants is an opportunity. Mr. Stein emphasizes that they don't take any trash only or hazardous waste, we only strictly deal with metals. He continued by saying they don't buy and sell any plastics, trash, cardboard, none of that stuff, we strictly deal with metal. He says they are basically like Patton Steel which is across the street. He explains they pride themselves as being a state-of-the-art facility where they are now and they are looking to increase how great their facility will be when they move to Ontario. He states they have hired the best architects, consultants, engineers and builders to make the best place possible. Mr. Stein says they are spending a ton of money and resources to improve Ontario. He says they're not trying to bring the place down, but improve it. He says they're going to provide jobs and implement anything they can to follow the rules of the city. Mr. Stein continues by saying he wants to address some of the topics people were mentioning. He said the biggest issue he heard was safety for traffic. He began with stating, currently there is no sidewalk on Mission Blvd. Their business would hire the best architects to build bigger sidewalks for children walking and this would be an improvement to the community. He continues stating right now there are no sidewalks so the area is unsafe and they would put in sidewalks which would be better to the community. He states he doesn't understand how their business coming in would make the community worse, when they would make it better. Next, Mr. Stein talks about traffic. He says that they just "guestimated" four trucks an hour, but their business might go down and they may only have one truck per hour. If they do have four trucks per hour, that's possibly one truck per 15 minutes, and that's not very much with an already busy street. He states one truck added every 15 minutes would not be very much and their reports show that. Mr. Stein continued by talking about the housing market and that the

people in the area know it's M3 zoned and have known for a long time, so their prices have been reflected for a long time. This is before they come and will remain after they come. He says that it is their hope the marketing value will increase due to their business coming to the area. Mr. Stein felt those were the top three oppositions needing to be addressed. He continued by addressing the issue of mosquitos and bugs due to aluminum cans. Mr. Stein explains that aluminum cans are probably the smallest material they take so it is an insignificant amount of material which would increase the amount of insects. He also points out that shopping centers and schools often have aluminum can recycling centers which shows they are not harmful and with these types of recycling locations more common, it would decrease the amount brought in at their facility. Mr. Stein also addressed Main Street Fibers. He reiterated their business is nothing like theirs. In reality we only do metals, we don't do plastics, glass or trash, so there shouldn't be any issues that they have had. He also mentions that many of these other recycling businesses have been grandfathered in so they don't have to follow current standards and codes. Their business is starting from scratch and is under a microscope by the city and community and will have biannual checks, so they will abide by all the laws and all the regulations. Mr. Stein stated that no semis and trucks would be using that road. He states the only road trucks would be using would be Mission and by widening this street and adding sidewalks, they would be making it better. He also says there is extra room within the property for trucks to turn around. He states that he heard comments that people support recycling and that individuals want to go green, but they don't want this business in their community and they find that contradicting. He concluded with saying that they know they will be under a microscope, follow all the rules and they want to make this the best place possible for our employees and the community and for everyone involved. It's all about the people who run the business.

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

Mr. Gregorek questions if the project were approved and they tried to expand, would they move to the property on the south?

Mr. Murphy states that the current zoning for the property on the south is M3 so they would be going through a similar process. There have been discussions of changing the zoning on properties interfacing residential to light industrial. That's something that's being looked at, whether it affects that property remains to be seen.

Mr. Gregorek asks when the application was originally submitted.

Mr. Murphy stated November of 2014.

Mr. Downs questions if the semi-trucks can make the turn from Sultana.

Mr. Murphy states they would have to move into another lane.

Mr. Willoughby questions the possible light industrial zoning in regards to residential.

Mr. Murphy asks if the Commission will recall that when the Development Code update came along, one of the categories that was created was "light industrial" which we currently do not have. The intent of the light industrial was to address properties which are 300 to 500 feet from existing residential to provide for uses that were more restrictive on generating noise, odors and impacting residential. This has gone to City Council for first reading, but has not gone for second reading yet, nor have there been any zone changes yet.

Mr. Ricci shares that there are a few issues. One of the issues is the sidewalk, especially brought up by the HEAL Zone and their initiative for walking. Looking at the site plan

looks like an improvement but it's so close to residential. He questions why staff didn't try to help them find another location for this business which was not so close to the residents? Mr. Ricci also comments that Mr. Stein said he would be fine living across the street to this type of business, but many of the people have raised the issues that they didn't grow up in a scrap yard, so it's something new and unfamiliar. He knows every effort has been made making them feel comfortable, but he would feel the same way and to be worried about their children is a valid point. He also brings up the issue of air pollution which is a bigger issue and would be a cause from trucks. It's an issue on a State level. Mr. Ricci questions the Planning Department if there is anything the city can do to make an effort in finding another location which would better suit their needs.

Mr. Murphy states that he presumes this item is unacceptable to the Commission as a whole, but the Planning Department has a good relationship with our Economic Development department and they would be able to do a search. However, this site would have popped up because it is zoned for M3 and allow with a CUP. The direct answer is yes, we do have means to assist in finding suitable locations for them.

Mr. Ricci questions what would happen if the project is approved and the zoning changes to light industrial. Is the business grandfathered in?

Mr. Murphy explains that if City Council should decide that light industrial was the appropriate zoning for this site, they could still zone the property for light industrial. What that means if this use was already in and established, they would be grandfathered in and considered legal non-conforming. This means they would be able to stay and operate as long as they chose to do so. Should the use change, then it would have to comply with the light industrial regulations and allowable uses would have to conform to the light industrial category.

Ms. Mautz states how impressed she is with the Stein family, pride in your business, that's first and foremost, the family tradition and loyalty of your employees. Those are all qualities we like to see come to our city. Also, those who came out to speak, we heard you all. I want to see your business in Ontario, but with the first reading of the Zone Changes on this property already, I don't feel comfortable grandfathering in a business that's lasted that long and that will hopefully last that long again for your families. I think we have to be cognizant of the families who have lived here as long as your business was in La Mirada. As Mr. Ricci said, if there was some way we can work with Economic Development, I would feel very comfortable and welcoming to have you in our city. I'm just not certain that this is the location for it.

Mr. Murphy wants to clarify one thing. The City Council has taken first reading on the Development Code; they have not yet taken any action on a Zone Change. That would have to go through you [Planning Commission] first. What Council is acting on is the Development Code itself which has established the light industrial zone, but no zone change has come forward as of yet.

Mr. Willoughby states that's correct.

Mr. Delman says he agrees with Ms. Mautz and the Stein family's work ethic. He states he owns a business which was started in 1946 and has been there for 50 years and understands all the hard work. He says he loves their business model and likes their extensive efforts to mitigate all the negatives that have been presented. He continues saying if their business is located on this property, it will be there for many years, as it has shown from the past. He states he's concerned about the increase in truck traffic and vehicle traffic, but most of all, he's concerned with negative and unintended consequences for the city that are not known yet. Mr. Delman says he knows the city cares about its residents and businesses clearly, because his own business is in Ontario. In conclusion, Mr. Delman states he would love to have this business in Ontario, a crushing

recycling business is very necessary, but he can't support this Agenda Item at this location.

Mr. Willoughby states he would like to add to the comments of the Commissioners. He states the City of Ontario is pro-business and it's reflected in its leadership. He wants to echo Ms. Mautz sentiments to both the Stein family, Star Scrap Metal and to the residents. He shares this is the process and this is what makes our city so great that we have a process to go through. The concern is noise and pollution which keeps coming back to that. Mr. Willoughby states he did a little math and at four to five trucks per hour that's over ten thousand trucks per year coming into that site. As it was stated, 15-25 minutes to off-load, that's hundreds and hundreds of hours of diesel truck idling right there just a few hundred feet from houses. That is a major concern. Mr. Willoughby makes reference to a facility on the eastern edge of town and the noise which is generated from the crane, crushers and such would be similar. He agrees with many of the Commissioners that it's a great business, but it's just the wrong piece of property, especially with the direction which we seems to be going towards of light industrial. Mr. Willoughby concluded that there is also a difference between this business and Patton, where this business is scraping metal and not selling metal. He said those were his feelings and thought the design was great, but again, in the wrong location. With that, he asked to entertain a motion.

City Attorney Rice states that if the Commission is intending deny the CUP, they ask staff to prepare a denial for resolution for the next meeting.

Ms. Mautz asks the Chairman to recommend staff to bring forth a resolution of denial for this project.

City Attorney Rice asks if Ms. Mautz wants to make a motion to deny the project today?

Ms. Mautz replies yes.

PLANNING COMMISSION ACTION

It was moved by Mautz, seconded by Delman, to deny the Conductional Use Permit of File No. PCUP14-028 and direct staff to prepare a Resolution memorializing the Commission's decision. Roll call vote: AYES, Delman, Downs, Gage, Gregorek, Mautz, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

Ms. Mautz and Mr. Willoughby asks that Planning Director works with Economic Director John Andrews to find another parcel for the Stein family.

C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW

FOR FILE NO. PMTT15-002: A Parcel Map (PM 19646) to subdivide a 1.85 acre parcel of land into a single parcel for condominium purposes, located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 210-501-23); **submitted by OA Partners, LLC.**

Staff is recommending opening the public hearing for public testimony and then continuing it to the October 27, 2015 meeting.

PUBLIC TESTIMONY

Item Continued to the October 27, 2015 meeting.

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

Item C was moved by Mautz, seconded by Delman, to continue the Environmental Assessment and Tentative Parcel Map to Planning Commission Meeting of October 27, 2015. The motion was carried 7 to 0. Roll call vote: AYES, Delman, Downs, Gage, Gregorek, Mautz, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried with 7 to 0 votes.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation: This subcommittee met on Thursday, September 10, 2015

- Mr. Delman shared that the subcommittee recommended 4 Mills Acts Contracts for Historic Homes for restoration for historic homes. *Address include: 509 East E St., 1258 N. Euclid Ave., 327 West H St. and 204 East J St.* These homes will be on the October Planning Commission Meeting
- Ms. Mautz questioned the Historic Guasti; if the current owners were preserving the site due to predicted weather. Mr. Murphy gave an update that the new owners were sent a letter in recent days advising them of concerns they had and asking them to make the repairs which were previously discussed and to try and maintain the facility as a way to save costs in the long-term than letting it go. More information will shared, hopefully at the next meeting.
- Mr. Willoughby questioned who the current owners are and who the former owners were.
- Mr. Murphy replied the current owners are Principle and former owners were B of A, as the property was lost previously and sold it to Principle.

General Plan/Zoning Consistency: This subcommittee met on Thursday, September 17, 2015

- Mr. Murphy shared that they are moving forward with zone changes for 1200 properties. Many of those in the Industrial category will be going to light industrial. He continued stating there were 4000+ notices that went out to property owners and adjacent property owners. Also, there were 2 community neighborhood meetings which there about 150 residents and property owners attend. From that there have been 20 written communications mostly in support of our actions and a handful which has come in who have opposed for two primary reasons. One was concerned about the change to M3 because he paid a premium for the zone change and now the person next to him didn't have to pay and several

properties who are going to light industrial restricts the type of uses which are allowed as we heard during the hearing. Mr. Murphy continued stating that he does expect that those property owners to come forth during the meeting in October to voice similar concerns as they have shared with staff. In conclusion, Mr. Murphy pointed out that he thought that considering there are 1200 properties, if only a dozen are in opposition, it speaks to the efforts the Advanced Planning team have made to reach out to the property owners to inform them what's going on and try to minimize those concerns.

New Business

Mr. Gregorek congratulated Mr. Murphy and Code Enforcement Staff on the 99cent Store. The issues which were brought up before about signs are now in compliance.

Mr. Gage states that the house on Campus and Sixth Street still has a cement front yard, with 3 three canopies for parking, one of which is filled by a camper-shell that's stationary off the pick-up. Mr. Murphy said he would follow-up with Code Enforcement.

Mr. Willoughby wanted to congratulate the city on another great Route 66 event. Mr. Murphy stated that having spent most of Saturday in the EOC, there was little activity and what he heard was that attendees appreciated the police presence. Many of the Commissioners shared their personal experiences about the event and gave praise to the city for hosting it again this year.

The QVC project at the Meredith International Center was updated and the groundbreaking was discussed. The Commissioners are excited about the project and they thanked the Planning Staff for their hard work.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated New Haven, Brookfield's new project is open. He encouraged the Commissioners to go and take a look.

ADJOURNMENT

Mautz motioned to adjourn, seconded by Delman. The meeting was adjourned at 9:09 p.m.

Secretary Pro Tempore

Chairman, Planning Commission



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, AICP, Planning Director *SM*

DATE: October 27, 2015

SUBJECT: **RESOLUTION OF DENIAL FOR CONDITIONAL USE PERMIT FOR FILE NO. PCUP14-028:** A Conditional Use Permit to establish a metal salvage and scrap yard recycling facility on a 2.38 acre site, located at 901 South Sultana Avenue, within the M3 (General Industrial) zoning district. Pursuant to the California Environmental Quality Act, staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1049-353-14); **submitted by Star Scrap Metal.**

At the September 22, 2015, Planning Commission meeting, the Commission conducted a public hearing on the above-referenced application. After receiving all public testimony on the application, the Planning Commission voted unanimously to deny the application and directed staff to prepare a resolution memorializing the facts and reasons for the Commission's denial.

Attached for your adoption is the resolution memorializing the Planning Commission's decision.

SM:

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, MEMORIALIZING THE PLANNING COMMISSION'S SEPTEMBER 22, 2015, DENIAL OF FILE NO. PCUP14-028, A CONDITIONAL USE PERMIT FOR A METAL SALVAGE AND SCRAP FACILITY ON 2.38 ACRES OF LAND LOCATED AT 901 SOUTH SULTANA, IN THE M3 (GENERAL INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1049-353-14.

WHEREAS, Star Scrap Metal ("Applicant") filed an Application requesting approval of a Conditional Use Permit, File No. PCUP14-028, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the property to the north of the Project site is within the M3 (General Industrial) zoning district and is developed with an industrial (vehicle storage) land use. The property to the south is within the M3 (General Industrial) zoning district and is developed and the property is used for vehicle storage and a contractors yard. The property to the east is within the M1 (Light Industrial) and M3 (General Industrial) zoning district and is developed with Southern Pacific Railroad Line and industrial buildings used for Manufacturing and Wholesale. The property to the west is within the R2 – Medium Density Residential zoning district and is developed with a single family home; and

WHEREAS, metal salvage yards and scrap processing facilities are conditionally permitted in the M3 zone, subject to review and approval of a Conditional Use Permit and compliance with the Metal Salvage Facility standards set forth in Article 13 of Chapter 1 of the Ontario Development Code as follows:

a. Metal Salvage Yards and Scrap processing must be conducted on a site at least 300 feet away from any dwelling, unless the owner and the occupants of the dwelling consent in writing to the use or operation. The written consent must be submitted with the application for a conditional use permit;

b. Open storage areas in conjunction with the use or operation shall be completely enclosed by a fence or wall not less than 8 FT in height, constructed of solid block, masonry, or metal approved by the Planning Director. The fence or wall shall have gates capable of being locked and set back not less than 10 FT from all interior property lines and not less than 10 FT from any property line adjoining a street. No materials within the enclosed area are to be stored to a height greater than 8 FT;

c. Except for necessary access drives, all setbacks are to be landscaped with dense growing evergreen plant materials which will achieve a height of at least 8 FT and shall be permanently maintained. Outside storage or recycling operations shall not be conducted within a required setback;

d. All compaction operations are to be conducted within a completely enclosed structure designed to minimize the noise generated by the operations;

e. A Conditional Use Permit for such use or operation shall be denied if the Planning Commission finds that existing uses or operations of the same type are adequate to meet the City's salvaging or recycling needs;

f. The Conditional Use Permit may be reviewed from time to time by the Planning Commission to verify that conditions of approval are being met. Failure to comply with the conditions of approval is subject to revocation of the Conditional Use Permit in accord with the provisions of Article 9 (Conditional Use Permits) of Chapter 1 of the Ontario Development Code;

g. All such existing uses and operations, regardless of their location with respect to zoning districts, must conform with the requirements of this section within one year after notification by the Planning Director; provided however, the Planning Commission may modify the requirements because unusual circumstances related to the site or its location make full compliance unfeasible; and

WHEREAS, the proposed operations included recycling of ferrous and non-ferrous metals that are not chemically contaminated and processing techniques include loading and unloading, breaking and separating, baling/compacting and cutting; and

WHEREAS, the proposed facility would operate in a drive-thru like manner, since customers remain in their vehicles while employees remove scrap metal from their vehicles; and

WHEREAS, there are residential homes (sensitive land uses) directly west of the project site that are zoned R2 and have a TOP land use designation of Low Density Residential; and

WHEREAS, the Planning Department conducted two community meetings on July 13, 2015, and August 20, 2015, to review the subject application with the neighboring residents, receive comments and answer questions on the proposed use; and

WHEREAS, the residents were all in opposition of the proposed use and submitted an on-line petition, prior to the Planning Commission meeting, with 177 signatures requesting staff not approve the project; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and a mitigated negative declaration and mitigation monitoring program has been prepared to mitigate potential environmental impacts; and

WHEREAS, 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;
and

WHEREAS, on September 22, 2015 the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, after considering all public testimony on the Application, the Planning Commission denied the Application by a vote of 7-0 and directed staff to prepare a resolution memorializing the Planning Commission's facts and reasons for the denial; and

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

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

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

a. The proposed location of the Conditional Use Permit is not consistent with the objectives and purposes of the Development Code and zoning district within which the site is located. The Development Code requires a 300-foot buffer between Metal Salvage Facilities to the closest residential structure, unless the owner and the occupants of the dwelling consent in writing to the use or operation. The facility is located 75 feet from the closest residential property and the property owners were in opposition of the project and submitted their opposition in writing.

b. The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will not be consistent with the Policy Plan (General Plan) and may be detrimental to the public health, safety, welfare within the vicinity. The proposed project is not consistent with the following Policy Plan (General Plan) goals and policies:

- i. Policy LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

The project has the potential to create visual, noise and air quality adverse impacts to residential properties west of project site and other sensitive uses within a ¼ mile of project site. The proposed facility operations include, loading and unloading, breaking and separating, baling and compacting and cutting create noise, dust and air quality issues from idling vehicles and the cumulative effects can be detrimental to the public, health, safety and welfare of nearby residential uses.

- ii. Policy LU2-2: Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur:

The project site is located 65 feet from a neighboring residential community. This is not an adequate buffer for the type of use contemplated.

- iii. Policy ER4-2: Sensitive Land Uses. We prohibit the future siting of sensitive land uses, within the distances defined by the California Air Resources Board for specific source categories, without sufficient mitigation.

The proposed equipment would generate dust and particles from baling, compaction, shearing operations that would have potential adverse impacts on surrounding residential uses.

- iv. Policy ER4-6: Particulate Matter. We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.

The project site is located 75 feet away from a residential neighborhood on the west and the potential particulate matter near sensitive receptors in area that is already exposed to air quality concerns associated with vehicles traveling along Mission Boulevard and aircraft from Ontario International Airport.

- v. Policy S4-1: Noise Mitigation. We utilize the City's Noise Ordinance, building codes and subdivision and development codes to mitigate noise impacts.

The project site is located 75 feet from the closest residential property and cumulative noise impacts from proposed equipment, operations and semi-truck vehicles are likely to exceed the Noise Standards for Residential uses noted within The Ontario Plan of CNEL 60 – 65 dB.

c. Traffic generated by the proposed Conditional Use Permit has the potential to overload the capacity of the surrounding street system and create a hazard to public safety. The site allows for on-site queuing for up to four semi-trailers, the large scale operation in relation to the size of the site and limited maneuverability have the potential to create traffic stacking onto Mission Boulevard and pose a hazard to public safety if there is a malfunction of equipment and/or on-site operations. Semi-trucks take approximately 20 minutes to unload, delays and large number of vehicles coming onto the site within a small period of time may also cause stacking onto Mission Boulevard.

d. The proposed Conditional Use Permit does not comply with each of the applicable provisions of the Development Code. The proposed project does not meet all

criteria established for Metal Salvage Yard and Scrap Processing Facilities. The project site and operations are located within 300 feet of residential and residential property owners located directly across from the project site did not consent to the proposed project. The proposed equipment needed to operate exceed the height of the screen wall. The equipment proposed for compacting and baling are not located within an enclosed structure

SECTION 2. Based upon the findings and conclusions set forth in Section 1 above, the Planning Commission hereby denies the Project.

SECTION 3. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 4. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PCUP14-028
October 27, 2015
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert Resolution No.] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



PLANNING COMMISSION STAFF REPORT

October 27, 2015

SUBJECT: A Tentative Parcel Map (TPM 19646) (File No. PMTT15-002) to subdivide a 1.85 acre parcel of land into a single parcel for condominium purposes, located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan. (APN: 210-501-23); **submitted by OA Partners, LLC.**

PROPERTY OWNER: Staples, Inc.

RECOMMENDED ACTION: That the Planning Commission approve File No. PMTT15-002 (TPM19646), pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 1.85 acres of land located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan, and is depicted in **Figure 1: Project Location**, below. The project site is located within a large, commercial shopping center (The Marketplace at Ontario Center) generally located at the northwest corner of Milliken Avenue and Inland Empire Blvd. The Marketplace is developed with 14 commercial buildings on approximately 30 acres of land, including the project site that encompasses a 20,388 square foot commercial building (Staples), parking, and drive aisles (**Exhibit A: Project Site**). The project site and surrounding properties to the north, east, south and west are located within The Ontario Center Specific Plan and all properties have a Garden



Figure 1: Project Location

Case Planner:	Lorena Mejia	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	10/5/2015	10/5/2015	Recommend
Submittal Date:	6/10/2015	ZA			
Hearing Deadline:	1/08/2016	PC	10/27/2015		Final
		CC			

Commercial land use designation (**Exhibit B: The Ontario Center Specific Plan - Land Use Map**). The Marketplace encompasses several businesses, which include restaurants, a bank, furniture retail stores, commercial retail, two gas stations, offices and Sam's Club located immediately north of Staples (**Exhibit C: Site Photos**).

PROJECT ANALYSIS:

[1] Background — The Applicant is requesting a Tentative Parcel Map approval to subdivide the 1.85-acre project site into a single lot for condominium purposes. Staples, the commercial office supply store, is restructuring their store operations nationwide and the amount of floor space needed to operate their stores is being reduced. The proposed Parcel Map will allow Staples to divide their existing store into two separate units and sale/lease the remaining portion. Staples intends to move forward with tenant improvements and façade improvements for the new retail user as shown below in **Figure 2: Staples Façade Improvement**.

The applicant is not proposing to amend the existing Covenants, Conditions and Restrictions (CC&R's) for the commercial center but create new CC&R's for the project site that will establish the rules and regulations for Staples and new tenant. The CC&R's will be recorded with the final map, and address common maintenance and access between the two units. The existing CC&R's will remain in place for the existing center and they establish parking assignments, access between parcels, and common maintenance of landscaped areas, parking facilities, and utility and drainage easements.



Figure 2: Staples Façade Improvement

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

[1] City Council Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals: Invest in the Growth and Evolution of the City's Economy; and Operate in a Businesslike Manner.

[2] Policy Plan (General Plan)

[a] Land Use—Flexibility

Goal: LU3 Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

Policies: LU3-1 *Development Standards*. We maintain clear development standards which allow flexibility to achieve our Vision.

[b] Community Design—Image & Identity

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

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

[c] Community Design—Design Quality

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

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

CD2-14 *Availability of Information*. We provide easy access to information for developers, builders and the public about design quality, construction quality, and sustainable building practices.

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15315 (Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within an urbanized commercial development and the proposed subdivision is for a single parcel of land for condominium purposes. The subdivision is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcel are available and meet local standards, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Commercial	Mixed Use	The Ontario Center Specific Plan	Garden Commercial
<i>North</i>	Commercial	Mixed Use	The Ontario Center Specific Plan	Garden Commercial
<i>South</i>	Commercial	Mixed Use	The Ontario Center Specific Plan	Garden Commercial
<i>East</i>	Commercial	Mixed Use	The Ontario Center Specific Plan	Garden Commercial
<i>West</i>	Commercial	Mixed Use	The Ontario Center Specific Plan	Garden Commercial

Exhibit A: Project Site



Exhibit B: The Ontario Center Specific Plan - Land Use Map

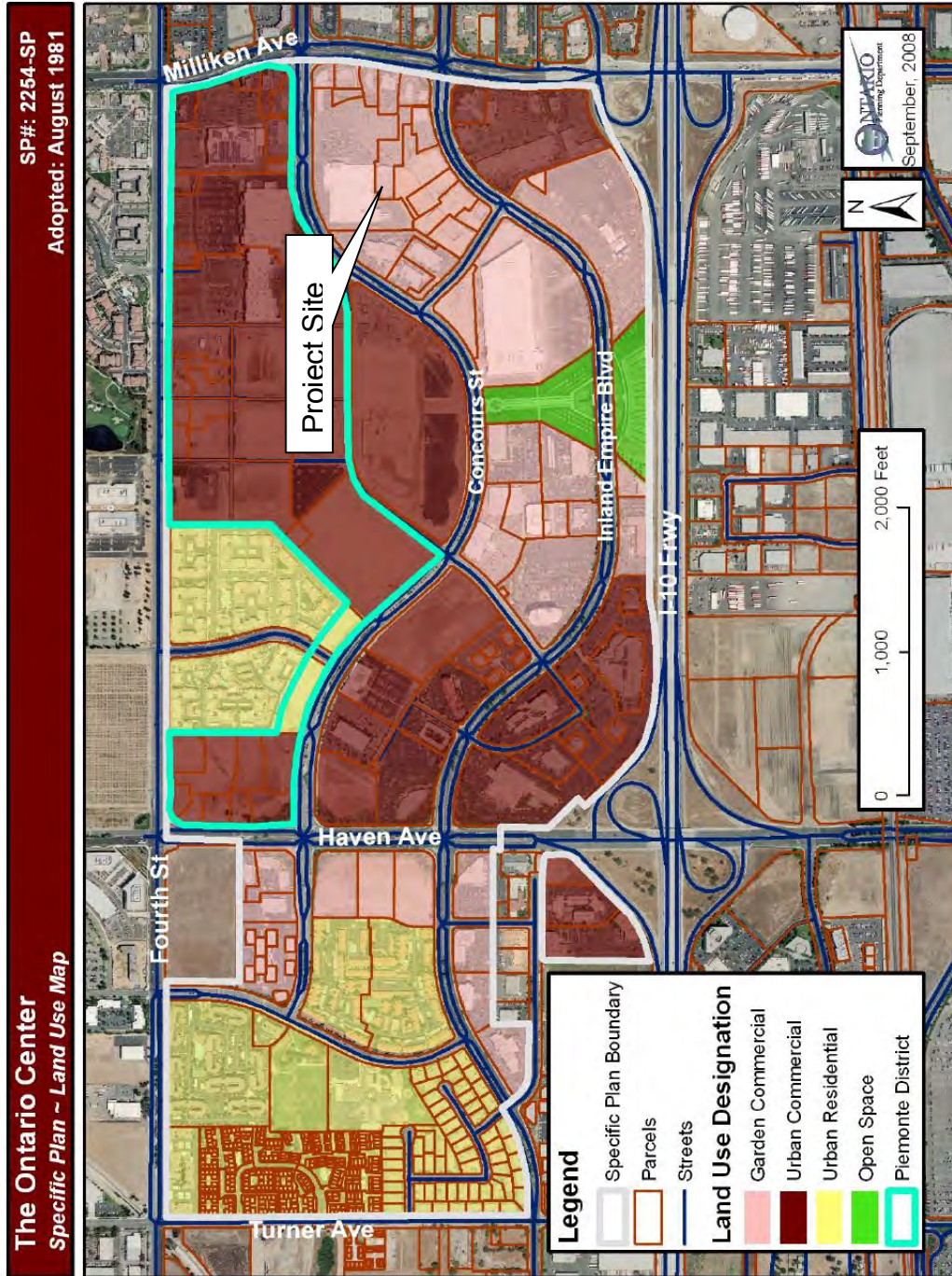


Exhibit C: Site Photos



Existing Commercial Store on Parcel (Looking West)



Existing Commercial Store North of Project Site (Sam's Club)



Existing Commercial Store South of Project Site

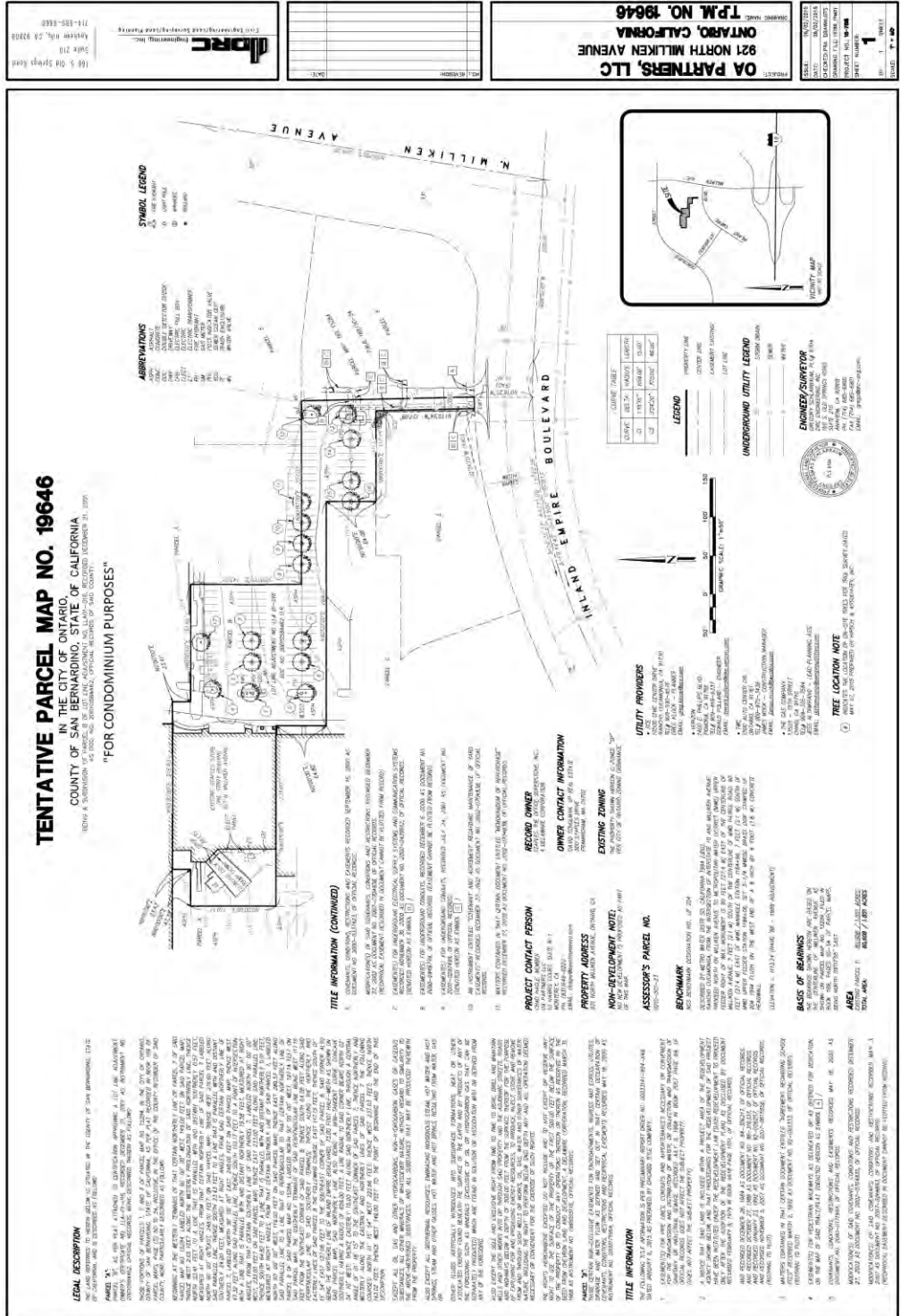


Existing Commercial/Parking Lot East of Project Site



Rear of Staples (Existing Commercial Store) Looking East

Exhibit D: Tentative Parcel Map



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT15-002, A TENTATIVE PARCEL MAP (TPM19646) TO SUBDIVIDE A 1.85-ACRE PARCEL OF LAND INTO A SINGLE PARCEL FOR CONDOMINIUM PURPOSES LOCATED AT 921 NORTH MILLIKEN AVENUE, IN THE GARDEN COMMERCIAL LAND USE DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 210-501-23.

WHEREAS, OA Partners ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT15-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to property located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan; and

WHEREAS, the Applicant is requesting a Tentative Parcel Map (TPM 19646) to subdivide a 1.85-acre parcel of land into a single parcel for condominium purposes; and

WHEREAS, the proposed Tentative Parcel Map will allow Staples to divide their existing store into two separate units and sale/lease the remaining portion; and

WHEREAS, the project site is located within a large commercial shopping center (The Marketplace at Ontario Center) generally located at the northwest corner of Milliken Avenue and Inland Empire Blvd; and

WHEREAS, the Marketplace at the Ontario Center is developed with 14 commercial buildings on approximately 30 acres of land including the project site. The project site encompasses a 20,388 square foot commercial building (Staples), parking, and drive aisles; and

WHEREAS, the project site and surrounding properties to the north, east, south and west are located within The Ontario Center Specific Plan and all properties have a Garden Commercial land use designation; and

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

WHEREAS, the 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; 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, on October 5, 2015, the Development Advisory Board of the City of Ontario conducted a hearing and issued Decision No. DAB15-055 recommending Planning Commission approval of the Application; and

WHEREAS, on September 22, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and continued the item to the October 27, 2015 Planning Commission meeting; and

WHEREAS, on October 27, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The proposed Tentative Parcel Map is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The division of property is located in an urbanized area for commercial use of one parcel and is in conformance with the General Plan and The Ontario Center Specific Plan - Garden Commercial land Use Designation, no variances or exceptions are required, all services and access to the proposed parcels conform to local standards and are available. The parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent; and

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

c. The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

a. The subdivision is consistent with all applicable general and specific plans. The Policy Plan (General Plan) Land Use Plan designates the project site for Mixed Use (Ontario Center) and the existing development and the proposed subdivision is consistent with the Policy Plan land use district for the project site and The Ontario Center Specific Plan - Garden Commercial land Use Designation.

b. The design and improvement of the subdivision is consistent with all applicable general and specific plans. The lot dimensions, area, and configuration is consistent with the standards set forth in The Ontario Center Specific Plan.

c. The site is physically suitable for the type of development proposed. The site is fully developed and is part of a larger commercial center, the proposed subdivision is for condominium purposes and is suitable for the continued commercial uses.

d. The site is fully developed and is part of a larger commercial center, the proposed subdivision is for condominium purposes and is suitable for the continued density of development.

e. The site is fully developed and the proposed subdivision for condominium purposes will not cause substantial environmental damage or substantially injure fish, wildlife or their habitat.

f. The site is fully developed and the design of the proposed subdivision for condominium purposes will not cause serious public health problems.

g. The site is fully developed and the design of the subdivision for condominium purposes will not conflict with any easement acquired by the public at large, then of record, for access through or use of the property within the proposed subdivision.

h. The site is fully developed and the design of the subdivision is for condominium purposes and the original development approval to the extent feasible, provided for passive and natural heating/cooling opportunities.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission approves the Project subject to each and every condition set forth in the Department reports, attached hereto and incorporated herein by this reference.

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

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

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PMTT15-002
October 27, 2015
Page 5

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC**_*** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



**PLANNING DEPARTMENT
CONDITIONS OF APPROVAL**

File No(s). PMTT15-002

Date: October 5, 2015

Project Description: A Tentative Parcel Map (PM 19646) to subdivide a 1.85 acre parcel of land into a single parcel for condominium purposes, located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan. (APN(s): 210-501-23); **submitted by OA Partners, LLC**

Reviewed by: Lorena Mejia, Associate Planner
Phone: (909) 395-2036; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Development Plan application shall comply with the following conditions of approval:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 1020-021, on March 16, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or the City Clerk.

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. Project 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. 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 Subdivision Map. The final tract map or parcel map shall be in conformance with the approved tentative tract map or parcel map on file with the City. Any substantial variation from the approved tentative tract map or parcel map must be reviewed and approved by the Planning Department.

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

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

(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) The existing CC&Rs for the shopping center were recorded on May 16, 2000 with the County of San Bernardino, Document No. 2000-0171964 and supplemental CC&Rs were recorded on December 23, 2002, Document No. 2002-0704835 and addresses: maintaining reciprocal parking and access between parcels; landscaping and common maintenance; utility and drainage easements; authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area; and provisions for the City of Ontario to enforce the existing shopping center's CC&Rs.

2.4 Environmental Review.

(a) The proposed project is categorically exempt from environmental review in accordance with Section 15315 (Class 15—Minor Land Divisions) of the California Environmental Quality Act Guidelines.

2.5 Additional Fees.

(a) After 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.

(b) Within 5 days following final application approval, the Notice of Determination (NOD), 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*", which will be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in the 30-day statute of limitations for the filing of a CEQA lawsuit being extended to 180 days.

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT15-002
 Address: 921 North Milliken Avenue
 APN: 0210-501-23
 Existing Land Use: Commercial Retail Store
 Proposed Land Use: Parcel map to subdivide property into 1 parcel for condominium purposes
 Site Acreage: 1.851 Proposed Structure Height: Existing structure
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 8/28/15
 CD No.: 2015-032
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 77 ft	
<input type="radio"/> Zone 5			

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

Zone A
 Zone B1
 Zone C
 Zone D
 Zone E

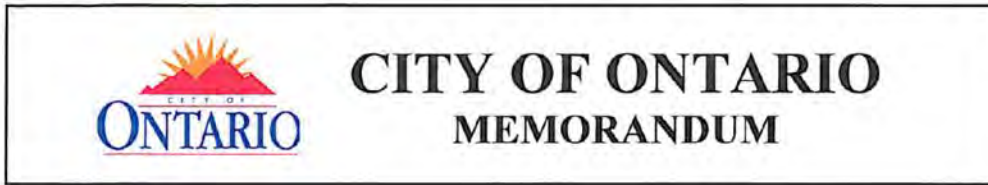
CONSISTENCY DETERMINATION

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:

Form Updated: 11/14/2014



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Traffic/Transportation Division and Municipal Utilities Agency, and Environmental Section Conditions incorporated)

DATE: 09.09.2015

PROJECT PLANNER: Lorena Mejia, Planning Department

PROJECT: PM-19646, A Tentative Parcel Map to subdivide 1.85 acres of developed land into one parcel for condominium purposes, within the Garden Commercial land use district of the Ontario Center Specific Plan.

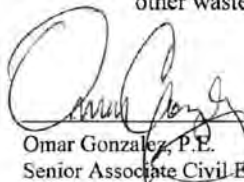
APN: 0210-501-23

LOCATION: 921 N. Milliken Avenue

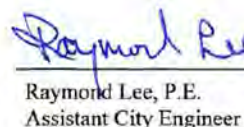
PROJECT ENGINEER: Miguel Sotomayor, Engineering Department MS

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

1. The applicant/developer shall repair the damaged drive approach panel (drive approach located on Inland Empire Boulevard just west of Milliken Avenue).
2. The applicant/developer shall submit CC&R's as applicable to the project and as approved by the City Attorney and the Engineering and Planning departments. 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.
3. Future establishment occupants of the individual units shall apply for a Wastewater Discharge Permit for their establishment and shall comply with all requirements of the permit including but not limited to, possibly installing a monitoring manhole or other wastewater pretreatment equipment.


Omar Gonzalez, P.E.
Senior Associate Civil Engineer

8/24/15
Date


Raymond Lee, P.E.
Assistant City Engineer

8/26/15
Date

Location of damaged drive approach panel highlighted in red, referenced in Engineering Condition 1.



**CITY OF ONTARIO
MEMORANDUM**

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 16, 2015
SUBJECT: PMTT15-002

1. The plan **does** adequately address the departmental concerns at this time.
No comments.

cc: File

KS:kb



TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Raymond Lee, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Scott Melendrez, Police Department
Art Andres, Deputy Fire Chief/Fire Marshal
Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
Sifrido Rivera, Housing Manager
Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES

FROM: Lorena Mejia,

DATE: June 15, 2015

SUBJECT: FILE #: PMTT15-002 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, June 29, 2015**.

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

PROJECT DESCRIPTION: A request for a Tentative Parcel Map (PM 19646) to subdivide approximately 1.851 acres of land into 1 parcel for condominium purposes, located at 921 North Milliken Avenue (Staples), within the Garden Commercial land use district of the Ontario Center Specific Plan. APN: Q210-501-23

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

Police
Department

Signature: *DOUGLAS SORIEL*

Title: *MITT ANALYST*

Date: *6/29/15*

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

CONDITIONS OF APPROVAL	
Sign Off	
<i>Carolyn Bell</i> Carolyn Bell, Sr. Landscape Planner	7/14/15 Date

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

D.A.B. File No.: PMTT15-002	Related Files:	Case Planner: Lorena Mejia
--------------------------------	----------------	-------------------------------

Project Name and Location: Retail Building - Staples 921 N Milliken Ave

Applicant/Representative: OA Partners – Gaby Arvizu 10 Harris Court Ste B-1 Monterey, CA 93940

<input checked="" type="checkbox"/>	A Tentative Tract Map (dated 6/2/15) has been approved with the consideration that the following conditions below be met upon submittal of the Development Plans
<input type="checkbox"/>	A Tentative Tract Map (dated) has not been approved. Applicable conditions are checked below. Corrections are required for DAB approval.

CONDITIONS OF APPROVAL (APPLICABLE ITEMS ARE CHECKED)

1. On site and parking lot landscape maintenance shall continue to be provided by the property association.
2. Any missing trees or landscape materials shall be replaced with similar size and type.
3. All irrigation shall be repaired or replaced so that there is 100% coverage with no overspray or runoff.



PLANNING COMMISSION STAFF REPORT

October 27, 2015

SUBJECT: A revision to certain provisions of a comprehensive update to the City of Ontario Development Code (previously reviewed by the Planning Commission on 6/23/2015, and introduced to the City Council on 8/4/2015), as follows: [1] establish consistency with Senate Bill No. 582 (amending Civil Code Section 835), allowing electrified fences in commercial and other nonresidential zones (except industrial zones) up to 10 feet in height, and within industrial zones up to 16 feet in height; [2] allow “architectural and structural metal manufacturing” and “converted paper product manufacturing” as conditionally permitted land uses within the proposed IL (Light Industrial) zoning district; and [3] modify Development Code Table 5.02-1 (Land Use Matrix) to ensure consistency in allowed land uses within the proposed ONT (Ontario International Airport) zoning district and the current M3 (General Industrial) zoning district. **City Initiated.** City Council action is required.

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of the revisions to the Development Code to include the following:

- [1] Establish consistency with SB 582;
- [2] Allow “architectural and structural metal manufacturing” and “converted paper product manufacturing” as conditionally permitted land uses within the IL (Light Industrial) zoning district; and
- [3] Modify draft Development Code Table 5.02-1 (Land Use Matrix) to ensure consistency between the list of allowed land uses in the proposed ONT and the current M3 zoning districts.

PROJECT SETTING: The City of Ontario consists of approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south; see Figure 1 (Vicinity Map), below. The City is substantially built-out with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational land uses. Table 1 (City of Ontario Land Uses) provides the land use composition of the City pursuant to the future buildout projections contained in The Ontario Plan (Exhibit LU-03). According to the California Department of Finance, the City of Ontario’s 2015 estimated population is 168,777 persons, and is ranked the 29th largest city in the State.

Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
		ZA			
Submittal Date:	N/A	PC	10/27/2015		Recommend
Hearing Deadline:	N/A	CC	11/17/2015		Final



Figure 1: Vicinity Map

PROJECT ANALYSIS:

[1] Background — On June 23, 2015, the Planning Commission adopted Resolution No. PC15-042, recommending the City Council approve a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. Additionally, several amendments to the Ontario Municipal Code were recommended in order to provide for the logical arrangement of Municipal Code provisions, as well as the elimination of duplicate and inconsistent provisions.

On August 4, 2015, the City Council approved the introduction of an Ordinance adopting the comprehensive Development Code update (first reading of the enacting ordinance). Final City Council action on the ordinance (second reading of the enacting ordinance) will occur concurrently with the final action on a group of City initiated zone changes, which are necessary to bring the City's official zoning map into consistency with the Land Use Map of The Ontario Plan, Policy Plan.

[2] Proposed Revisions — Since Planning Commission and City Council actions on the proposed comprehensive Development Code update (previously reviewed by the Planning Commission on June 23, 2015, and introduced to the City Council on August 4, 2015), several necessary changes to the proposed Development Code have been identified. Staff thought it prudent to bring forward the changes at this time, prior to the City Council taking final action on the comprehensive update, rather than waiting 6 months or more for the processing of the next group of necessary Development Code revisions. The proposed changes to the draft Development Code include the following:

[a] Establish consistency with Senate Bill 582, signed by the Governor on September 4, 2015, which amends California Civil Code §§ 835, authorizing property owners to install and operate electrified security fences in nonresidential zoning districts, subject to certain standards. The Development Code update previously reviewed and acted on by the Planning Commission and City Council includes provisions governing the use of electrified fences; however, with the new provisions signed into State law last month, changes to the City’s electrified fence provisions are necessary. Therefore, staff is recommending that draft Development Code §§ 6.02.025.E (Electrified Fences) be revised to read as shown in *Exhibit A: Electrified Fences*, attached, which will bring the City’s provisions into full compliance with the new State provisions.

[b] Allow “architectural and structural metal manufacturing” and “converted paper product manufacturing” land uses within the proposed IL (Light Industrial) zoning district. The Development Code update previously reviewed and acted on by the Planning Commission and City Council currently prohibits these two land uses within the IL (Light Industrial) zoning district. Following discussions with property and business owners, and operators of these two land uses, staff believes that it would be appropriate to allow “architectural and structural metal manufacturing” and “converted paper product manufacturing” within the IL zoning district, subject to Conditional Use Permit approval. Architectural and Structural Metal Manufacturing would include the manufacturing of such things as architectural and ornamental metalwork, balcony railings, fences and gates, fire escapes, flooring, stairs, treads, etc. Converted paper products would include such things as the manufacturing of cards, paper plates, coffee filters, confetti, food trays, etc. Through the CUP process, any adverse activities that may be associated with the land uses (typically noise, and use/storage of hazardous chemicals and compounds (such as glues, inks and solvents used in paper product manufacturing), and compressed gases (used in welding) can be adequately controlled and/or mitigated.

[c] Modify draft Development Code Table 5.02-1 (Land Use Matrix) to ensure that the allowed land uses within the current and proposed General Industrial and Ontario International Airport zoning districts are each consistent with the other, and that the allowed land uses within each zoning district will remain consistent as City initiated zone changes occur in order to make the zoning of each affected property consistent with The Ontario Plan Land Use Map designation for each property. The proposed allowed land

uses for the industrial land use districts are identified in *Exhibit B: Excerpt from Development Code Table 5.02-1 (Land Use Matrix); Industrial Zoning Districts,* attached. Although not all industrial zoning districts are affected by the proposed change, the entire industrial zoning classification has been shown for the purpose of land use comparison by district.

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

[1] City Council Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals:

- Invest in the Growth and Evolution of the City's Economy;
- Operate in a Businesslike Manner;
- Encourage. Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities; and
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Policy Plan (General Plan)

[a] Land Use Element – Balance:

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

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

➤ LU1-2 Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.

➤ LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

➤ LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.

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

➤ LU1-7 Revenues and Costs. We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts.

[b] Land Use – Compatibility

- Goal LU2: Compatibility between wide ranges of uses.

➤ LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.

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

[c] Land Use – Phased Growth

- Goal LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.

➤ LU4-3 Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.

[d] Land Use – Airport Environs

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

➤ LU5-5 Airport Compatibility Planning for ONT. We create and maintain the Airport Land Use Compatibility Plan for ONT.

➤ LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

[e] Community Design Element – Image & Identity:

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

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

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

➤ CD1-4 Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.

➤ CD1-5 View Corridors. We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees.

[f] Community Design Element – Design Quality

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

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

- building volume, massing, and height to provide appropriate scale and proportion;
- a true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

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

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

- variable setbacks and parcel sizes to accommodate a diversity of housing types;
 - traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
 - floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
 - landscaped parkways, with sidewalks separated from the curb.
- CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.
- CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.
- CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.
- CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

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

[g] Community Design Element – Pedestrian & Transit Environments

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

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

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

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

[h] Community Design Element – Protection of Investment

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

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

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

[i] Mobility Element – Roadway System:

▪ Goal M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

- M1-1 Roadway Design and Maintenance. We require our roadways to:
 - Comply with federal, state and local design and safety standards.
 - Meet the needs of multiple transportation modes and users.
 - Handle the capacity envisioned in the Functional Roadway Classification Plan.
 - Maintain a peak hour Level of Service (LOS) E or better at all intersections.
 - Be compatible with the streetscape and surrounding land uses.
 - Be maintained in accordance with best practices and our Right-of-Way Management Plan.

- M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.

[j] Mobility Element – Bicycles & Pedestrians:

- Goal M2: A system of trails and corridors that facilitate and encourage bicycling and walking.
 - M2-1 Bikeway Plan. We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.
 - M2-2 Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances.
 - M2-3 Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

[k] Housing Element – Housing Supply & Diversity:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-1 Corridor Housing. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally, and aesthetically suited to corridors.

➤ H2-3 Ontario Airport Metro Center. We foster vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.

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

[l] Environmental Resources Element – Water & Wastewater:

▪ Goal ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.

➤ ER1-3 Conservation. We require conservation strategies that reduce water usage.

➤ ER1-5 Groundwater Management. We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.

➤ ER1-6 Urban Run-off Quantity. We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.

➤ ER1-7 Urban Run-off Quality. We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.

[l] Environmental Resources Element – Energy:

▪ Goal ER3: Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.

➤ ER3-6 Generation – Renewable Sources. We promote the use of renewable energy sources to serve public and private sector development.

[m] Environmental Resources Element – Air Quality:

▪ Goal ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.

➤ ER4-1 Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance

➤ ER4-3 Greenhouse Gases (GHG) Emissions Reductions. We will reduce GHG emissions in accordance with regional, state and federal regulations.

➤ ER4-8 Tree Planting. We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.

[n] Parks & Recreations Element – Planning & Design:

▪ Goal PR1: A system of safe and accessible parks that meets the needs of the community.

➤ PR1-5 Acreage Standard. We strive to provide 5 acres of parkland (public and private) per 1,000 residents.

➤ PR1-6 Private Parks. We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.

[o] Community Economics Element – Complete Community:

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

➤ CE1-1 Jobs-Housing Balance. We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.

➤ CE1-7 Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

[p] Community Economics Element – Place-Making:

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

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

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

➤ CE2-6 Public Maintenance. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.

COMPLIANCE WITH THE AIRPORT LAND USE COMPATIBILITY PLAN: The proposed Development Code Amendment affects properties located within the Airport Influence Area of Ontario International Airport, and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearing House No. 2008101140), which was certified by the Ontario City Council on January 27, 2010 (Resolution No. 2010-003). The Addendum found that subject application will not introduce any new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures are a condition of project approval and are incorporated by this reference.

Exhibit A: Electrified Fences

E. Electrified Fences.

1. No electrified fence shall be installed or used unless first approved by the Planning Director. As used herein, “electrified fence” means any fence that meets the following requirements.

a. The fence is powered by an electrical energizer with both of the following output characteristics:

(1) The impulse repetition rate does not exceed 1 hertz (hz).

(2) The impulse duration does not exceed 10 milliseconds, or 10/10,000 of a second.

b. The fence is used to protect and secure commercial or industrial property.

2. An owner of real property may install and operate an electrified fence on their property subject to all of the following:

a. The property is not located in a residential zone.

b. The fence meets the 2006 international standards and specifications of the International Electrotechnical Commission for electric fence energizers in “International Standard IEC 60335, Part 2-76.”

c. The fence is identified by prominently placed warning signs that are legible from both sides of the fence. At a minimum, the warning signs shall meet all of the following criteria:

(1) The warning signs are placed at each gate and access point, and at intervals along the fence not exceeding 30 FT.

(2) The warning signs are adjacent to any other signs relating to chemical, radiological, or biological hazards.

(3) The warning signs are marked with a written warning or a commonly recognized symbol for shock, a written warning or a commonly recognized symbol to warn people with pacemakers, and a written warning or commonly recognized symbol about the danger of touching the fence in wet conditions.

d. Within nonresidential zoning districts, except industrial zoning districts, an electrified fence shall not exceed 10 FT in height, and shall be located behind a fully enclosed perimeter wall or fence that is no less than 2 FT below the height of the electrified fence.

e. Within industrial zoning districts, an electrified fence shall not exceed 16 FT in height, and shall be located behind a fully enclosed perimeter wall or fence that is no less than 2 FT below the height of the electrified fence.

f. A “Knox Box Electrical Shunt Switch” and a “Knox Box” or other similarly approved device, shall be installed for emergency access of Police and Fire Departments.

g. By issuance of a building and/or electrical permit to install or use an electric fence as provided by this Subsection, the applicant and property owner shall agree, as a condition of permit issuance, to defend, indemnify and hold harmless the City of Ontario and its agents, officers, consultants, independent contractors, and employees, from any and all claims, actions, or proceedings arising out of any personal injury, including death or property damage caused by the electrified fence.

h. In the event that access by the City of Ontario Fire Department and/or Police Department personnel to a property where a permitted electrified fence has been installed and is operating required due to an emergency or urgent circumstances, and the Knox Box or other similar approved device referred to in this Subsection is absent or non-functional, and an owner, manager, employee, custodian, or any other person with control over the property, is not present to disable the electric fence, the fire or police personnel shall be authorized to disable the electrified fence in order to gain access to the property. As a condition of permit issuance, all applicants issued permits to install or use an electrified fence as provided in this Subsection will agree to waive any and all claims for damages to the electrified fence against the City of Ontario and/or its personnel under such circumstances.

i. It shall be unlawful, and a misdemeanor, for any person to install, maintain, or operate an electrified fence in violation of this Subsection.

**Exhibit B: Excerpt from Development Code Table 5.02-1 (Land Use Matrix):
 Industrial Zoning Districts**

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		BP <i>(New District)</i>	IP <i>(New District)</i>	IL <i>(Formerly M1)</i>	IG <i>(Formerly M2 & M3)</i>	IH <i>(Formerly M3 (VI))</i>	ONT <i>(Formerly M3)</i>	
00	RESIDENTIAL							
	Accessory Residential Structures (limited to guesthouses, garages, carports, garden and tool sheds, and other ancillary buildings and structures constructed in conjunction with a single-family dwelling)	---	---	---	---	---	---	See Section 5.03.010 (Accessory Detached Residential Structures)
	Animal Keeping (as an accessory use)							
	Birds							
	• Fewer than 25 birds	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)
	• 25 to 100 birds	---	---	---	---	---	---	
	• More than 100 birds	---	---	---	---	---	---	
	Cattle & Buffalo	---	---	---	---	---	---	
	Exotic Pets	---	---	---	---	---	---	
	Horses	---	---	---	---	---	---	
	Household Pets (limited to any combination of dogs, cats, potbellied pigs, rabbits, chinchillas, and other small, domesticated animals that are maintained for non-breeding purposes only)							
	• 4 or fewer pets	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)
	• <u>5 to 8 pets</u>	---	---	---	---	---	---	
	• <u>More than 8 pets</u>	---	---	---	---	---	---	
	Llamas, Alpacas, Burros, Donkeys, and Mules	---	---	---	---	---	---	
	Ostriches, Emus, and Rheas	---	---	---	---	---	---	
	Poultry and Fowl	---	---	---	---	---	---	
	Rabbits and Chinchillas	---	---	---	---	---	---	
	Swine	---	---	---	---	---	---	
	Sheep, Goats, and Similar Livestock	---	---	---	---	---	---	

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<i>BP</i> (New District)	<i>IP</i> (New District)	<i>IL</i> (Formerly M1)	<i>IG</i> (Formerly M2 & M3)	<i>IH</i> (Formerly M3 (VI))	<i>ONI</i> (Formerly M3)	
	Caretaker Quarters (excludes Caretaker Quarters established in conjunction with Self-Storage Facilities (NAICS 493190))	<u>C</u>	---	C	C	C	C	
	Community Gardens, Urban Farms, and Related Uses	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	See Section 5.03.410 (Urban Agriculture)
	Employee (Farmworker) Housing							
	• 6 or fewer employees	---	---	---	---	---	---	See Section 5.03.405 (Transitional Shelter Housing)
	• 7 to 12 employees	---	---	---	---	---	---	
	Home Occupations	---	---	---	---	---	---	See Section 5.03.240 (Home Occupations)
	Mixed-Use Developments (commercial developments incorporating single-family and/or multiple-family dwellings)	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)
	Mobilehome Parks	---	---	---	---	---	---	See Section 5.03.295 (Mobilehome Parks)
	Multiple-Family Dwellings	---	---	---	---	---	---	
	Second Dwellings	---	---	---	---	---	---	See Section 5.03.355 (Second Dwellings)
	Senior Citizen Housing Developments	---	---	---	---	---	---	See Section 5.03.360 (Senior Citizen Housing Developments)
	Single-Family Dwellings	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings)
	Single Room Occupancy (SRO) Facilities	---	---	---	---	---	---	See Section 5.03.370 (Single Room Occupancy (SRO) Facilities)
	Supportive Housing	---	---	P	C	---	C	See Section 5.03.405 (Transitional Shelter Housing)

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<i>BP</i> (New District)	<i>IP</i> (New District)	<i>IL</i> (Formerly M1)	<i>IG</i> (Formerly M2 & M3)	<i>IH</i> (Formerly M3 (VI))	<i>ONI</i> (Formerly M3)	
	Work/Live Units	---	---	---	---	---	---	See Section 5.03.425 (Work/Live Units)
11	COMMERCIAL AGRICULTURE							
111	Commercial Crop Production and Farming	---	---	---	P	P	P	See Section 5.03.410 (Urban Agriculture)
112	Commercial Animal Production							
1121	Cattle Ranching and Farming	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)
1122	Hog and Pig Farming	---	---	---	---	---	---	
1123	Poultry and Egg Production	---	---	---	---	---	---	
1124	Sheep and Goat Farming	---	---	---	---	---	---	
1125	Aquaculture	---	---	---	---	---	---	
1129	Other Animal Production							
11291	<i>Apiculture (bee keeping and production)</i>	---	---	---	---	---	---	
11292	<i>Horses and Other Equine Production</i>	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)
11293	<i>Fur-Bearing Animal Production (limited to rabbits, chinchillas, and other similar small, fur-bearing animals)</i>	---	---	---	---	---	---	
11299	<i>All Other Animal Production, limited to the following (NAICS 112990):</i>							
112990	Kennels and Catteries (<u>includes animals owned by the owner or occupant of the property, and those kept and/or boarded for remuneration</u>)							
	• Fewer than 8 animals	---	---	<u>P</u>	P	P	P	See Section 5.03.410 (Urban Agriculture) and OMC Section 6-1.224 through Section 6-1.228 regarding commercial kennel licensing.
	• 8 or more animals	---	---	<u>C</u>	P	P	P	
112990	Alpaca and Llama Farming	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)
112990	Aviaries	---	---	---	---	---	---	
112990	Ostrich, Emu, and Rhea Farming	---	---	---	---	---	---	

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<u>BP</u> (New District)	<u>IP</u> (New District)	<u>IL</u> (Formerly M1)	<u>IG</u> (Formerly M2 & M3)	<u>IH</u> (Formerly M3 (VI))	<u>ONI</u> (Formerly M3)	
115	Support Activities for Agriculture							
115110	Support Activities for Crop Production (limited to cotton ginning; soil preparation, planting and cultivating; crop harvesting; postharvest crop activities; farm labor contractors and crew leaders; and farm management services)	---	---	---	---	---	---	
115210	Support Activities for Animal Production	---	---	---	---	---	---	
21	MINING, QUARRYING, AND OIL AND GAS EXTRACTION							
211	Oil and Gas Extraction	---	---	---	---	---	---	
212	Mining (except oil and gas)	---	---	---	---	---	---	
22	UTILITIES							
221	Utilities							
2211	Electric Power Generation, Transmission and Distribution							
22111	<i>Electric Power Generation</i>							
221111	<u>Hydroelectric Power Generation</u>	---	---	---	---	<u>IC</u>	---	
221112	Fossil Fuel Electric Power Generation	---	---	---	<u>C</u>	<u>C</u>	<u>C</u>	
221113	<u>Nuclear Electric Power Generation</u>	---	---	---	---	---	---	
221114, 221115	<u>Solar and Wind Electric Power Generation</u>	---	---	---	---	---	---	See Section 5.03.160 (Electric Power Generation, Solar and Wind)
221116, 221117, 221118	<u>Geothermal, Biomass, and All Other Electric Power Generation (excepting solar and wind electric power generation)</u>	---	---	---	---	<u>IC</u>	---	
22112	<i>Electric Power Transmission, Control and Distribution (transformer stations and substations)</i>	<u>IC</u>	<u>IC</u>	<u>C</u>	<u>C</u>	<u>IC</u>	<u>C</u>	
23	CONSTRUCTION							
236, 237, 238	Contractors (limited to businesses whose primary activity is performing specific activities involved in building construction, engineering and capital improvement projects, or the preparation of sites for construction)							
	• Completely within a Building	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<i>BP</i> (New District)	<i>IP</i> (New District)	<i>IL</i> (Formerly M1)	<i>IG</i> (Formerly M2 & M3)	<i>IH</i> (Formerly M3 (VI))	<i>ONI</i> (Formerly M3)	
	<ul style="list-style-type: none"> With Outdoor Storage (screened from public view) 	---	<u>IC</u>	C	P	P	P	See Section 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors)
31-33	MANUFACTURING							
311	Food Manufacturing							
3111	Animal Food Manufacturing	---	---	---	P	P	P	
3112	Grain and Oilseed Milling	---	---	---	<u>PC</u>	<u>PC</u>	<u>PC</u>	
3113	<u>Sugar and Confectionery Product Manufacturing</u>	---	---	---	<u>P</u>	<u>P</u>	<u>P</u>	
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing	---	---	---	P	P	P	
3115	Dairy Product Manufacturing	---	---	---	P	P	P	
3116	Animal Slaughtering and Processing	---	---	---	C	C	C	
3117	Seafood Product Preparation and Packaging	---	---	---	C	C	C	
3118	Bread and Tortilla Manufacturing	---	P	P	P	P	P	See Section 5.03.085 (Bread and Tortilla Manufacturing)
3119	Other Food Manufacturing (including snack foods, roasted nuts and peanut butter, coffee and tea, flavoring syrup and concentrate, seasoning and dressing, spice and extract, and all other miscellaneous food manufacturing)	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	See Section 5.03.190 (Food Manufacturing, Other)
312	Beverage and Tobacco Product Manufacturing							
3121	Beverage Manufacturing	---	<u>P</u>	<u>P</u>	P	P	P	
3122	Tobacco Products Manufacturing	---	---	---	P	P	P	
313	Textile Mills (transforms basic fiber into fabric)	---	---	---	<u>P</u>	P	<u>P</u>	
314	Textile Product Mills (transforms fabric into product, except apparel)	---	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	
315	Apparel Manufacturing	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.035 (Apparel Manufacturing)

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<i>BP</i> (New District)	<i>IP</i> (New District)	<i>IL</i> (Formerly M1)	<i>IG</i> (Formerly M2 & M3)	<i>IH</i> (Formerly M3 (VI))	<i>ONI</i> (Formerly M3)	
316	Leather and Allied Product Manufacturing							
3161	Leather and Hide Tanning and Finishing	---	---	---	---	---	---	
3162	Footwear Manufacturing	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	See Section 5.03.195 (Footwear Manufacturing)
3169	Other Leather and Allied Product Manufacturing (limited to manufacturing of luggage, handbags, purses, personal leather goods and other leather products)	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	See Section 5.03.255 (Leather and Allied Product Manufacturing, Other)
321	Wood Product Manufacturing	---	---	---	<u>P</u>	P	<u>P</u>	
322	Paper Manufacturing							
3221	Pulp, Paper, and Paperboard Mills	---	---	---	<u>P</u>	P	<u>P</u>	
3222	Converted Paper Product Manufacturing	---	---	---	P	P	P	
323	Printing and Related Support Activities	<u>P</u>	<u>P</u>	P	P	P	P	
324	Petroleum and Coal Products Manufacturing	---	---	---	C	C	C	
325	Chemical Manufacturing							
3251	Basic Chemical Manufacturing	---	---	---	C	C	C	
3252	Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing	---	---	---	---	<u>P</u>	---	
3253	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing							
32531	<i>Fertilizer Manufacturing (limited to mixing of purchased materials; excludes on-site composting facilities—see NAICS 562219)</i>	---	---	---	C	C	C	
32532	<i>Pesticide and Other Agricultural Chemical Manufacturing</i>	---	---	---	---	<u>C</u>	---	
3254	Pharmaceutical and Medicine Manufacturing (excludes biological product manufacturing—see NAICS 325414, below)	<u>C</u>	<u>C</u>	C	C	<u>PC</u>	C	See Section 5.03.325 (Pharmaceutical and Medicine Manufacturing)
325414	Biological Product (except diagnostic) manufacturing	---	---	C	C	C	C	
3255	Paint, Coating, and Adhesive Manufacturing	---	---	---	C	C	C	

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3256	Soap, Cleaning Compound, and Toilet Preparation Manufacturing	---	<u>C</u>	C	<u>PG</u>	<u>PG</u>	<u>PG</u>	See Section 5.03.375 (Soap, Cleaning Compound, and Toilet Preparation Manufacturing)
3259	Other Chemical Product and Preparation Manufacturing	---	---	---	C	C	C	
326	Plastics and Rubber Products Manufacturing							
3261	Plastics Product Manufacturing	---	<u>P</u>	<u>P</u>	P	P	P	See Section 5.03.335 (Plastics Product Manufacturing)
3262	Rubber Product Manufacturing	---	---	---	<u>CP</u>	<u>CP</u>	<u>CP</u>	
327	Nonmetallic Mineral Product Manufacturing	---	---	---	<u>G</u>	C	C	
331	Primary Metal Manufacturing	---	---	---	C	<u>PG</u>	C	
332	Fabricated Metal Product Manufacturing							
3321	Forging and Stamping	---	---	---	C	C	C	
3322	Cutlery and Hand Tool Manufacturing	---	<u>C</u>	<u>P</u>	P	P	P	See Section 5.03.135 (Cutlery and Hand Tool Manufacturing)
3323	Architectural and Structural Metals Manufacturing	---	---	---	P	P	P	
3324	Boiler, Tank and Shipping Container Manufacturing	---	---	---	<u>CP</u>	P		
3325	Hardware Manufacturing	---	<u>C</u>	<u>P</u>	P	P	P	See Section 5.03.235 (Hardware Manufacturing)
3326	<u>Spring and Wire Product Manufacturing</u>	---	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	See Section 5.03.385 (Spring and Wire Product Manufacturing)
3327	Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing	---	<u>C</u>	<u>PG</u>	P	P	P	See Section 5.03.260 (Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing)

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3328	Coating (e.g., anodizing, electroplating, etc.), Engraving, Heat Treating, and Allied Activities (except painting, powder coating, and polishing metal and metal products for the trade)	---	---	---	<u>PC</u>	<u>PC</u>	<u>PC</u>	
332812	Painting, Powder Coating and Polishing Metal and Metal Products for the Trade	---	---	<u>C</u>	P	P	P	
3329	Other Fabricated Metal Product Manufacturing							
33291	<i>Metal Valve Manufacturing</i>	---	---	---	P	P	P	
33299	<i>All Other Fabricated Metal Product Manufacturing</i>							
332991	Ball and Roller Bearing Manufacturing	---	---	<u>P</u>	P	P	P	
332992	Small Arms Ammunition Manufacturing	---	---	---	<u>CP</u>	<u>CP</u>	<u>CP</u>	
332993	Ammunition (except Small Arms) Manufacturing	---	---	---	<u>CP</u>	<u>CP</u>	<u>CP</u>	
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing, limited to the following:							
	• Small Arms Manufacturing	---	---	---	P	P	P	
	• Other Ordnance and Accessories Manufacturing	---	---	---	<u>CP</u>	<u>CP</u>	<u>CP</u>	
332996	<u>Fabricated Pipe and Pipe Fitting Manufacturing</u>	---	---	---	<u>P</u>	<u>P</u>	<u>P</u>	
332999	<u>All Other Miscellaneous Fabricated Metal Product Manufacturing</u>	---	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	See Section 5.03.185 (Fabricated Metal Product Manufacturing, All Other Miscellaneous)
333	Machinery Manufacturing	---	---	<u>C</u>	P	P	P	
334	Computer and Electronic Product Manufacturing	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.115 (Computer and Electronic Product Manufacturing)

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335	Electrical Equipment, Appliance, and Component Manufacturing	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.165 (Electrical Equipment, Appliance, and Component Manufacturing)
336	Transportation Equipment Manufacturing	---	---	---	P	P	P	
337	Furniture and Related Product Manufacturing	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.215 (Furniture and Related Product Manufacturing)
339	Miscellaneous Manufacturing							
3391, 3399	Medical Equipment and Supplies; Jewelry and Silverware; Sporting and Athletic Goods; Dolls, Toys and Games; Office Supplies; Signs; and All Other Miscellaneous Manufacturing (excepting Boutique Manufacturing Facilities)	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.265 (Manufacturing, Miscellaneous)
	<i>Boutique Manufacturing Facilities</i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
42	WHOLESALE TRADE							
423	Merchant Wholesalers, Durable Goods							
4231	Motor Vehicles and Motor Vehicle Parts and Supplies	---	<u>P</u>	P	P	P	P	
4232	Furniture and Home Furnishings	<u>P</u>	<u>P</u>	P	P	P	P	
4233	Lumber and Other Construction Materials	---	---	---	P	P	P	
4234	Professional and Commercial Equipment and Supplies	<u>P</u>	<u>P</u>	P	P	P	P	
4235	Metals and Minerals (except Petroleum)	---	---	---	P	P	P	
4236	Household Appliances, and Electrical and Electronic Goods	<u>P</u>	<u>P</u>	P	P	P	P	
4237	Hardware and Plumbing, and Heating Equipment and Supplies	<u>P</u>	<u>P</u>	P	P	P	P	
4238	Machinery Equipment and Supplies	---	---	---	P	P	P	
4239	Miscellaneous Durable Goods	---	<u>P</u>	P	P	P	P	

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424	Merchant Wholesalers, Nondurable Goods (excluding industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)	---	<u>P</u>	P	P	P	P	
424690	<u>Fireworks and Explosives</u>	---	---	---	<u>C</u> P	<u>C</u> P	<u>C</u> P	
424690	<u>Industrial Gases and Liquefied Gases</u> (except petroleum gases)	---	---	---	<u>C</u> P	<u>C</u> P	<u>C</u> P	
424710	<u>Petroleum Bulk Stations and Terminals</u>	---	---	---	<u>C</u> P	<u>C</u> P	<u>C</u> P	
424720	<u>Petroleum and Petroleum Products</u> (except bulk stations and terminals)	---	---	---	<u>C</u> P	<u>C</u> P	<u>C</u> P	
425	Wholesale Electronic Markets and Agents, and Brokers							
425110	<u>Business to Business Electronic Markets</u> (via internet or other electronic means)	<u>P</u>	<u>P</u>	---	---	---	---	See Section 5.03.090 (Business to Business Electronic Markets)
425120	<u>Wholesale Trade Agents and Brokers, limited to the following:</u>							
	• <u>Automobile auctions, wholesale</u>	---	---	---	<u>C</u>	<u>C</u>	<u>C</u>	
	• <u>Durable and Nondurable Goods Agents and Brokers</u>	<u>P</u>	<u>P</u>	---	---	---	---	See Section 5.03.155 (Durable and Nondurable Goods Agents and Brokers)
44-45	RETAIL TRADE							
441	Motor Vehicle and Parts Dealers							
4411	Automobile Dealers, limited to new and used automobiles, and light trucks and vans (includes vehicle sales, and ancillary motor vehicle repair and maintenance activities)							
441110	New Vehicles	---	<u>P</u>	---	<u>C</u>	<u>C</u>	<u>C</u>	See Section 5.03.040 (Automobile Dealers - New Vehicle Sales and Leasing, and Automobile Rental) and Section 5.03.300 (Motor Vehicle Dealers)

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441120	Used Vehicles	---	IC	---	C	C	C	See Section 5.03.305 (Motor Vehicle Dealers)
4412	Other Motor Vehicle Dealers							
441221	Recreational Vehicles, Motorcycles, Personal Watercraft, All Terrain Vehicles, and Other Similar Vehicles	---	IC	---	C	C	C	See Section 5.03.300 (Motor Vehicle Dealers)
441222	Boats	---	IC	---	---	---	---	
441229	All Other Motor Vehicles (such as truck-tractors, utility trailers, buses, and other similar vehicles)	---	IC	CP	P	P	P	
4413	Automotive Parts, Accessories and Tire Stores							
441310	Automotive Parts and Accessories (excludes automotive repair)	P	---	---	---	---	---	
441320	Tire Stores	P	---	---	---	---	---	
442	Furniture and Home Furnishings Stores	---	---	---	---	---	---	See Section 5.03.210 (Furniture and Home Furnishings Stores)
443	Electronics and Appliance Stores	---	---	---	---	---	---	See Section 5.03.175 (Electronics and Appliance Stores)
444	Building Materials, Garden Equipment and Supplies Stores	---	---	---	---	---	---	
445	Food and Beverage Stores							
	Alcoholic Beverage Sales for Off-Premise Consumption (except beer, wine and liquor stores (see NAICS 4453); and business to consumer internet retail wine sales (Type 85 ABC license) (NAICS 454111))	C	---	---	C	---	C	See Section 5.03.025 (Alcoholic Beverage Sales)
4451	Grocery Stores							
44511	Supermarkets and Other Grocery Stores (primarily retailing a range of grocery items and meats), Commissaries and Food Stores	---	---	---	---	---	---	
44512	Convenience Stores	P	---	---	P	P	P	See Section 5.03.125
4452	Specialty Food Stores							

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44521, 44522, 44523, 44529	Confectionary and Baked Goods, Dairy Products, Ice Cream, Meat, Seafood, Produce (except farmers markets and certified farmers markets), Soft Drink, Tea and Coffee, Water Stores, and All Other Specialty Foods	---	---	---	P	P	P	(Convenience Markets and Specialty Food Stores)
445230	Farmers Markets and Certified Farmers Markets	---	---	---	---	---	---	
4453	Beer, Wine and Liquor Stores	---	---	---	G	G	G	
446	Health and Personal Care Stores							
446110	Pharmacies and Drug Stores	---	---	---	---	---	---	See Section 5.03.330 (Pharmacies and Drug Stores)
	Medical Marijuana Dispensary	---	---	---	---	---	---	See Section 5.03.280 (Medical Marijuana Dispensary)
44612	Cosmetics, Beauty Supplies, and Perfume Stores	---	---	---	---	---	---	
44613	Optical Goods Stores	---	---	---	---	---	---	
44619	Other Health and Personal Care Stores (limited to hearing aids, medical equipment and supplies, and prosthetics)	---	---	---	---	---	---	
447	Gasoline and Fueling Stations							
447110	<u>Gasoline Fueling with Convenience Stores</u>	P	P	P	P	P	P	
447190	Self-Serve and Full Service Fueling Stations	P	P	P	P	P	P	See Section 5.03.225 (Gasoline and Fueling Stations)
447190	Automated Fueling Facilities ("card lock" facilities)	---	C	C	P	P	P	
447190	Truck Stops	---	---	---	C	C	C	
448	Clothing and Clothing Accessories Stores	---	---	---	---	---	---	
451	Sporting Goods, Hobby, Book, and Music Stores	---	---	---	---	---	---	
452	General Merchandise Stores							
4521	Department Stores	---	---	---	---	---	---	

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4529	Other General Merchandise Stores							
452910	<u>Warehouse Clubs and Supercenters</u>	---	---	---	---	---	---	
452990	All Other General Merchandise Stores (limited to dollar stores, variety stores and catalog showrooms)	---	---	---	---	---	---	
453	Miscellaneous Store Retailers							
4531	Florists	---	---	---	---	---	---	
4532	Office Supplies, Stationery, and Gift Stores	---	---	---	---	---	---	
4533	Used Merchandise Stores (except motor vehicles), limited to the following (NAICS 453310):							
453310	Antique, Vintage and Collectibles Shops	---	---	---	---	---	---	
453310	<u>Consignment Shops</u>	---	---	---	---	---	---	
453310	<u>Flea Markets and Swap Meets (indoor only)</u>	---	---	---	---	---	---	
453310	<u>Precious Metals, Gemstones, Jewelry, and Similar Merchandise (includes the purchase of used items, such as "cash for gold" stores)</u>	---	---	---	---	---	---	
453310	<u>Personal Property Donation Bins</u>	---	---	---	---	---	---	See Section 5.03.320 (Personal Property Donation Bins)
453310	Thrift and Secondhand Stores, and Used Goods Stores	---	---	---	---	---	---	See Section 5.03.400 (Thrift and Secondhand Stores, and Used Goods Stores)
4539	Other Miscellaneous Store Retailers							
453910	Pet and Pet Supplies Stores	---	---	---	---	---	---	
453920	Art Dealers	---	---	---	---	---	---	
453930	<u>Manufactured (Mobile) Home Dealers, limited to the following:</u>							
	• <u>Without Display of Homes</u>	---	---	---	---	---	---	
	• <u>With Indoor Display of Homes (no outdoor display of homes permitted)</u>	---	---	---	IC	IC	IC	
453991	Tobacco Stores (in-store smoking prohibited)	---	---	---	---	---	---	

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453998	All Other Miscellaneous Store Retailers, limited to the following:							
	<ul style="list-style-type: none"> Art Supplies, Candles, Closet Organizers, Collectibles, Flowers, Home Security Equipment, Hot Tubs, Janitorial Supplies, Police Supplies, Religious Goods, Swimming Pool Supplies and Trophy Shops 	---	---	---	---	---	---	
	<ul style="list-style-type: none"> Auction Houses 	<u>C</u>	<u>C</u>	<u>C</u>	C	---	C	
	<ul style="list-style-type: none"> Industrial Retail Sales (limited to the ancillary retail sales of goods and/or product either manufactured, warehoused or wholesaled on-site) 							
	[1] Up to 15% of Building GFA Area or 8,000 sq-ft, whichever is less	<u>P</u>	<u>P</u>	P	P	P	P	
	[2] Over 8,000 sq-ft or 15% of Building GFA	<u>C</u>	<u>C</u>	C	C	C	C	
454	Nonstore Retailers							
4541	Electronic (internet) Shopping and Auctions, and Mail-Order Houses (includes direct business to consumer internet retail sales, auction houses, and/or mail order retail sales)	P	P	P	P	P	P	See Section 5.03.170 (Electronic Shopping and Mail-Order Houses)
4542	Vending Machine Operators	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	
4543	Direct Selling Establishments							
454312	Fuel Dealers (liquefied petroleum gas)	---	---	---	<u>C</u>	<u>P</u>	<u>C</u>	
454390	Other Direct Selling Establishments	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	
48-49	TRANSPORTATION AND WAREHOUSING							
481	Air Transportation, limited to the following:							
	<ul style="list-style-type: none"> Airport 	---	---	---	P	---	P	See Section 5.03.020 (Air Transportation)
	<ul style="list-style-type: none"> Helipad/Heliport 	---	---	---	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	
482	Rail Transportation, limited to the following:							
	<ul style="list-style-type: none"> Railroad Passenger Terminals (limited to line haul) 	---	---	<u>C</u> <u>P</u>	C	C	C	
	<ul style="list-style-type: none"> Railroad Equipment Maintenance Yards 	---	---	---	C	C	C	

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484	Truck Transportation (includes general and specialized freight trucking)	---	---	---	P	P	P	
485	Transit and Ground Passenger Transportation							
4851	Urban Transit Systems (includes public mixed-mode, commuter rail and bus transit passenger terminals and stations)	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u> P	<u>C</u> P	<u>C</u> P	
4853	Taxi and Limousine Services	---	---	P	P	P	P	
4855	Charter Bus Services	---	---	P	P	P	P	
488	Support Activities for Transportation							
4881	Support Activities for Air Transportation	---	---	---	---	---	---	
4882	Support Activities for Rail Transportation (includes servicing and maintenance facilities)	---	---	---	<u>C</u>	---	<u>C</u>	
4884	Support Activities for Road Transportation							
488410	Towing Services (see Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)	---	<u>P</u>	P	P	P	P	
488490	Bus Passenger Terminals (independent)	---	---	---	<u>C</u>	---	<u>C</u>	
4885	Freight Transportation Arrangement (limited to shipping agents and brokers)	<u>P</u>	<u>P</u>	---	---	---	---	See Section 5.03.200 (Freight Transportation Arrangement)
491	Postal Service (limited to US Postal Service and contract services. See "Private Mail Centers and Postal Services and Supplies" (NAICS 561431) for commercial mail services)	<u>P</u>	<u>P</u>	P	P	P	P	
492	Couriers and Messengers	<u>P</u>	<u>P</u>	P	P	P	P	
493	Warehousing and Storage							
493110	General Warehousing and Storage, limited to the following:							
	• Within a Wholly Enclosed Building	<u>P</u>	<u>P</u>	P	P	P	P	
	• Outside Materials and Equipment Storage							
	[1] In conjunction with an allowed use	---	<u>P</u>	P	P	P	P	
	[2] As a primary use of property	---	---	C	<u>C</u> P	P	<u>C</u> P	
493120	Refrigerated Warehousing and Storage	---	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

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493190	Other Warehousing and Storage, limited to the following:							
	• Bulk Petroleum Storage (tank farm)	---	---	---	---	<u>IC</u>	---	
	• Lumber Storage	---	---	P	P	P	P	
	• Motor Vehicle Storage							
	[1] Indoor Vehicle Storage	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.310 (Motor Vehicle Storage Facilities)
	[2] Outdoor Vehicle Storage	---	<u>C</u>	C	<u>C</u> P	<u>C</u> P	<u>C</u> P	
	• Self-Storage Facilities (includes one Caretaker Quarters)	<u>P</u>	<u>P</u>	P	P	P	P	
51	INFORMATION							
511	Publishing Industries (except Internet—see Other Information Services)							
5111	<u>Newspaper, Periodical, Book, and Directory Publishers</u>	---	<u>P</u>	---	<u>P</u>	<u>P</u>	<u>P</u>	
5112	<u>Software Publishers</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
512	Motion Picture and Sound Recording Industries							
5121	Motion Picture and Video Industries (except Motion Picture and Video Exhibition -- movie theaters)	P	P	P	P	P	P	
51213	<i>Motion Picture and Video Exhibition (movie theaters)</i>	---	---	---	---	---	---	
5122	Sound (Audio) Recording Facilities	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.380 (Sound (Audio) Recording Facilities)
515	Broadcasting (except Internet—see Other Information Services)							
515112	Radio Stations	<u>P</u>	<u>P</u>	P	P	P	P	
515120	Television Broadcast Studios	<u>P</u>	<u>P</u>	P	P	P	P	
515120	<u>Radio and Television Transmission/Antenna Facilities</u>	---	---	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
517	Telecommunications Facilities							
5171	<u>Wired telecommunications Facilities</u>	<u>P</u>	<u>P</u>	P	P	P	P	

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5172	Wireless Telecommunications Facilities	<u>P</u>	<u>P</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	See Section 5.03.420 (Wireless Telecommunications Facilities)
5174	Satellite Facilities	---	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
5179	All Other Telecommunications (includes telecommunications resellers, radar station operations, and satellite telemetry operations and tracking stations)	---	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
518	Data Processing, Hosting and Related Services	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	See Section 5.03.140 (Data Processing, Hosting and Related Services)
519	Other Information Services							
51911	<i>News Syndicates (office only)</i>	<u>P</u>	---	---	---	---	---	
51912	<i>Libraries and Archives</i>	<u>C</u>	---	---	---	---	---	
51913	<i>Internet Publishing and Broadcasting</i>	<u>P</u>	<u>P</u>	<u>P</u>	---	---	---	
52	FINANCE AND INSURANCE							
522	Credit Intermediation and Related Activities							
5221	Depository Credit Intermediation (limited to commercial banking, savings institutions and credit unions)	<u>P</u>	---	---	---	---	---	See Section 5.03.145 (Depository Credit Intermediation)
5222	Nondepository Credit Intermediation (limited to loan processing, reserve, and clearinghouse activities, excepting pawnshops and pawn brokers)	<u>P</u>	---	---	---	---	---	
522298	Pawnshops and Pawnbrokers	---	---	---	---	---	---	
5223	Activities Related to Credit Intermediation							
52231	<i>Mortgage and Nonmortgage Loan Brokers</i>	<u>P</u>	---	---	---	---	---	
52232	<i>Financial Transactions Processing and Clearinghouse Activities</i>	<u>P</u>	---	---	---	---	---	
52239	<i>Other Activities Related to Credit Intermediation</i> (limited to check cashing, money order issuance, money transmission and payday advance services)	---	---	---	---	---	---	See Section 5.03.130 (Credit Intermediation-Related Activities)

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523, 524, 525	Securities, Commodity Contracts, and Other Financial Investments; Insurance Carriers; and Related Activities, Funds, Trusts, and Other Financial Vehicles	P	---	---	---	---	---	
53	REAL ESTATE, RENTAL AND LEASING							
531	Real Estate (limited to offices of real estate lessors, agents and brokers, property managers and appraisers, and escrow and listing services)	P	---	---	---	---	---	
531120	Banquet Facilities (standalone facilities only)	---	---	---	---	---	---	
532	Rental and Leasing Services							
5321	Automotive Equipment Rental and Leasing							
53211	Passenger Car Rental and Leasing	C	C	---	C	C	C	See Section 5.03.040 (Automobile Dealers—New Vehicle Sales and Leasing, and Automobile Rental)
53212	Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing	C	C	CP	P	P	P	
5322	<u>Consumer Goods Rental</u> (limited to rental of consumer electronics and appliances, costumes, formal wear, furniture rental, home health equipment, musical instrument rental, party and banquet accessories, recreational goods, and video tapes and discs)	---	---	---	---	---	---	See Section 5.03.120 (Consumer Goods Rental)
5323	<u>General Rental Centers</u> (limited to home and garden tool and equipment rental)	P	P	---	---	---	---	See Section 5.03.230 (General Rental Centers)
5324	Commercial and Industrial Machinery and Equipment Rental and Leasing	---	C	C	C	CP	C	

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54	PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES							
541	Professional, Scientific and Technical Services, except Scientific Research and Development Services, and Veterinary and Animal Hospital Services (limited to legal, accounting, tax preparation, bookkeeping, payroll, architecture, engineering, and specialized design services; systems design; management, scientific, and technical consulting services; and advertising and public relations services)	<u>P</u>	<u>P</u>	---	---	---	---	
5417	Scientific Research and Development Services	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	
5419	Other Professional, Scientific, and Technical Services (except veterinary and animal hospital services)	<u>P</u>	<u>P</u>	---	---	---	---	
541940	Veterinary and Animal Hospital Services	<u>P</u>	<u>P</u>	P	---	---	---	
55	MANAGEMENT OF COMPANIES AND ENTERPRISES							
551	Management of Companies and Enterprises (limited to offices of holding companies, and corporate, subsidiary and regional managing offices)	<u>P</u>	---	---	---	---	---	
56	ADMINISTRATIVE AND SUPPORT, AND WASTE MANAGEMENT AND REMEDIATION SERVICES							
561	Administrative and Support Services							
5611, 5612	Office Administrative Services and Facilities Support Services (limited to services provided for others on a contract or fee basis)	<u>P</u>	---	---	---	---	---	
5613	Employment Services (limited to employment placement, executive search and temporary employment services)	<u>P</u>	---	---	---	---	---	
5614	Business Support Services							
56141	<i>Document Preparation Services</i>	<u>P</u>	---	---	---	---	---	
56142	<i>Telephone Call Centers</i>	<u>C</u>	---	---	---	---	---	
56143	<i>Business Service Centers</i>							
561431	Private Mail Centers, and Postal Services and Supplies	<u>P</u>	<u>P</u>	---	---	---	---	

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561439	Other Business Service Centers (limited to mailbox rental, photocopying, duplicating, blueprinting, mailing services, document copying services, facsimile services, word processing services, on-site PC rental services, and office product sales)	P	---	P	P	P	P	
56144	<u>Collection Agencies</u>	---	---	---	---	---	---	
56145	<u>Credit Bureaus</u>	C	---	---	---	---	---	
56149	<u>Other Business Support Services (including repossession services, court reporting and stenotype services and all other business support services)</u>	---	---	---	---	---	---	
5615	Travel Arrangement and Reservation Services	---	---	---	---	---	---	
5616	<u>Investigation and Security Services</u>	P				---		
5617	Services to Buildings and Dwellings (limited to exterminating and pest control, janitorial, landscaping, carpet and upholstery cleaning, building exterior and chimney cleaning, power washing, gutter cleaning, light building maintenance, parking lot cleaning and swimming pool maintenance services)	P	P	PC	P	P	P	See Section 5.03.180 (Exterminating Services)
5619	Other Support Services (limited to packaging and labeling services, convention and trade show organizers, and document shredding services)	P	P	P	P	P	P	
562	Waste Management and Remediation Services							
5621	Waste Collection							
562111	Solid Waste Collection, limited to the following							
	• Waste, Refuse and Garbage Collection Services (service yards)	---	---	P	P	P	P	
	• Waste Transfer Facilities	---	---	---	---	C	---	
	• Recycling Facilities (implements the California Beverage Container Recycling and Litter Reduction Act (PRC Section 14500 et seq.))							
	[1] Reverse Vending Machines	---	---	---	---	---	---	

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	[2] Small Collection Facilities (a facility 500 SF or less in area, including Mobile Recycling Units, Bulk Reverse Vending Machines, Kiosk Type Units, and Unattended Containers)	---	<u>P</u>	P	P	P	P	See Section 5.03.340 (Recycling Facilities)
	[3] Large Collection Facilities (a facility greater than 500 SF in area)	---	<u>P</u>	---	P	P	P	
	[4] Processing Facilities	---	---	---	P	P	P	
	• Salvage Facilities							
	[1] Within a Wholly Enclosed Building	---	---	---	C	<u>PC</u>	C	See Section 5.03.350 (Salvage Facilities)
	[2] With Outdoor Storage and/or Processing Activities	---	---	---	C	C	C	
562112	Hazardous Waste Collection, limited to the following:							
	• Hazardous Waste Collection and Storage Facilities (except household hazardous waste collection facilities), limited to hazardous waste generated in the City of Ontario	---	---	---	C	C	C	
	• Hazardous Waste Collection Services, limited to hazardous waste generated in the City of Ontario	---	---	---	C	C	C	
	• Household Hazardous Waste Collection Facility	---	---	---	P	P	P	
562119	Other Waste Collection Services	---	---	---	---	---	---	
5622	Waste Treatment and Disposal							
562211	Hazardous Waste Treatment and Disposal, limited to hazardous waste generated by facilities within the City	---	---	---	---	---	---	
562212	<u>Solid Waste Landfill</u>	---	---	---	---	---	---	
562213	<u>Solid Waste Combustors and Incinerators</u>	---	---	---	---	---	---	
562219	<u>Other Nonhazardous Waste Treatment and Disposal (limited to composting facilities and anaerobic digestion; excludes fertilizer manufacturing—see NAICS 325314)</u>	---	---	---	---	C	---	
5629	<u>Remediation and Other Waste Management Services</u>							
562910	<u>Remediation Services</u>	---	---	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

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562920	<u>Material Recovery Facilities</u>							
	• <u>Commercial High Grade Wastes (cardboard, newspaper, mixed papers, etc.)</u>	---	---	---	---	IC	---	See Section 5.03.275 (Material Recovery Facilities (MRF))
	• <u>Commingled Recyclable Wastes</u>	---	---	---	---	IC	---	
	• <u>Construction Debris</u>	---	---	---	---	IC	---	
	• <u>Electronic Equipment and Component Waste (E-waste)</u>	---	IC	IC	P	P	P	
	• <u>Municipal Mixed Solid Wastes</u>	---	---	---	---	IC	---	
	• <u>Tires</u>	---	---	---	C	IC	C	
562991	<u>Septic Tank and Related Services</u>	---	---	---	P	P	P	
562998	<u>All Other Miscellaneous Waste Management Services (includes but is not limited to storm and catch basin cleaning services, grease trap cleaning services, sewer cleaning and rodding services, and tank cleaning and disposal services)</u>	---	---	---	P	P	P	
61	EDUCATION SERVICES							
611	Educational Services							
6111, 6112, 6113	Elementary and Secondary Schools, Junior Colleges, and Colleges, Universities and Professional Schools (includes activities and facilities ancillary to, and/or serving, an educational service, such as, but not limited to, administrative offices, student and educator housing, libraries and museums, performing arts and sports facilities, eating facilities, medical clinics, etc.)							
	• Public Schools	---	---	---	---	---	---	
	• Private Schools	IC	---	---	---	---	---	
6114	Business Schools and Computer and Management Training	IC	IC	C	---	---	---	
6115, 6116	Technical and Trade Schools, and Other Schools and Instruction	IC	IC	C	C	C	C	
6117	Educational Support Services (limited to testing, evaluation, and tutorial services)	---	---	---	---	---	---	

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62	HEALTH CARE AND SOCIAL ASSISTANCE							
621	Ambulatory Health Care Services							
6211, 6212, 6213, 6214, 6215, 6216	Offices of Physicians and Dentists, Other Health Practitioners, Outpatient Centers, Laboratory Testing Services, Home Healthcare Services, and Community Clinics (excludes massage establishments—see NAICS 812199)	<u>P</u>	<u>P</u>	---	---	---	---	See Section 5.02.270 (Massage Establishments and Services) for massage therapists or massage practitioners. See Section 6.01.035.B.2.c (Development Standards and Guidelines) for medical offices and clinics that front Euclid Avenue
6219	Other Ambulatory Health Care Services							
62191	<i>Ambulance Services</i>	<u>P</u>	<u>P</u>	P	CP	CP	CP	
62199	<i>All Other Ambulatory Health Care Services</i>							
621991	<i>Blood and Organ Banks</i>	<u>P</u>	<u>P</u>	<u>P</u>	---	---	---	
621999	<i>All Other Miscellaneous Ambulatory Health Care Services (limited to blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services)</i>	<u>P</u>	<u>P</u>	P	P	---	P	See Section 5.03.030 (Ambulatory Health Care Services—All Other Miscellaneous)
622	Hospitals	---	---	---	---	---	---	
623	Nursing and Residential Care Facilities							
6231	Nursing Care Facilities	---	---	---	---	---	---	
6232	Residential Mental Retardation, Mental Health and Substance Abuse Facilities							
	• 6 or fewer persons	---	---	---	---	---	---	
	• More than 6 persons	---	---	---	---	---	---	

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6233	Community Care Facilities for the Elderly							
	• 6 or fewer persons	---	---	---	---	---	---	See Section 5.03.110 (Community Care Facilities for the Elderly—6 or Fewer Persons)
	• More than 6 persons	---	---	---	---	---	---	See Section 5.03.105 (Community Care Facilities for the Elderly—More Than 6 Persons)
6239	Other Residential Care Facilities							
	• 6 or fewer persons	---	---	---	---	---	---	See Section 5.03.345 (Residential Care Facilities, Other—6 or Fewer Persons)
	• More than 6 persons	---	---	---	---	---	---	
624	Social Assistance							
6241	Individual and Family Services							
62411	<u>Child and Youth Services (limited to nonresidential social assistance services for children and youth)</u>							
624110	<u>Adoption Services, Child Guidance Agencies, Child Welfare Services, and Foster Care Placement Services</u>	---	---	---	---	---	---	
624110	<u>Teen Outreach Services and Youth Centers</u>	---	---	---	---	---	---	
62412	<u>Services for the Elderly and Persons with Disabilities</u>							
624120	<u>Senior Citizen and Adult Community Centers</u>	---	---	---	---	---	---	
624120	<u>Adult Day Care Services</u>							
	• <u>6 or Fewer Persons</u>		---	---	---	---	---	
	• <u>7 or More Persons</u>	IC	---	---	---	---	---	
624190	<u>Other Individual and Family Services</u>	---	---	---	---	---	---	

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6242	Community Food and Housing, Emergency and Other Relief Services							
62421	<i>Community Food Services (limited to food banks, meal delivery programs, and fixed and mobile soup kitchens)</i>	<u>C</u>	<u>C</u>	C	C	C	C	
62422	<i>Community Housing Services</i>							
624221	Temporary Shelters							
	• Emergency Shelters	---	---	P	C	C	C	See Section 5.03.405 (Transitional Shelter Housing)
	• Transitional Housing	---	---	P	C	C	C	
	• <u>Transitional Living Centers</u>	---	---	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
624229	<u>Other Community Housing Services (agencies and organizations)</u>	<u>P</u>	---	---	---	---	---	
62423	<u>Emergency and Other Relief Services (administrative services/activities only)</u>	---	---	---	---	---	---	
6243	Vocational Rehabilitation Services (limited to vocational habilitation and rehabilitation, and workshops for persons with disabilities)	<u>C</u>	<u>C</u>	<u>C</u>	---	---	---	
6244	Child Day Care Services , limited to the following:							
624410	Child Day Care Centers (Commercial Facilities)	<u>P</u>	<u>P</u>	C	C	C	C	See Section 5.03.100 (Child Day Care Services)
624410	<u>Child Day Care Centers (Employer Provided Services)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
624410	Family Child Day Care (Residential Facilities)							
	• Large Family (7 to 14 children)	---	---	---	---	---	---	See Section 5.03.100 (Child Day Care Services)
	• Small Family (less than 8 children)	---	---	---	---	---	---	
71	ARTS, ENTERTAINMENT AND RECREATION							
711	Performing Arts, Spectator Sports, and Related Industries	---	---	---	---	---	---	
712	Museums, Historical Sites, and Similar Institutions							
7121	Museums, Historical Sites, and Similar Institutions							
71211	<i>Museums</i>	---	---	---	---	---	---	

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71213	Zoos and Botanical Gardens	---	---	---	---	---	---	
713	Amusement, Gambling, and Recreation Industries							
7131	Amusement Parks and Arcades							
71311	Amusement and Theme Parks	---	---	---	C	C	C	
71312	Amusement Arcades (limited to video and electronic game arcades, cyber cafes and on-line and internet gaming facilities)	---	---	---	---	---	---	See Section 5.03.220 (Game Arcades, Internet Cafes, On-Line Internet Gaming, and Similar Facilities)
7132	<u>Gambling Industries</u> (except Bingo conducted pursuant to Ontario Municipal Code Title 5, Chapter 18 (Bingo for Charity))	---	---	---	---	---	---	
7139	Other Amusement and Recreation Industries							
71391	Golf Courses and Country Clubs	---	---	---	C	C	C	
71394	Fitness and Recreational Sports Centers (limited to health clubs and gyms, fitness and sports training facilities, tennis clubs, swim clubs and other similar activities and facilities)							
	• GFA Less than 2,000 10,000 SF	P	P	P	P	P	P	
	• GFA 2,000 10,000 or More SF	C	C	C	C	C	C	
71395	Bowling Centers	---	---	---	---	---	---	
71399	All Other Amusement and Recreation Industries, limited to the following (NAICS 713990):							
713990	Adult-Oriented Businesses	---	---	---	---	P	---	See Section 5.03.015 (Adult-Oriented Businesses)
713990	Batting Cages -- Indoor	C	C	C	P	P	P	
713990	Batting Cages -- Outdoor	C	C	C	P	P	P	
713990	Billiard Parlors and Pool Halls	---	---	---	---	---	---	See Section 5.03.075 (Billiard Parlors and Pool Halls)

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713990	Dancing, Dance Clubs, Dance Halls, Ballrooms and Discotheques	---	---	C	C	C	C	
713990	Golf Driving Ranges, Miniature and Pitch-N-Put Golf Courses, and Practice Ranges	---	---	---	C	C	C	
713990	Hookah Establishments	---	---	---	---	---	---	See Section 5.03.245 (Hookah Establishments)
713990	Live Entertainment	C	---	C	C	C	C	
713990	Off-Road Vehicle Riding Facilities (recreational)	---	---	---	---	---	---	
713990	Open Space and Park Lands (publicly owned facilities)	P	P	P	P	P	P	
713990	Shooting Ranges and Galleries	C	C	C	C	C	C	
713990	Simulated Racing (limited to go-carts, radio controlled vehicles and other similar facilities)	---	C	C	C	---	C	
713990	Simulated Shooting Games -- Indoor Only (limited to laser tag and paint ball)	---	C	C	---	---	---	
713990	Skating Rinks and Parks (indoor only)	C	C	C	C	C	C	
713990	Smoking Lounges and Similar Facilities	---	---	---	---	---	---	
713990	Stables (commercial riding)	---	---	---	---	---	---	
72	ACCOMMODATION AND FOOD SERVICES							
721	Accommodation (Lodging Facilities)							
7211	Traveler Accommodation							
72111	<i>Hotels and Motels</i>	---	---	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation)
72119	<i>Other Traveler Accommodation</i>							
721191	Bed-and-Breakfast Inns	---	---	---	---	---	---	See Section 5.03.070 (Bed-and-Breakfast Inns)

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File No.: PDCA11-003

October 27, 2015

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		BP (New District)	IP (New District)	IL (Formerly M1)	IG (Formerly M2 & M3)	IH (Formerly M3 (VI))	ONI (Formerly M3)	
721199	All Other Traveler Accommodation							
	<ul style="list-style-type: none"> Residence Inns 	---	---	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation)
	<ul style="list-style-type: none"> <u>Cabins and Cottages</u> 	---	---	---	---	---	---	
	<ul style="list-style-type: none"> <u>Hostels</u> 	---	---	---	---	---	---	
7212	<u>RV (Recreational Vehicle) Parks and Recreational Camps</u>	---	---	---	---	---	---	
7213	Boarding, Lodging and Rooming Houses	---	---	---	---	---	---	See Section 5.03.080 (Boarding, Lodging and Rooming Houses)
722	Food Services and Drinking Places							
	Alcoholic Beverage Sales for On-Premise Consumption (except drinking places)	<u>C</u>	<u>C</u>	---	---	---	---	See Section 5.03.025 (Alcoholic Beverage Sales)
7223	Special Food Services							
72231	<u>Food Service Contractors</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	
72232	<u>Caterers</u>	<u>P</u>	<u>P</u>	P	P	---	P	
72233	<u>Mobile Food Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	See Section 5.03.290 (Mobile Food Services)
7224	Drinking Places (includes bars, cocktail lounges, nightclubs and taverns, and other similar facilities)	---	---	---	---	---	---	
7225	Restaurants and Other Eating Places							
722511	Full-Service Restaurants (includes ancillary banquet facilities — see NAICS 531120 for standalone banquet facilities)	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.150 (Drive-Thru Facilities) if drive-thru facility is proposed
722513	Limited-Service and Fast Food Restaurants	<u>P</u>	<u>P</u>	P	P	P	P	
722514	Cafeterias and Buffets	<u>P</u>	<u>P</u>	P	P	P	P	
722515	Snack and Nonalcoholic Beverage Bars	<u>P</u>	<u>P</u>	P	P	P	P	

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<i>BP</i> (New District)	<i>IP</i> (New District)	<i>IL</i> (Formerly M1)	<i>IG</i> (Formerly M2 & M3)	<i>IH</i> (Formerly M3 (VI))	<i>ONI</i> (Formerly M3)	
81	OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)							
811	Repair and Maintenance							
8111	Motor Vehicle Repair and Maintenance (Note: See Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)							
81111	<i>Motor Vehicle Mechanical and Electrical Repair and Maintenance</i>							
811111	Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail activities that involves the limited use of pneumatic tools or equipment that create noise impacts)	<u>P</u>	<u>P</u>	P	P	P	P	See Section 5.03.065 (Automotive Repair and Maintenance—Servicing Facilities)
811111	General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, and suspension systems; and engine, transmission, and drive train)							
	<ul style="list-style-type: none"> Automobile, Light Truck and Van Repair and Maintenance 	<u>C</u>	<u>P</u>	<u>P</u>	P	P	P	See Section 5.03.060 (Automotive Repair and Maintenance—General Repair Facilities)
	<ul style="list-style-type: none"> Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance 	---	---	C	P	P	P	
81112	<i>Automotive Body, Paint, Interior and Glass Repair</i>							
811121	Automotive Body, Paint, and Interior Repair and Customization							
	<ul style="list-style-type: none"> Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization 	<u>C</u>	<u>C</u>	C	P	P	P	See Section 5.03.045 (Automotive Body, Paint, and Interior Repair and Customization—Minor Customization Work)
	<ul style="list-style-type: none"> Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- no body or paint work permitted) 	<u>C</u>	<u>P</u>	P	P	P	P	
	<ul style="list-style-type: none"> Large Truck and Bus Body, Paint, and Interior Repair and Maintenance 	---	---	C	P	P	P	

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<i>BP</i> (New District)	<i>IP</i> (New District)	<i>IL</i> (Formerly M1)	<i>IG</i> (Formerly M2 & M3)	<i>IH</i> (Formerly M3 (VI))	<i>ONI</i> (Formerly M3)	
	<ul style="list-style-type: none"> Mobile Body and Paint Repair Services 	<u>C</u>	<u>C</u>	<u>P</u> <u>C</u>	P	P	P	See Section 5.03.050 (Automotive Body and Paint—Mobile Repair Services)
811122	Automotive Glass Replacement Shops (limited to stationary and mobile services)	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	See Section 5.03.055 (Automotive Glass Replacement Shops)
81119	<i>Other Automotive Repair and Maintenance</i>							
811191	Automotive Oil Change and Lubrication Shops	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
811192	Car Washes--Full-Service and Self-Service (excludes facilities ancillary to fueling stations)							
	<ul style="list-style-type: none"> Automobiles, Light Trucks and Vans 	---	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<ul style="list-style-type: none"> Trucks and Similarly Large Vehicles 	---	---	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<ul style="list-style-type: none"> <u>Mobile Washing and Detailing Services</u> 	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	See Section 5.03.300 (Mobile Washing and Detailing Services)
811198	All Other Automotive Repair and Maintenance							
	<ul style="list-style-type: none"> <u>Emissions Testing (test only facilities)</u> 	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	
	<ul style="list-style-type: none"> <u>Rustproofing and Undercoating Shops</u> 	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	
	<ul style="list-style-type: none"> <u>Spray-On Bedliner Installation Shops</u> 	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	
	<ul style="list-style-type: none"> <u>Plug-In Electric Vehicle (PEV) Charging Facilities (ancillary to an allowed land use)</u> 	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
8112	Electronic and Precision Equipment Repair and Maintenance	<u>P</u>	<u>P</u>	P	P	P	P	
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	---	<u>P</u>	P	P	P	P	
8114	Personal and Household Goods Repair and Maintenance							
81141	<i>Home and Garden Equipment and Appliance Repair and Maintenance</i>	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		BP (New District)	IP (New District)	IL (Formerly M1)	IG (Formerly M2 & M3)	IH (Formerly M3 (VI))	ONI (Formerly M3)	
81142	Reupholstery and Furniture Repair	<u>P</u>	<u>P</u>	P	P	P	P	
81143	Footwear and Leather Goods Repair	---	---	---	---	---	---	
81149	Other Personal and Household Goods Repair and Maintenance (limited to garment alteration and repair, jewelry repair, key duplicating, musical instrument repair and tailor shops)	---	---	---	---	---	---	
812	Personal and Laundry Services							
8121	Personal Care Services							
81211	Hair, Nail, and Skin Care Services	---	---	---	---	---	---	
81219	Other Personal Care Services							
812191	Diet and Weight Reducing Centers	---	---	---	---	---	---	
812199	Other Personal Care Services, limited to the following:							
	• Chair Massage	---	---	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services)
	• <u>Color Consulting Services</u>	---	---	---	---	---	---	
	• Day Spas	---	---	---	---	---	---	
	• <u>Hair Removal Services</u>	---	---	---	---	---	---	
	• <u>Hair Replacement Services</u>	---	---	---	---	---	---	
	• <u>Make-Up Salons (includes the application of permanent cosmetics)</u>	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application)
	• Massage Establishments	---	---	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services)
	• Tanning Salons	---	---	---	---	---	---	

Planning Commission Staff Report

File No.: PDCA11-003

October 27, 2015

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<u>BP</u> (New District)	<u>IP</u> (New District)	<u>IL</u> (Formerly M1)	<u>IG</u> (Formerly M2 & M3)	<u>IH</u> (Formerly M3 (VI))	<u>ONI</u> (Formerly M3)	
	<ul style="list-style-type: none"> • <u>Body Art Services</u> (includes tattooing, body piercing, and branding) 	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application)
8122	Death Care Services							
812210	Funeral Director Services (limited to office/retail only)	<u>P</u>	---	---	---	---	---	See Section 5.03.205 (Funeral Director Services)
812210	Funeral Parlors and Mortuary Services (excludes funeral establishments)	---	---	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
812210	Funeral Establishments	<u>C</u>	---	---	---	---	---	
812220	Cemeteries	---	---	---	---	---	---	
812220	Crematories	---	---	---	<u>C</u>	<u>C</u>	<u>C</u>	
8123	Drycleaning and Laundry Services							
81231	<i>Coin-Operated Laundries and Drycleaners</i>	---	---	---	---	---	---	
81232	<i>Drycleaning and Laundry Services (except Coin-Operated)</i>	---	---	---	---	---	---	
81233	<i>Linen and Uniform Supply</i>							
812331	Linen Supply	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
812332	Industrial Launderers	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
8129	Other Personal Services							
81291	<i>Pet Care (except Veterinary and Kennel) Services, limited to the following (NAICS 812910):</i>							
812910	Pet Grooming and Training Services	---	---	---	---	---	---	
812910	<u>Pet Boarding and Sitting (Doggy Daycare) Services, and Shelters</u>	<u>C</u>	---	---	---	---	---	
81292	<u>Photofinishing</u>	---	---	---	---	---	---	
812930	<u>Parking Lots and Garages (commercial)</u>	<u>P</u>	---	<u>C</u>	---	---	---	

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		BP (New District)	IP (New District)	IL (Formerly M1)	IG (Formerly M2 & M3)	IH (Formerly M3 (VI))	ONI (Formerly M3)	
81299	All Other Personal Services, limited to the following (NAICS 812990):							
812990	<u>Astrology, Fortunetelling, Numerology, Palmistry, Phrenology and Psychic Reading Services</u>	---	---	---	---	---	---	
812990	<u>Funeral Planning Services (office only—excludes preparation of the dead for burial or interment, and the conducting of funeral services)</u>	---	---	---	---	---	---	
812990	Party Planning Services	---	---	---	---	---	---	
812990	<u>Personal Fitness Trainer</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	---	<u>P</u>	See Section 5.03.315 (Personal Fitness Trainer)
812990	<u>Wedding and Funerary Chapels (excludes religious assembly)</u>	---	---	---	---	---	---	
813	Religious, Grantmaking, Civic, Professional and Similar Organizations							
8131	Religious Organizations							
813110	Religious Assembly	<u>C</u>	<u>C</u>	C	C	---	C	
813110	Monasteries, Convents and Other Similar Facilities	---	---	---	---	---	---	
8132, 8133, 8134, 8139	Grantmaking and Giving Services; Social Advocacy Organizations; Civic and Social Organizations; and Business, Professional, Labor, Political and Similar Organizations							
	• Offices Only	---	---	---	---	---	---	
	• <u>Assembly Facilities</u>	---	---	---	---	---	---	
92	PUBLIC ADMINISTRATION							
921	Executive, Legislative, and Other General Government Support	<u>P</u>	---	---	---	---	---	
922	Justice, Public Order, and Safety Activities							
92211	<u>Courts</u>	---	---	---	---	---	---	
92212	<u>Police Protection (limited to stations, substations and storefront facilities)</u>	<u>P</u>	<u>P</u>	P	P	P	P	
92213	<u>Legal Counsel and Prosecution</u>	---	---	---	---	---	---	
92214	<u>Correctional Institutions</u>	---	---	---	---	---	---	

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Industrial Zoning Districts						Additional Regulations
		<u>BP</u> (New District)	<u>IP</u> (New District)	<u>IL</u> (Formerly M1)	<u>IG</u> (Formerly M2 & M3)	<u>IH</u> (Formerly M3 (VI))	<u>ONI</u> (Formerly M3)	
92215	<u>Parole Offices and Probation Offices</u>	<u>P</u>	---	---	---	---	---	
92216	<u>Fire Protection</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
923	<u>Administration of Human Resource Programs</u> (limited to administrative offices for education, public health and veterans' affairs, and other similar facilities)	---	---	---	---	---	---	
TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES								
	Temporary and Interim Land Uses	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)
	Temporary and Interim Buildings, Structures, and Facilities							
	• Fewer than 5 years	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)
	• <u>5 to 10 years</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
	• <u>More than 10 years</u>	---	---	---	---	---	---	

RESOLUTION NO. PC15-***

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A REVISION TO FILE NO. PDCA11-003, A REVISION TO CERTAIN PROVISIONS OF A COMPREHENSIVE UPDATE TO THE CITY OF ONTARIO DEVELOPMENT CODE, FILE NO. PDCA11-003, INCLUDING: [1] ESTABLISH CONSISTENCY WITH SENATE BILL NO. 582 ADDRESSING ELECTRIFIED FENCES IN NONRESIDENTIAL ZONES; [2] ALLOW "ARCHITECTURAL AND STRUCTURAL METAL MANUFACTURING" AND "CONVERTED PAPER PRODUCT MANUFACTURING" AS CONDITIONALLY PERMITTED LAND USES WITHIN THE PROPOSED IL (LIGHT INDUSTRIAL) ZONING DISTRICT; AND [3] MODIFY DEVELOPMENT CODE TABLE 5.02-1 (LAND USE MATRIX) TO ESTABLISH CONSISTENCY IN ALLOWED LAND USES BETWEEN THE PROPOSED ONT (ONTARIO INTERNATIONAL AIRPORT) ZONING DISTRICT AND EXISTING M3 (GENERAL INDUSTRIAL) ZONING DISTRICTS.

WHEREAS, THE CITY OF ONTARIO HAS INITIATED ("Applicant") has initiated an Application for the approval of a revision to a previously approved Development Code Amendment, File No. PDCA11-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, on June 23, 2015, the Planning Commission adopted Resolution No. PC15-042, recommending the City Council approve a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. Additionally, several amendments to the Ontario Municipal Code were recommended in order to provide for the logical arrangement of Municipal Code provisions, as well as the elimination of duplicate and inconsistent provisions; and

WHEREAS, on August 4, 2015, the City Council approved the introduction of an Ordinance adopting the comprehensive Development Code update (first reading of the enacting ordinance). Final City Council action on the ordinance (second reading of the enacting ordinance) will occur concurrently with the final action on a group of City initiated zone changes, which are necessary to bring the City's official zoning map into consistency with the Land Use Map of The Ontario Plan, Policy Plan; and

WHEREAS, since Planning Commission and City Council actions on the proposed comprehensive Development Code update, several necessary changes to the proposed Development Code have been identified, which staff thought prudent to bring forward at this time, prior to the City Council taking final action on the comprehensive update, rather than waiting 6 months or more for the processing of the next group of necessary Development Code revisions. The proposed changes to the draft Development Code

include: [1] Establish consistency with Senate Bill No. 582, signed by the Governor on September 4, 2015, which amends California Civil Code §§ 835, authorizing property owners to install and operate electrified security fences in nonresidential zoning districts, subject to certain standards; [2] Allow “architectural and structural metal manufacturing” and “converted paper product manufacturing” land uses within the proposed IL (Light Industrial) zoning district; and [3] Modify draft Development Code Table 5.02-1 (Land Use Matrix) to ensure that the allowed land uses within the current and proposed General Industrial and Ontario International Airport zoning districts are each consistent with the other, to ensure that the allowed land uses within each zoning district will remain consistent as City initiated zone changes occur in order to make the zoning of each affected property consistent with The Ontario Plan Land Use Map designation for each property; and

WHEREAS, 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; and

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

WHEREAS, the environmental impacts of this project were reviewed in conjunction with a previously prepared Addendum to The Ontario Plan Environmental Impact Report (State Clearing House No. 2008101140), which was certified by the Ontario City Council on January 27, 2010 (Resolution No. 2010-003). The Addendum found that subject application will not introduce any new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures are a condition of project approval and are incorporated by this reference.

WHEREAS, on October 27, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence

provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The Addendum, initial study, and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The Addendum and initial study contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Planning Commission; and

c. There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

d. All environmental impacts of the Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the Addendum.

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

a. The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

b. The proposed Development Code Amendment is consistent with the goals and policies of the Development Code

c. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby **recommends the City Council approve** the Project.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario

City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 5. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC15-*** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



PLANNING COMMISSION STAFF REPORT

October 27, 2015

SUBJECT: A City initiated request to:

- 1) Change the General Plan land use designation on twelve parcels (**File No. PGPA15-001**) from:
 - a) Business Park to Industrial on seven parcels generally located on the north side of Brooks Street east of Mountain Avenue (APNs: 101113217-101113219, 101113221, 101114134, 101114137, and 101114139); and
 - b) Neighborhood Commercial to Low Density Residential on three parcels with an Industrial Overlay located at the northeast corner of Park Street and Sultana Avenue (APNs: 104923124-104923126);
 - c) Low Density Residential to Industrial on one parcel generally located between State and Park Streets west of Monterey Avenue (APN: 104923112); and
 - d) Industrial to Open Space-Non Recreation on one parcel generally located on the north side of Philadelphia Street west of Wineville Avenue (APN: 23815215); and
- 2) Modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03).

This project is **City initiated. City Council action is required.**

PROPERTY OWNER: Various

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, and approval of File No. PGPA15-001, pursuant to the facts and reasons contained in the staff report and attached resolution.

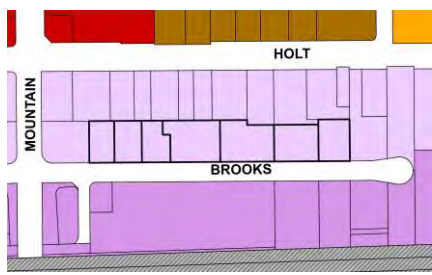
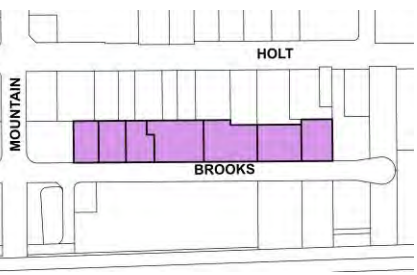
PROJECT ANALYSIS:

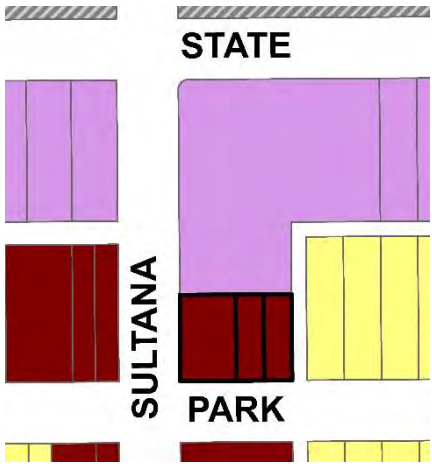
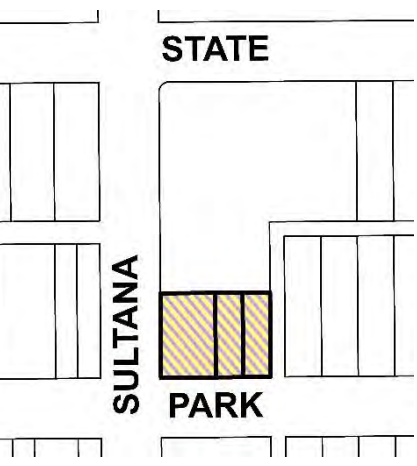
[1] Background — In 2010, The Ontario Plan (“TOP”) was adopted that contains the Policy Plan (General Plan) which sets forth the land use pattern for the City to achieve its Vision. After adoption of TOP, staff embarked on a two pronged effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City and to update the Development Code. Staff worked to establish zones that will effectively

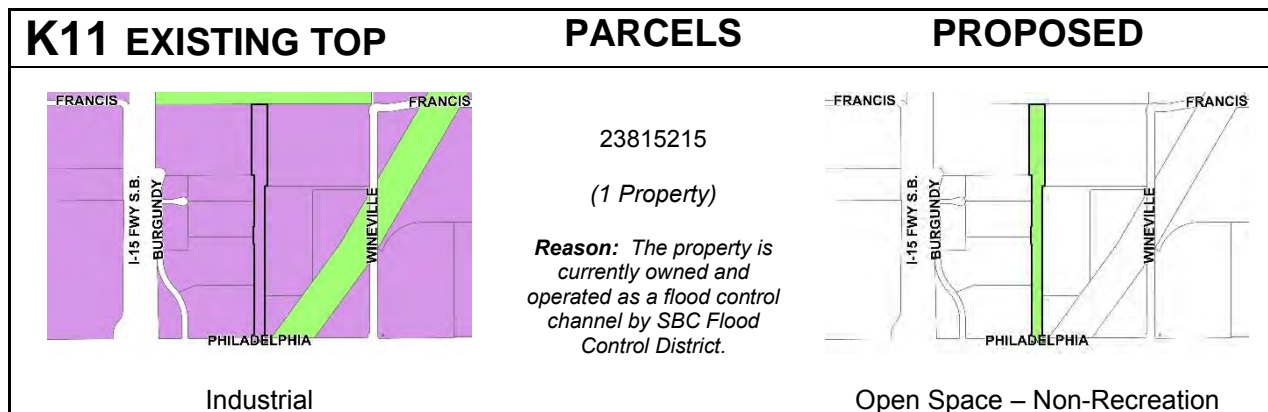
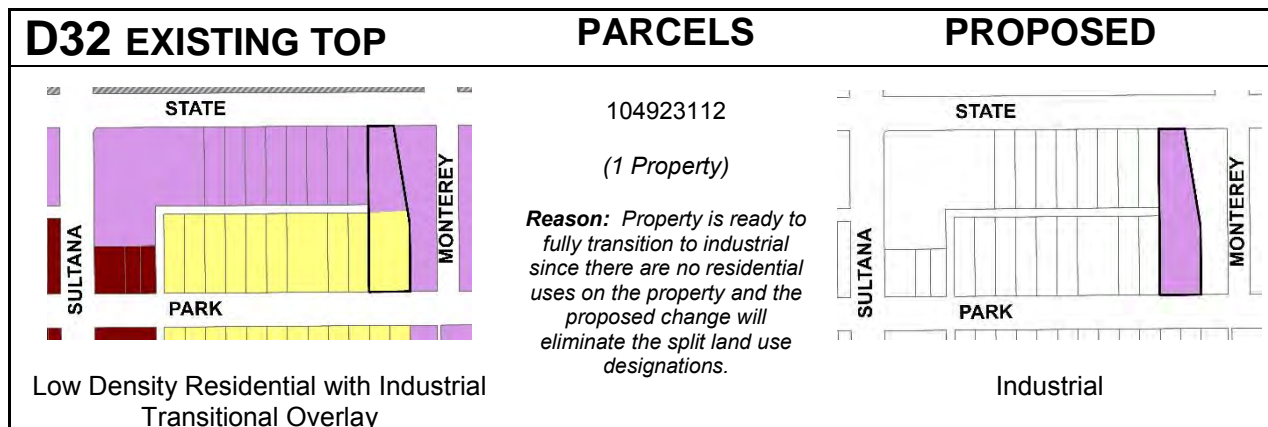
<i>Case Planner:</i>	M. Mullis/C. Burden	<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
<i>Planning Director Approval:</i>		DAB	NA	NA	NA
<i>Submittal Date:</i>	7/30/2015	ZA	NA	NA	NA
<i>Hearing Deadline:</i>	NA	PC	10/27/2015		Recommend
		CC			Final

implement the intent of TOP. This application is part of this TOP-Zoning Consistency effort.

The proposed General Plan Amendment is designed to support the industrial-related zone changes being processed concurrently (PZC15-002). During the review of the industrial sites needing zone changes, staff found that the land use designations of the proposed twelve parcels included in this General Plan Amendment should be changed to be more in keeping with the existing development of the site while retaining the overall City vision for the area as outlined below:

A26 EXISTING TOP	PARCELS	PROPOSED
 <p data-bbox="370 1010 539 1041">Business Park</p>	<p data-bbox="727 709 993 741">101113217 – 101113219</p> <p data-bbox="802 741 919 762">101113221</p> <p data-bbox="802 762 919 783">101114134</p> <p data-bbox="802 783 919 804">101114137</p> <p data-bbox="802 804 919 825">101114139</p> <p data-bbox="789 873 932 894">(7 Properties)</p> <p data-bbox="724 926 997 1041"><i>Reason: Properties are designed and used as traditional industrial buildings like the properties on the south side of Brooks.</i></p>	 <p data-bbox="1188 1010 1292 1041">Industrial</p>

D28 EXISTING TOP	PARCELS	PROPOSED
 <p data-bbox="272 1617 636 1673">Neighborhood Commercial with Industrial Transitional Overlay</p>	<p data-bbox="727 1268 993 1299">104923124 – 104923126</p> <p data-bbox="789 1327 932 1348">(3 Properties)</p> <p data-bbox="724 1400 997 1516"><i>Reason: Residences recently built. Proposed TOP will accommodate the current use yet allow the transition to industrial in the future.</i></p>	 <p data-bbox="1068 1617 1416 1673">Low Density Residential with Industrial Transitional Overlay</p>



The above proposed General Plan Amendment will result in the changes to the land use map (Exhibit LU-01) and to the Future Buildout Table (LU-03) shown in Exhibit A and B of the attached resolution.

[2] Community Open Houses were held on August 26 and September 2, 2015, for this General Plan Amendment and the associated zone change application (PZC15-002). Subject property owners and property owners within 300 feet were notified of the meeting. More than 150 people attended. No one provided written comments regarding the proposed General Plan Amendment.

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

[1] City Council Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals: Operate in a Businesslike Manner

[2] Policy Plan (General Plan)

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

Compliance: The proposed General Plan Amendment reflects the existing uses of the properties and closely coordinates with land use designations in the surrounding area with provides opportunities for choice in living and working environments.

LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment reflects the existing uses of the properties and closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

LU4-1 Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The proposed land use designations allow for the continuation of existing uses while maintaining a logical land use pattern in and around the affected areas.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment is consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

- S4-6 Airport Noise Compatibility.** We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The subject properties are located within the 60 to 65 CNEL of the 65 to 70 CNEL Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses. The three parcels that contain residential uses are proposed to change from Neighborhood Commercial to Low Density Residential and will also receive an Industrial Transitional Overlay that will facilitate a change to industrial land use in the future.

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

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

CITY OF ONTARIO

ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO PLAN RE: GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS ON 12 PARCELS TOTALING 13.2 ACRES AND MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES PURSUANT TO THE ONTARIO PLAN

A. PROJECT INFORMATION

- 1. Project Title:** General Plan Amendment (**File No. PGPA15-001**) A City initiated request to 1) change the General Plan (**File No. PGPA15-001**) land use designations on twelve parcels from: a) Business Park to Industrial on seven parcels generally located on the north side of Brooks Street east of Mountain Avenue (APNs: 101113217-101113219, 101113221, 101114134, 101114137, and 101114139); and b) Neighborhood Commercial to Low Density Residential on three parcels with an Industrial Overlay located at the northeast corner of Park Street and Sultana Avenue (APNs: 104923124-104923126); and c) Low Density Residential to Industrial on one parcel generally located between State and Park Streets west of Monterey Avenue (APN: 104923112); and d) Industrial to Open Space-Non Recreation on one parcel generally located on the north side of Philadelphia Street west of Wineville Avenue (APN: 23815215); and 2) Modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03).
- 2. Lead Agency Name and Address:** City of Ontario
303 East "B" Street
Ontario, CA 91764
- 3. Contact Person(s) and Phone** Clarice Burden, Associate Planner
- 4. Project Location:** 12 parcels totaling approximately 13.2 acres located throughout the City.

BACKGROUND:

On January 27, 2010, the Ontario City Council adopted The Ontario Plan (TOP). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements; Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010 that included Mitigation Findings and a Statement of Overriding Considerations pursuant to CEQA. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, in the Policy Plan and impacts resultant of population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included; agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise and transportation/traffic.

PROJECT DESCRIPTION:

The City has initiated a request to change the General Plan land use designations on 12 parcels totaling 13.2 acres located throughout the City. The proposed land use designation changes include seven parcels from Business Park to Industrial generally located on the north side of Brooks Street east of Mountain Avenue, three parcels from Neighborhood Commercial

to Low Density Residential with an Industrial Overlay located at the northeast corner of Park Street and Sultana Avenue, one parcel from Low Density Residential to Industrial generally located between State and Park Streets west of Monterey Avenue and one parcel from Industrial to Open Space-Non Recreation generally located on the north side of Philadelphia Street west of Wineville Avenue. The changes are to accommodate the existing uses of the properties and to coordinate with the surrounding areas. The project also includes modifications to the Future Buildout Table and changes to the General Plan land use map in order to be consistent with the land use designation changes.

ANALYSIS:

According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

1. *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.*

Substantial changes are not proposed for the project and will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The proposed General Plan Amendment affects only 12 parcel totaling about 13.2 acres. The proposed changes reflect the existing uses of the properties or closely coordinate with TOP land use designations in the surrounding areas and therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

2. *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

3. *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA REQUIREMENTS FOR AN ADDENDUM:

If changes to a project or its circumstances occur or new information becomes available after adoption of an EIR or negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines § 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines § 15162(b).) When only minor technical changes or additions to the EIR or negative declaration are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines, § 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to TOP EIR.

CONCLUSION:

The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA. In accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The proposed land use designation changes reflect the existing uses of the properties or closely coordinate with TOP land use designations in the surrounding areas. Subsequent activities within TOP Program EIR must be evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and the CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, pursuant to State CEQA Guidelines Section 15164, the Council hereby adopts this Addendum to TOP EIR.

California Environmental Quality Act Environmental Checklist Form

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420



Project Title/File No.: PGPA15-001

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Clarice Burden, Associate Planner (909)395-2432

Project Sponsor: City of Ontario, 303 East "B" Street, Ontario, California 91764

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 4, below, the project site consists of 12 parcels totaling approximately 13.2 acres located throughout the City.

Figure 1: Regional Location Map

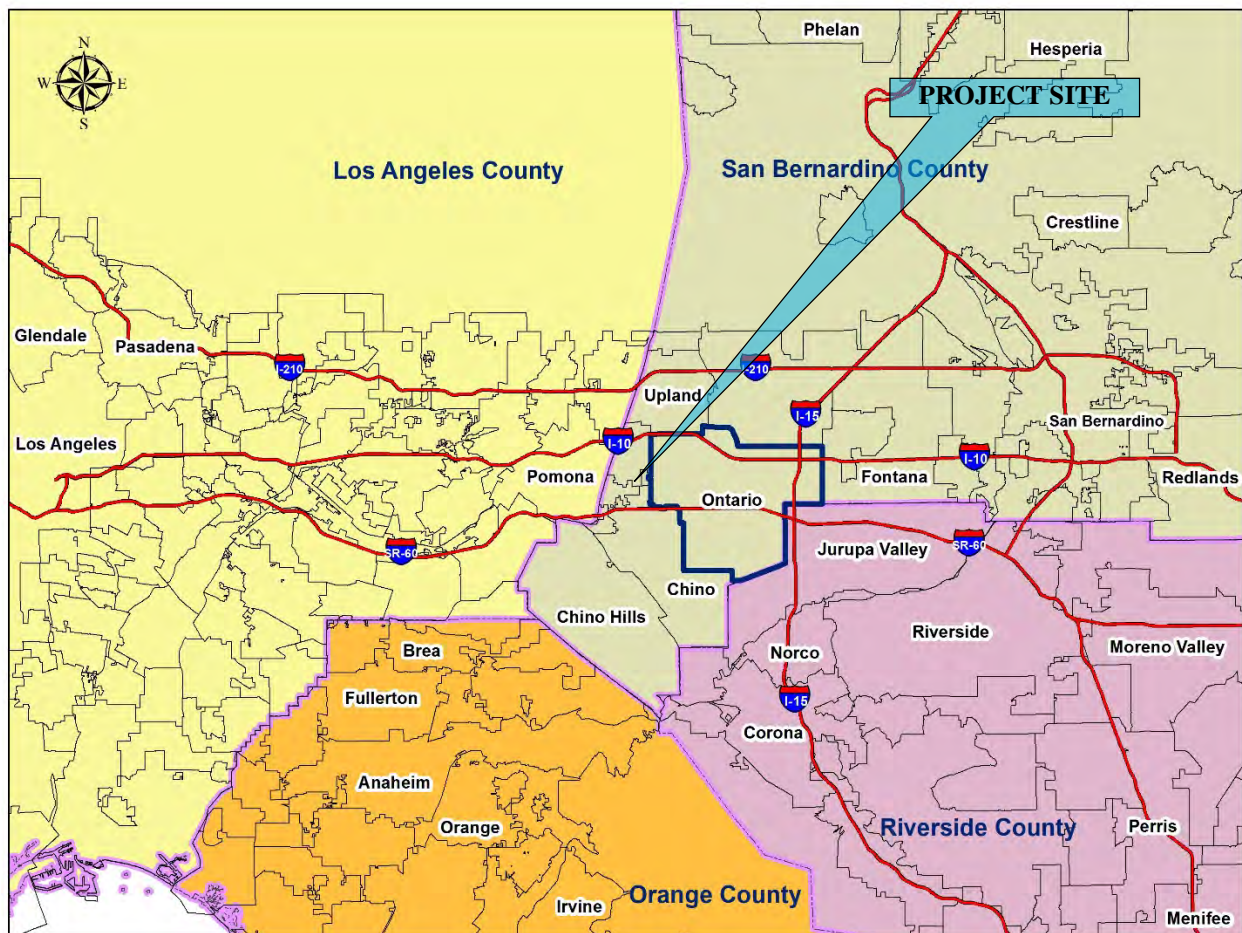


Figure 2—Vicinity Map

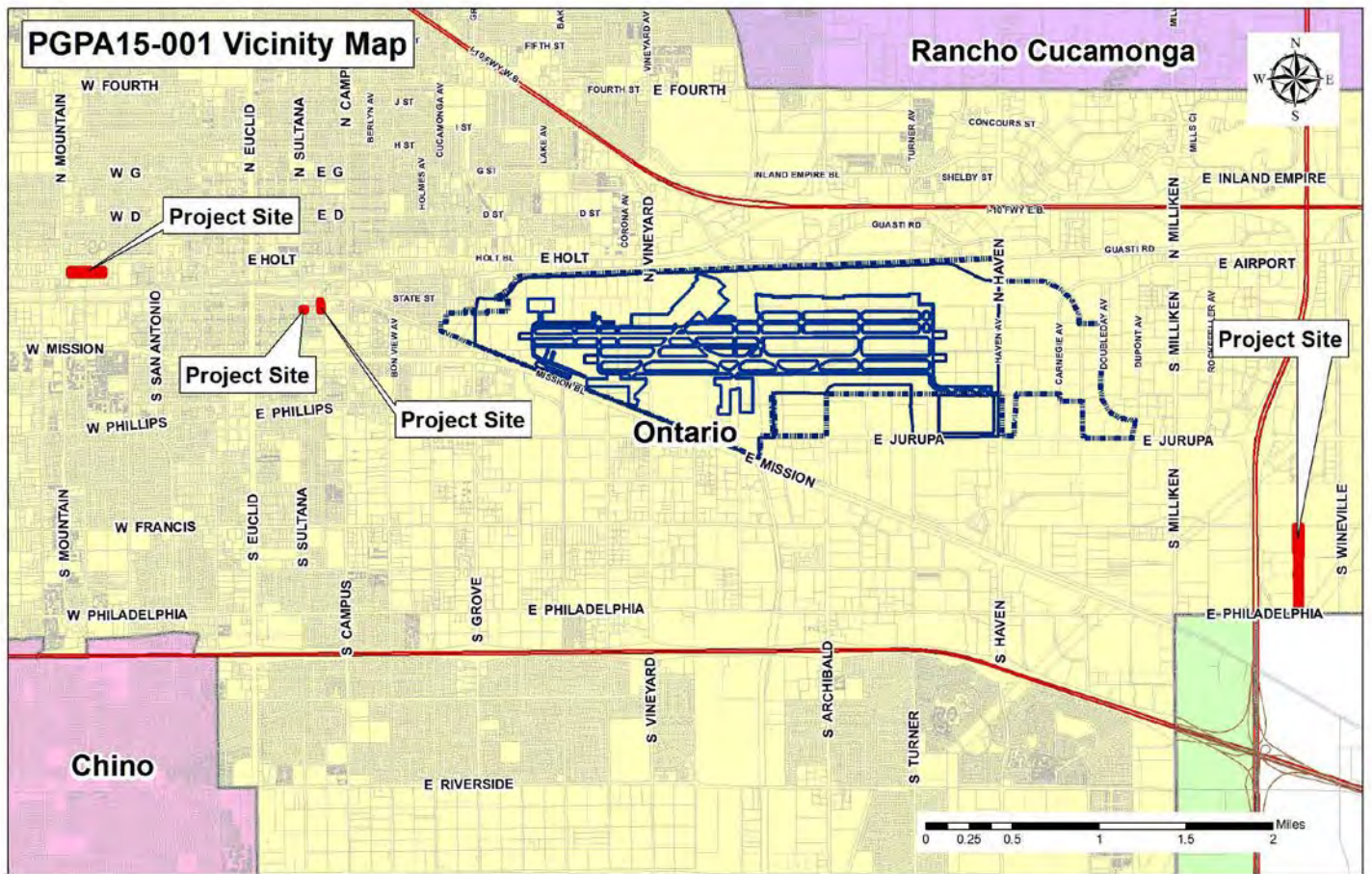


Figure 3—Proposed General Plan Amendments

See Exhibit A attached

Figure 4—Airport Landuse Compatibility Review

See Exhibit B attached

General Plan Designation: Proposal to change the General Plan land use designations on seven parcels from Business Park to Industrial, three parcels from Neighborhood Commercial to Low Density Residential with an Industrial Overlay, one parcel from Low Density Residential to Industrial and one parcel from Industrial to Open Space-Non Recreation as shown in Figures 2 and 3.

Zoning: Varies as shown in Figure 3

Description of Project: A City initiated request to change the General Plan (**File No. PGPA15-001**) land use designations on seven parcels from Business Park to Industrial generally located on the north side of Brooks Street east of Mountain Avenue, three parcels from Neighborhood Commercial to Low Density Residential with an Industrial Overlay located at the northeast corner of Park Street and Sultana Avenue, one parcel from Low Density Residential to Industrial generally located between State and Park Streets west of Monterey Avenue and one parcel from Industrial to Open Space-Non Recreation generally located on the north side of Philadelphia Street west of Wineville Avenue and modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03).

Project Setting: The project is comprised of 12 parcels totaling 13.2 acres of land located throughout the City as indicated in Figures 2 and 3.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	Varies	Varies
▪ South—	Varies	Varies
▪ East—	Varies	Varies
▪ West—	Varies	Varies

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

Clarice Burden

Signature

September 15, 2015

Date

Clarice Burden

Printed Name

Ontario Planning Department

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1) AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18.1 B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7) GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8) HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11) MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12) NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13) POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14) PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15) RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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16) TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

1) **AESTHETICS.** Would the project:

a) **Have a substantial adverse effect on a scenic vista?**

Discussion of Effects: The proposed Project will not have a significant adverse effect aesthetically. As provided in TOP EIR, the City of Ontario’s physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the San Bernardino and San Gabriel Mountains and stretches of open space and undeveloped land south of Riverside Drive. TOP EIR provides that compliance with TOP Policy CD1-5 in the Community Design Element will avoid significant impacts to scenic vista by making it the policy of the City to protect public views of the San Gabriel Mountains. The project under consideration only proposes General Plan Amendments on 12 parcel throughout the City (as shown in Figures 2 and 3). The Project does not permit construction of new buildings and so does not conflict with Policy CD1-5 as it will not alter existing public views of the San Gabriel Mountains. Since no adverse aesthetic impacts are expected, no mitigation is necessary.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. Therefore, it will not result in adverse environmental impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by development and is surrounded by urban land uses. The proposed General Plan Amendments reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan land use designations on the properties to reflect the existing use or to correlate with the land use designations of the surrounding area will not introduce new lighting to the surrounding area beyond what was anticipated in the Certified TOP FEIR. Therefore, no new adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

Discussion of Effects: The sites are mostly developed and do not contain any agricultural uses. Further, the site is identified as Urban Built up land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. The project will not create any new impacts to agricultural uses in the vicinity which were not identified in the Certified TOP FEIR. As a result, no new adverse environmental impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The project site is not and will not be zoned for agricultural use. The project proposes to change the General Plan land use designations on seven parcels from Business Park to Industrial, three parcels from Neighborhood Commercial to Low Density Residential with an Industrial Overlay, one parcel from Low Density Residential to Industrial and one parcel from Industrial to Open Space-Non Recreation as shown in Figures 2 and 3. Future development will be consistent with the development standards and allowed land uses. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

Discussion of Effects: The project proposes to change the land use designations on various properties and would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no adverse impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in TOP FEIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses, the Project does not directly result in conversion of farmland. No new cumulative impacts beyond those identified in TOP FEIR would result from Project implementation. The potential for growth inducement due to extension of utility systems into the City is addressed in TOP FEIR. There are no agricultural uses occurring onsite. As a result, the project will not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The City is located in a non-attainment region of South Coast Air Basin (SCAB). However, this impact has already been evaluated and mitigated to the extent feasible in TOP FEIR. TOP FEIR has addressed short-term construction impacts, however, and adequate mitigation (Mitigation Measure 3-1) has been adopted by the City that would help reduce emissions and air quality impacts. No new impacts beyond those identified in TOP FEIR would result from Project implementation. Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not generate significant new or greater air quality impacts than identified in TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Expose sensitive receptors to substantial pollutant concentrations?**

Discussion of Effects: As discussed in Section 5.3 of TOP FEIR, the proposed Project is within a non-attainment region of the SCAB. Essentially this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The proposed General Plan Amendments reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation..

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Create objectionable odors affecting a substantial number of people?**

Discussion of Effects: The proposed General Plan Amendment does not authorize construction of any new buildings and any future development will be required to comply with the standards in place at the time of development. The Project will not create significant objectionable odors. Therefore the Project will not introduce new odors beyond those previously analyzed in TOP EIR

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

4) **BIOLOGICAL RESOURCES.** Would the project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Discussion of Effects: The proposed General Plan Amendment does not authorize construction of any new buildings. Future development would be subject to TOP FEIR requirements for implementation of regulatory and standard conditions of approval to mitigate for impacts to species and project-specific CEQA review will be undertaken at the appropriate time. Policy ER5-1 encourages efforts to conserve flood control channels and transmission line corridors as wildlife movement corridors. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the proposed General Plan Amendment does not authorize any new construction. Therefore the General Plan Amendment does not conflict with existing plans. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

5) **CULTURAL RESOURCES.** Would the project:

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

Discussion of Effects: The project contains no buildings constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. In addition, Title 9, Chapter 1, Article 4, Section 9-1.0412 and 9-1.0413, and Article 26 of the City of Ontario Municipal Code protects sensitive historical resources of local interest. No new impacts beyond those identified in TOP FEIR would result from the Project.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously rough graded when the property was subdivided and no archaeological resources were found. While no adverse impacts to archeological

resources are anticipated at this site due to its urbanized nature, standard conditions will be imposed on future development that in the event of unanticipated archeological discoveries, construction activities will not continue or will be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the Project does not directly propose excavation and standard conditions will be imposed on future development that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: Changing the General Plan landuse designation on 12 parcels totaling 13.2 acres does not impact whether human remains may be discovered during future development and the proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions will be imposed on future development that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

6) GEOLOGY & SOILS. Would the project:

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

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The proposed change in land use designation will not approved any new construction. All future construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) Seismic-related ground failure, including liquefaction?

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General Plan landuse designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code for any future development would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations will not create greater erosion impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion of Effects: Changing the General Plan landuse designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated. Changing the General Plan landuse designations will not create greater impacts than were identified in the Certified TOP FEIR

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

7) **GREENHOUSE GAS EMISSIONS.** Would the project:

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

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

Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately addresses any potential significant impacts and there is no need for any additional mitigation measures.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create significantly greater impacts than were identified in the Certified TOP FEIR. The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City’s contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City’s adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

8) **HAZARDS & HAZARDOUS MATERIALS.** Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located outside on the safety zone for ONT and Chino Airports.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City

requirements for fire and other emergency access. Because future development would be required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

9) HYDROLOGY & WATER QUALITY. Would the project:

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

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. The proposed project does not authorize any new development and therefore no adverse impacts are anticipated. Compliance with established Codes and standards for any future development would reduce any impacts to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The future development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new development. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the future development of the project site will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would

reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new development. The future development of the project site is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The General Plan changes will not increase impervious surfaces and will not increase runoff. It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The future development of the site will be required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10) LAND USE & PLANNING. Would the project:

a) Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

11) **MINERAL RESOURCES.** Would the project:

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

12) **NOISE.** Would the project result in:

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The uses associated with this proposed project are required to comply with the environmental standards contained in the City of Ontario Development Code and as such, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any development and any future development would need to comply with existing noise standards. As such no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. The project proposes to change the General Plan land use designation on seven parcels, located within the 60-65 CNEL Noise Impact area, from Business Park to Industrial. Industrial land uses are compatible with the 60-65 CNEL Noise Impact area. The project proposes to change the land use designation on three parcels within the 65-70 CNEL Noise Impact area from Neighborhood Commercial to Low Density Residential with an Industrial Overlay. Although new single family residences are not allowed in the higher noise impact zones, the single family residential homes are existing and changing the land use designation will not increase any potential noise impacts on the residences. The Industrial Overlay will facilitate a change to industrial use in the future. One parcel in the 65-70 CNEL Noise Impact area is proposed to change from a split landuse designation of Industrial to the north and Low Density Residential to the south to Industrial for the entire parcel. This change will accommodate the existing industrial land use of the property. One parcel lies primarily within the 60-65 CNEL with a small portion within the 65-70 CNEL Noise Impact area. The land use designation is proposed to change from Industrial to Open Space-Non-Recreation in order to accommodate the existing flood control channel which is not a noise sensitive use. Therefore, no significant impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

13) **POPULATION & HOUSING.** Would the project:

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The housing units on the three parcels that contain housing will be allowed to remain.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The housing units on the three parcels that contain housing will be allowed to remain.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

14) **PUBLIC SERVICES.** Would the project:

a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

i) **Fire protection?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) **Police protection?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) **Schools?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) **Parks?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v) **Other public facilities?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15) **RECREATION.** Would the project:

- a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?**

Discussion of Effects: Changing the General Plan landuse designation designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16) **TRANSPORTATION/TRAFFIC.** Would the project:

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. Any future development of the project site will be served by the existing circulation system or any necessary mitigation will be determined by analysis per the City of Ontario guidelines. Less than significant impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the amount of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Less than significant impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it is outside of areas with FAA-imposed height restrictions. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The project is in an area that is mostly developed and most street improvements are complete. The project will not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) Result in inadequate emergency access?

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. Any future development on the project site will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) Result in inadequate parking capacity?

Discussion of Effects: The future development of the project site will be required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

17) UTILITIES AND SERVICE SYSTEMS. Would the project:

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not significantly alter wastewater treatment needs of Ontario and will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: The future development of the project site will be served by the City of Ontario. The project will be required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres does not authorize any construction and will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: Changing the General Plan landuse designations on 12 parcels totaling 13.2 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

18) MANDATORY FINDINGS OF SIGNIFICANCE

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop

below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

a) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

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

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

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

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

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

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

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

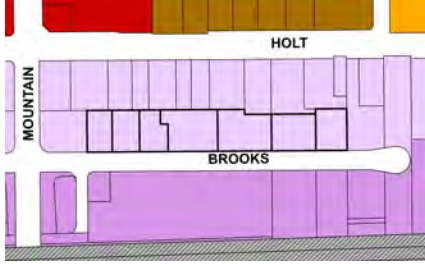
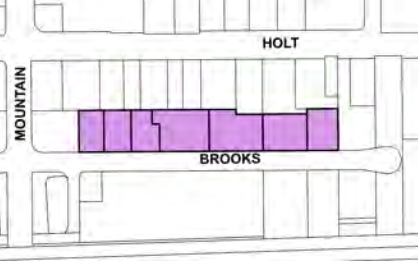
2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards.

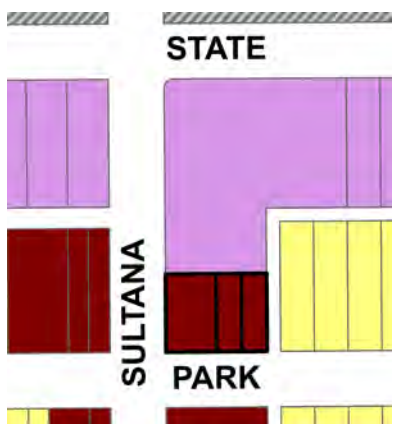
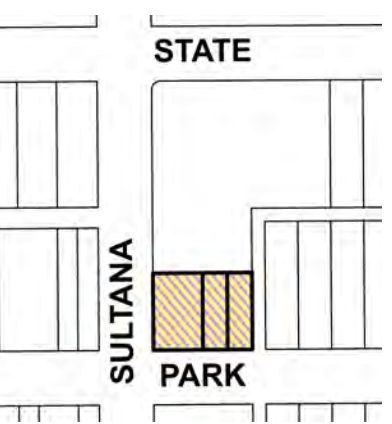
Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

MITIGATION MEASURES



The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

Exhibit A
 (Proposed General Plan Amendments)

A26 EXISTING TOP	PARCELS	PROPOSED
 <p align="center">Business Park</p>	<p>101113217 – 101113219 101113221 101114134 101114137 101114139</p> <p align="center"><i>(7 Properties)</i></p>	 <p align="center">Industrial</p>

D28 EXISTING TOP	PARCELS	PROPOSED
 <p align="center">Neighborhood Commercial with Industrial Transitional Overlay</p>	<p>104923124 – 104923126</p> <p align="center"><i>(3 Properties)</i></p>	 <p align="center">Low Density Residential with Industrial Transitional Overlay</p>

D32 EXISTING TOP	PARCELS	PROPOSED
 <p align="center">Low Density Residential with Industrial Transitional Overlay</p>	<p>104923112</p> <p align="center"><i>(1 Property)</i></p>	 <p align="center">Industrial</p>

K11 EXISTING TOP	PARCELS	PROPOSED
 <p data-bbox="305 537 410 569">Industrial</p>	<p data-bbox="688 323 812 380">23815215 (1 Property)</p>	 <p data-bbox="959 537 1284 569">Open Space – Non-Recreation</p>

**PROJECT COMMENT WORKSHEET
FOR MAJOR LAND USE ACTIONS
WITHIN THE ONT AIRPORT INFLUENCE AREA**



1. PROJECT DISTRIBUTION INFORMATION (To be filled by City of Ontario)

PALU File No. 15-002

Date Received: August 17, 2015
 Distribution Date: August 25, 2015
 Comment Due Date: September 14, 2015
 Submitting Agency: City of Ontario

CITY OF ONTARIO CONTACT INFO

Name: Lorena Mejia
 Phone: 909-395-2276
 E-mail: lmejia@ci.ontario.ca.us

2. PROJECT INFORMATION (To be filled by Submitting Agency)

SUBMITTING AGENCY CONTACT INFO

Site Address: 12 Parcels - See Attached List - Exhibit A
 Assessor's Parcel No.: 12 Parcels - See Attached List - Exhibit A
 Project File No.: PGPA15-001
 Structure/Bldg. Height: A structure is not being proposed
 Existing Land Use: See Attached List - Exhibit A

Name: Lorena Mejia
 Phone: 909-395-2276
 E-mail: lmejia@ci.ontario.ca.us

Type of Major Land Use Action: General Plan Amendment

Project Description (Attach additional sheets if necessary): The proposed General Plan Amendments are being proposed to reflect the existing land uses. See Attached maps to see a detailed explanation for each site. Parcels having similar characteristics were grouped into four areas (Area A, B, C & D).

3. PROJECT COMPATIBILITY ZONE IMPACTS

(To be filled by Submitting Agency)

The proposed project is impacted by the following ONT ALUCP Compatibility Zones (Check all that Apply):

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 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 checked="" 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="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: See Attached Map	
<input type="radio"/> Zone 5			

4. PROJECT & ALUCP CONSISTENCY INFORMATION

(To be filled by Submitting Agency)

Fill out the following if applicable (Attach additional sheets if necessary):

4-1. Describe the proposed land use(s) within the respective Safety Zone(s).

(Fill out only if applicable)

There are no properties located within any of the Safety Zones.

4-2. Describe the proposed land use(s) within the respective Noise Impact Zone(s).

(Fill out only if applicable)

Area A - Is located within the 60 -65dB CNEL Noise Impact Zone and there 7 parcels located in this area. The GP is being changed from BP (Business Park) to IND (Industrial) to reflect the existing land uses and prevent non-conforming uses on these sites. Industrial land uses are compatible within the 60-65dB CNEL Noise Impact Zone.

Areas B & C - are located within the 65-70dB CNEL Noise Impact Zone.

In Area B the GP is being changed from NC (Neighborhood Commercial) to LDR-IND Overlay (Low Density Residential-Industrial Overlay) there are existing single-family residential homes on these 3 parcels. The area is adjacent to other LDR properties with an Industrial Overlay. This GPA will provide overall continuity with the surrounding area. Although, single family uses are not allowed within the higher noise impact zone the land use is existing and the industrial overlay will facilitate a change to an industrial land use in the future. There are a few areas west of ONT where the City created Industrial Overlay areas to transition existing residential neighborhoods to industrial uses provided that an entire block is assembled. These 3 parcels within Area B is adjacent to an industrial transitional area.

Area C is one parcel and that has a split General Plan with Industrial to the north and Low Density Residential to the south. The GPA for this parcel is to make the entire parcel Industrial since the existing land use is an industrial use.

Area D is one parcel that is primarily located within the 60-65dB CNEL Noise Impact Zone with a small portion within the 65-70dB CNEL Noise Impact Zone. The GPA is to change the parcel from IND (Industrial) to OS-NR (Open Space-Non Recreational). The property is a Flood Control Channel and this GPA is needed to reflect the existing use. Also, Flood control channels throughout the City have an OS-NR land use designation.

4-3. Describe how the proposed land use(s) will penetrate allowable heights as defined by Policy Map 2-4 or have the potential to create an electrical or visual hazard to aircraft in flight.

(Fill out only if applicable)

There are no structures being proposed at this time.

5. ALUCP CONSISTENCY DETERMINATION

(To be filled by Submitting Agency)

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.

6. ONT-IAC TAG COMMENTS (To be filled by Participating Agencies)

PARTICIPATING AGENCY MEMBER/DESIGNEE INFORMATION

6-1. Do you agree with the Submitting Agencies Consistency Determination?

Yes No

6-2. If no, explain reasons why project is inconsistent. If applicable can conditions be added to acheive consistency with the ALUCP (list conditions/ attach additional pages if needed)?

SEE ATTACHED RESPONSES FROM THE CITIES OF MONTCLAIR, RANCHO CUCAMONGA & CHINO.

NO RESPONSE FROM THE CITIES OF UPLAND & FONTANA OR SAN BERNARDINO COUNTY

Name: _____

Phone: _____

E-mail: _____

Agency: _____

6-3. Would you like to convene an ONT-IAC Technical Staff Group Meeting to discuss issues or concerns with the proposed project?

Yes No

6-4. Would you like to convene the ONT-IAC Mediation Board to make a Consistency Determination?

Yes No

7. SUMMARY OF PARTICIPATING AGENCIES COMMENTS (To be filled by City of Ontario)

7-1. Participating Agency(ies) agree with the Submitting Agency’s Consistency Determination. Yes No

7-2. Participating Agency(ies) disagree with the Submitting Agency’s Consistency Determination for the following reasons.

7-3. Does the proposed project need to be revised and re-submitted to the ONT-IAC Technical Advisory Group?

Yes No

7-4. The ONT-IAC Technical Staff Group needs to meet and discuss the proposed project.

Yes No

7-5. The ONT-IAC Mediation Board is needed to make a Consistency Determination.

Yes No

6. ONT-IAC TAG COMMENTS

(To be filled by Participating Agencies)

PARTICIPATING AGENCY MEMBER/DESIGNEE INFORMATION

6-1. Do you agree with the Submitting Agencies Consistency Determination?

Yes No

6-2. If no, explain reasons why project is inconsistent. If applicable can conditions be added to acheive consistency with the ALUCP (list conditions/ attach additional pages if needed)?

Name:

Christine Lovell

Phone:

(909) 334-3332

E-mail:

clovell@cityofchino.org

Agency:

City of Chino

6-3. Would you like to convene an ONT-IAC Technical Staff Group Meeting to discuss issues or concerns with the proposed project?

Yes No

6-4. Would you like to convene the ONT-IAC Mediation Board to make a Consistency Determination?

Yes No

7. SUMMARY OF PARTICIPATING AGENCIES COMMENTS

(To be filled by City of Ontario)

7-1. Participating Agency(ies) agree with the Submitting Agency's Consistency Determination. Yes No

7-2. Participating Agency(ies) disagree with the Submitting Agency's Consistency Determination for the following reasons.

7-3. Does the proposed project need to be revised and re-submitted to the ONT-IAC Technical Advisory Group?

Yes No

7-4. The ONT-IAC Technical Staff Group needs to meet and discuss the proposed project.

Yes No

7-5. The ONT-IAC Mediation Board is needed to make a Consistency Determination.

Yes No

ONT-IAC PROJECT COMMENT WORKSHEET

PALU File No. 15-002

6. ONT-IAC TAG COMMENTS (To be filled by Participating Agencies)

PARTICIPATING AGENCY MEMBER/DESIGNEE INFORMATION

6-1. Do you agree with the Submitting Agencies Consistency Determination?

Yes No

6-2. If no, explain reasons why project is inconsistent. If applicable can conditions be added to acheive consistency with the ALUCP (list conditions/ attach additional pages if needed)?

Name:

MICHAEL DIAZ

Phone:

909-625-9432

E-mail:

mdiaz@cityofmontclair.org

Agency:

CITY OF MONTCLAIR

6-3. Would you like to convene an ONT-IAC Technical Staff Group Meeting to discuss issues or concerns with the proposed project?

Yes No

6-4. Would you like to convene the ONT-IAC Mediation Board to make a Consistency Determination?

Yes No

7. SUMMARY OF PARTICIPATING AGENCIES COMMENTS

(To be filled by City of Ontario)

7-1. Participating Agency(ies) agree with the Submitting Agency's Consistency Determination. Yes No

7-2. Participating Agency(ies) disagree with the Submitting Agency's Consistency Determination for the following reasons.

7-3. Does the proposed project need to be revised and re-submitted to the ONT-IAC Technical Advisory Group?

Yes No

7-4. The ONT-IAC Technical Staff Group needs to meet and discuss the proposed project.

Yes No

7-5. The ONT-IAC Mediation Board is needed to make a Consistency Determination.

Yes No

6. ONT-IAC TAG COMMENTS

(To be filled by Participating Agencies)

PARTICIPATING AGENCY MEMBER/DESIGNEE INFORMATION

6-1. Do you agree with the Submitting Agencies Consistency Determination?

Yes No

6-2. If no, explain reasons why project is inconsistent. If applicable can conditions be added to achieve consistency with the ALUCP (list conditions/ attach additional pages if needed)?

Name: Donald Granger

Phone: 909-477-2750 ext 4314

E-mail: donald.granger@cityofrc.us

Agency: City of Rancho Cucamonga

6-3. Would you like to convene an ONT-IAC Technical Staff Group Meeting to discuss issues or concerns with the proposed project?

Yes No

6-4. Would you like to convene the ONT-IAC Mediation Board to make a Consistency Determination?

Yes No

7. SUMMARY OF PARTICIPATING AGENCIES COMMENTS

(To be filled by City of Ontario)

7-1. Participating Agency(ies) agree with the Submitting Agency's Consistency Determination. Yes No

7-2. Participating Agency(ies) disagree with the Submitting Agency's Consistency Determination for the following reasons.

7-3. Does the proposed project need to be revised and re-submitted to the ONT-IAC Technical Advisory Group?

Yes No

7-4. The ONT-IAC Technical Staff Group needs to meet and discuss the proposed project.

Yes No

7-5. The ONT-IAC Mediation Board is needed to make a Consistency Determination.

Yes No

PGPA15-001
Summary of Affected Properties
Exhibit A

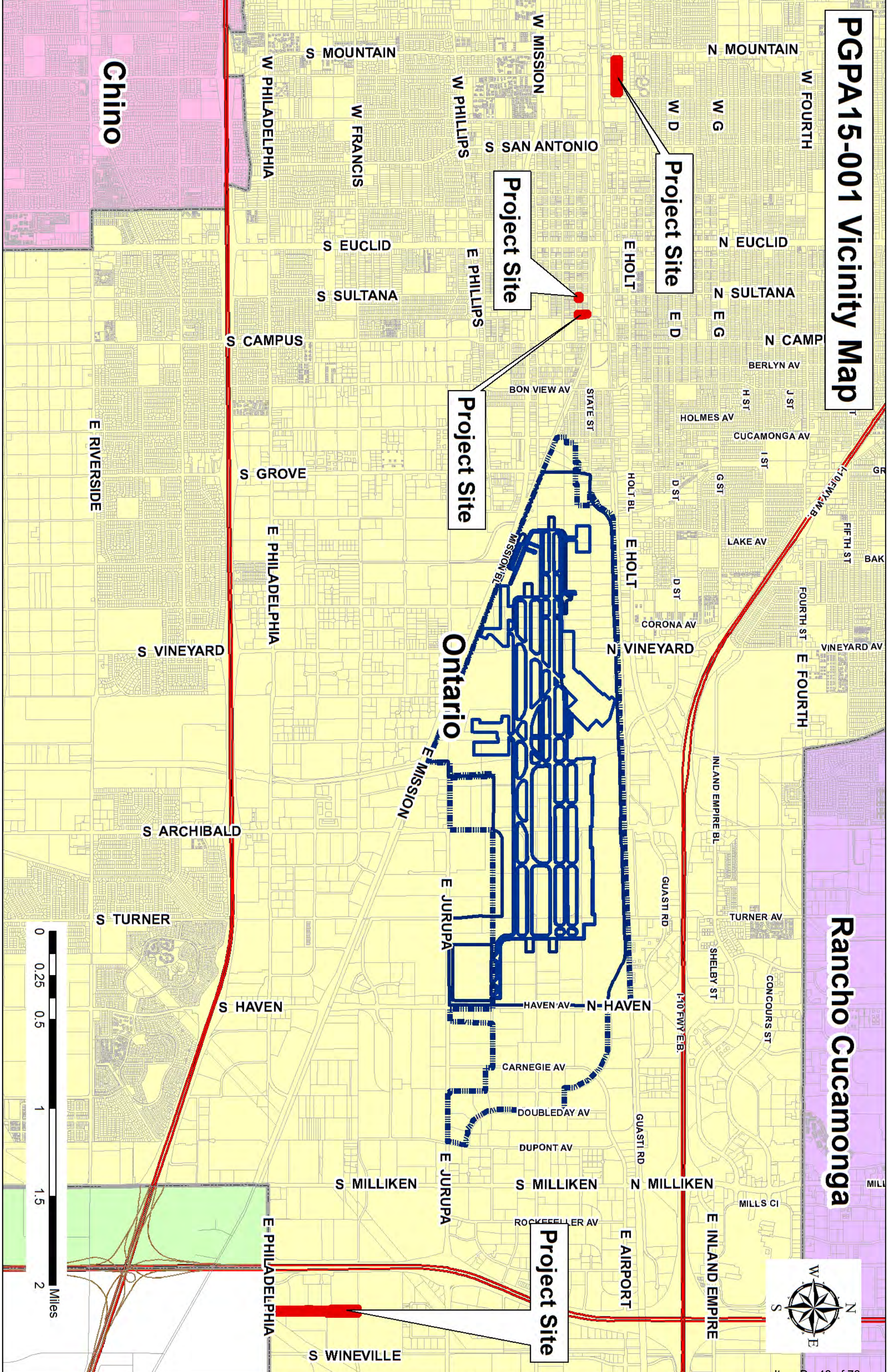
APN	Address	Existing Land Use	Existing General Plan	Proposed General Plan	OVERLAY	Acreage
23815215	no address (flood control channel)	FLOOD CONTROL SYSTEM	IND - Industrial	OS-NR (Open Space - Non Recreational)		6.790
104923112	592 E STATE ST	MANUF.-MACHINERY	LDR - Low Density Residential	IND (Industrial)	IND	0.530
104923124	507 E PARK ST	SINGLE FAMILY	NC - Neighborhood Commercial	LDR-IND Overlay (Low Density Residential - Industrial Overlay)	IND	0.064
104923125	505 E PARK ST	SINGLE FAMILY	NC - Neighborhood Commercial	LDR-IND Overlay (Low Density Residential - Industrial Overlay)	IND	0.064
104923126	501 E PARK ST	MULTIFAMILY	NC - Neighborhood Commercial	LDR-IND Overlay (Low Density Residential - Industrial Overlay)	IND	0.128
101114134	941 W BROOKS ST	SERVICE-REAL ESTATE	BP - Business Park	IND (Industrial)		0.598
101114137	916 W BROOKS ST	SERVICE-ADVERTISING	BP - Business Park	IND (Industrial)		0.479
101114139	960 W BROOKS ST	SERVICE-WAREHOUSING	BP - Business Park	IND (Industrial)		0.777
101113219	1004 W BROOKS ST	RETAIL-TIRES & BATTERIES	BP - Business Park	IND (Industrial)		0.801
101113218	1024 W BROOKS ST	MANUF.-TRANSPORTATION	BP - Business Park	IND (Industrial)		0.399
101113217	1032 W BROOKS ST	MANUF.- HOUSE FURNITURE	BP - Business Park	IND (Industrial)		0.419
101113221	1044 W BROOKS ST	SERVICE-REAL ESTATE	BP - Business Park	IND (Industrial)		0.385

PGPA 15-001 Vicinity Map

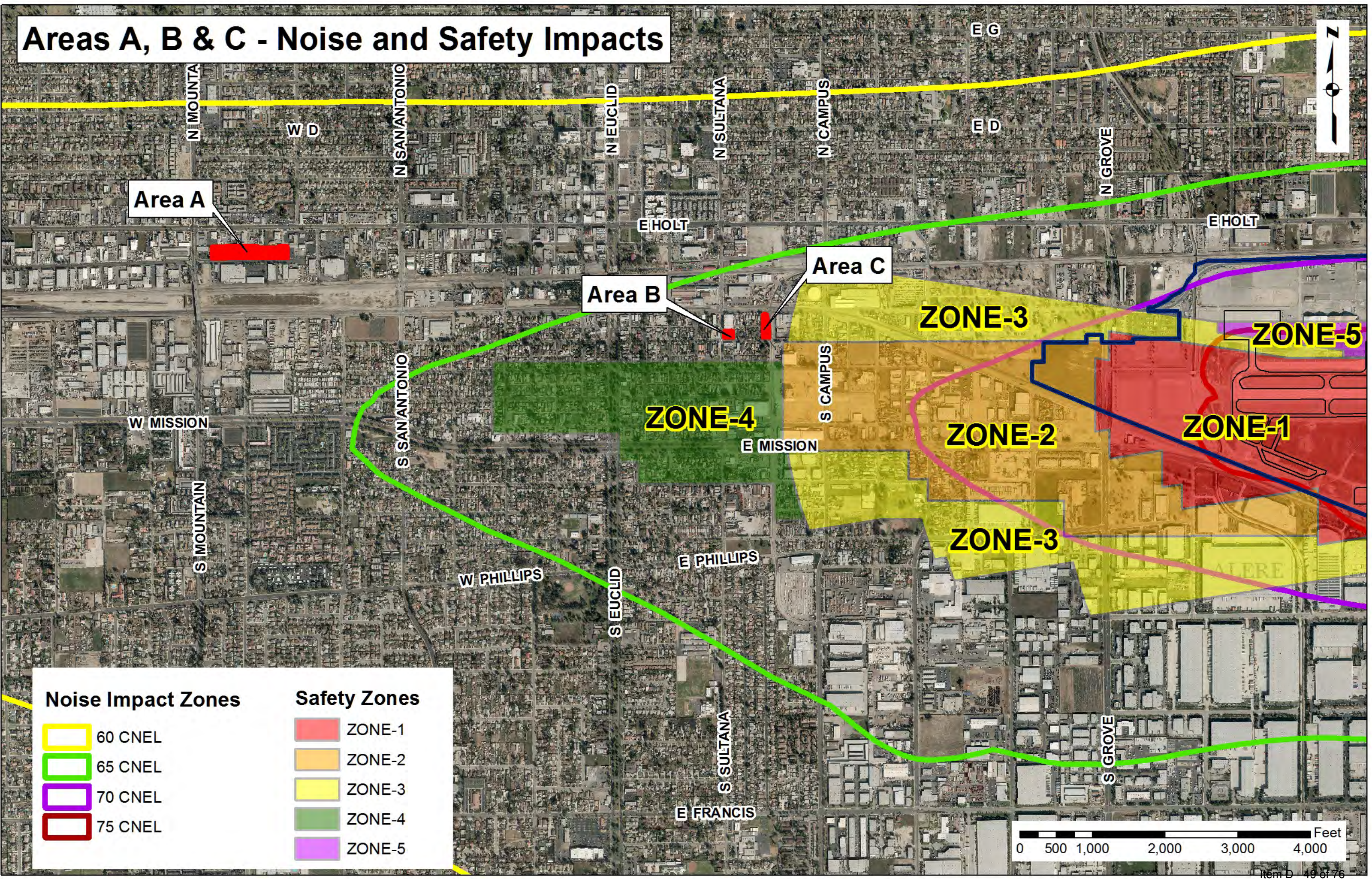
Rancho Cucamonga

Chino

Ontario



Areas A, B & C - Noise and Safety Impacts

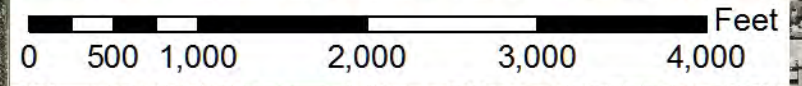


Noise Impact Zones

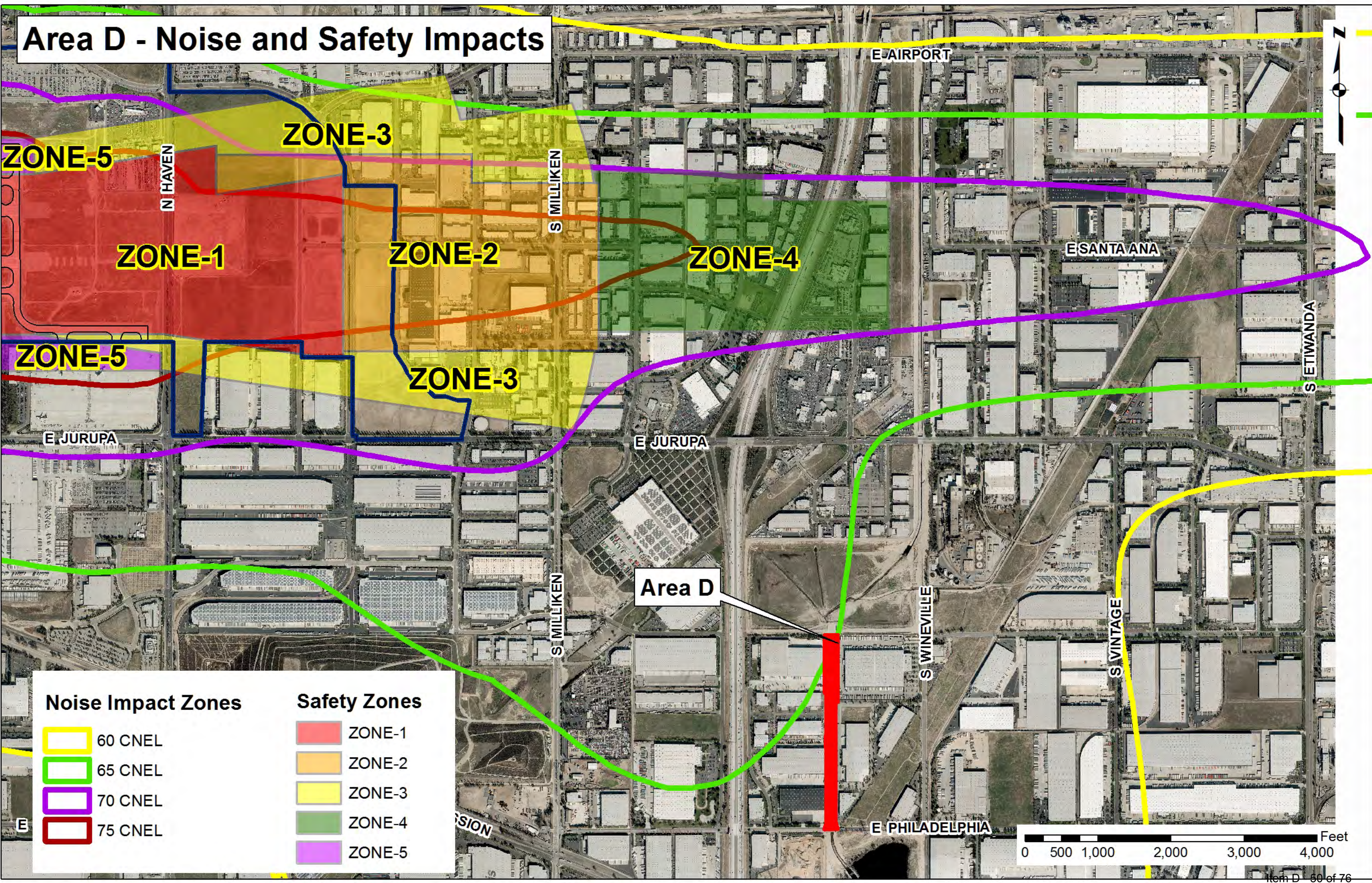
- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

Safety Zones

- ZONE-1
- ZONE-2
- ZONE-3
- ZONE-4
- ZONE-5



Area D - Noise and Safety Impacts

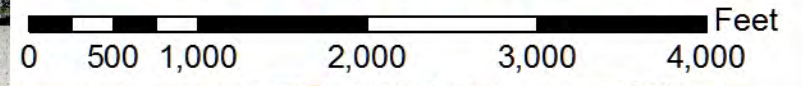


Noise Impact Zones

- 60 CNEL
- 65 CNEL
- 70 CNEL
- 75 CNEL

Safety Zones

- ZONE-1
- ZONE-2
- ZONE-3
- ZONE-4
- ZONE-5



Areas A, B & C - Allowable Heights



Area A












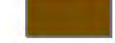
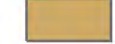


Area B

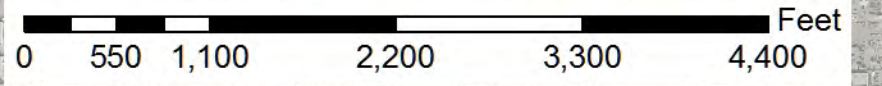
Area C

Legend

 Project Site

Allowable Height in Feet

-  0 - 30
-  30 - 40
-  40 - 50
-  50 - 60
-  60 - 70
-  70 - 80
-  80 - 90
-  90 - 100
-  100 - 120
-  120 - 130
-  130 - 150
-  150 - 170
-  170 - 190
-  190 - 200
-  200 and greater



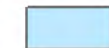













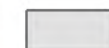
Areas D - Allowable Heights



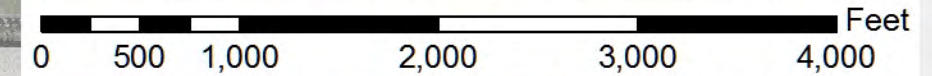
Legend

 Project Site

Allowable Height in Feet

-  0 - 30
-  30 - 40
-  40 - 50
-  50 - 60
-  60 - 70
-  70 - 80
-  80 - 90
-  90 - 100
-  100 - 120
-  120 - 130
-  130 - 150
-  150 - 170
-  170 - 190
-  190 - 200
-  200 and greater

Area D



Area A - Proposed General Plan Changes Change GP from BP (Business Park) to IND (Industrial)

HDR HDR HDR HDR HDR

MDR

BOULDER AV



HOLT BL

MOUNTAIN AV

BP BP BP BP BP BP BP BP BP BP BP BP BP BP BP

BP

BP BP
IND IND IND BP IND BP IND BP IND BP
BP

BP BP

BROOKS ST

IND IND IND IND IND IND

IND

IND

IND

IND

IND

IND

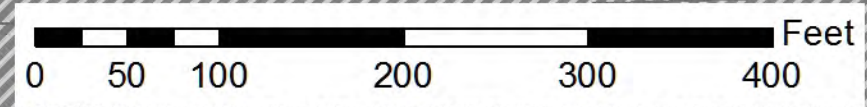
IND

IND

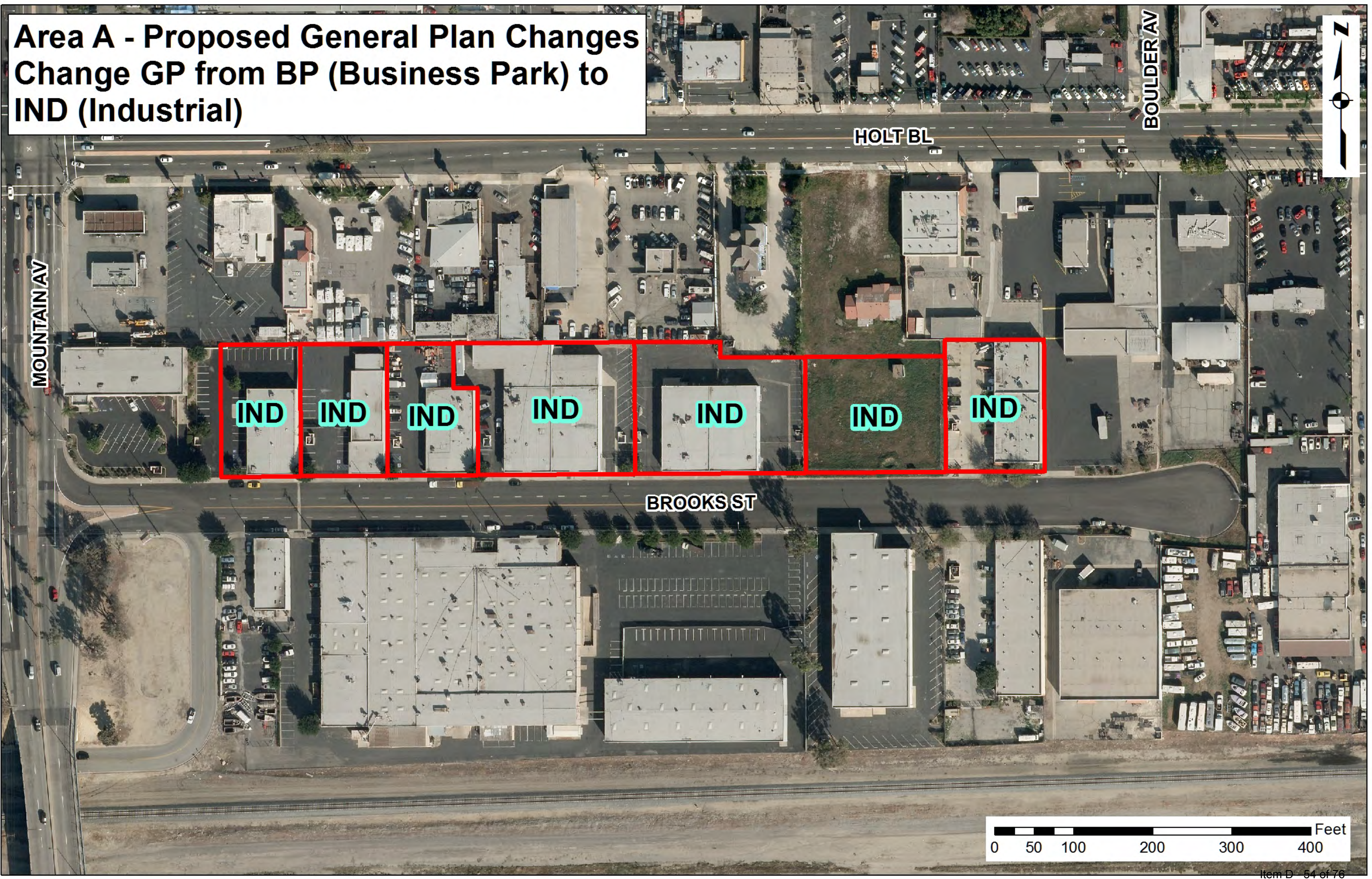
IND

Rail

Rail



**Area A - Proposed General Plan Changes
Change GP from BP (Business Park) to
IND (Industrial)**



HOLT BL

BOULDER AV

MOUNTAIN AV

IND

IND

IND

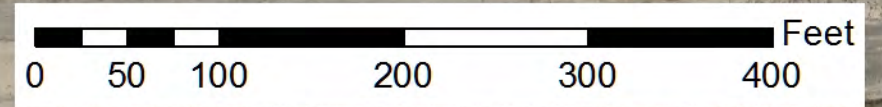
IND

IND

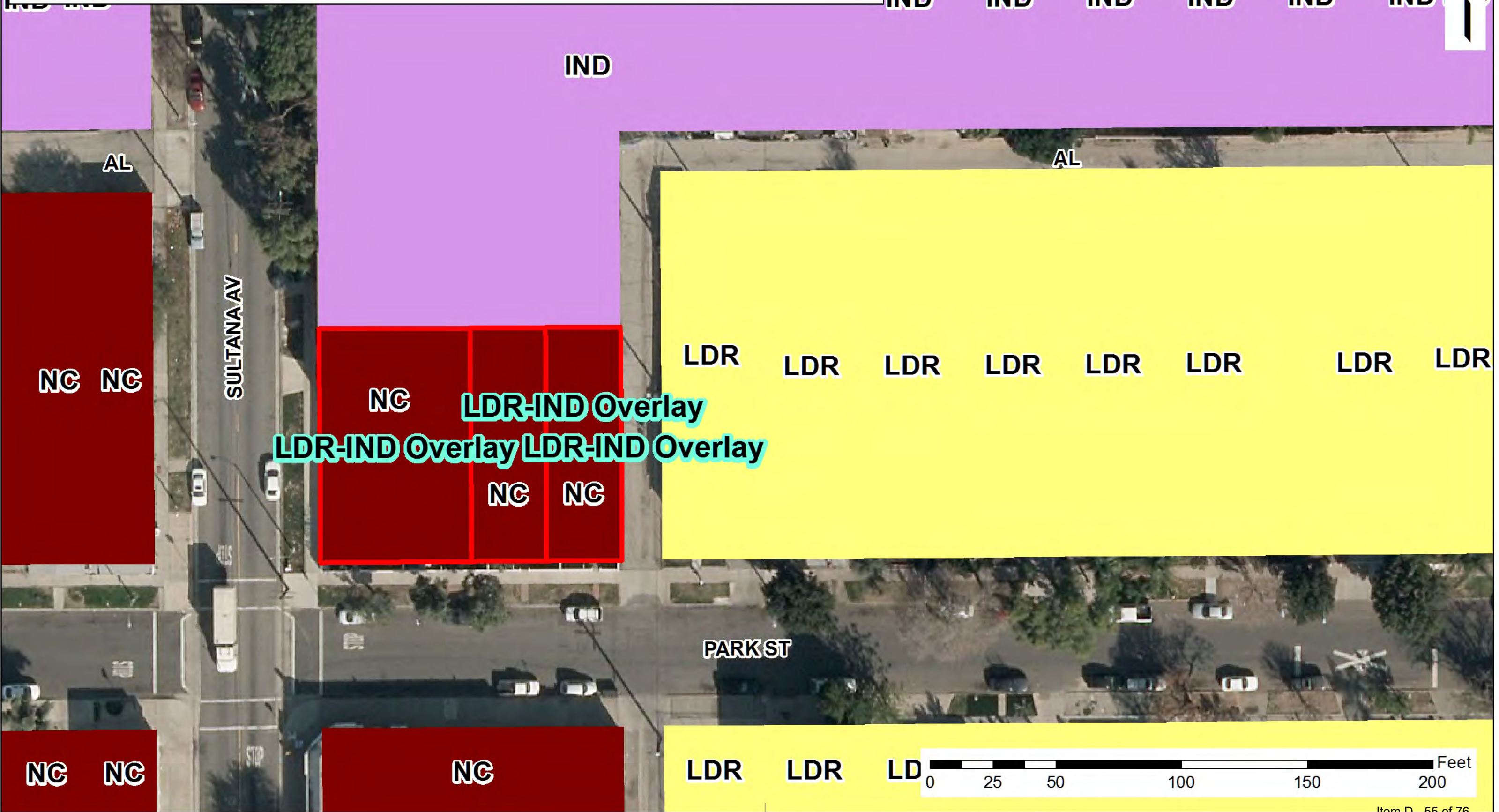
IND

IND

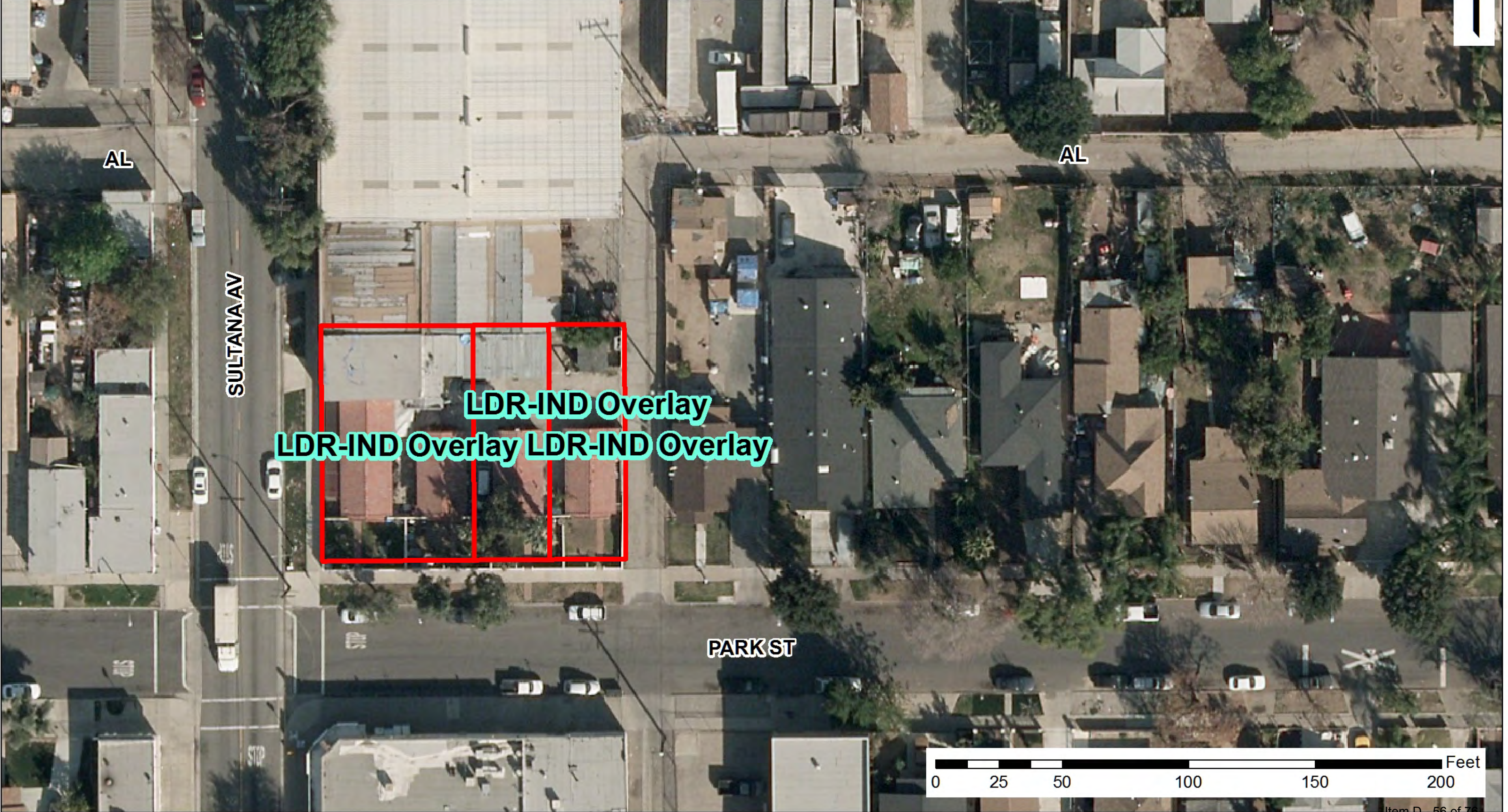
BROOKS ST



Area B - Proposed General Plan Changes Change GP from NC (Neighborhood Commercial) to Low Density Residential - Industrial Overlay



**Area B - Proposed General Plan Changes
Change GP from NC (Neighborhood Commercial) to
Low Density Residential - Industrial Overlay**



LDR-IND Overlay
LDR-IND Overlay LDR-IND Overlay



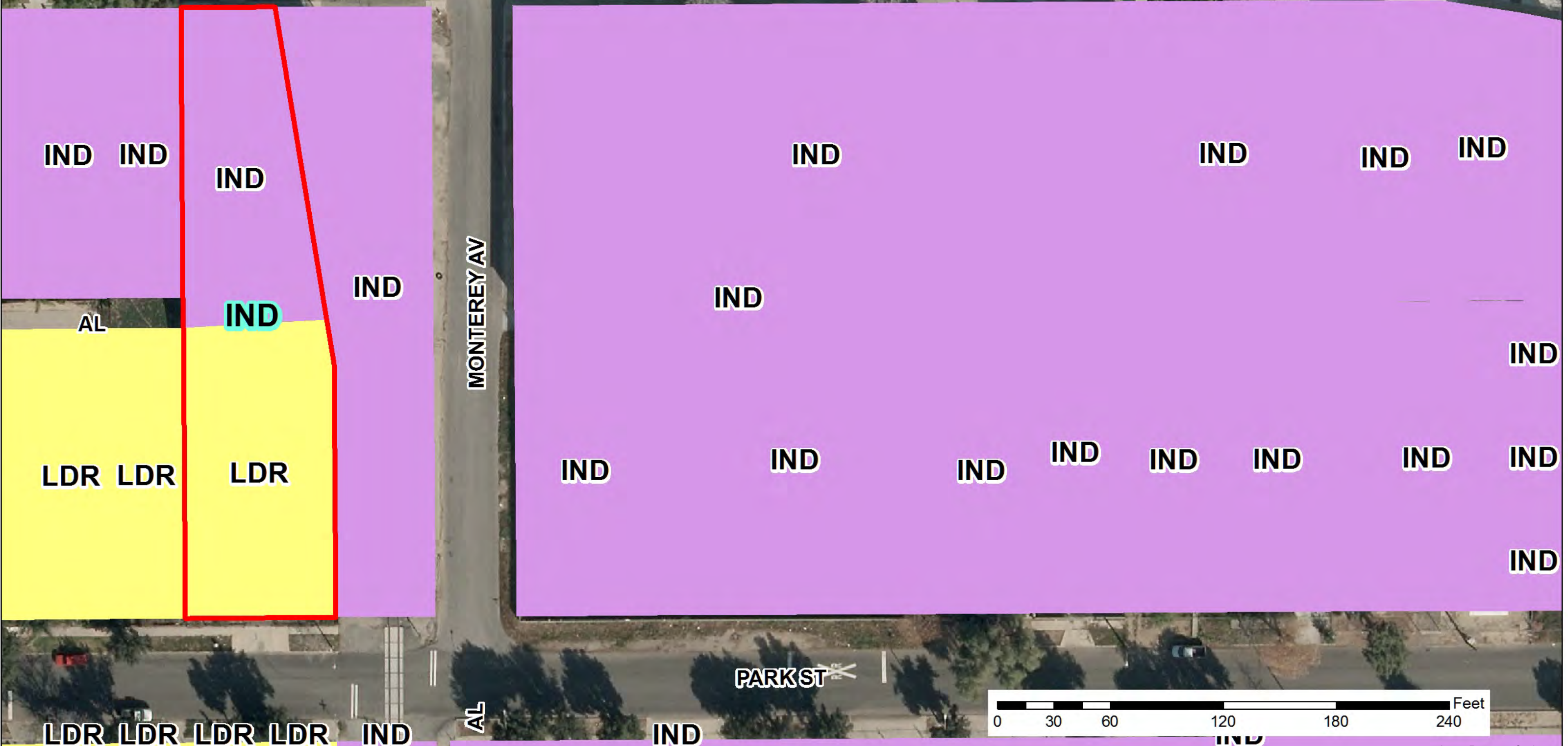
**Area C - Proposed General Plan Changes
Change GP from Low Density Residential to
Industrial on southern half of parcel**

Rail



STATE ST

ONTARIO BL



**Area C - Proposed General Plan Changes
Change GP from Low Density Residential to
Industrial on southern half of parcel**



STATE ST

ONTARIO BL

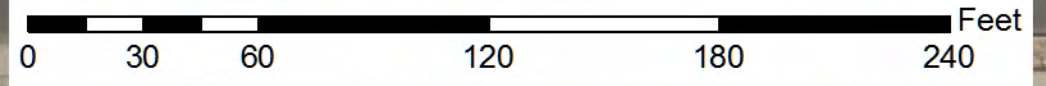
IND

MONTEREY AV

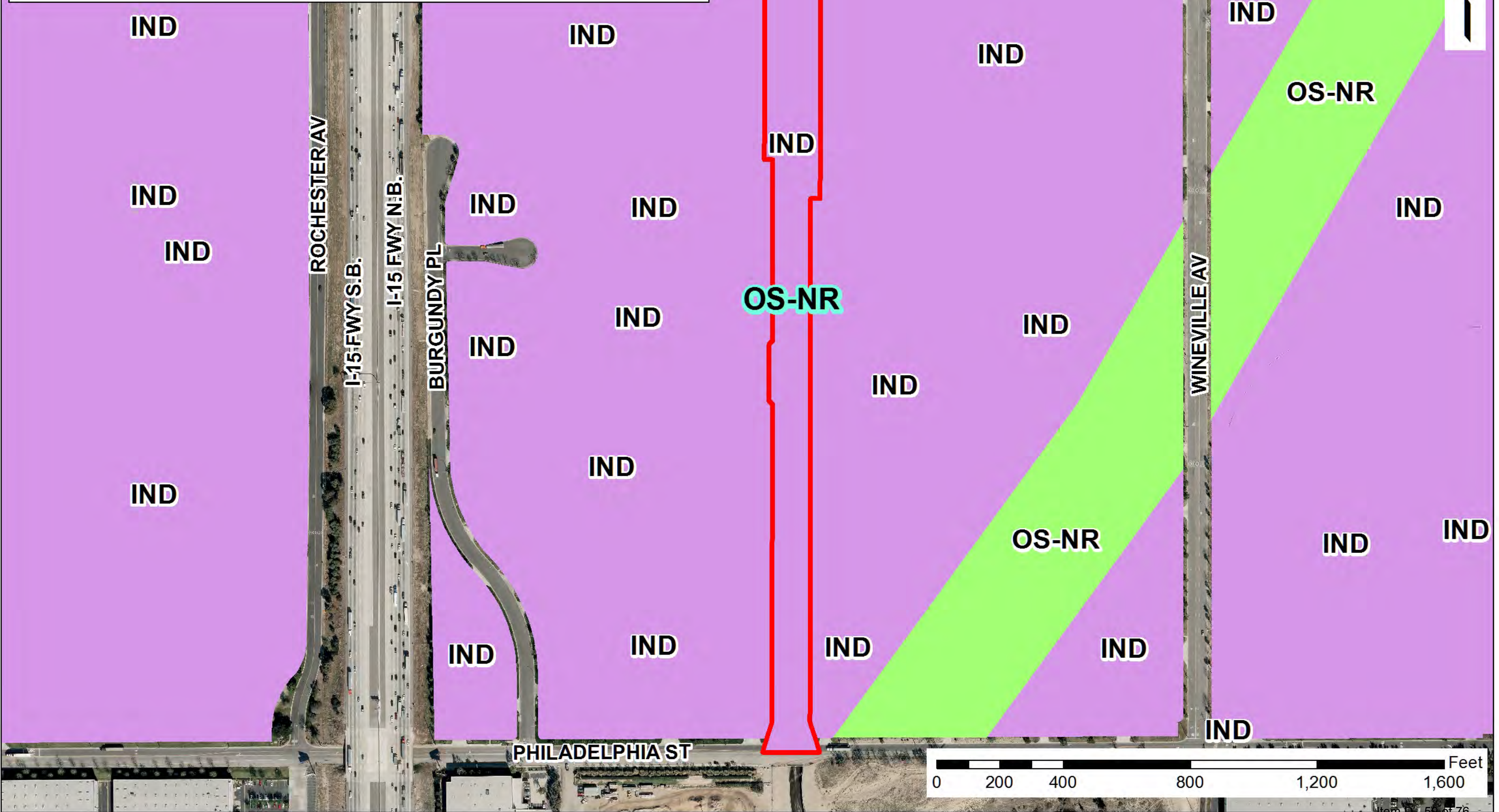
AL

PARK ST

AL



**Area D - Proposed General Plan Changes
Change GP from IND (Industrial) to
OS-NR (Open Space - Non Recreational)**



**Area D - Proposed General Plan Changes
Change GP from IND (Industrial) to
OS-NR (Open Space - Non Recreational)**

FRANCIS



ROCHESTER AV

I-15 FWY S.B.

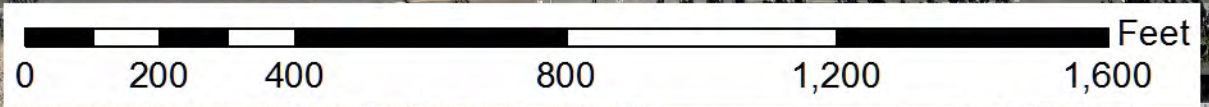
I-15 FWY N.B.

BURGUNDY PL

OS-NR

WINEVILLE AV

PHILADELPHIA ST



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140).

WHEREAS, the City of Ontario ("Applicant") has initiated an Application for the approval of a General Plan Amendment, File No. PGPA15-001, (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application proposes to change the General Plan land use designations on seven parcels from Business Park to Industrial generally located on the north side of Brooks Street east of Mountain Avenue; three parcels from Neighborhood Commercial to Low Density Residential with an Industrial Overlay located at the northeast corner of Park Street and Sultana Avenue; one parcel from Low Density Residential to Industrial generally located between State and Park Streets west of Monterey Avenue; and, one parcel from Industrial to Open Space-Non Recreation generally located on the north side of Philadelphia Street west of Wineville Avenue, as shown in Exhibit A attached; and

WHEREAS, an Environmental Impact Report ("EIR") was certified on January 27, 2010, in which development and use of the Project site was discussed; and

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

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

WHEREAS, to consider the potential environmental impacts of the Project, the City prepared an addendum to the certified EIR pursuant to CEQA and the Guidelines promulgated thereunder (hereinafter referred to as "Addendum"); and

WHEREAS, pursuant to CEQA Guidelines Section 15164(c), the Addendum is not required to be circulated for public review, but can be attached to the certified EIR; and

WHEREAS, the Planning Commission has reviewed the Addendum and all other relevant information presented to it regarding the Addendum; and

WHEREAS, the Planning Commission, after evaluating the environmental impacts associated with the Project, has concluded that none of the conditions requiring preparation of a subsequent or supplemental EIR have occurred; and

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

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

SECTION 1. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Addendum and supporting documentation. Based upon the facts and information contained in the Addendum and supporting documentation, the Planning Commission finds as follows:

- a. The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- b. The Addendum has been completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- c. The Addendum reflects the independent judgment of the Planning Commission.

SECTION 2. Based upon the Addendum and all related information presented to the Planning Commission, the Planning Commission finds that the preparation of a subsequent or supplemental EIR is not required for the Project, as the Project:

- a. Does not constitute substantial changes to the certified EIR that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- b. Does not constitute substantial changes with respect to the circumstances under which the certified EIR was prepared, that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- c. Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, that shows any of the following:
 1. The project will have one or more significant effects not discussed in the certified EIR; or
 2. Significant effects previously examined will be substantially more severe than shown in the certified EIR; or
 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

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

SECTION 3. The Planning Commission hereby recommends that the City Council approve the Addendum to the certified EIR.

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

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

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October, 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC**_*** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

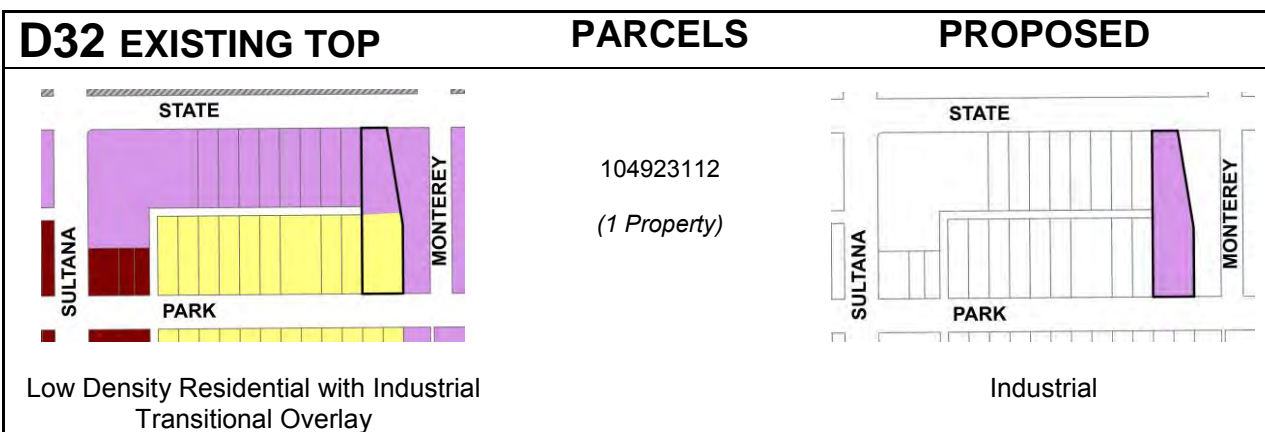
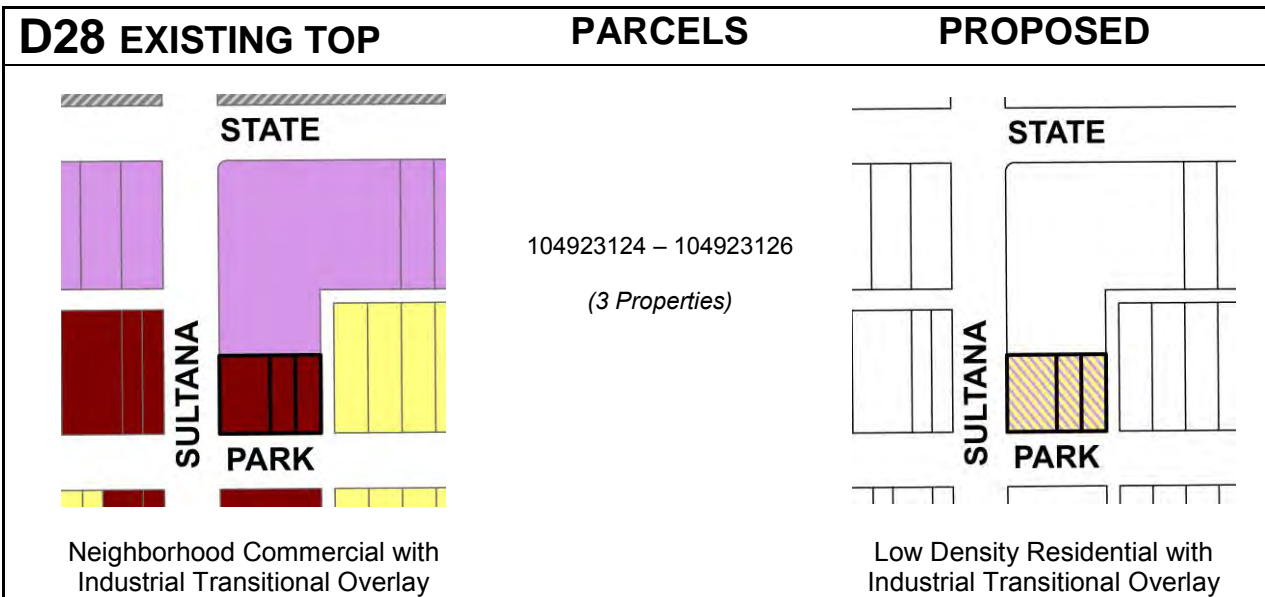
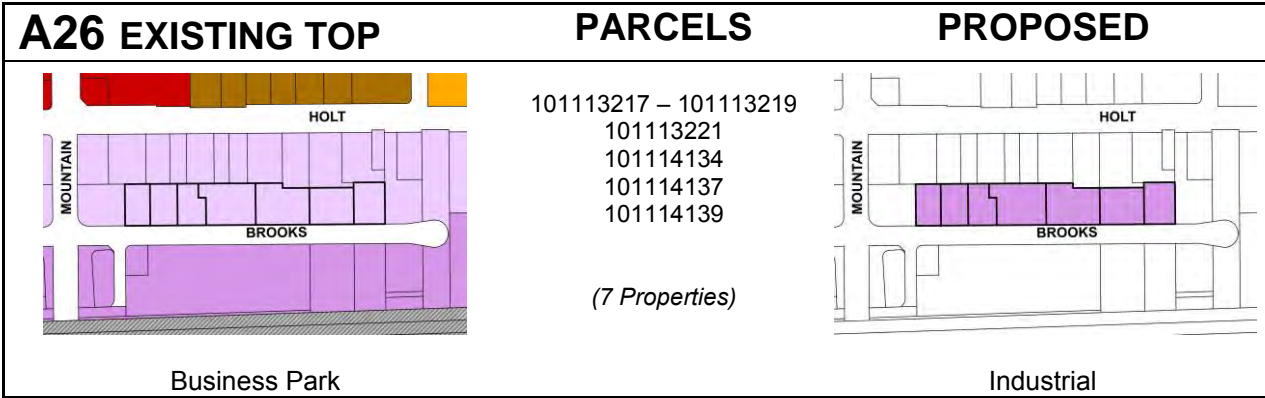
NOES:



ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A
(Proposed General Plan Amendments)



K11 EXISTING TOP	PARCELS	PROPOSED
	<p>23815215 (1 Property)</p>	
<p>Industrial</p>		<p>Open Space – Non-Recreation</p>

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT CITY COUNCIL APPROVE FILE NO. PGPA15-001, A CITY INITIATED REQUEST TO 1) CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS ON TWELVE PARCELS FROM: A) BUSINESS PARK TO INDUSTRIAL ON SEVEN PARCELS GENERALLY LOCATED ON THE NORTH SIDE OF BROOKS STREET EAST OF MOUNTAIN AVENUE (APNS: 101113217-101113219, 101113221, 101114134, 101114137, AND 101114139); AND B) NEIGHBORHOOD COMMERCIAL TO LOW DENSITY RESIDENTIAL ON THREE PARCELS WITH AN INDUSTRIAL OVERLAY LOCATED AT THE NORTHEAST CORNER OF PARK STREET AND SULTANA AVENUE (APNS: 104923124-104923126); AND C) LOW DENSITY RESIDENTIAL TO INDUSTRIAL ON ONE PARCEL GENERALLY LOCATED BETWEEN STATE AND PARK STREETS WEST OF MONTEREY AVENUE (APN: 104923112); AND D) INDUSTRIAL TO OPEN SPACE-NON RECREATION ON ONE PARCEL GENERALLY LOCATED ON THE NORTH SIDE OF PHILADELPHIA STREET WEST OF WINEVILLE AVENUE (APN: 23815215); AND 2) MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES (AMENDING EXHIBITS LU-01 AND LU-03), AND MAKING FINDINGS IN SUPPORT THEREOF (LAND USE CYCLE 2 FOR THE 2015 CALENDAR YEAR)

WHEREAS, the City of Ontario ("Applicant") has initiated an Application for the approval of a General Plan Amendment, File No. PGPA15-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application proposes to change the General Plan land use designations on seven parcels from Business Park to Industrial generally located on the north side of Brooks Street east of Mountain Avenue; three parcels from Neighborhood Commercial to Low Density Residential with an Industrial Overlay located at the northeast corner of Park Street and Sultana Avenue; one parcel from Low Density Residential to Industrial generally located between State and Park Streets, west of Monterey Avenue; and, one parcel from Industrial to Open Space-Non Recreation generally located on the north side of Philadelphia Street west of Wineville Avenue, as shown in Exhibit A attached; and

WHEREAS, the proposed General Plan Amendment applies to 12 parcels totaling 13.2 acres; and

WHEREAS, the proposed changes to Figure LU-01 Official Land Use Plan include changes to land use designations of certain properties shown in Exhibit A to make the land use designations of these properties consistent with the existing use of the property and to coordinate with the surrounding land use designations; and

WHEREAS, Figure LU-03 Future Buildout specifies the likely buildout for Ontario with the adopted land use designations. The proposed changes to Figure LU-01 Official Land Use Plan will require Figure LU-03 Future Buildout to be modified, as shown in Exhibit B, to be consistent with LU-01 Official Land Use Plan; and

WHEREAS, the City of Ontario held Community Open Houses on August 26, 2015 and September 2, 2015, to gain input from impacted property owners and property owners within a 300 foot radius; and

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

WHEREAS, the proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), was routed for inter-agency review and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT; and

WHEREAS, as the first action on the Project, on October 27, 2015, the Planning Commission approved a resolution recommending that City Council adopt an Addendum to a previously approved Environmental Impact Report ("EIR"), prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, on October 27, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the EIR Addendum, the initial study, and the Project, and concluded said hearing on that date; and

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

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

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

a. The Addendum, initial study, and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The Addendum and initial study contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Planning Commission; and

c. There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

d. All environmental impacts of the Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the Addendum.

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

a. The proposed amendment is consistent with the goals and policies of the General Plan as follows:

LU1-6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. Compliance: The proposed General Plan Amendment reflects the existing uses of the properties and closely coordinates with land use designations in the surrounding area which provides opportunities for choice in living and working environments.

LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests. Compliance: The proposed General Plan Amendment reflects the existing uses of the properties and closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

LU4-1 Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there. Compliance: The proposed land use designations allow for the continuation of existing uses while maintaining a logical land use pattern in and around the affected areas.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport. Compliance: The proposed General Plan Amendment is consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

S4-6 Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land

uses within airport noise impact zones. Compliance: The subject properties are located within the 60 to 65 CNEL or the 65 to 70 CNEL Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses. The three parcels that contain residential uses are proposed to change from Neighborhood Commercial to Low Density Residential and will also receive an Industrial Transitional Overlay that will facilitate a change to industrial land use in the future.

b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

c. The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is in the second amendment cycle to the Land Use Element of the 2015 calendar year consistent with California Government Code Section §65358;

d. The proposed project is consistent with the adopted Housing Element. The subject properties do not include any of the properties listed in the Available Land Inventory in the Housing Element. Changing the land use designation of the subject properties will not impact the City's Regional Housing Needs Allocation obligations or the City's ability to satisfy its share of the region's future housing need.

e. During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (§65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with California Government Code Section §6535.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission recommends the City Council approve the Project.

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

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

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October, 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC**-*** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

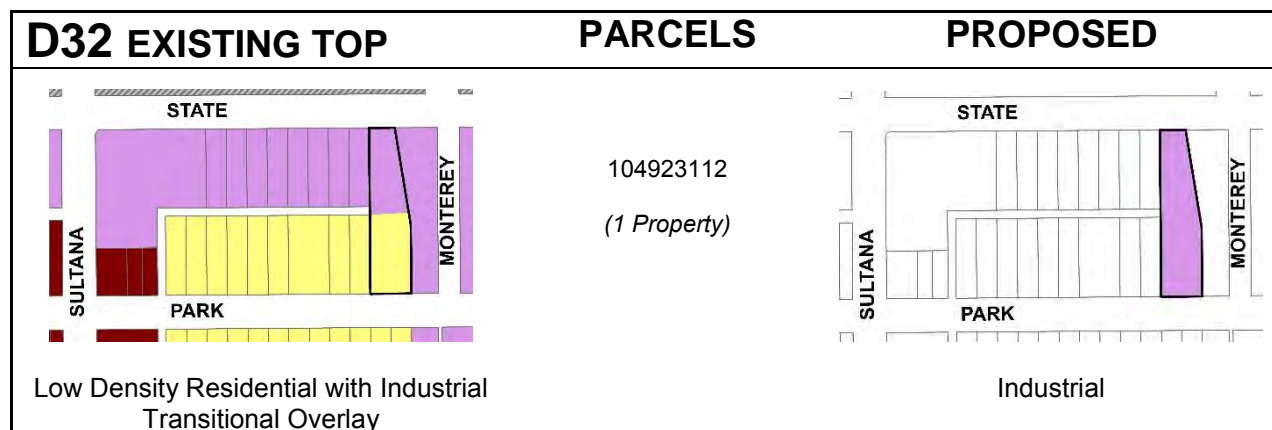
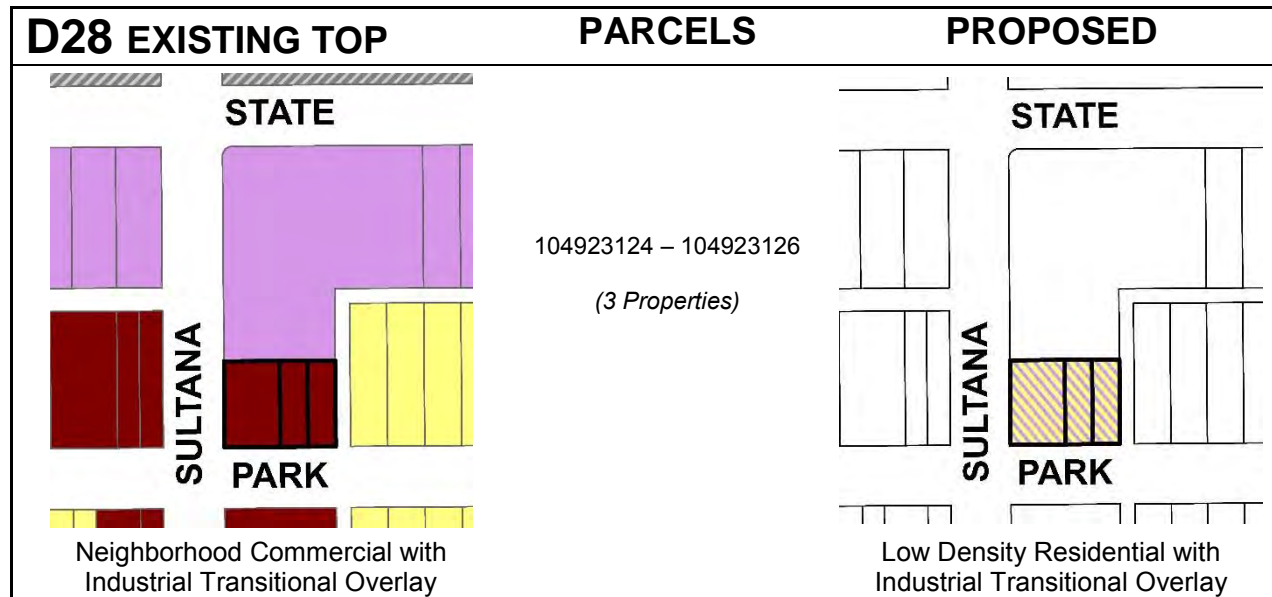
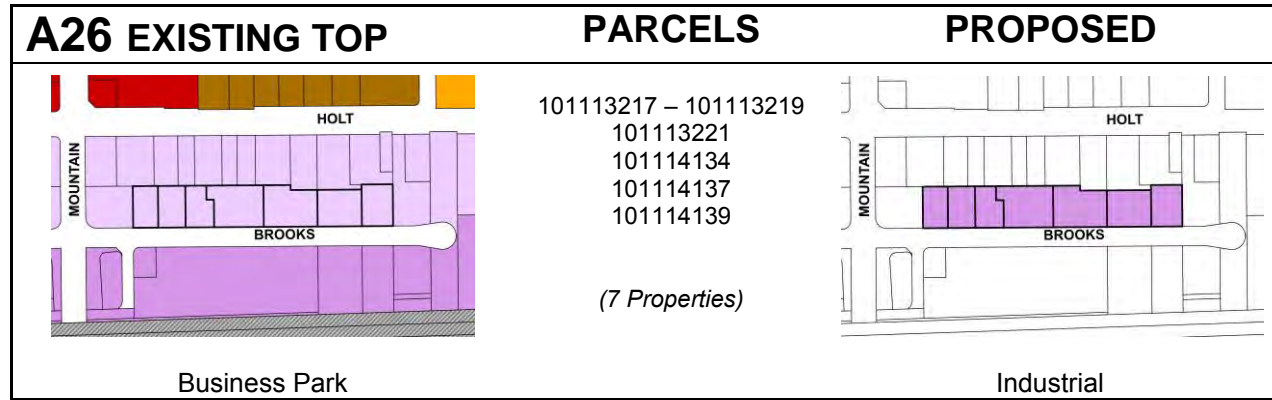
NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A
Proposed General Plan Amendments




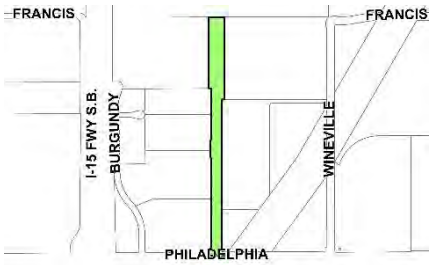
K11 EXISTING TOP	PARCELS	PROPOSED
 <p>FRANCIS</p> <p>I-15 FWY S.B.</p> <p>BURGUNDY</p> <p>PHILADELPHIA</p> <p>WINEVILLE</p> <p>Industrial</p>	<p>23815215 (1 Property)</p>	 <p>FRANCIS</p> <p>I-15 FWY S.B.</p> <p>BURGUNDY</p> <p>PHILADELPHIA</p> <p>WINEVILLE</p> <p>Open Space – Non-Recreation</p>

Exhibit B LU-03 Future Buildout Table



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	458	2.0 du/ac	917	3,663		
Low Density ⁶	7,370	4.0 du/ac (OMC) 4.5 du/ac (NMC)	31,043 31,042	124,079 124,075		
Low-Medium ⁶ Density	910	8.5 du/ac	7,739	30,931		
Medium Density	1,896	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,188	133,745		
High Density	234	35.0 du/ac	8,178	27,373		
<i>Subtotal</i>	<i>10,869</i>		86,065 86,064	319,793 319,788		
Mixed Use						
• Downtown	112	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,352	4,704	1,561,330	2,793
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	500	1,001	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.5 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.7 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
<i>Subtotal</i>	<i>1,667</i>		15,116	30,232	34,914,612	72,368



LU-03 Future Buildout¹ (Cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶	245	0.30 FAR			3,195,518	7,732
Commercial	245 244				3,195,518 3,192,120	7,732 7,724
General Commercial	615	0.30 FAR			8,035,644	7,465
Office/Commercial	527	0.75 FAR			17,227,218	38,204
Hospitality	145	1.00 FAR			6,312,715	7,237
<i>Subtotal</i>	<i>1,532</i>				<i>34,771,095</i>	<i>60,638</i>
					<i>34,767,697</i>	<i>60,630</i>
Employment						
Business Park	1,595 1,591	0.40 FAR			27,788,666 27,721,410	48,755 48,637
Industrial	6,223 6,219	0.55 FAR			149,099,259 148,999,594	131,002 130,914
<i>Subtotal</i>	<i>7,818</i>				<i>176,887,925</i>	<i>179,756</i>
	<i>7,810</i>				<i>176,721,003</i>	<i>179,551</i>
Other						
Open Space-Non-Recreation	1,221 1,230	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,672	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,880	Not applicable				
<i>Subtotal</i>	<i>9,898</i>					
	<i>9,907</i>					
Total	31,784		101,181 101,180	350,025 350,021	246,573,632 246,403,312	312,762 312,549

Notes

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



PLANNING COMMISSION STAFF REPORT

October 27, 2015

SUBJECT: A City initiated request to change the zoning designations (**File No. PZC15-002**) on various properties located throughout the City to BP (Business Park), IP (Industrial Park), IL (Light Industrial), and RC (Rail Corridor), and to change the zoning on various M3 (General Industrial) zoned properties to IG (General Industrial) and various other zones in order to make the zoning consistent with The Ontario Plan land use designations of the properties. (APNs: Various); **City initiated. City Council action is required.**

PROPERTY OWNER: Various


RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of File No. PZC15-002, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS:

[1] Background - In 2010, The Ontario Plan (“TOP”) was adopted that contains the Policy Plan (General Plan) which sets forth the land use pattern for the City to achieve its Vision. After the adoption of TOP, staff embarked on a two pronged effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City and to update the Development Code. Staff worked to establish zones that will effectively implement the intent of TOP. This application is part of TOP-Zoning Consistency effort.

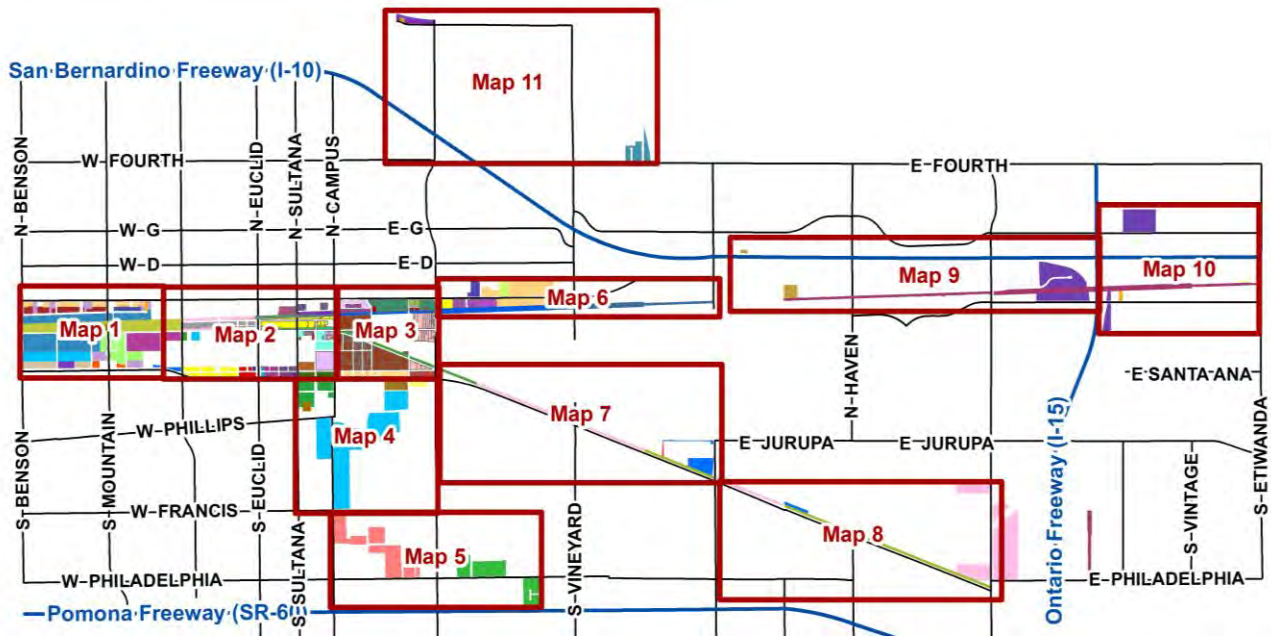
[2] Community Open Houses - Community Open Houses were held on August 26 and September 2, 2015 for this zone change (PZC15-002) to gain input from the public on the proposed 1,220 zone changes. Subject property owners and property owners within 300 feet were notified of the meeting. More than 150 people attended. Thirty people provided written comments. Less than one-third of these responses did not support the proposed changes.

[3] Proposed Changes – The proposed zone changes are predominantly focused on industrial properties, and include 1,220 properties located within 82 unique groups. As part of development of the updated Development Code, specific zones were created and/or refined in order to implement TOP land use designations. The table below outlines the zoning consistent with TOP land use designations being addressed in this zone change.

<i>Case Planner:</i>	M. Mullis / C. Burden	<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
<i>Planning Director Approval:</i>		DAB	NA	NA	NA
<i>Submittal Date:</i>	NA	ZA	NA	NA	NA
<i>Hearing Deadline:</i>	NA	PC	10-27-2015		Recommend
		CC			Final

TOP LAND USE DESIGNATION	ZONING CONSISTENT WITH TOP
Business Park	BP, Business Park IP, Industrial Park IL, Light Industrial
Industrial	IL, Light Industrial (close to sensitive uses) IG, General Industrial IH, Heavy Industrial
Rail	RC, Rail Corridor
Open Space – Non Recreation	OS-C, Open Space-Cemetery UC, Utilities Corridor

The following pages include maps showing the proposed changes. The vicinity map below, shows the location of these maps.



1. Area Between Holt-San Antonio-Mission-Benson

Purpose:

- To reduce the strip commercial uses along Holt and Mission Blvds.,
- To accommodate auto related uses such as used car sales on Holt Blvd.,
- To eliminate M3 zoned properties (zone being eliminated),
- To establish a unique zone for the rail corridors (RC, Rail Corridor),
- To allow the ongoing use of properties uniquely designed to accommodate commercial uses by the use of an ICC, Interim Community Commercial Overlay,
- To incorporate Emergency Shelter Overlay (required in Housing Element), and
- To provide a buffer of less intensive zones in close proximity to existing and future residential zones and in view corridors of major streets.

Current Zoning



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low, Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MU 1-Downtown Mixed Use
2-Holt Blvd.
11-Euclid & Francis
 - CS, Corner Store
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - OL, Low Intensity Office
 - OH, High Intensity Office
 - BP, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - ONT, Ontario Int'l Airport (Former M3)
 - CIV, Civic
 - OS-R, Open Space-Recreation
 - OS-C, Open Space-Cemetery
 - UC, Utilities Corridor
 - SP, Specific Plan
 - SP(AG), Specific Plan (Agriculture Overlay)
 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial
- PZC15-002 Zone Change Property

Zoning After Proposed Zone Changes



Detailed Maps can be found in PC Resolution pages 7-19

Area 1 Public Comments Received:

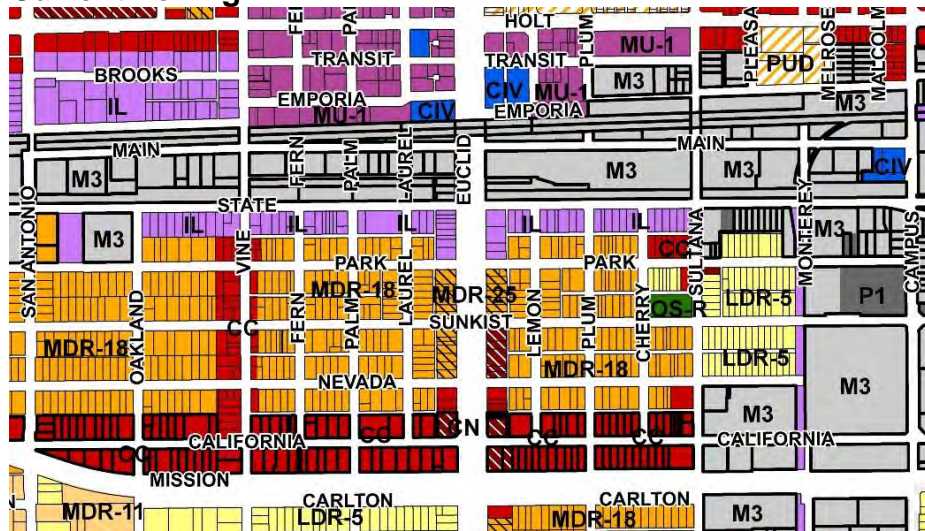
- Eight written comments have been received for groups within this area,
 - Five support the proposed changes (63%),
 - Two do not support the proposed changes (25%), and
 - One had no comment regarding the proposed changes (13%).
- Concern about IL, Light Industrial Zone not permitting architectural and structural metal manufacturing use for a property on Palmetto (Group A18). This proposed use has been discussed with staff, but not formally submitted. Staff is proposing to amend the Development Code to conditionally permit this use in IL, Light Industrial Zone (PDCA11-003).
- Objection of one property on north side of Brooks west of Mountain Avenue (Group A21) proposed to change from M3, General Industrial to IP, Industrial Park because the change will limit the leasability of the building. The IP, Industrial Park zone will permit some uses such as new and used vehicle sales, shipping agents and brokers, medical offices, and business schools that the current M3, General Industrial zone does not permit. The current M3 zone permits some uses that the proposed IP, Industrial Park will not permit, such as: animal kennels, animal food manufacturing, animal slaughtering, textile mills, wood product manufacturing, chemical manufacturing, forging and stamping, electroplating, powder coating, and arms ammunition and ordinance manufacturing. Staff does not believe that the more intensive uses that the M3 zone would permit are appropriate for this location given its current subdivision pattern (with through lots to Holt Blvd.) and its proximity to future residential on the north side of Holt Blvd. Two other attendees of the open house who represent other properties in this area also being proposed to be changed to IP, Industrial Park support the proposed change.
- A property owner at the southeast corner of State and Magnolia (Group A39) contacted staff after the Planning Commission notices were sent out inquiring why their property was being proposed to change from M3, General Industrial to IL, Light Industrial rather than the IG, General Industrial being proposed in Group A1. The site was further reviewed and found that since it is not in close proximity to residential and not along a major arterial, it should be included in Group A1. This change has been incorporated into this proposed zone change.

2. Area Between Holt-Campus-Mission-San Antonio

Purpose:

- To reduce the strip commercial uses along California Ave. and Mission Blvd.,
- To eliminate M3 zoned properties (zone being eliminated),
- To establish a unique zone for the rail corridors (RC, Rail Corridor),
- To provide a buffer of less intensive zones in close proximity to existing and future residential zones and in view corridors of major streets.

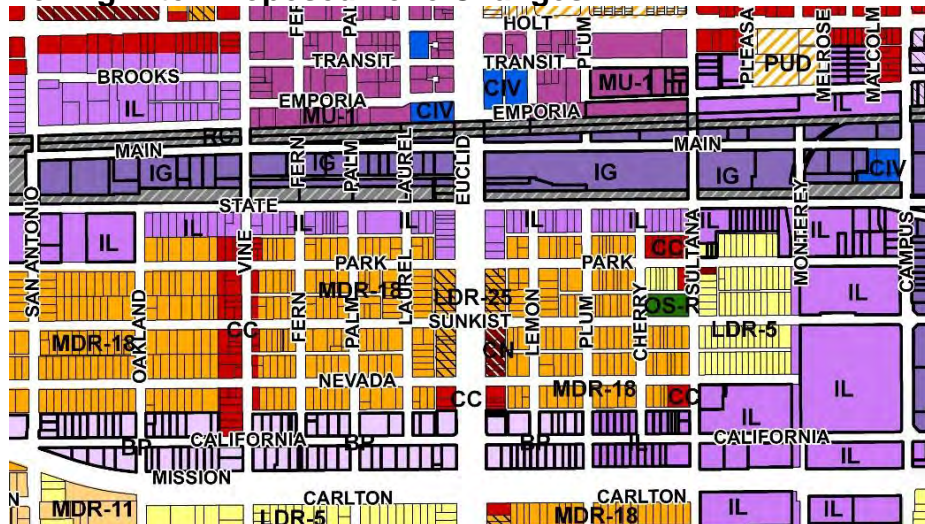
Current Zoning



Zones



Zoning After Proposed Zone Changes



Detailed Maps can be found in PC Resolution pages 20-31

Area 2 Public Comments Received:

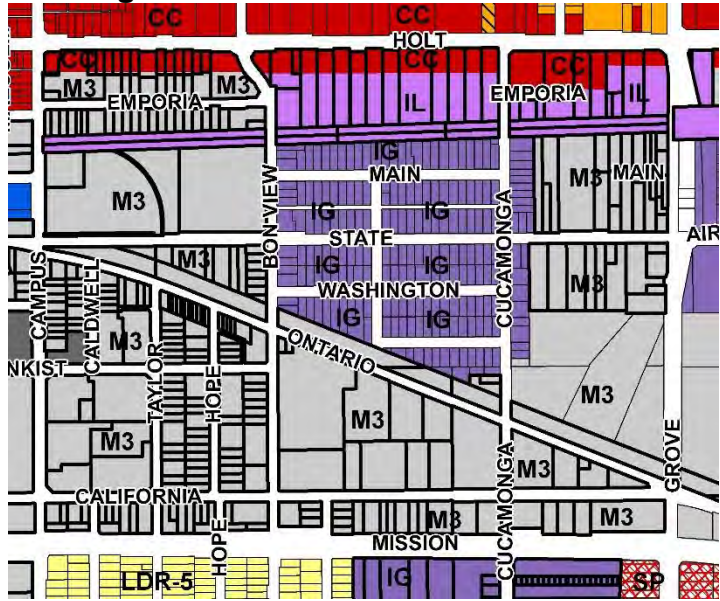
- Eight written comments have been received for groups within this area,
 - Four support the proposed changes (50%),
 - Two do not support the proposed changes (25%), and
 - Two had no comment regarding the proposed changes (25%).
- One property owner did not support rezoning the northeast and northwest corners of Euclid Ave. and Mission Blvd. from commercial zoning to BP, Business Park (Groups B23 and D12). The existing uses on these properties (fast food restaurant and automotive repair) are both proposed to be permitted in the BP, Business Park zone. However, access to these sites from both Euclid Ave. and Mission Blvd. would be limited if the sites were to be redeveloped in the future. Various support commercial uses such as convenience store, gas station, office and restaurants are proposed to be permitted in the BP, Business Park zone.

3. Area Between Holt-Grove-Mission-Campus

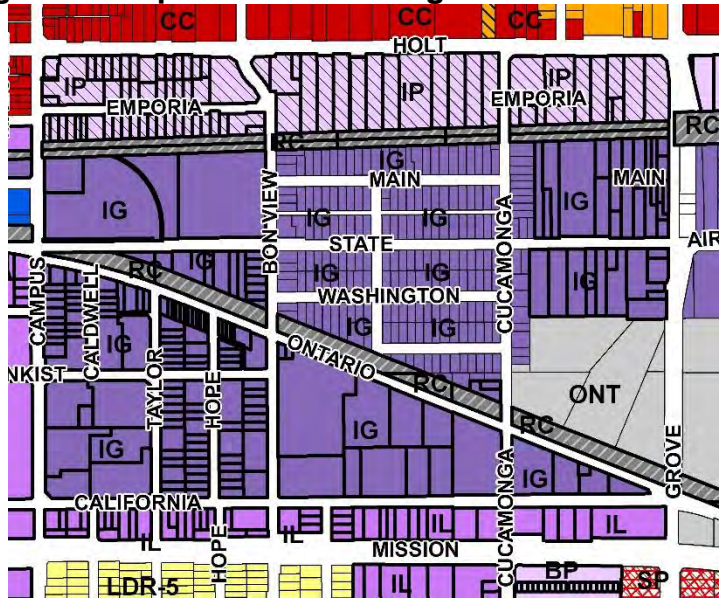
Purpose:

- To eliminate split zoned properties which are difficult to develop on Holt Blvd.,
- To eliminate M3 zoned properties (zone being eliminated),
- To establish a unique zone for the rail corridors (RC, Rail Corridor),
- To provide a buffer of less intensive zones in close proximity to existing and future residential zones and in view corridors of major streets.

Current Zoning



Zoning After Proposed Zone Changes



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low_Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MU 1-Downtown Mixed Use
2-Holt Blvd.
11-Euclid & Francis
 - CS, Corner Store
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - OL, Low Intensity Office
 - OH, High Intensity Office
 - BP, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - ONT, Ontario Int'l Airport (Former M3)
 - CIV, Civic
 - OS-R, Open Space-Recreation
 - OS-C, Open Space-Cemetery
 - UC, Utilities Corridor
 - SP, Specific Plan
 - SP(AG), Specific Plan (Agriculture Overlay)
 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial

□ PZC15-002 Zone Change Property

Detailed Maps can be found
 in PC Resolution pages 31-
 37

Area 3 Public Comments Received:

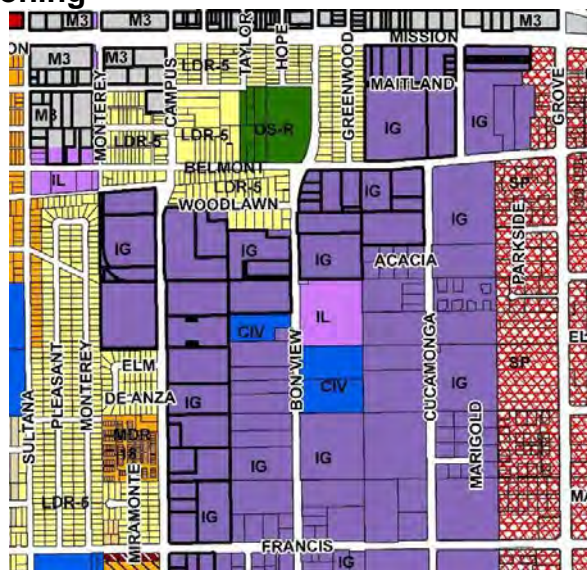
- Six written comments have been received for groups within this area,
 - One support the proposed changes (17%),
 - Three do not support the proposed changes (50%), and
 - Two had no comment regarding the proposed changes (33%).
- The only explanation provided regarding the opposition to the proposed change was from a property owner in Group E2 who did not support the zone change from M3 to IG, General Industrial. The M3 zone is being combined with the existing M2 zone into the new IG, General Industrial zone. Most of the uses permitted in the IG, General Industrial zone will be consistent with the existing M2 and M3 uses.

4. Area Between Mission-Grove-Francis-Sultana

Purpose:

- To eliminate split zoned properties which are difficult to develop,
- To eliminate M3 zoned properties (zone being eliminated),
- To provide a buffer of less intensive zones in close proximity to existing and future residential zones and in view corridors of major streets.

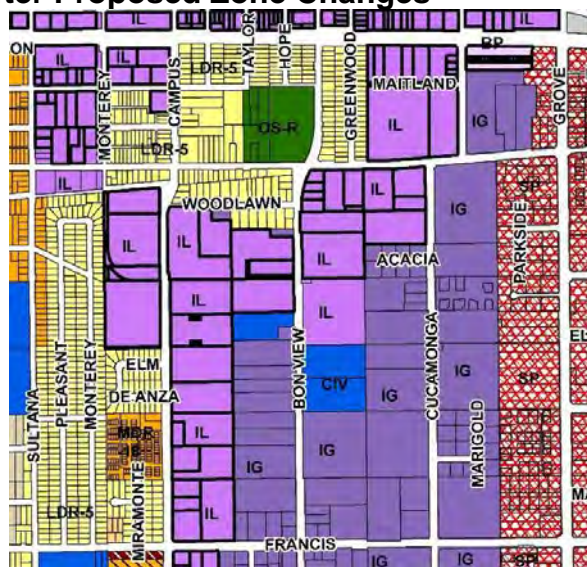
Current Zoning




Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low_Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MU 1-Downtown Mixed Use
2-Holt Blvd.
11-Euclid & Francis
 - CS, Corner Store
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - OL, Low Intensity Office
 - OH, High Intensity Office
 - BP, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - ONT, Ontario Int'l Airport (Former M3)
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 - OS-R, Open Space-Recreation
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 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial

Zoning After Proposed Zone Changes



 PZC15-002 Zone Change Property

Detailed Maps can be found in PC Resolution pages 39-42

Area 4 Public Comments Received:

- One written comment was received for groups within this area but had no specific comments.

5. Area Between Francis-Baker-SR60-Campus

Purpose:

- To provide a buffer of less intensive zones in close proximity to existing and future residential zones and in view corridors of major streets.

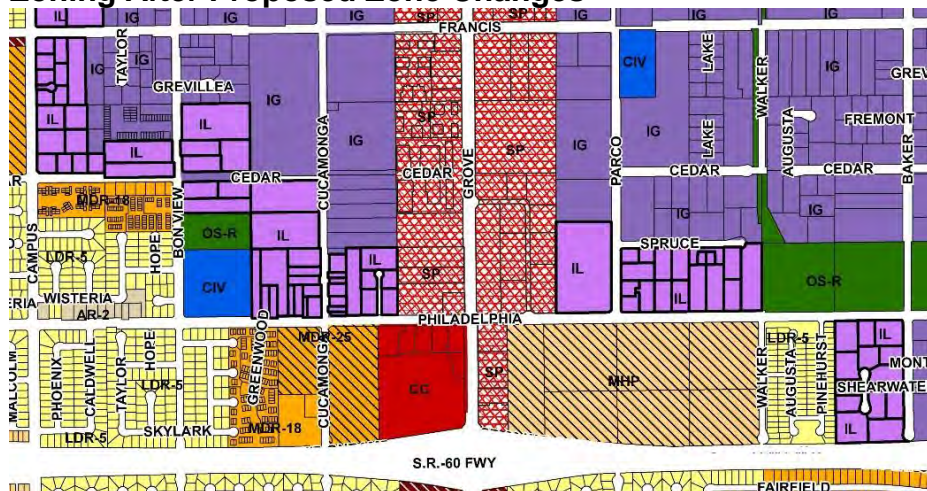
Current Zoning



Zones

- AR-2, Residential-Agriculture
- RE-2, Rural Estate
- RE-4, Residential Estate
- LDR-5, Low Density Residential
- MDR-11, Low_Medium Density Residential
- MDR-18, Medium Density Residential
- MDR-25, Medium-High Residential
- HDR-45, High Density Residential
- PUD, Planned Unit Residential
- MHP, Mobile Home Park
- MU 1-Downtown Mixed Use
2-Hot Blvd.
11-Euclid & Francis
- CS, Corner Store
- CN, Neighborhood Commercial
- CC, Community Commercial
- CCS, Convention Center Support
- OL, Low Intensity Office
- OH, High Intensity Office
- BP, Business Park
- IP, Industrial Park
- IL, Light Industrial
- IG, General Industrial
- IH, Heavy Industrial
- ONT, Ontario Intl Airport (Former M3)
- CIV, Civic
- OS-R, Open Space-Recreation
- OS-C, Open Space-Cemetery
- UC, Utilities Corridor
- SP, Specific Plan
- SP(AG), Specific Plan (Agriculture Overlay)
- RC, Rail Corridor
- P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
- ES, Emergency Shelter
- ICC, Interim Community Commercial
- PZC15-002 Zone Change Property

Zoning After Proposed Zone Changes



Detailed Maps can be found in PC Resolution pages 41 & 46

Area 5 Public Comments Received:

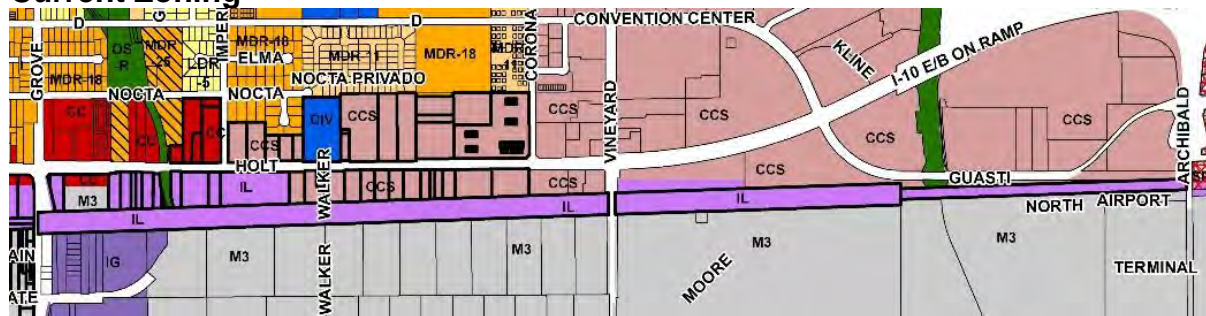
- Two written comments were received for groups,
 - One person was in support of the zone change (50%), and
 - One person was not in support of the zone change (50%).
- Concern about loss of marketability with the proposed zone change from M2 to IL, Light Industrial. Creating a less intensive industrial zone of IL, Light Industrial is intended to buffer the uses permitted from negatively impacting adjacent residential uses.
- Concern about allowing cardboard box printing in the proposed IL, Light Industrial Zone. The development code is being proposed to be revised to permit this use in the IL, Light Industrial zone (PDCA11-003).

6. Area Between Nocta-Archibald-Airport-Grove

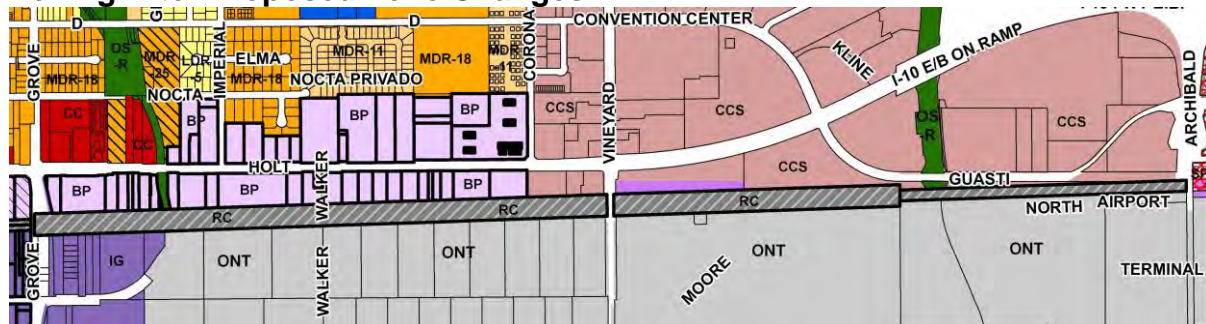
Purpose:

- To eliminate split zoned properties which are difficult to develop on Holt Blvd.,
- To establish a unique zone for the rail corridors (RC, Rail Corridor),
- To focus the hospitality uses near the airport entry and not stretch these commercial uses out along Holt Blvd. while providing redevelopment potential of vacant and underutilized sites on Holt Blvd.; and
- Provide light uses in close proximity to residential uses that will be consistent with the ALUCP..

Current Zoning



Zoning After Proposed Zone Changes



Zones

AR-2, Residential-Agriculture	CS, Corner Store	ONT, Ontario Int'l Airport (Former M3)	Overlays
RE-2, Rural Estate	CN, Neighborhood Commercial	CIV, Civic	
RE-4, Residential Estate	CC, Community Commercial	OS-R, Open Space-Recreation	ES, Emergency Shelter
LDR-5, Low Density Residential	CCS, Convention Center Support	OS-C, Open Space-Cemetery	ICC, Interim Community Commercial
MDR-11, Low Medium Density Residential	OL, Low Intensity Office	UC, Utilities Corridor	PZC15-002 Zone Change Property
MDR-18, Medium Density Residential	OH, High Intensity Office	SP, Specific Plan	
MDR-25, Medium-High Residential	BP, Business Park	SP(AG), Specific Plan (Agriculture Overlay)	<div style="border: 1px solid black; padding: 5px;">Detailed Maps can be found in PC Resolution pages 42-46</div>
HDR-45, High Density Residential	IP, Industrial Park	RC, Rail Corridor	
PUD, Planned Unit Residential	IL, Light Industrial	P1, Off-Street Parking (To be eliminated)	
MHP, Mobile Home Park	IG, General Industrial		
MU 1-Downtown Mixed Use 2-Holt Blvd. 11-Eucild & Francis	IH, Heavy Industrial		

Area 6 Public Comments Received:

- Four written comments were received:
 - One person was in support of the zone change (50%), and
 - One person had no comment (50%).
 - Two persons had questions that staff followed up on.
- Concern that property was purchased in order to develop a hotel which would not be permitted in BP, Business Park zone. No application for a hotel on the site has been submitted.
- Concern was expressed by an existing property owner of a single family home that is proposed to be changed from CC, Community Commercial to BP, Business Park. The single family home is currently legal non-conforming. The proposed zone change will not change the non-conforming status of the home. The home can remain but could not be rebuilt if more than half of its value was destroyed.

7. Area Between Mission-Archibald-Locust-Grove

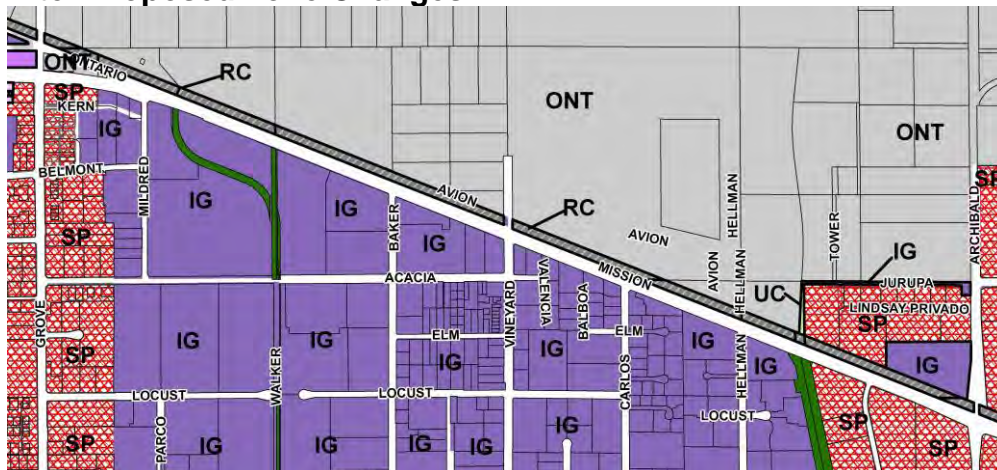
Purpose:

- To establish a unique zone for the rail corridors (RC, Rail Corridor),
- To eliminate M3 zoned properties (zone being eliminated), and
- To apply the UC, Utilities Corridor zone for flood control facilities.

Current Zoning



Zoning After Proposed Zone Changes



Zones

AR-2, Residential-Agriculture	CS, Corner Store	ONT, Ontario Int'l Airport (Former M3)	Overlays
RE-2, Rural Estate	CN, Neighborhood Commercial	CIV, Civic	
RE-4, Residential Estate	CC, Community Commercial	OS-R, Open Space-Recreation	ES, Emergency Shelter
LDR-5, Low Density Residential	CCS, Convention Center Support	OS-C, Open Space-Cemetery	ICC, Interim Community Commercial
MDR-11, Low_Medium Density Residential	OL, Low Intensity Office	UC, Utilities Corridor	PZC15-002 Zone Change Property
MDR-18, Medium Density Residential	OH, High Intensity Office	SP, Specific Plan	
MDR-25, Medium-High Residential	BP, Business Park	SP(AG), Specific Plan (Agriculture Overlay)	<div style="border: 1px solid black; padding: 5px;">Detailed Maps can be found in PC Resolution pages 47-49</div>
HDR-45, High Density Residential	IP, Industrial Park	RC, Rail Corridor	
PUD, Planned Unit Residential	IL, Light Industrial	P1, Off-Street Parking (To be eliminated)	
MHP, Mobile Home Park	IG, General Industrial		
MU 1-Downtown Mixed Use 2-Hill Blvd. 11-Euclid & Francis	IH, Heavy Industrial		

Area 7 Public Comments Received:

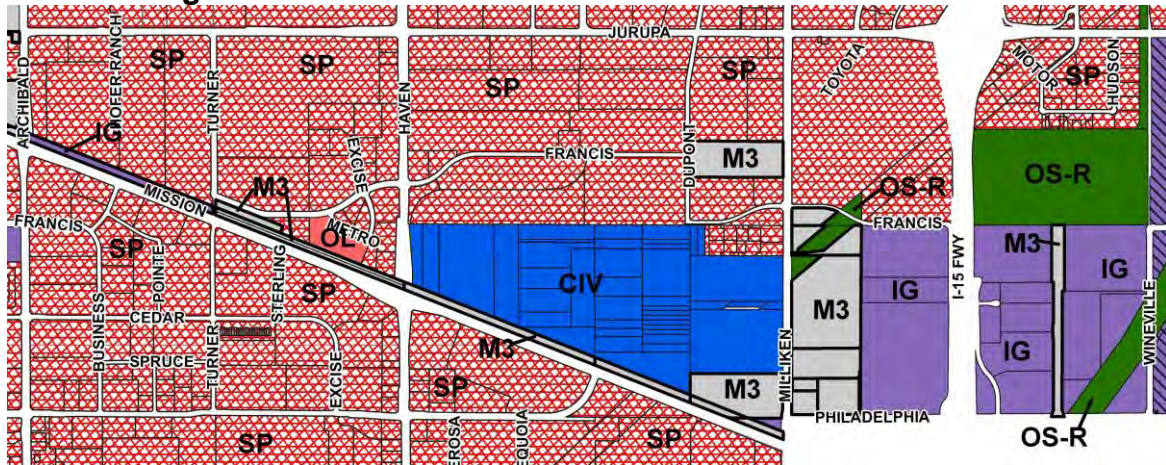
- No written comments were received.

8. Area Between Jurupa-Wineville-Mission-Archibald

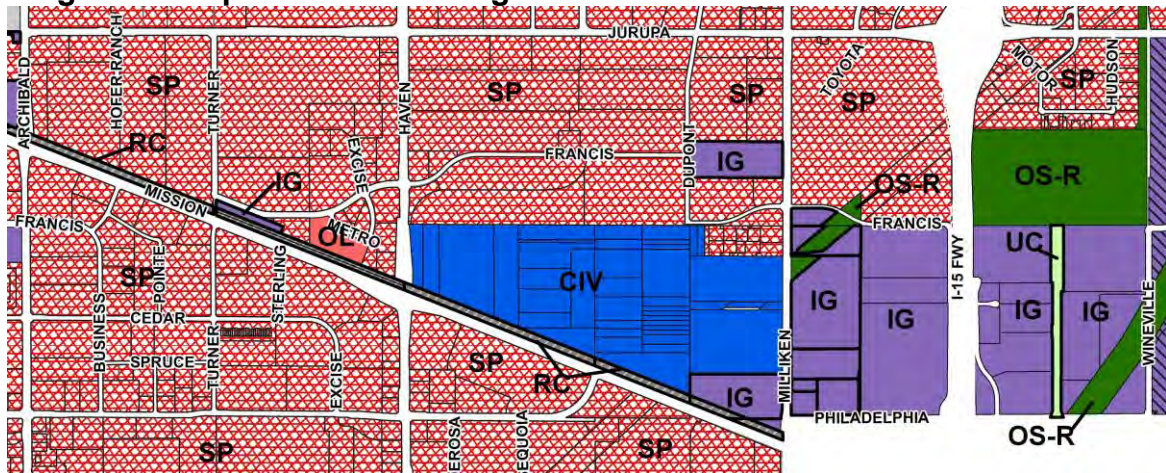
Purpose:

- To eliminate M3 zoned properties (zone to be eliminated);
- To make existing flood control channel UC, Utilities Corridor; and
- To establish a unique zone for the rail corridors (RC, Rail Corridor),

Current Zoning



Zoning After Proposed Zone Changes



Zones

AR-2, Residential-Agriculture	CS, Corner Store	ONT, Ontario Int'l Airport (Former M3)	Overlays
RE-2, Rural Estate	CN, Neighborhood Commercial	CIV, Civic	
RE-4, Residential Estate	CC, Community Commercial	OS-R, Open Space-Recreation	ES, Emergency Shelter
LDR-5, Low Density Residential	CCS, Convention Center Support	OS-C, Open Space-Cemetery	ICC, Interim Community Commercial
MDR-11, Low_Medium Density Residential	IL, Low Intensity Office	UC, Utilities Corridor	PZC15-002 Zone Change Property
MDR-18, Medium Density Residential	OH, High Intensity Office	SP, Specific Plan	
MDR-25, Medium-High Residential	BP, Business Park	SP(AG), Specific Plan (Agriculture Overlay)	
HDR-45, High Density Residential	IP, Industrial Park	RC, Rail Corridor	
PUD, Planned Unit Residential	IL, Light Industrial	P1, Off-Street Parking (To be eliminated)	
MHP, Mobile Home Park	IG, General Industrial		
MU 1-Downtown Mixed Use 2-Holt Blvd. 11-Eucloid & Francis	IH, Heavy Industrial		

Area 8 Public Comments Received:

- No written comments received.

9. Area Between Inland Empire-Milliken-Airport-Archibald

Purpose:

- To eliminate M3 zoned properties (zone to be eliminated) except the two truck stops which will be a part of a later zone change effort; and
- To establish a unique zone for the rail corridors (RC, Rail Corridor).

Current Zoning



Zoning After Proposed Zone Changes



Zones

AR-2, Residential-Agriculture	CS, Corner Store
RE-2, Rural Estate	CN, Neighborhood Commercial
RE-4, Residential Estate	CC, Community Commercial
LDR-5, Low Density Residential	CCS, Convention Center Support
MDR-11, Low_Medium Density Residential	OL, Low Intensity Office
MDR-18, Medium Density Residential	OH, High Intensity Office
MDR-25, Medium-High Residential	BP, Business Park
HDR-45, High Density Residential	IP, Industrial Park
PUD, Planned Unit Residential	IL, Light Industrial
MHP, Mobile Home Park	IG, General Industrial
MJ 1-Downtown Mixed Use 2-Hell Blvd. 11-Euclid & Francis	IH, Heavy Industrial

ONT, Ontario Int'l Airport (Former M3)
CIV, Civic
OS-R, Open Space-Recreation
OS-C, Open Space-Cemetery
UC, Utilities Corridor
SP, Specific Plan
SP(AG), Specific Plan (Agriculture Overlay)
RC, Rail Corridor
P1, Off-Street Parking (To be eliminated)

Overlays

MTC, Multimodal Transit Center
ES, Emergency Shelter
ICC, Interim Community Commercial

PZC15-002 Zone Change Property

Detailed Maps can be found in PC Resolution pages 45, 51 & 52

Area 9 Public Comments Received:

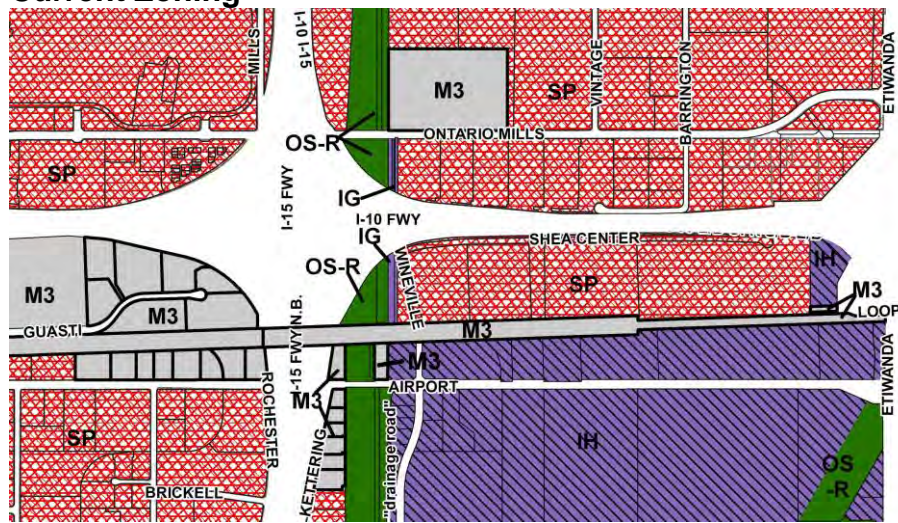
- No written comments received.

10. Area Between Fourth-Etiwanda-Santa Ana-Milliken

Purpose:

- To eliminate M3 zoned properties (zone being eliminated),
- To establish a unique zone for the rail corridors (RC, Rail Corridor), and
- To make electrical transmission lines zoned UC, Utilities Corridor.

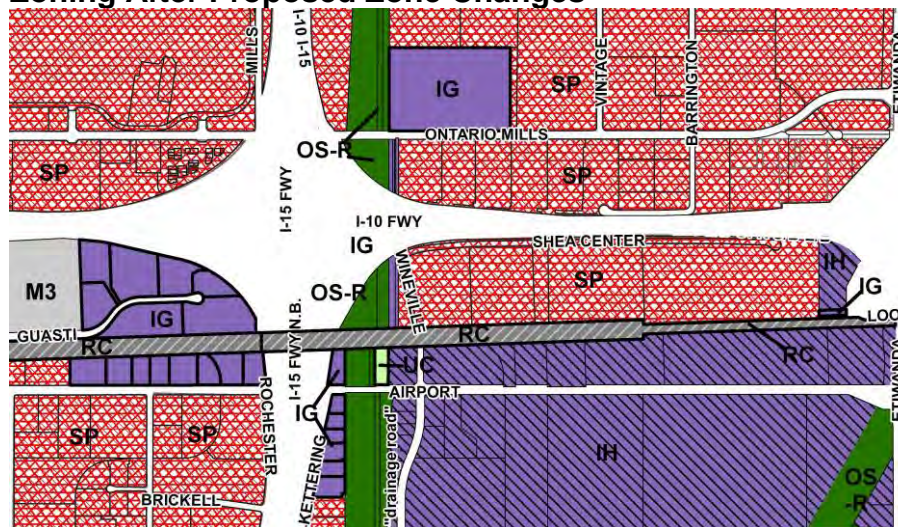
Current Zoning



Zones

- AR-2, Residential-Agriculture
- RE-2, Rural Estate
- RE-4, Residential Estate
- LDR-5, Low Density Residential
- MDR-11, Low_Medium Density Residential
- MDR-18, Medium Density Residential
- MDR-25, Medium-High Residential
- HDR-45, High Density Residential
- PUD, Planned Unit Residential
- MHP, Mobile Home Park
- MU 1-Downtown Mixed Use
2-Holt Blvd.
11-Eucaly & Francis
- CS, Corner Store
- CN, Neighborhood Commercial
- CC, Community Commercial
- CCS, Convention Center Support
- OL, Low Intensity Office
- OH, High Intensity Office
- BP, Business Park
- IP, Industrial Park
- IL, Light Industrial
- IG, General Industrial
- IH, Heavy Industrial
- ONT, Ontario Int'l Airport (Former M3)
- CIV, Civic
- OS-R, Open Space-Recreation
- OS-C, Open Space-Cemetery
- UC, Utilities Corridor
- SP, Specific Plan
- SP(AG), Specific Plan (Agriculture Overlay)
- RC, Rail Corridor
- P1, Off-Street Parking (To be eliminated)

Zoning After Proposed Zone Changes



PZC15-002 Zone Change Property

Detailed Maps can be found in PC Resolution pages 51-53

Area 10 Public Comments Received:

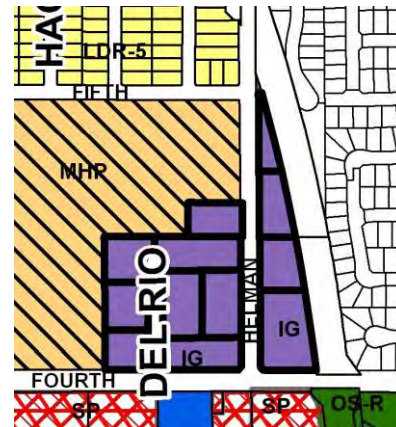
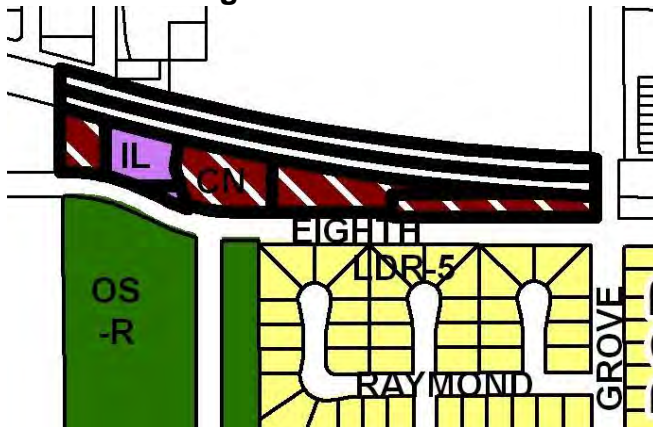
- No Written Comments Received.

11. Area Between Eighth-Vineyard-Fourth-Cucamonga

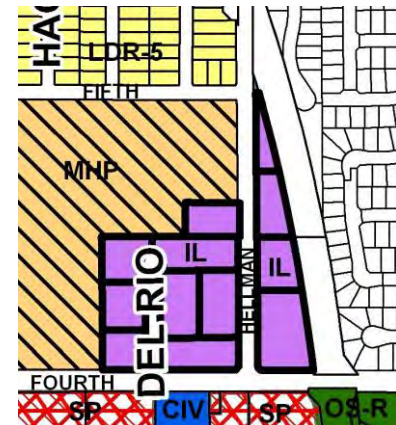
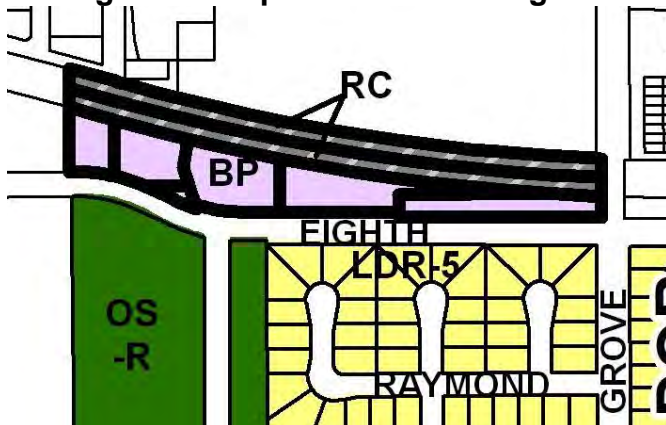
Purpose:

- To establish a unique zone for the rail corridors (RC, Rail Corridor), and
- To place suitable zoning adjacent to the rail line; and
- To provide a buffer of less intensive zones in close proximity to existing and future residential zones and in view corridors of major streets.

Current Zoning



Zoning After Proposed Zone Changes



Zones

AR-2, Residential-Agriculture	CN, Corner Store
RE-2, Rural Estate	CC, Neighborhood Commercial
RE-4, Residential Estate	CCS, Community Commercial
LDR-5, Low Density Residential	CCS, Convention Center Support
MDR-11, Low_Medium Density Residential	OL, Low Intensity Office
MDR-18, Medium Density Residential	OH, High Intensity Office
MDR-25, Medium-High Residential	BP, Business Park
HDR-45, High Density Residential	IP, Industrial Park
PUD, Planned Unit Residential	IL, Light Industrial
MHP, Mobile Home Park	IG, General Industrial
MU 1-Downtown Mixed Use 2-Holt Blvd. 11-Euclid & Francis	IH, Heavy Industrial

ONT, Ontario Int'l Airport (Former M3)
CIV, Civic
OS-R, Open Space-Recreation
OS-C, Open Space-Cemetery
UC, Utilities Corridor
SP, Specific Plan
SP(AG), Specific Plan (Agriculture Overlay)
RC, Rail Corridor
P1, Off-Street Parking (To be eliminated)

Overlays

MTC, Multimodal Transit Center
ES, Emergency Shelter
ICC, Interim Community Commercial

PZC15-002 Zone Change Property

Detailed Maps can be found in PC Resolution pages 37-39

Area 11 Public Comments Received:

- No Written Comments Received.

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

[1] City Council Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals: Operate in a Businesslike Manner

[2] Policy Plan (General Plan)

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

Compliance: Undertaking the zone changes to provide consistency between the zoning and TOP land use designations will further the City's intent of becoming a complete community which will result in a land use pattern that provides residents, employers, workers and visitors a wide spectrum of choices to live, work, shop and recreate within Ontario.

LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.

Compliance: The proposed zone changes will help protect existing sensitive uses that abut industrial areas by making their zoning a light industrial zone such as M1 (Limited Industrial) which will help to protect the residents from noise, odors and hazards that can be associated with some heavier industrial uses.

LU4-1 Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The zone changes will help to bring consistency between the zoning and TOP land use bring the achievement of our Vision closer.

H1-2 Neighborhood Conditions. We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provisions of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.

Compliance: Changing the zoning of certain existing residential and industrial properties will stabilize these properties within their existing neighborhood and will help to protect the neighborhoods (residential and industrial) from decline.

S4-6 Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The proposed zone changes are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

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

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). The environmental impacts of this project were previously reviewed in conjunction The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.



Oct. 19, 2015

Planning Dept.:

I am a resident within the area of this new zoning project. I am all for light industrial. In fact, I wish you would stop and change it to no industrial zoning and have it just residential.

I was looking at the difference of noise levels for light and heavy industrial, and they are both the same. What makes it different?

Once businesses get approved they don't abide by the rules that were set.

I don't approve of the operational hours of 7am-10pm.

When they have businesses, they will have trucks coming in at all hours and those big rigs will shake our homes.

Will these new businesses be allowed to use the train?

If so that's another problem for us residents on Monterey Ave, especially.

If businesses are caught violating, why do they just penalized with the cost of the investigation?

Why not just shut them down?

Why do the residents have to report all unnecessary noise? Why can't code enforcement do unwarned check ups?

Whenever we report anything, I don't know if they (the businesses) get warned someone is going to look into it, because when somebody comes there is no sign of noise.

To all of you who live in the northside or way southside or other cities, may think it's not a big thing to have all these industrials around us, but to us it is.

I've lived here since 1968 and there was not this much industrial. I have fought against every application for some kind of industrial but to no avail.

Except once, when a wrecking and dismantling wanted to start.

I hope that you take my comments into consideration and not just let them go with the wind.

The reason I cannot attend the meeting is because I will be out of town that week.

Will my questions be answered by mail? or since I am not attending I will not get them answered?

Anyway, thank you for your time and hope to here from you.

Sincerely,
Iplanda Castaneda



10/20/2015

Melanie Mullis
Clarice Burden
City of Ontario
303 East B St.
Ontario, CA 91764

RE: Planning Commission Hearing Tue. Oct. 27, 2015- 170 N. Turner Ave. APN # 0210-551-03

Dear Ms. Mullis and Ms. Burden,

Thank you so much for the notification of the upcoming Planning Commission Hearing regarding the changes in zoning that will impact the property I own and operate my business from. I am the property owner of APN 0210-551-03. I am in receipt of the Planning Commission Hearing Notice for the meeting scheduled for Tuesday, October 27, 2015, to consider **PZC15-002**. I understand that this is a City initiated request to change the zoning of various properties to make the zoning consistent with The Ontario Plan land use designations. My property is currently zoned 'M3' (General Industrial). I understand that the City proposes to change the zoning of my property to 'OH' (High Intensity Office).

My communication is to lend my support for the zone change but not the proposed use as High Intensity Office. With the proposed development of the old Guasti Winery that is across the street from my parcel I feel that to designate a specific use at this time would be premature. My sentiments are to also consider High Density Residential as it may support the Gausti project and compliment the growing region as opposed to exclusively Office which there seems to be an abundance of currently. Additionally, in reviewing Exhibit LU-01 Land Use Plan of The Ontario Plan, I see that my property has been designated as 'Office Commercial' of the Guasti *Mixed Use* Land Use Area. Per Exhibit LU02 Land Use Designations Summary Table, the Guasti Mixed Use Area is envisioned as a *'mixture of high quality office, lodging, retail and residential uses that incorporate the Guasti Winery. More intensive office and commercial uses are envisioned along I-10 while office, commercial, and lodging uses are envisioned in and around the historic structures.'* This land use designation permits densities of >25.0 to 65.0 dwelling units per acre and 1.0 FAR for office and retail uses.

If the purpose of the subject zone change is to make the zoning of my property consistent with the Ontario Plan land use designation for my property, I would respectfully request that the City consider re-zoning my property with a mixed use designation that would be consistent with the Guasti Mixed Land Use Area designation, that would facilitate future development of residential, office and/or retail development. I am currently in the process of formally submitting such a request through Thatcher Engineering, my contracted consulting firm. I humbly request, that our proposal be considered by your Planning Dept. as a viable option and that no formal decision be taken to Council at this time until we have had the opportunity to present to your development department our ideas.

I, or my representative, will be present for the meeting on the 27th. I look forward to working with you both and the rest of the City of Ontario Staff in my future development projects.

Best Regards,



Armen Derderian

Owner: 170 N. Turner St.

cc: Scott Murphy- City Of Ontario, Planning Director
Vicky Valenzuela- Thatcher Engineering

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PZC15-002, A REQUEST TO CHANGE THE ZONING ON VARIOUS PROPERTIES LOCATED THROUGHOUT THE CITY TO BP (BUSINESS PARK), IP (INDUSTRIAL PARK), IL (LIGHT INDUSTRIAL), AND RC (RAIL CORRIDOR), AND TO CHANGE THE ZONING ON VARIOUS M3 (GENERAL INDUSTRIAL) ZONED PROPERTIES TO IG (GENERAL INDUSTRIAL) AND VARIOUS OTHER ZONES IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: AS SHOWN IN EXHIBIT A ATTACHED.

WHEREAS, the City of Ontario ("Applicant") has initiated an Application for the approval of a Zone Change, File No. PZC15-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to about 1,200 properties located throughout the City and requests to change the zoning from various zones to BP (Business Park), IP (Industrial Park), IL (Light Industrial), and RC (Rail Corridor), and to change the zoning on various M3 (General Industrial) zoned properties to IG (General Industrial) and various other zones; and

WHEREAS, the zoning of the properties is inconsistent with The Ontario Plan ("TOP") land use designations of the properties and the proposed zone changes will make the zoning consistent with TOP land use designations of the properties as shown in Exhibit A; and

WHEREAS, the City of Ontario held Community Open Houses on August 26, 2015 and September 2, 2015, to gain input from impacted property owners and property owners within a 300 foot radius; and

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

WHEREAS, the 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; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (TOP) (File No. PGPA06-001), for which an Environmental Impact Report (SCH # 2008101140) was adopted by the City Council on January 27, 2010, and this Application introduces no new significant environmental impacts; and

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

WHEREAS, on October 27, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted Environmental Impact Report (SCH # 2008101140) and supporting documentation. Based upon the facts and information contained in the Environmental Impact Report (SCH # 2008101140) and supporting documentation, the Planning Commission finds as follows:

a. The previous Environmental Impact Report (SCH # 2008101140) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previous Environmental Impact Report (SCH # 2008101140) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

c. The previous Environmental Impact Report (SCH # 2008101140) reflects the independent judgment of the Planning Commission; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

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

a. The proposed zone change is consistent with the goals and policies of the general plan.

b. The proposed zone change is reasonable and beneficial, and in the interest of good zoning practice.

c. The project site is physically suitable, including, but not limited to parcel size, shape, access, availability of utilities and compatibility with adjoining land uses, for the requested zoning designation and anticipated development.

d. The proposed zone change will not adversely affect the harmonious relationship with adjacent parcels and land uses.

e. The proposed zone change will not have a significant adverse impact on the environment.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission recommends that the City Council approve the Project.

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

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

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October, 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PZC15-002
October 27, 2015
Page 5

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC**_*** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

























ABSTAIN:

Marci Callejo
Secretary Pro Tempore


































Exhibit A PZC15-002

LEGEND:

EXISTING ZONING:

 AR, Agricultural Residential	 HDR-45, High Density Residential	 C3, Commercial Service	 M3, General Industrial
 RE, Residential Estate	 MH, Mobile Home Park	 C4, Airport Service Commercial	 OS, Open Space
 R1, Single Family Residential	 PUD, Planned Unit Development	 AP, Administrative-Professional Office	 PF, Public Facility
 R1.5, Low-Medium Density Residential	 NC, Neighborhood Commercial	 M1, Limited Industrial	 SP, Specific Plan
 R2, Medium Density Residential	 C1, Shopping Center	 M2, Industrial Park	 P1, Off-Street Parking
 R3, Medium Density Residential	 C2, Central Business	 M3(VI), Vintage Industrial	 SP(AG), Specific Plan with Agricultural Overlay

PROPOSED ZONING:

 AR-2, Agricultural-Residential	 MHP, Mobile Home Park	 BP, Business Park	 OS-R, Open Space - Recreation
 RE-2, Rural Estate	 PUD, Planned Unit Development	 IP, Industrial Park	 OS-C, Open Space-Cemetery
 RE-4, Residential Estate	 MU, Mixed Use 1 – Downtown, 2-East Holt, 11-Francis&Euclid	 IL, Light Industrial	 UC, Utilities Corridor
 LDR-5, Low Density Residential	 CS, Corner Store	 IG, General Industrial	 SP, Specific Plan
 MDR-11, Low-Medium Density Residential	 CN, Neighborhood Commercial	 IH, Heavy Industrial	 SP(AG), Specific Plan with Agricultural Overlay
 MDR-18, Medium Density Residential	 CC, Community Commercial	 ONT, Ontario Int'l Airport	 ES, Emergency Shelter Overlay
 MDR-25, Medium-High Density Residential	 CCS, Convention Center Support	 CIV, Civic	 MTC, Multimodal Transit Center Overlay
 HDR-45, High Density Residential	 OL, Low Intensity Office	 RC, Rail Corridor	 ICC, Interim Community Commercial Overlay
	 OH, High Intensity Office		

A1

EXISTING



PROPOSED



Parcels: (107 Properties)

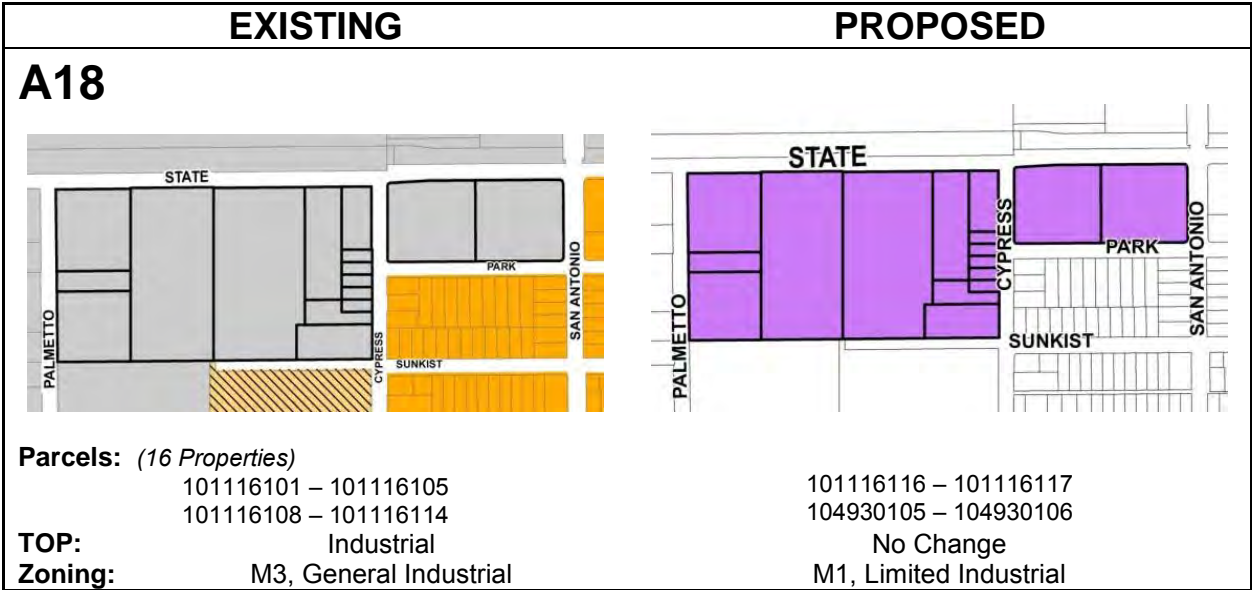
101111205	101113401 - 101113402	101114133
101111207-101111210	101113404 - 101113406	101114138
101111212 - 101111224	101113410	101119101
101111228 - 101111244	101113412 - 101113415	101120102
101112201 - 101112208	101114114	101120105 - 101120107
101112211 - 101112223	101114117	101120110 - 101120112
101113307	101114127	101120114 - 101120126
101113320 - 101113323	101114131	101123102 - 101123105
		101123107 - 101123112

EXISTING

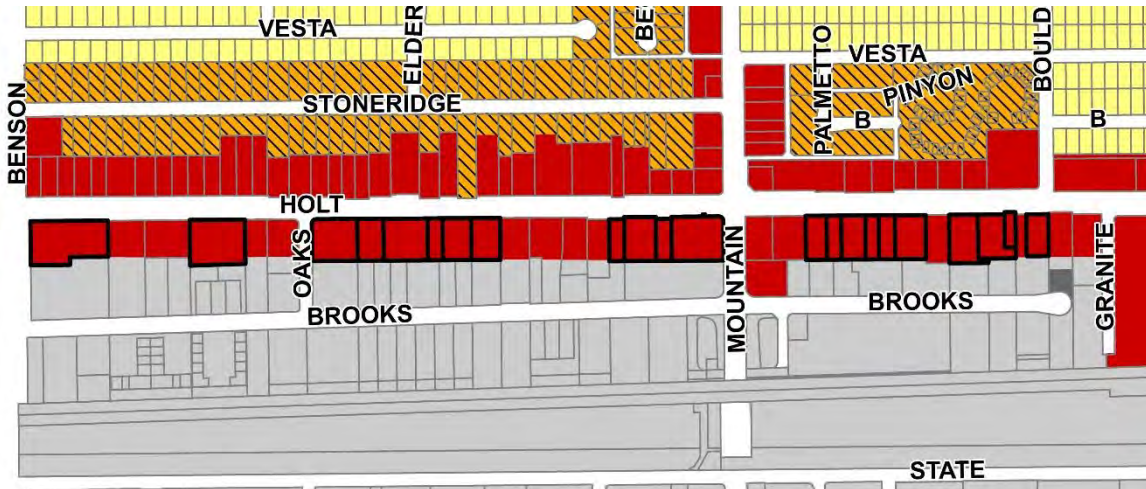
TOP: Industrial
Zoning: M3, General Industrial

PROPOSED

TOP: No Change
Zoning: IG, General Industrial
 (M2, Industrial Park)



A19
EXISTING



PROPOSED



Parcels: (22 Properties)

10111104	10112124	10114106
10111110	10112126	10114111
10112102	10113102 – 10113104	10114113
10112113	10113119	10114135 – 10114136
10112117 – 10112118	10113208 – 10113212	

EXISTING

TOP: Business Park
Zoning: C3, Commercial Service

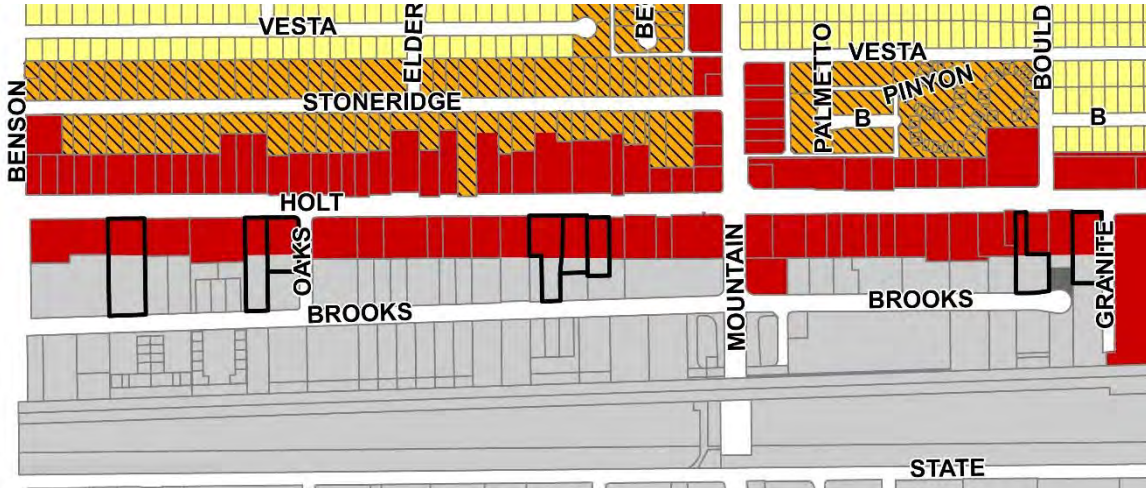
PROPOSED

No Change
 IP, Industrial Park

EXISTING		PARCELS	PROPOSED
A20			
		101118104 – 101118105 101118205 101118213 (4 Properties)	
TOP:	Business Park		No Change
Zoning:	C1, Shopping Center		IL, Light Industrial (M1, Limited Industrial)

EXISTING		PROPOSED	
A21			
Parcels:	(21 Properties)		
	101111112 – 101111117	101112107	101112123
	101111119	101112109 – 101112112	101112125
	101111122 – 101111123	101112114 – 101112116	101113113
			101113118
TOP:	Business Park		No Change
Zoning:	M3, General Industrial		IP, Industrial Park

A22
EXISTING



PROPOSED

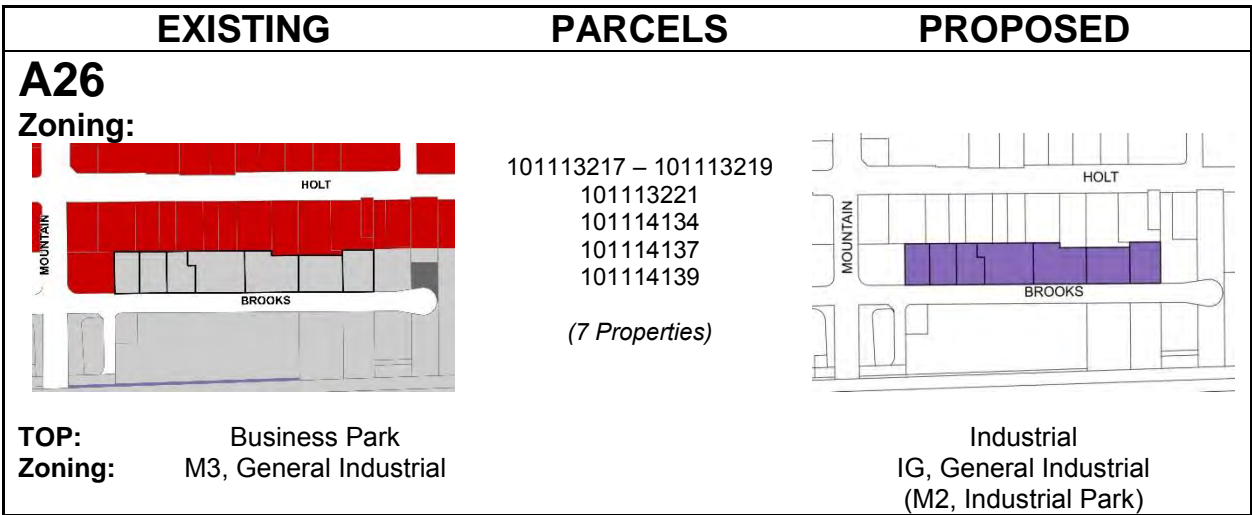
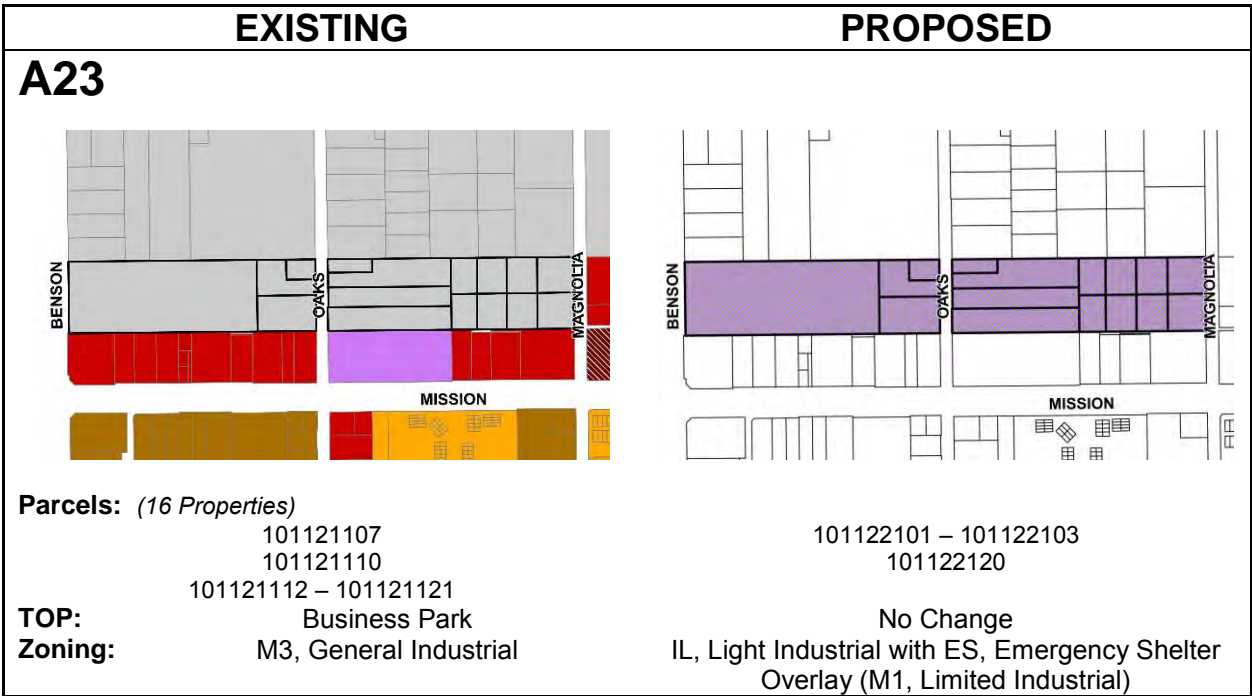


Parcels: (8 Properties)

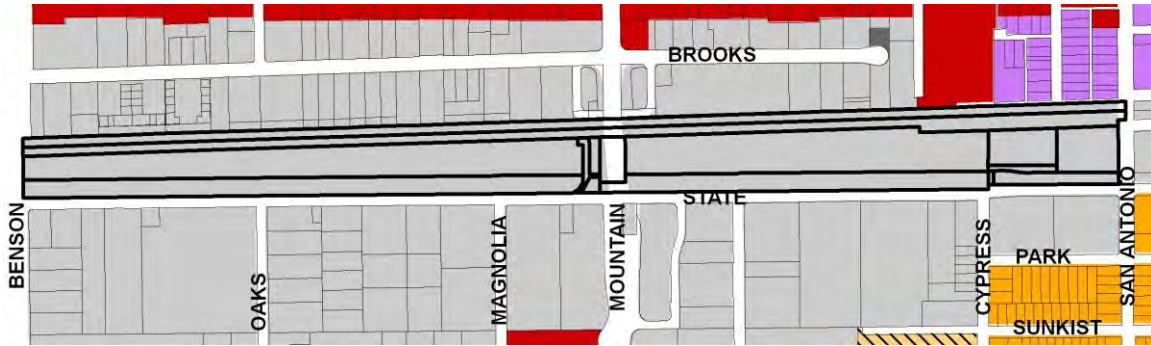
- | | |
|-----------------------|-----------|
| 101111105 | 101113117 |
| 101111118 | 101114116 |
| 101111120 | 101114130 |
| 101112121 – 101112122 | |

TOP:
Zoning: **EXISTING**
 Business Park
 C3, Commercial Service and
 M3, General Industrial

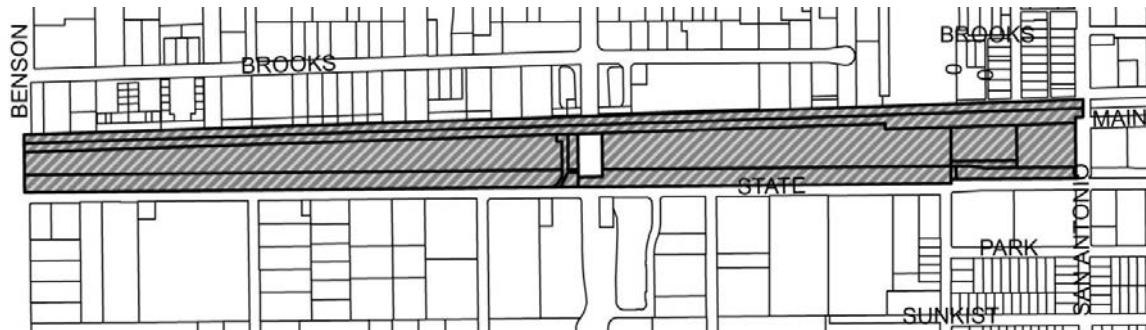
PROPOSED
 No Change
 IP, Industrial Park



A28
EXISTING



PROPOSED



Parcels: (14 Properties)

101110107 – 101110110
 101115103 – 101115107

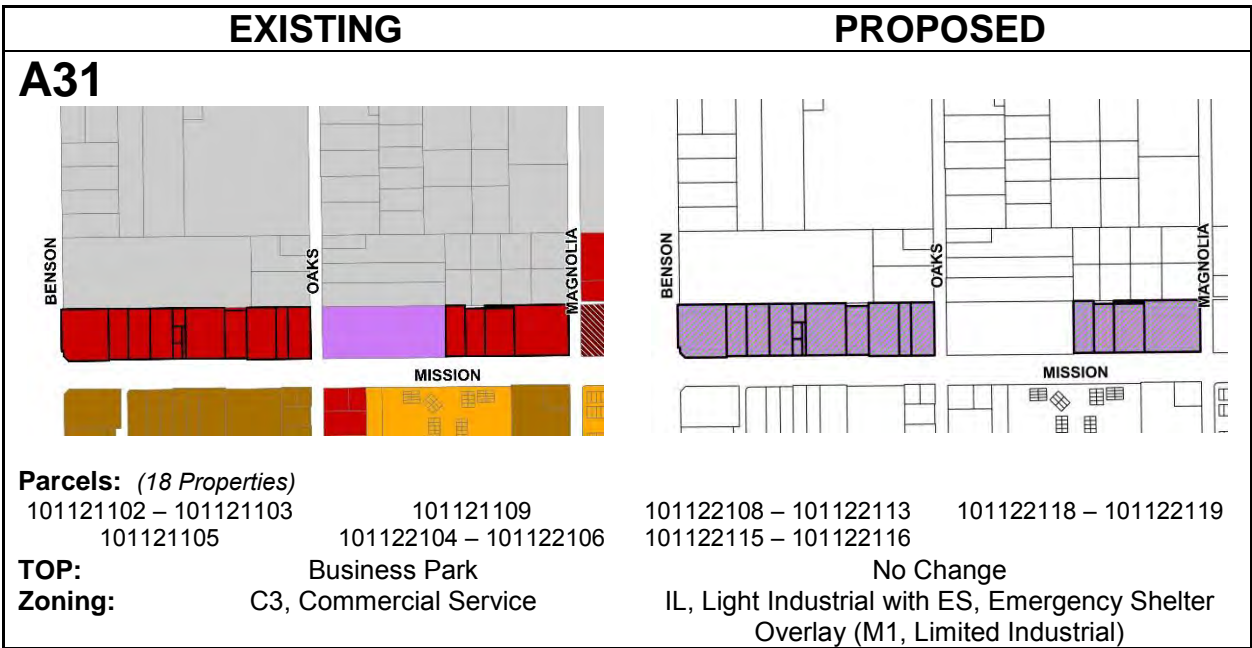
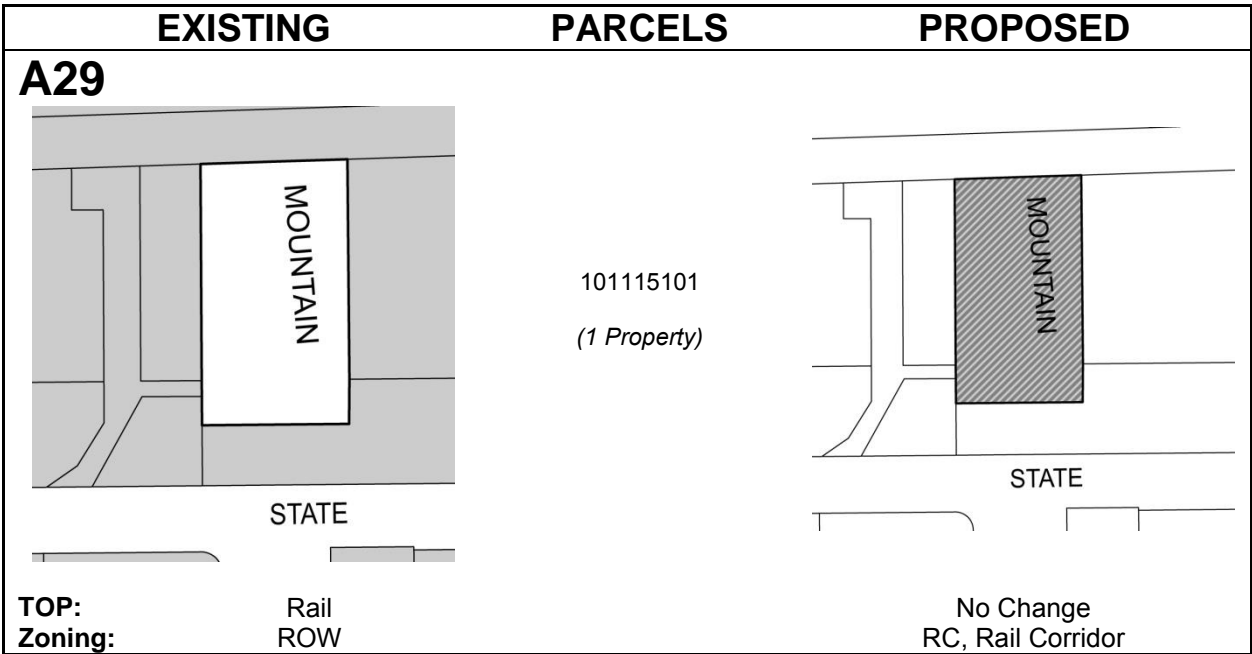
104901301 – 104901302
 104901306 – 104901308

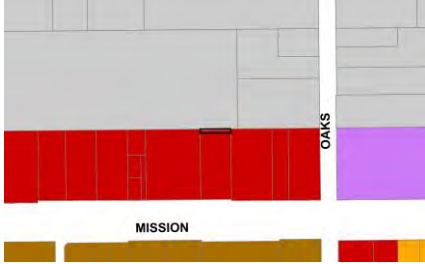

EXISTING



PROPOSED

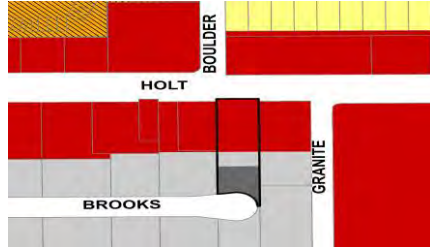
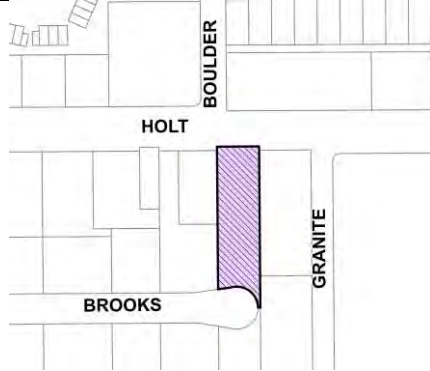
TOP: Rail
Zoning: M3, General Industrial



TOP: No Change
Zoning: RC, Rail Corridor

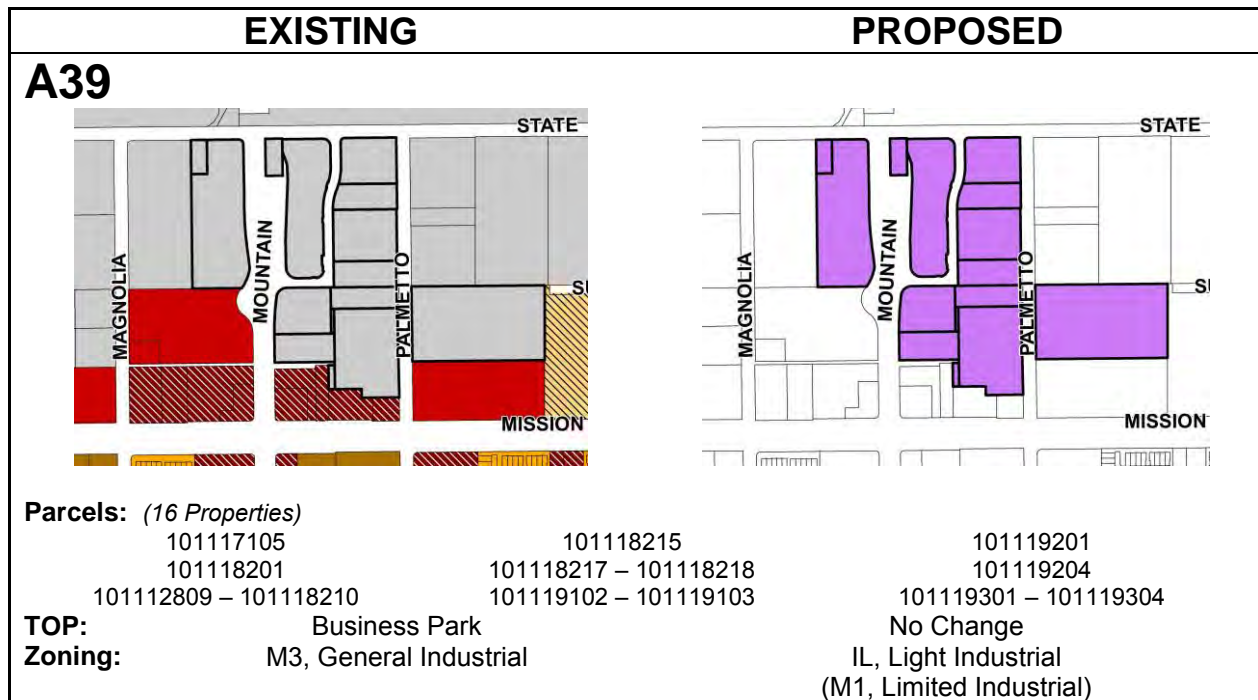
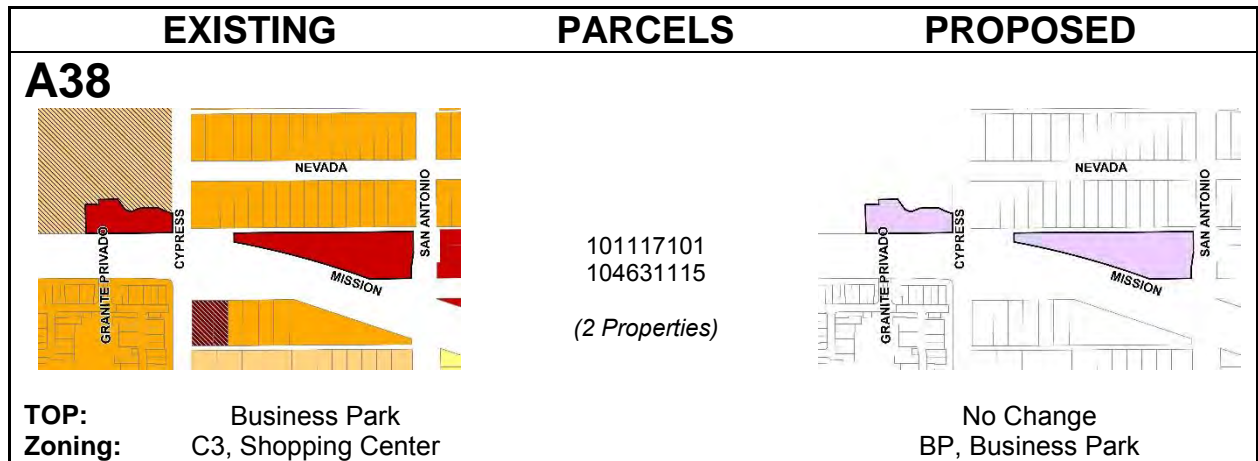


EXISTING	PARCELS	PROPOSED
<p>A32</p>  <p>TOP: Business Park Zoning: C3, Commercial Service and M3, General Industrial</p>	<p>101121103 <i>(1 Property)</i></p>	 <p>No Change IL, Light Industrial with ES, Emergency Shelter Overlay (M1, Limited Industrial)</p>

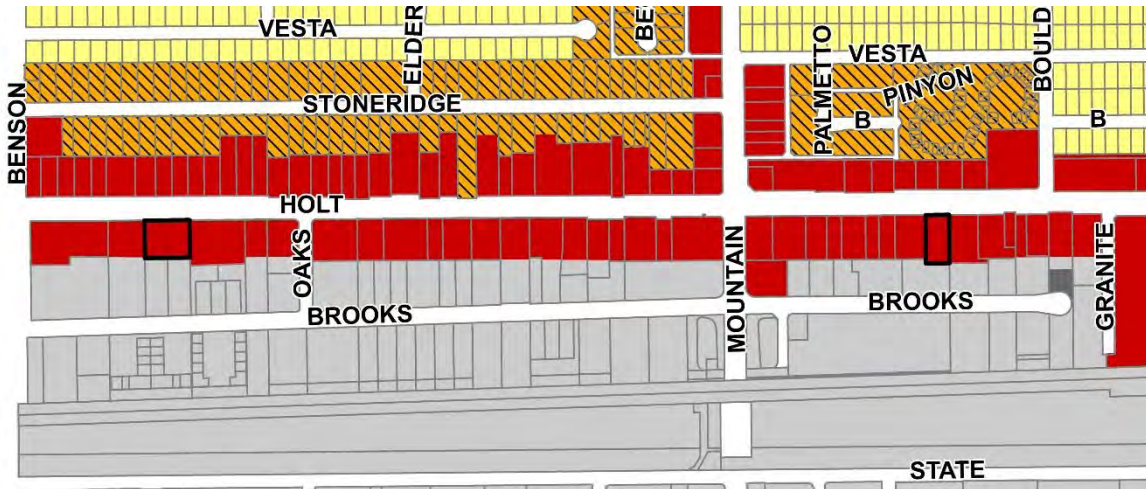
EXISTING	PARCELS	PROPOSED
<p>A33</p>  <p>TOP: Business Park Zoning: M1, Limited Industrial</p>	<p>101121106 <i>(1 Property)</i></p>	 <p>No Change IL, Light Industrial with ES, Emergency Shelter Overlay (M1, Limited Industrial)</p>

EXISTING	PARCELS	PROPOSED
<p>A34</p>  <p>TOP: Business Park Zoning: C3, Commercial Service/ M3, General Industrial/ P1, Off-Street Parking</p>	<p>101141132 <i>(1 Property)</i></p>	 <p>No Change IP, Industrial Park</p>

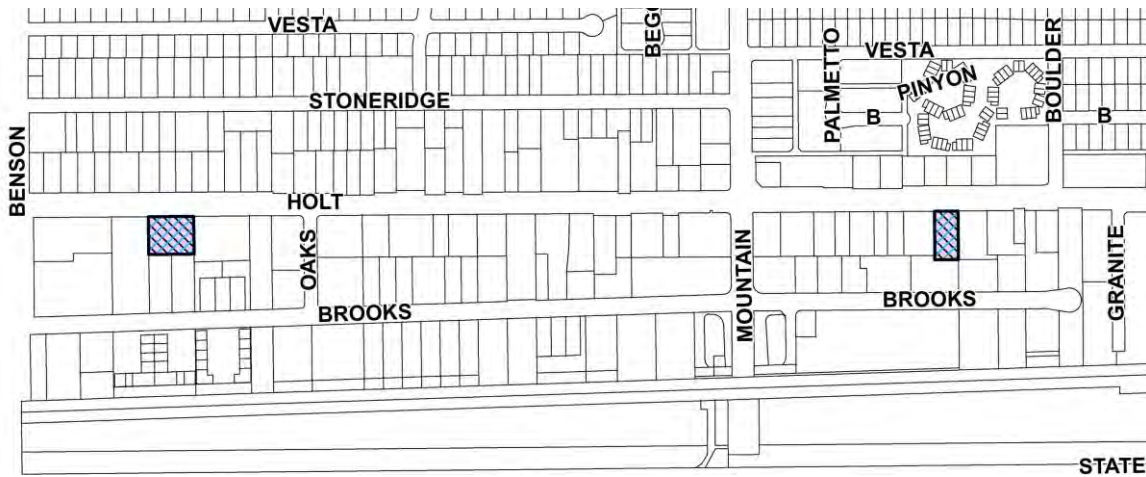
EXISTING	PARCELS	PROPOSED
<p>A37</p>  <p>TOP: Business Park Zoning: C3, Shopping Center</p>	<p>101117104 101118109 – 101118110 <i>(3 Properties)</i></p>	 <p>No Change IL, Light Industrial (M1, Limited Industrial)</p>



A40
EXISTING



PROPOSED

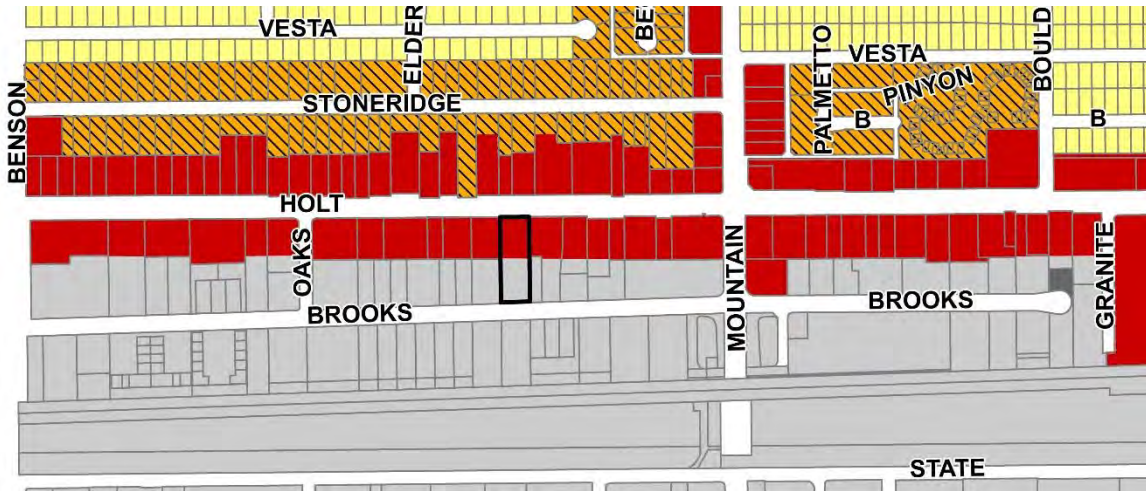


Parcels: (2 Properties).

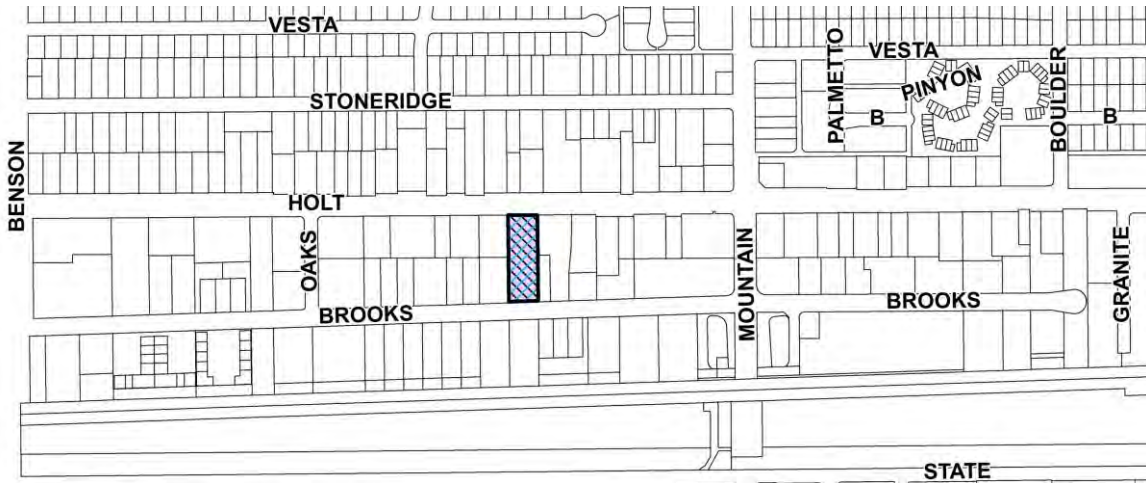
10111121
EXISTING
 Business Park
 Zoning: C3, Commercial Service

101114107
PROPOSED
 No Change
 Zoning: IP, Industrial Park with ICC, Interim Community Commercial Overlay

A41
EXISTING



PROPOSED



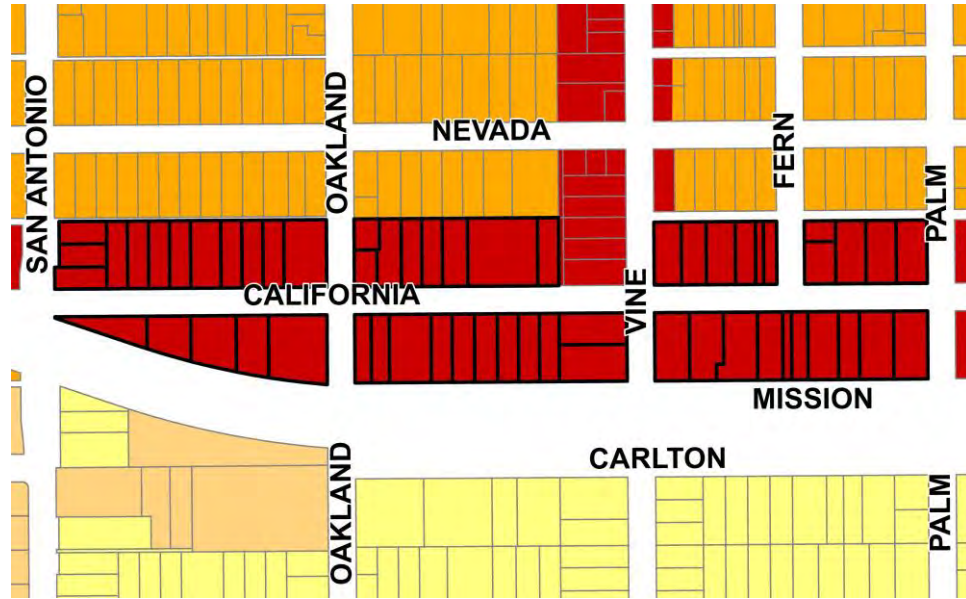
Parcels: (1 Property)

101112105

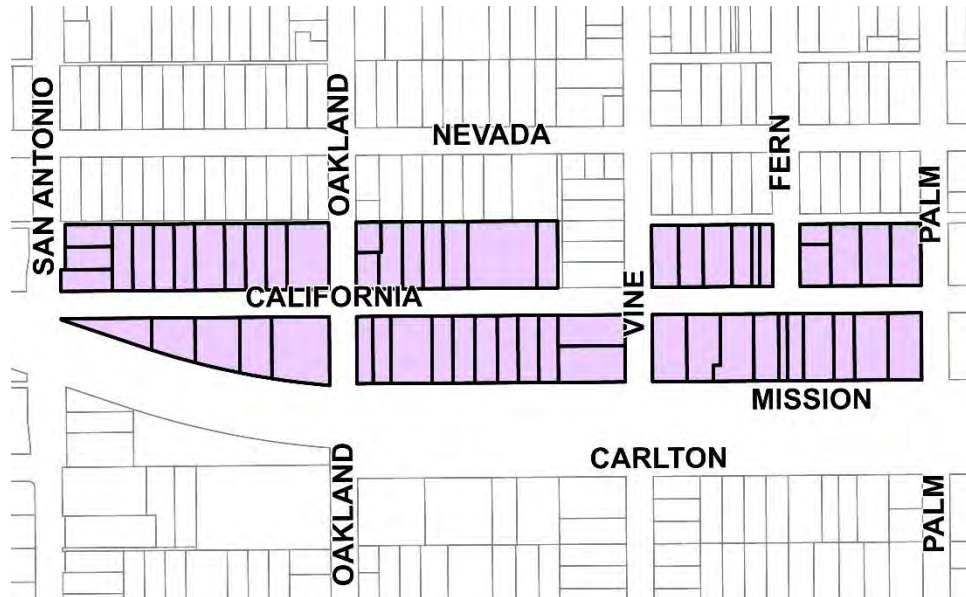
	EXISTING		PROPOSED
TOP:	Business Park		No Change
Zoning:	C3, Commercial Service and M3, General Industrial		IP, Industrial Park with ICC, Interim Community Commercial Overlay

B22

EXISTING



PROPOSED

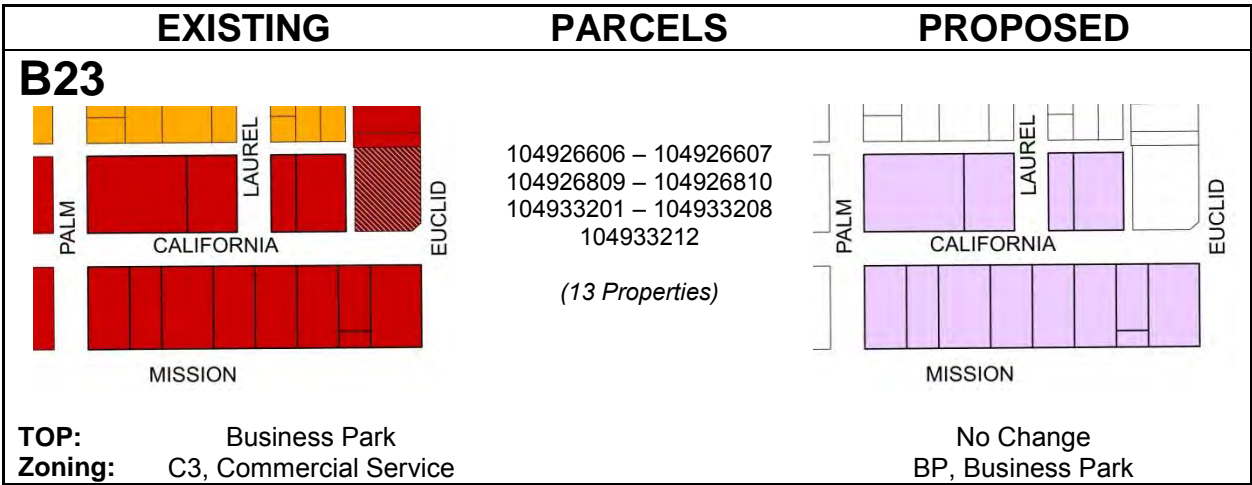


Parcels: (57 Properties)

- | | | |
|-----------------------|-----------------------|-----------------------|
| 104926207 – 104926212 | 104929420 | 104932106 |
| 104926407 – 104926411 | 104929423 – 104929429 | 104932201 – 104932211 |
| 104929214 – 104929225 | 104932101 – 104932104 | 104933101 - 104933110 |

EXISTING
TOP: Business Park
Zoning: C3, Commercial Service

PROPOSED
TOP: No Change
Zoning: BP, Business Park



**B25
 EXISTING**



PROPOSED



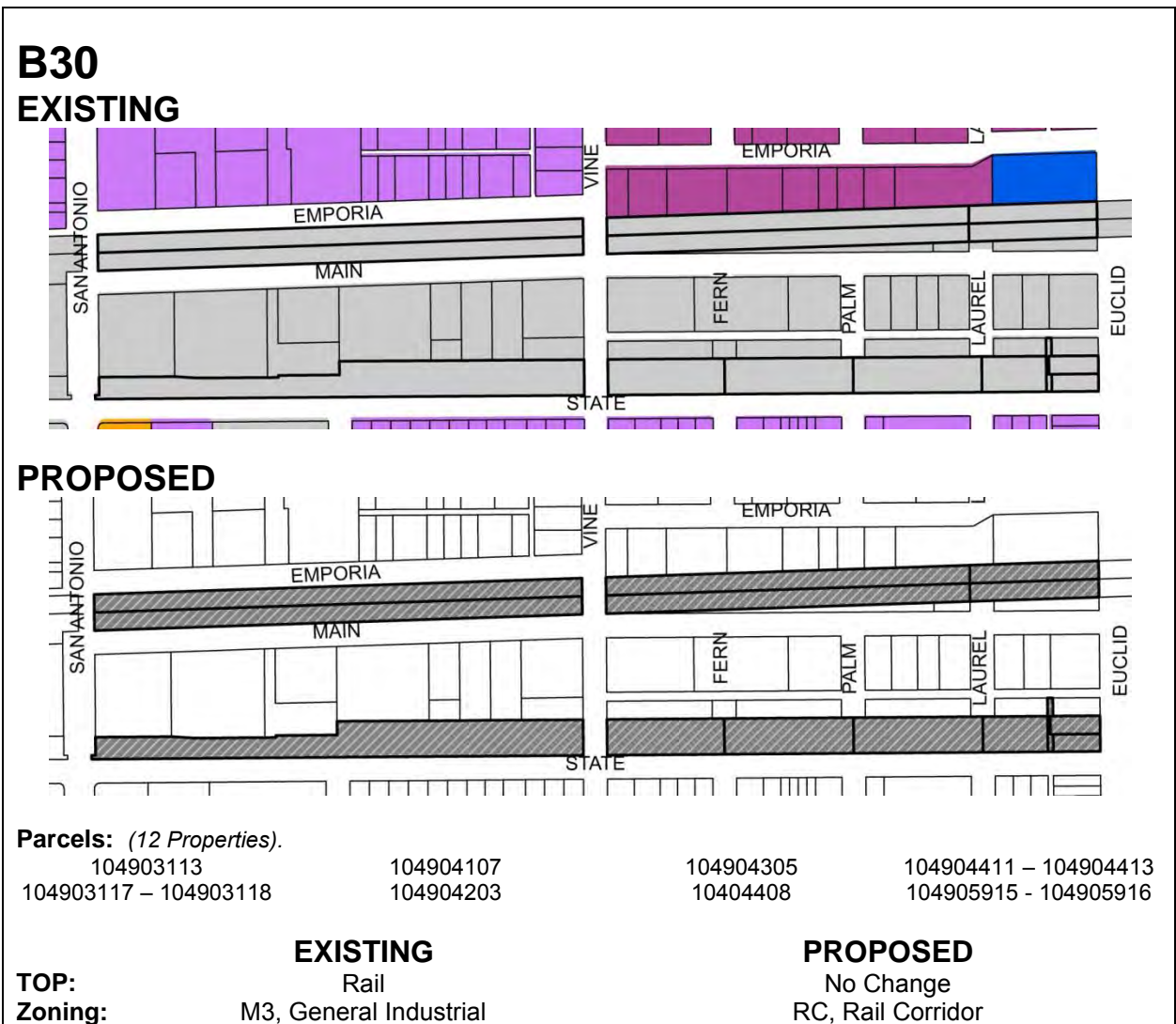
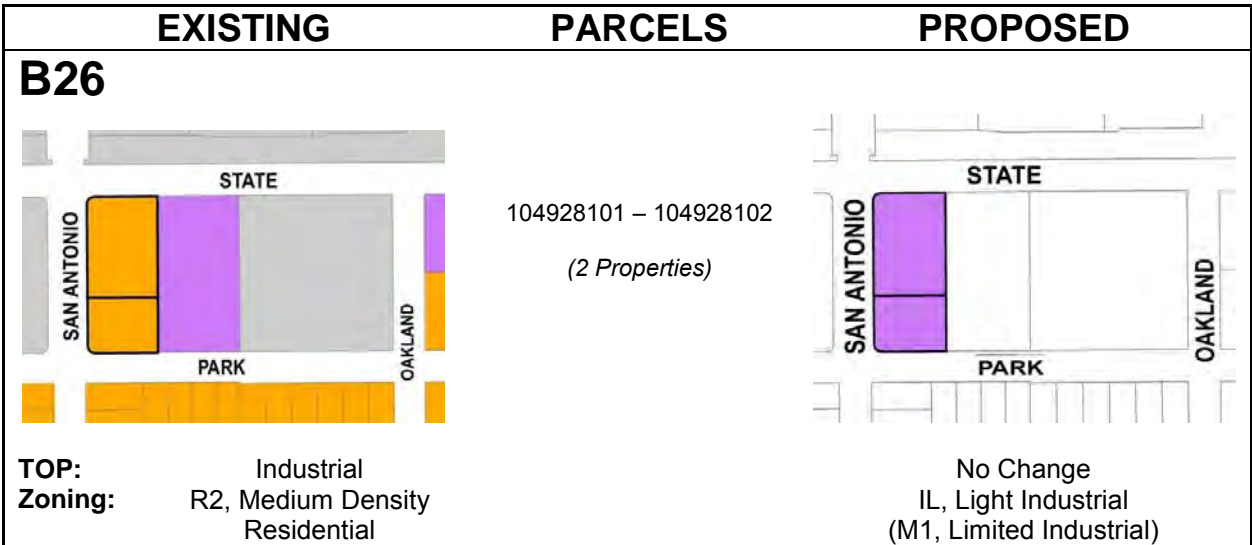
Parcels: (30 Properties)

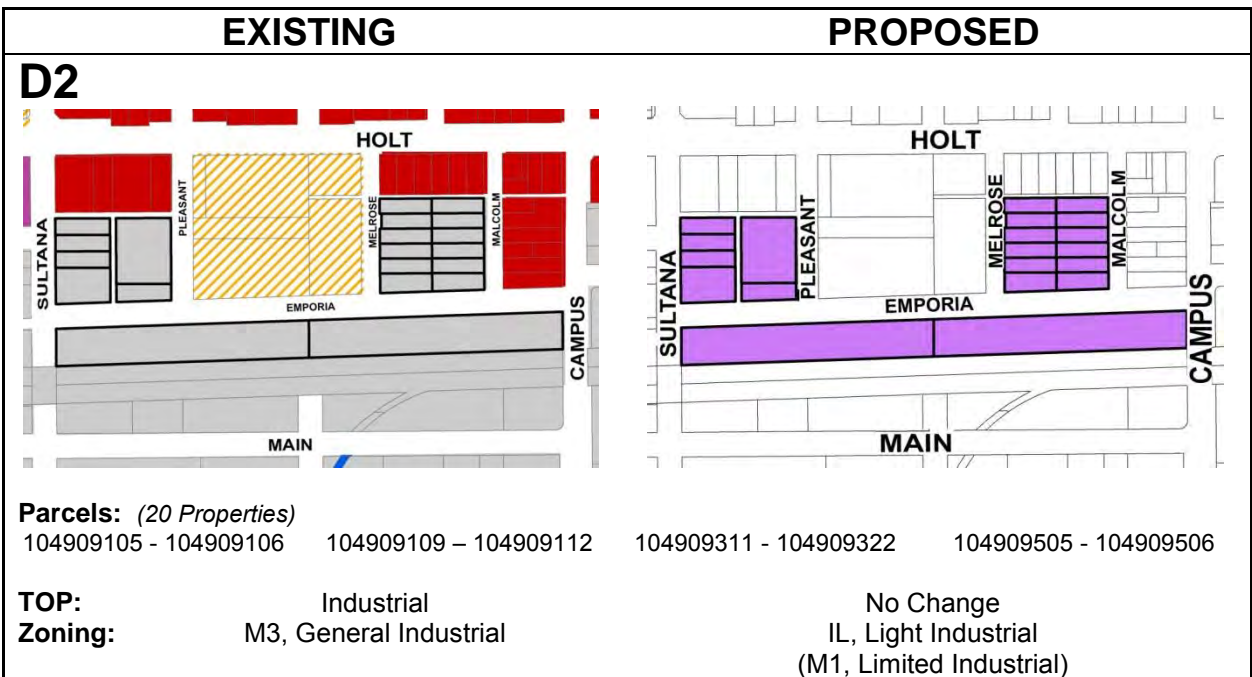
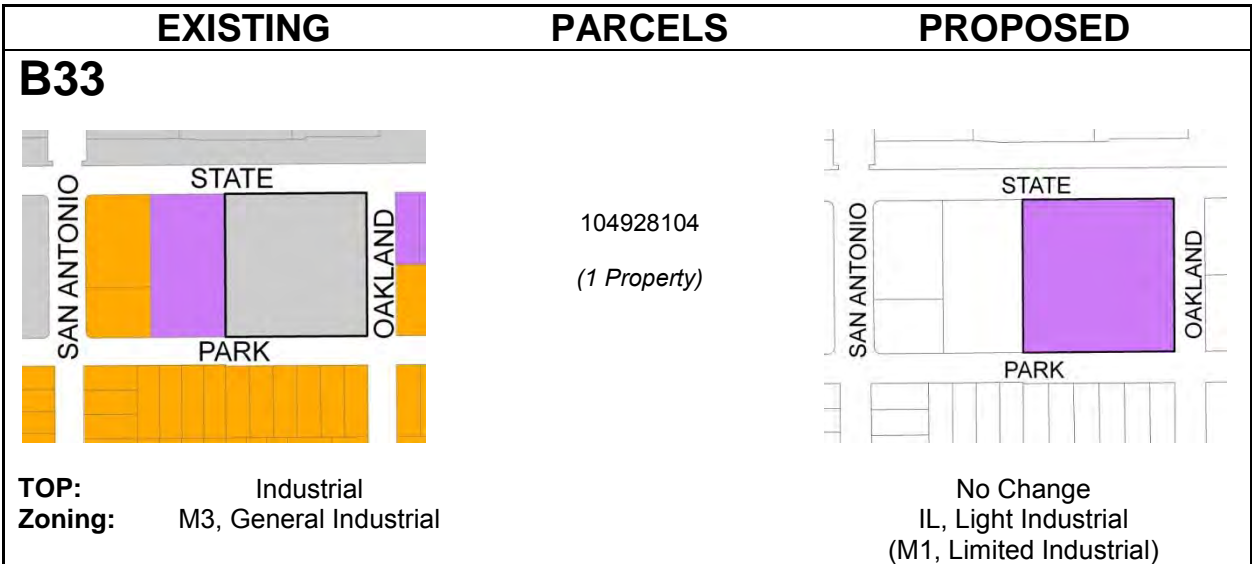
104903103	104904202	104904401
104903106 - 104903112	104904205 - 104904206	104904404 - 104904405
104903114 - 104903116	104904301 - 104904304	104904409 - 104904410
104904110 - 104904112	104904306	104905918 - 104905920

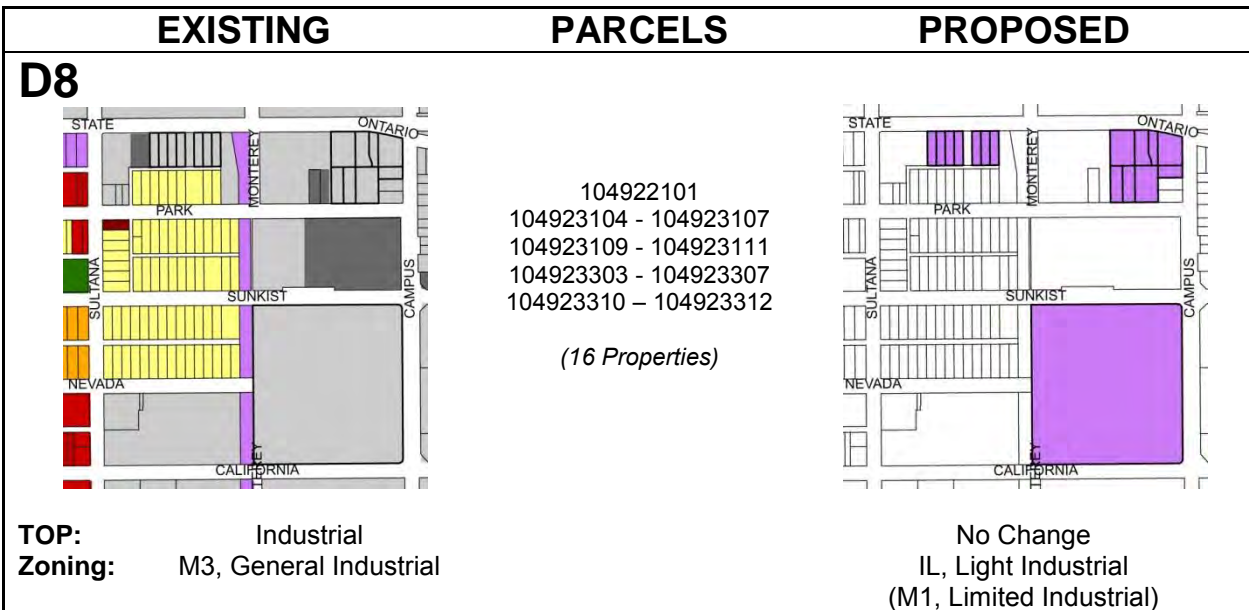
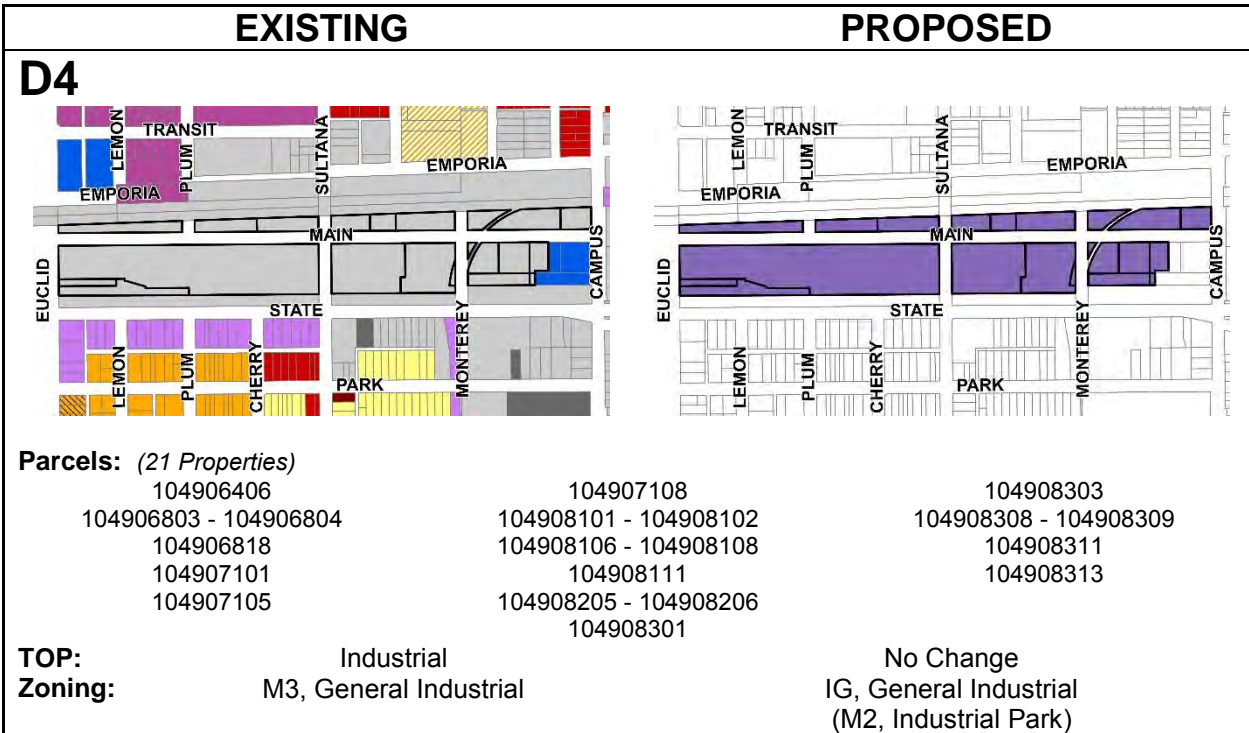
TOP:
Zoning:

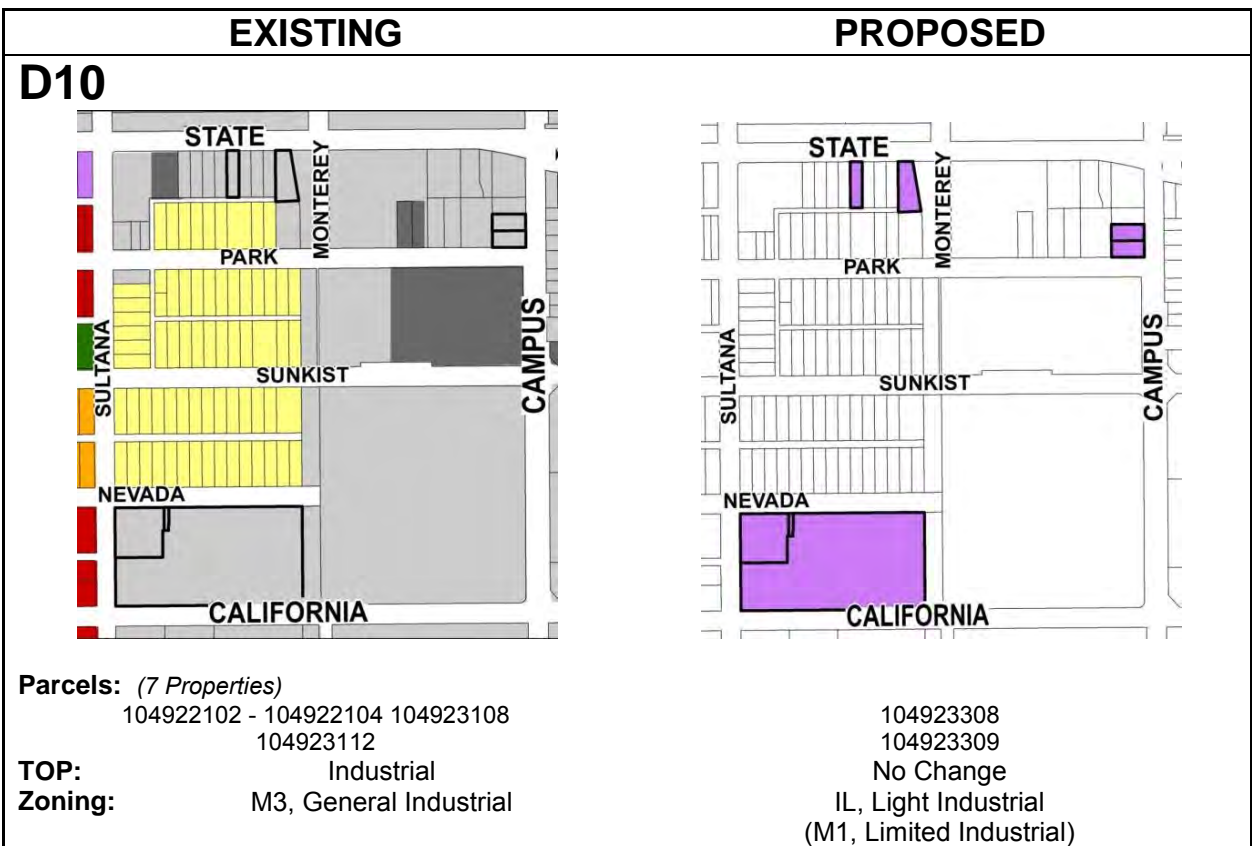
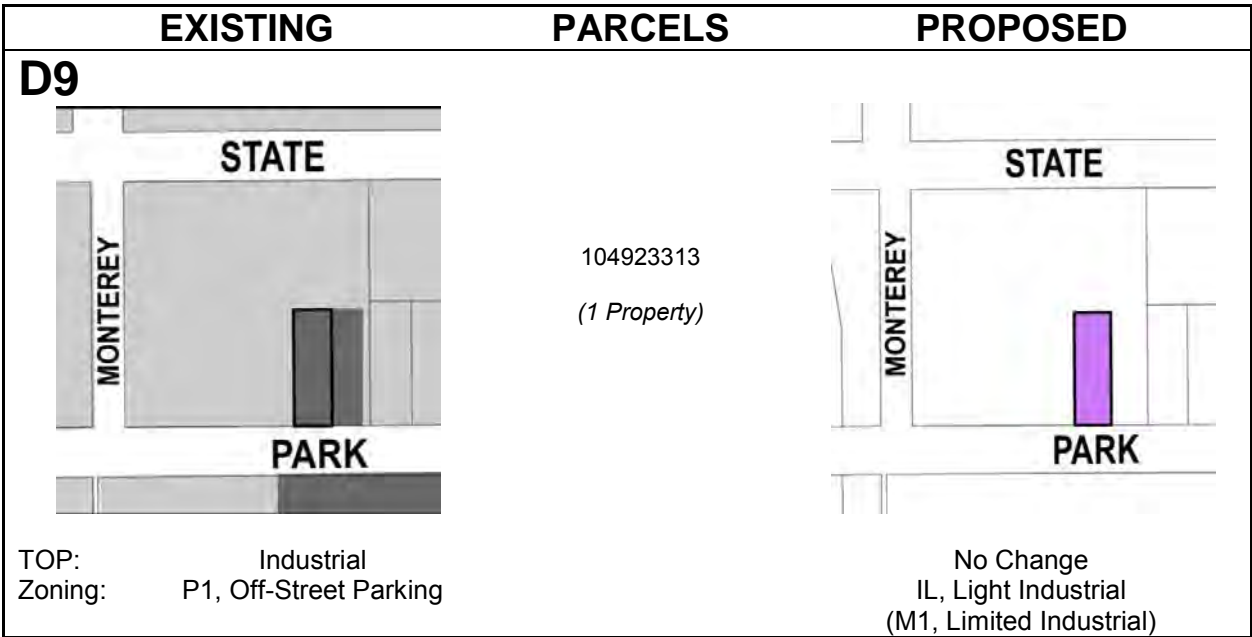
EXISTING
 Industrial
 M3, General Industrial

PROPOSED
 No Change
 IG, General Industrial
 (M2, Industrial Park)



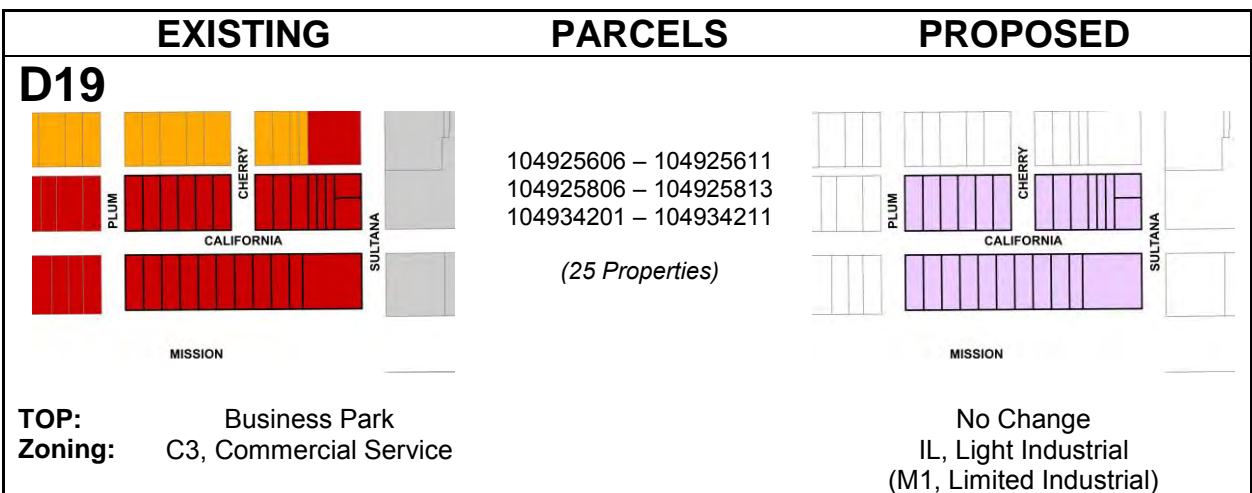
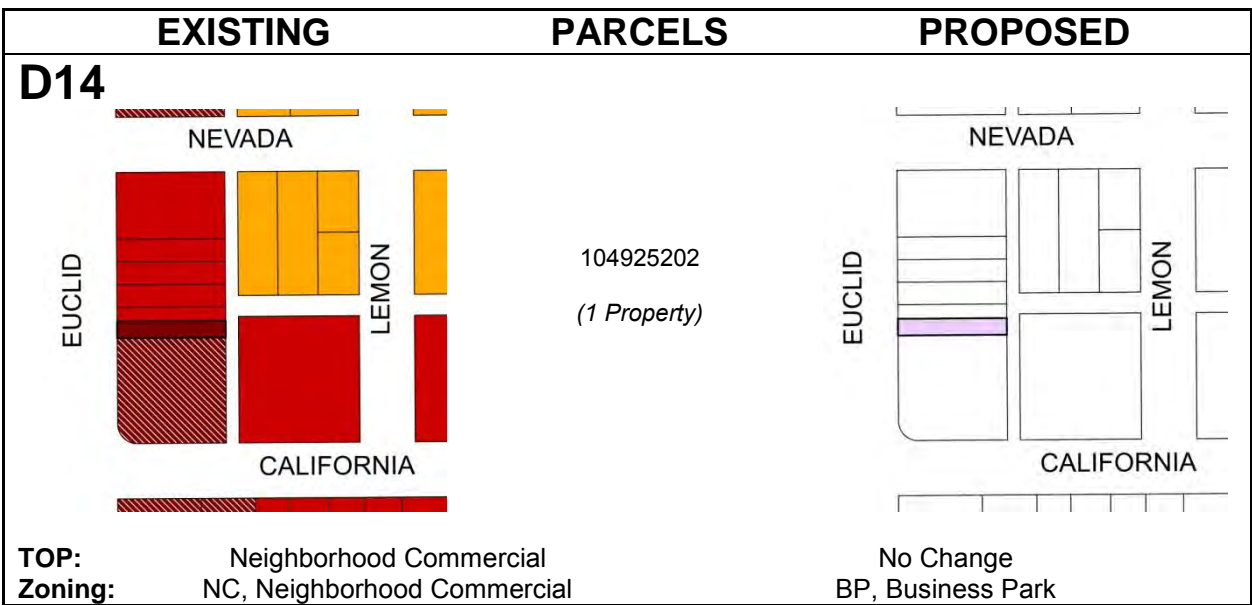
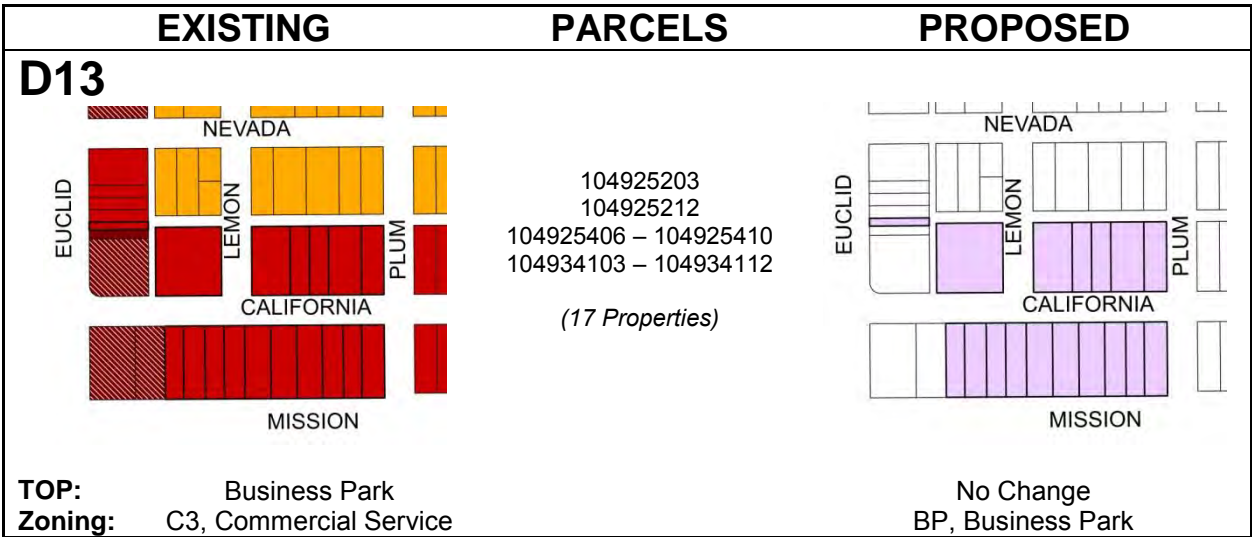


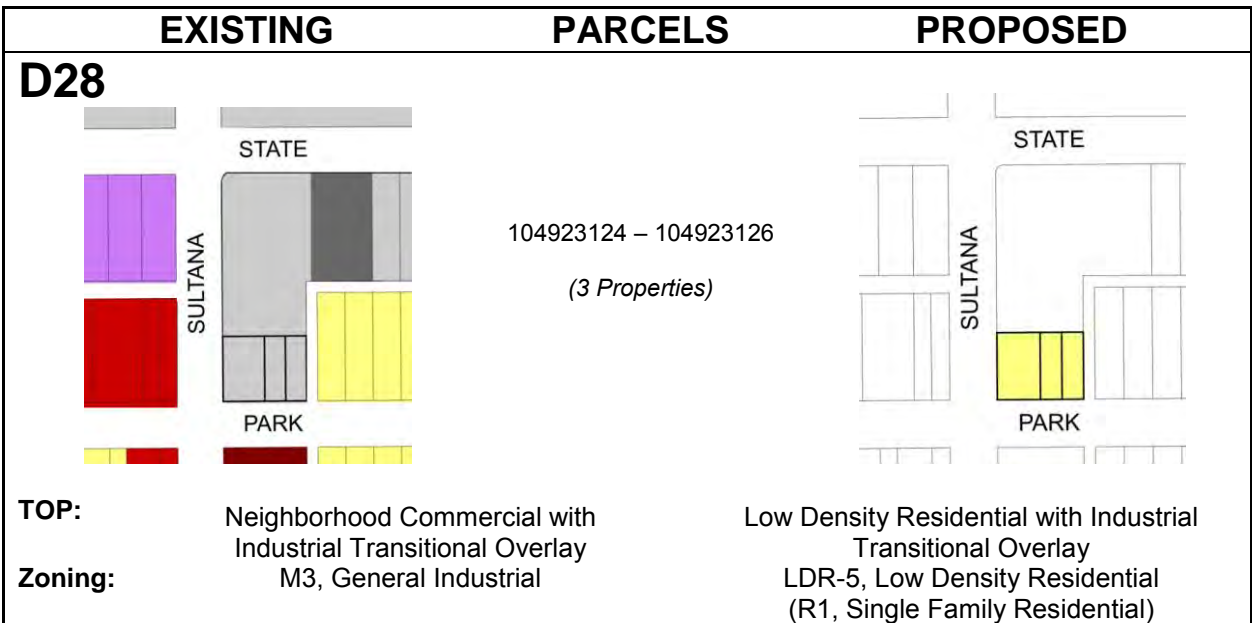
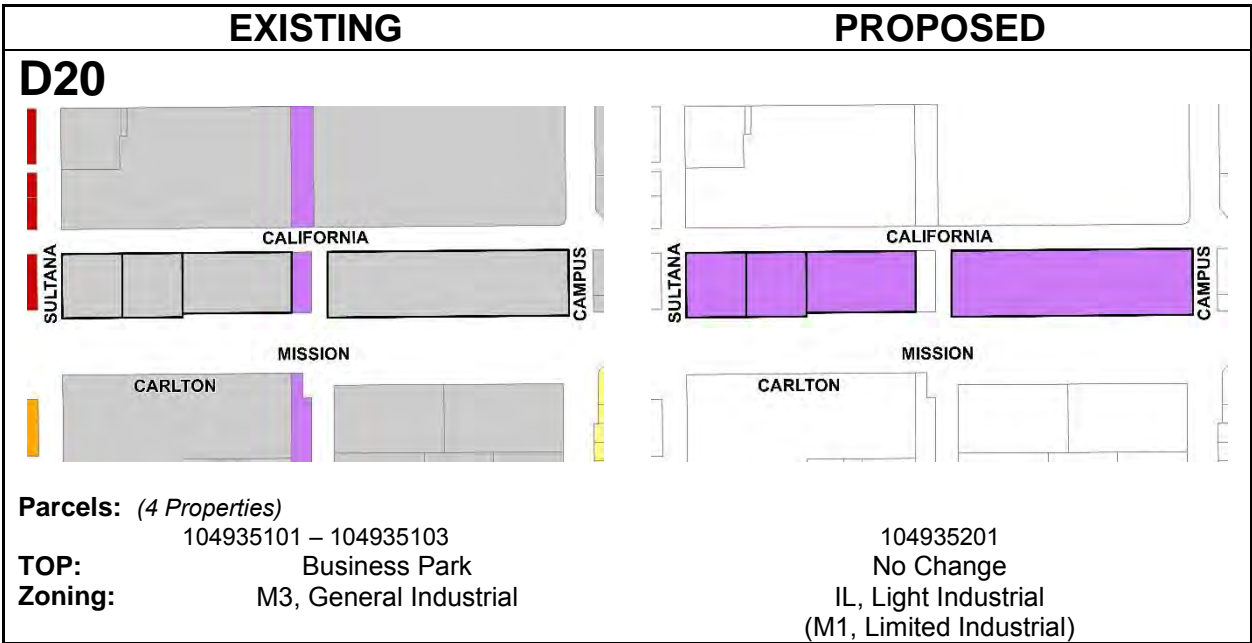


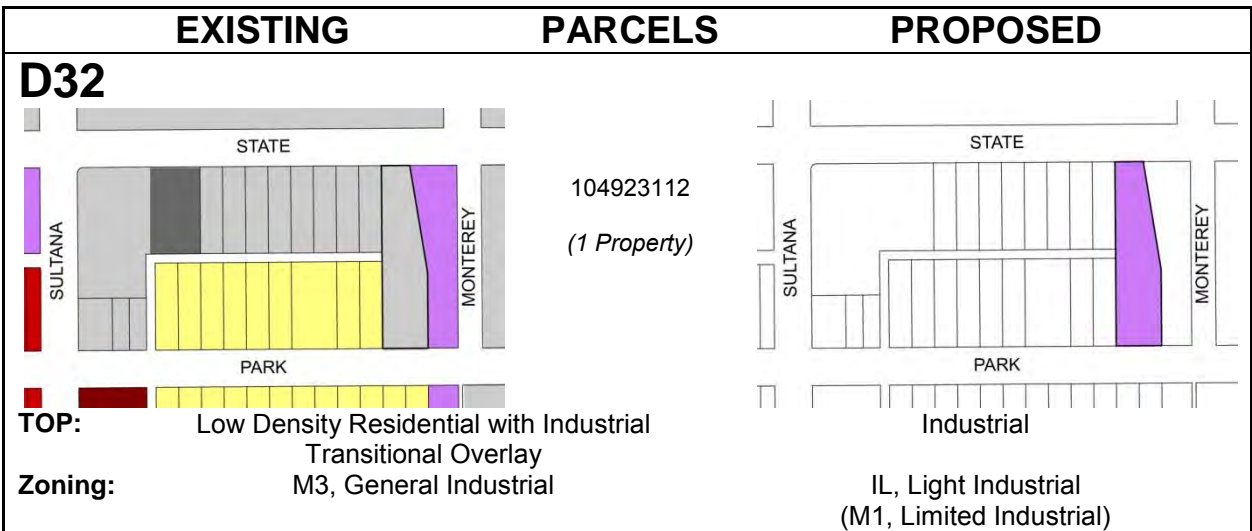
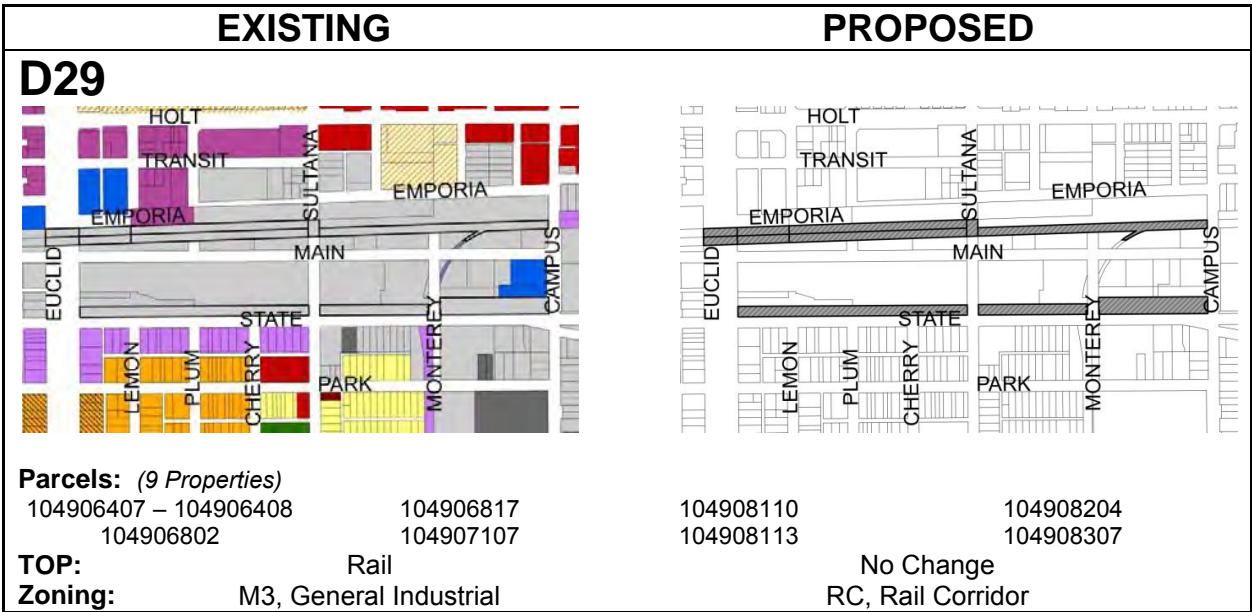


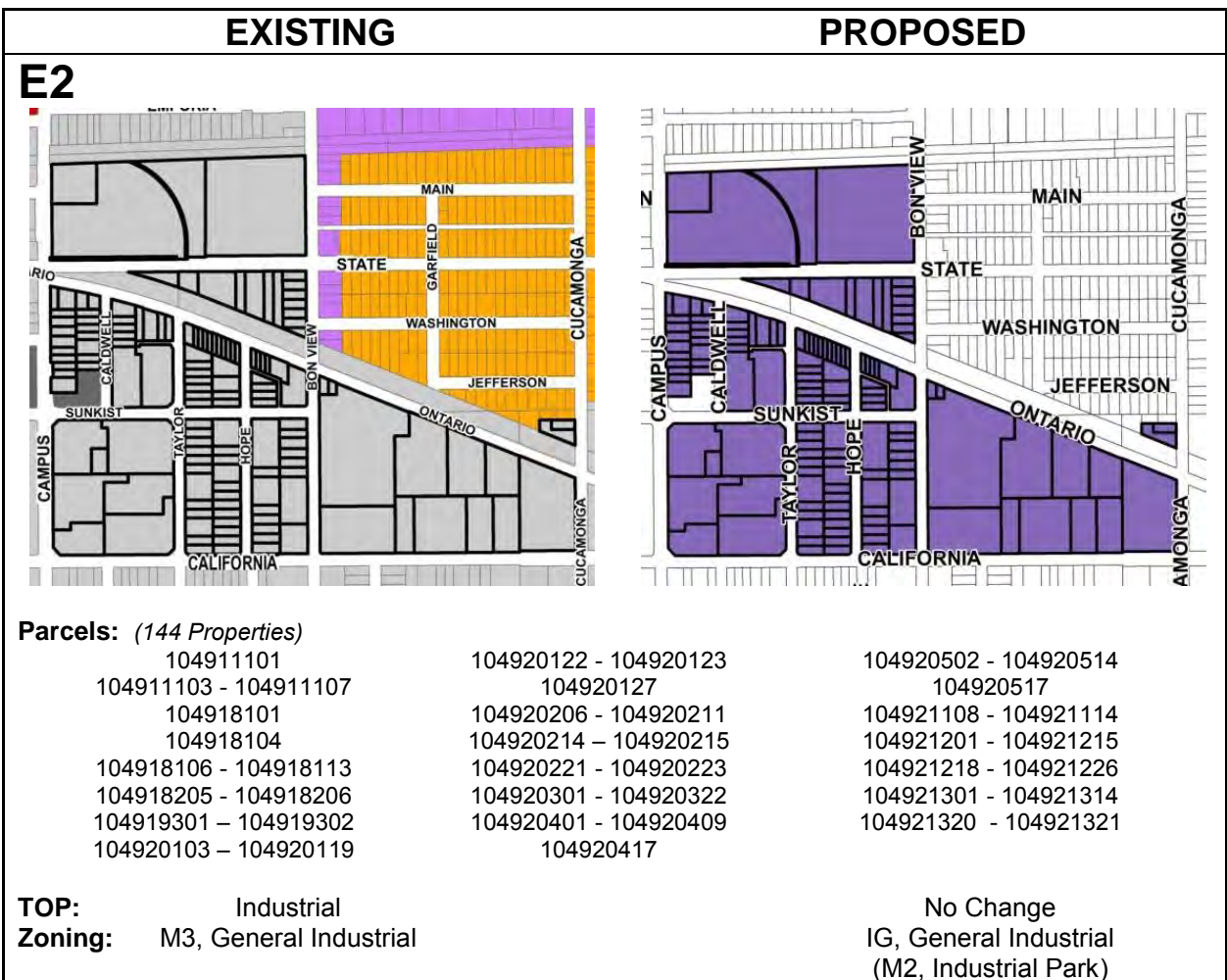
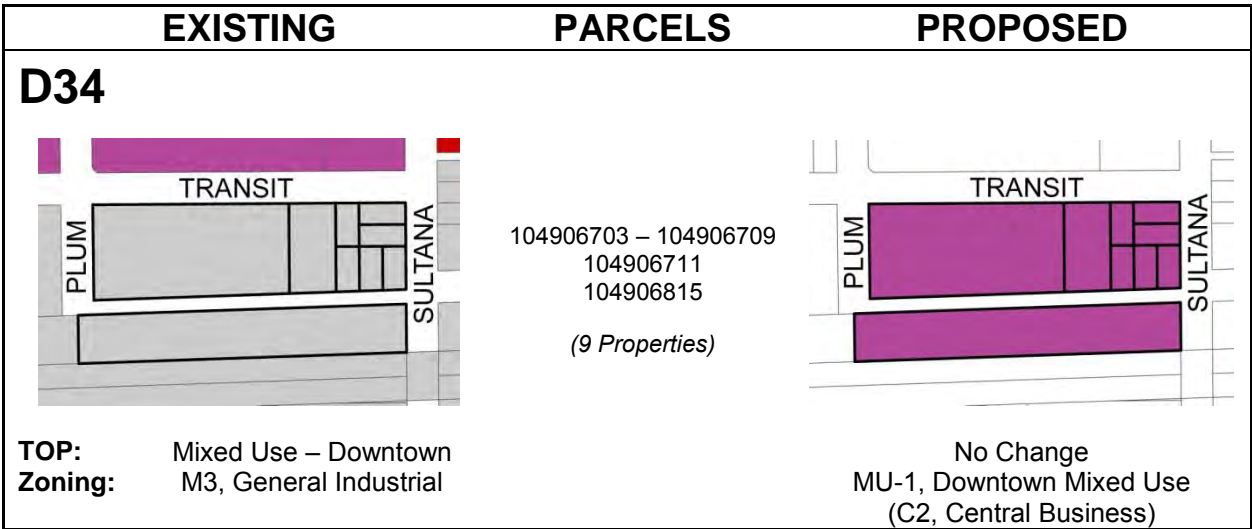
EXISTING	PARCELS	PROPOSED
D11		
	104923127 104923221 104923316 (3 Properties)	
TOP: Industrial Zoning: M3, General Industrial and P1, Off-Street Parking		No Change IL, Light Industrial (M1, Limited Industrial)

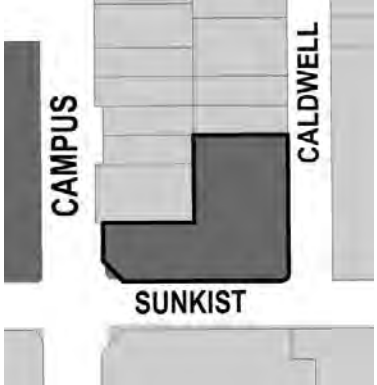
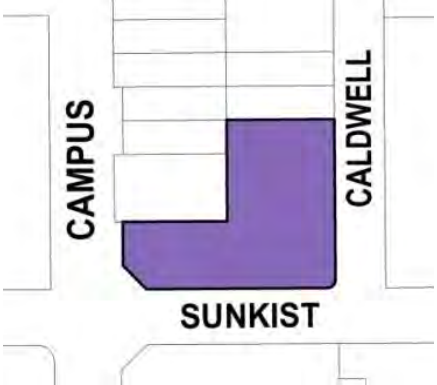
EXISTING	PARCELS	PROPOSED
D12		
	104925213 104934114-104934115 (3 Properties)	
TOP: Business Park Zoning: C1, Shopping Center		No Change BP, Business Park

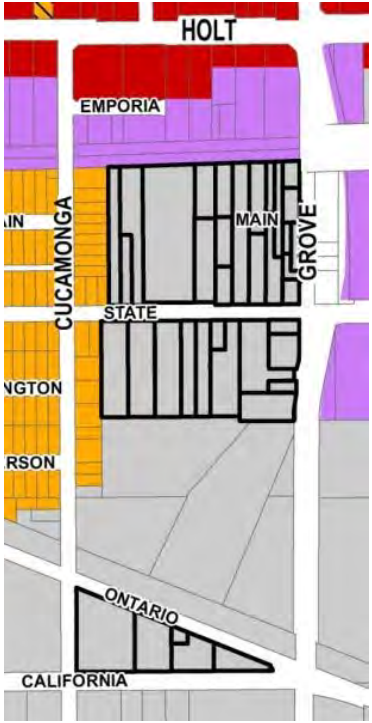
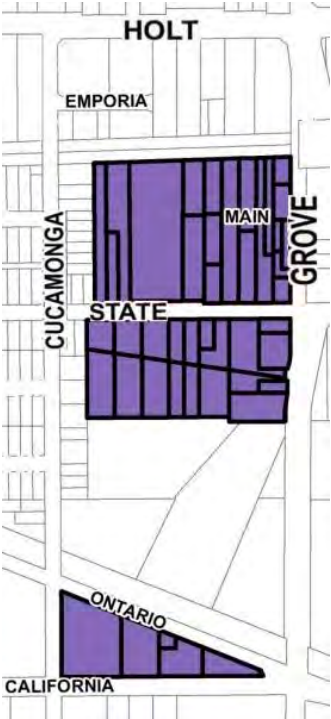


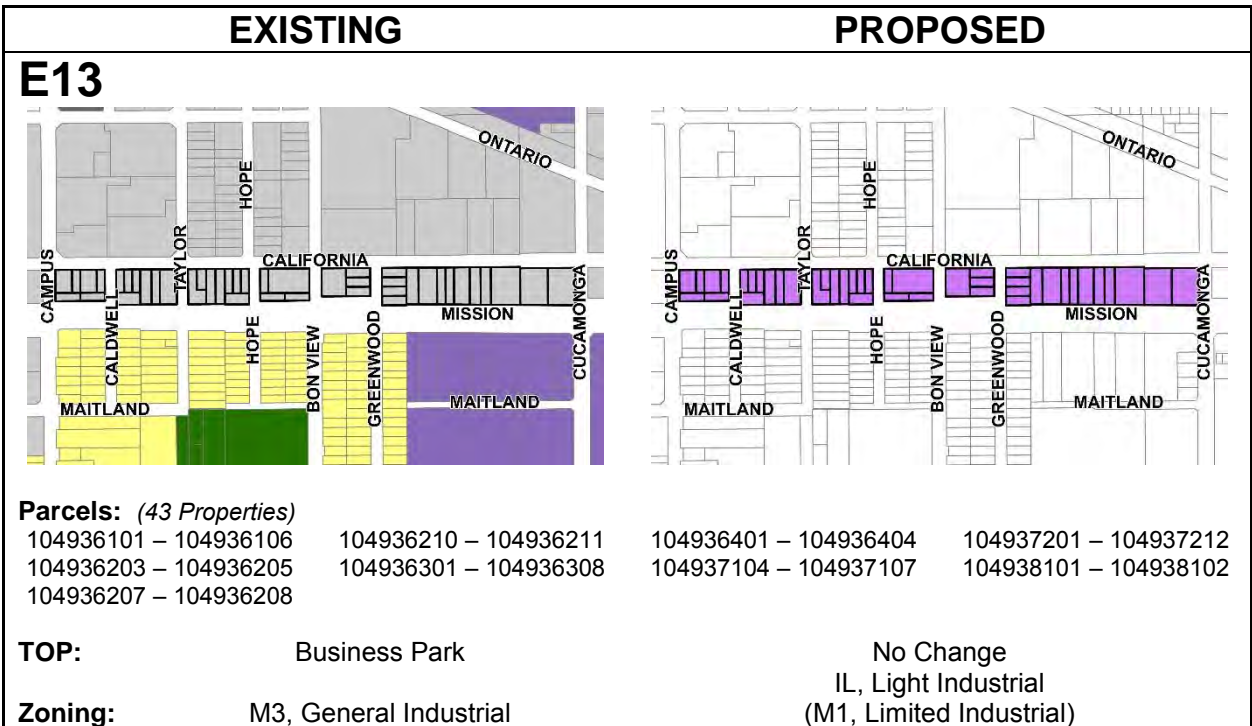
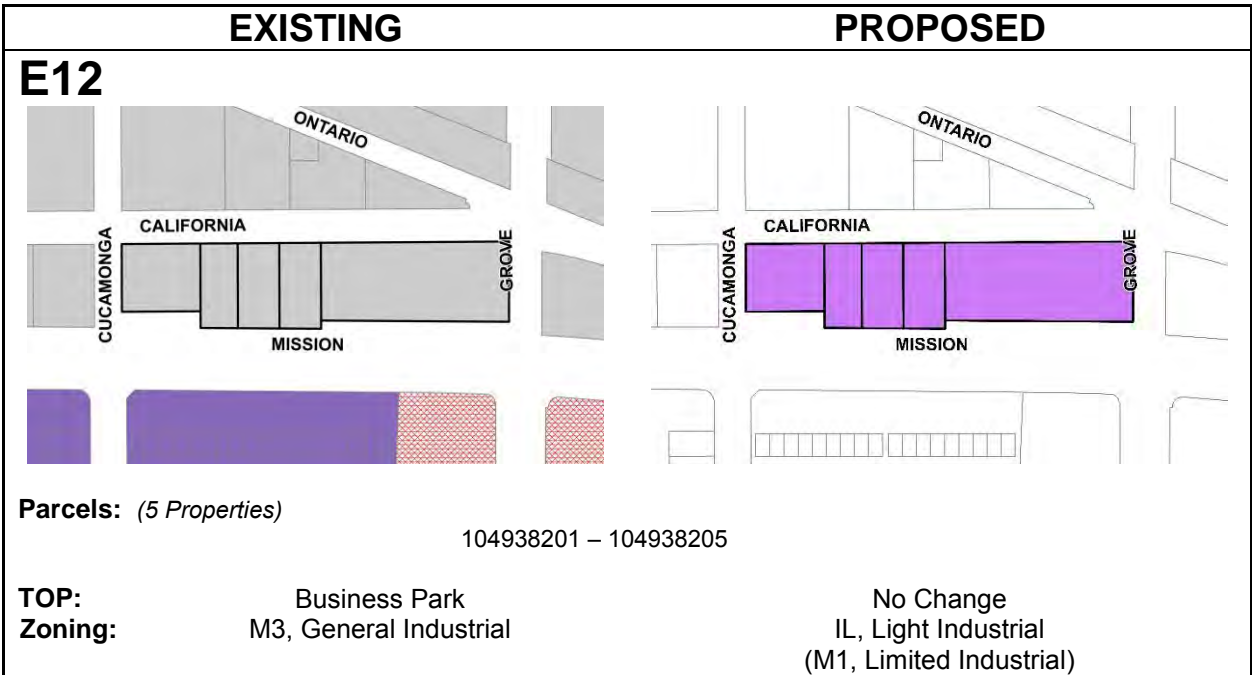


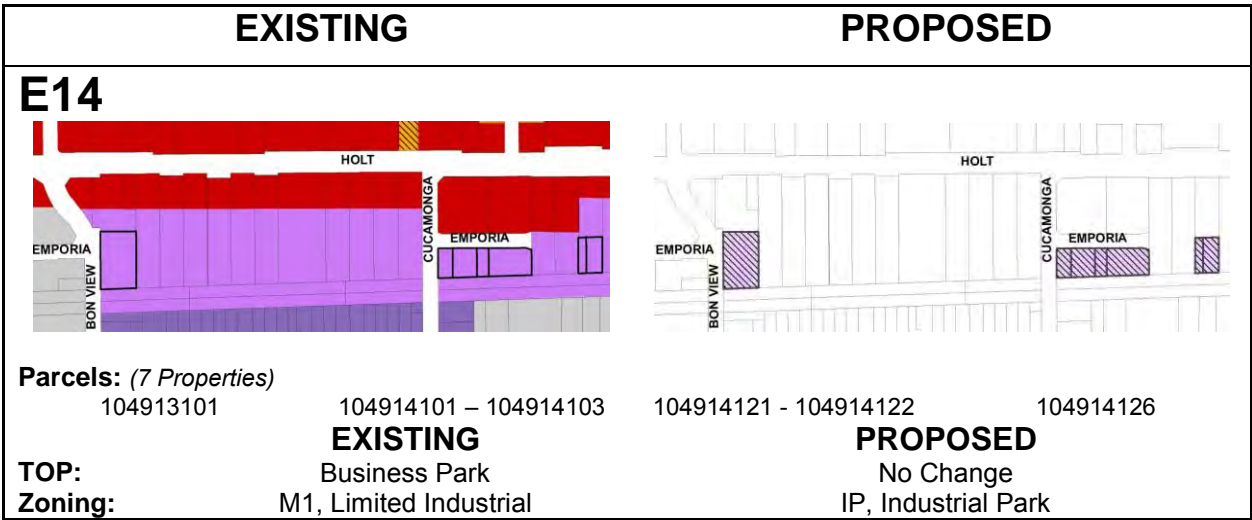




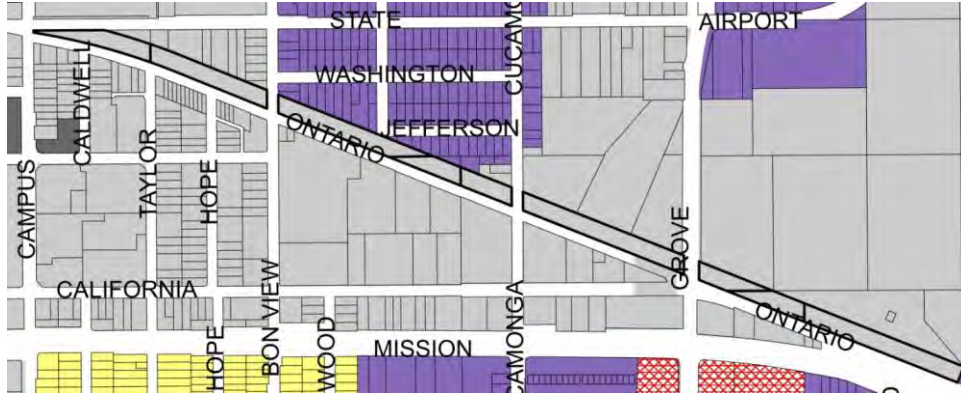
EXISTING	PARCELS	PROPOSED
<p>E3</p>  <p>TOP: Industrial Zoning: P1, Off-Street Parking</p>	<p>104920129 <i>(1 Property)</i></p>	 <p>No Change IG, General Industrial (M2, Industrial Park)</p>

EXISTING	PARCELS	PROPOSED
<p>E6</p>  <p>TOP: Industrial Zoning: M3, General Industrial</p>	<p>104915101 - 104915102 104915104 104915106 - 104915107 104915109 - 104915111 104915113 - 104915116 104915119 - 104915125 104915138 - 104915140 104916110 - 104916120 104916126 104917201 - 104917203 104917205 - 104917206</p> <p><i>(39 Properties)</i></p>	 <p>No Change IG, General Industrial (M2, Industrial Park)</p>

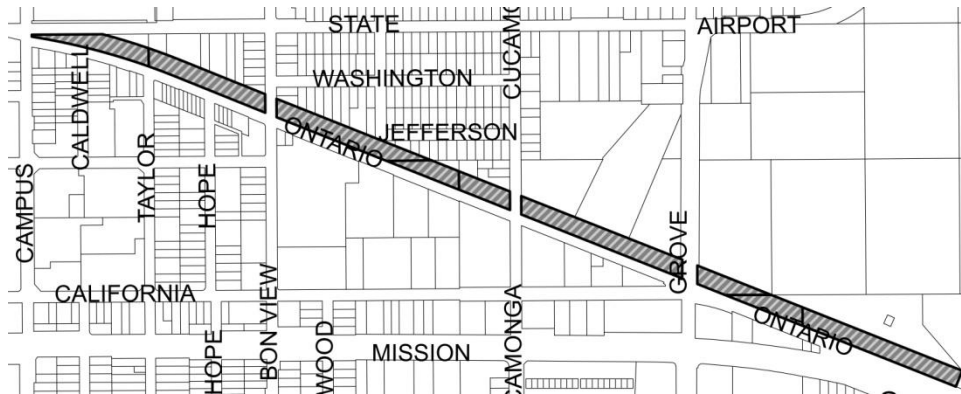




**E16
 EXISTING**



PROPOSED



Parcels: (9 Properties)

11322201
 11325116

11325124
 104917101

104918207
 104919214

104920515
 104920516

EXISTING

TOP: Rail
Zoning: M3, General Industrial

PROPOSED

TOP: No Change
Zoning: RC, Rail Corridor

E17

EXISTING

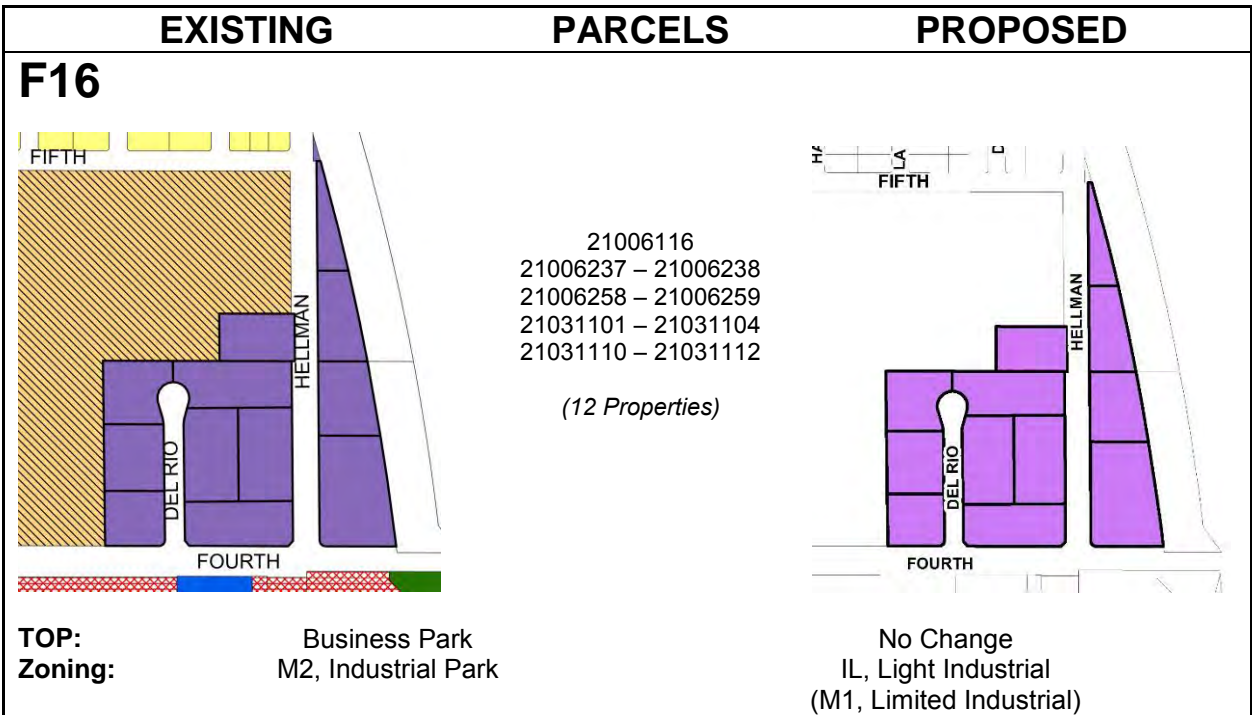
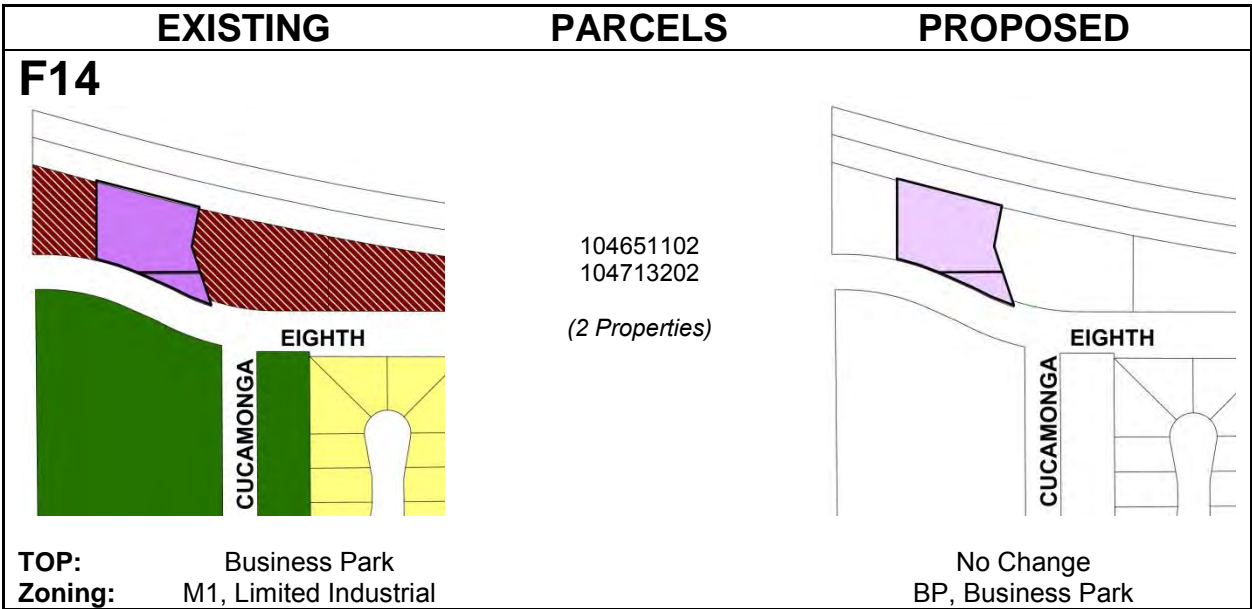
PROPOSED

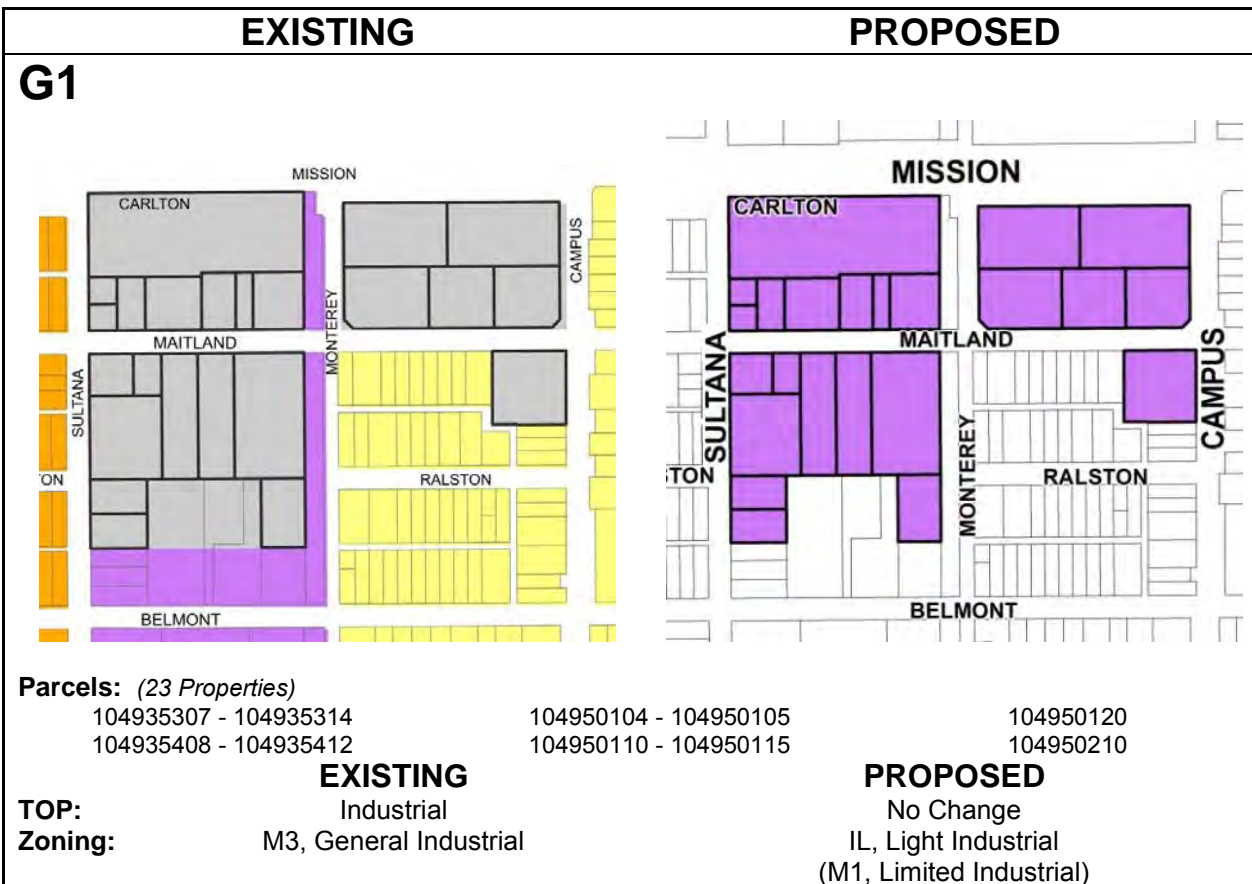
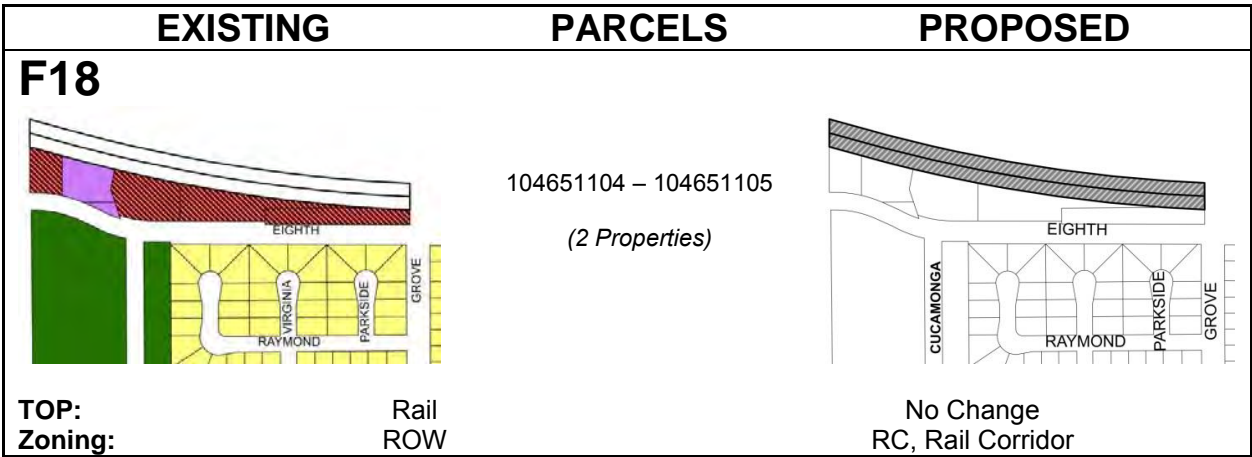
Parcels: (6 Properties)

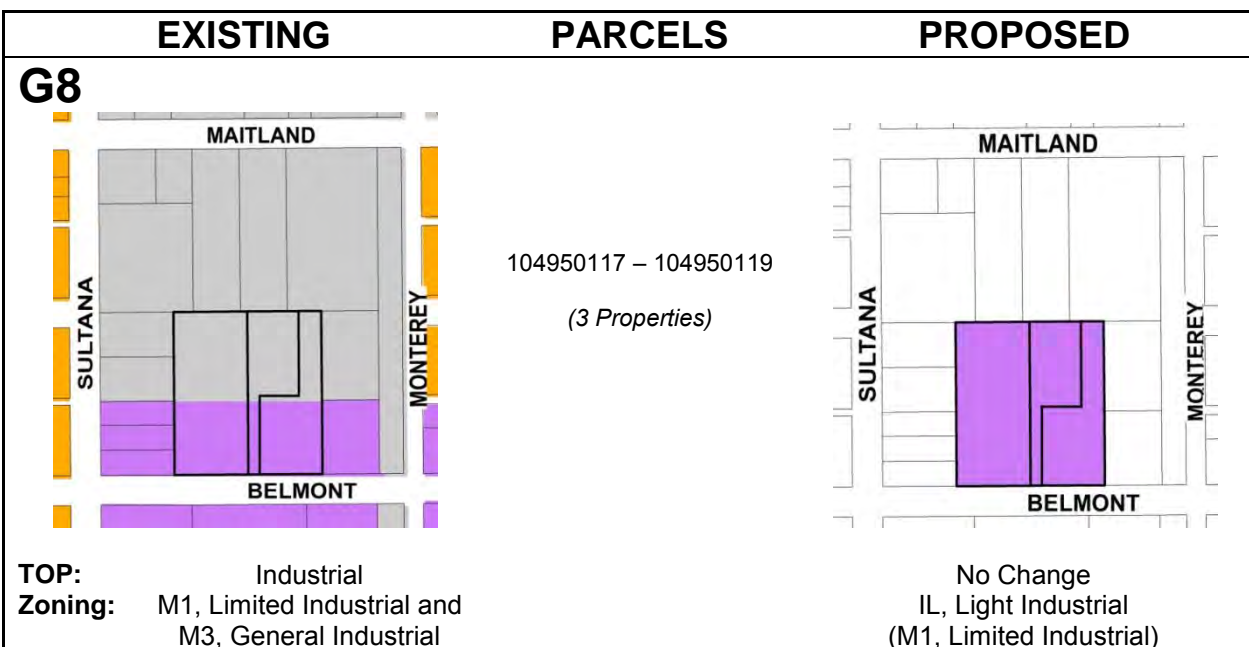
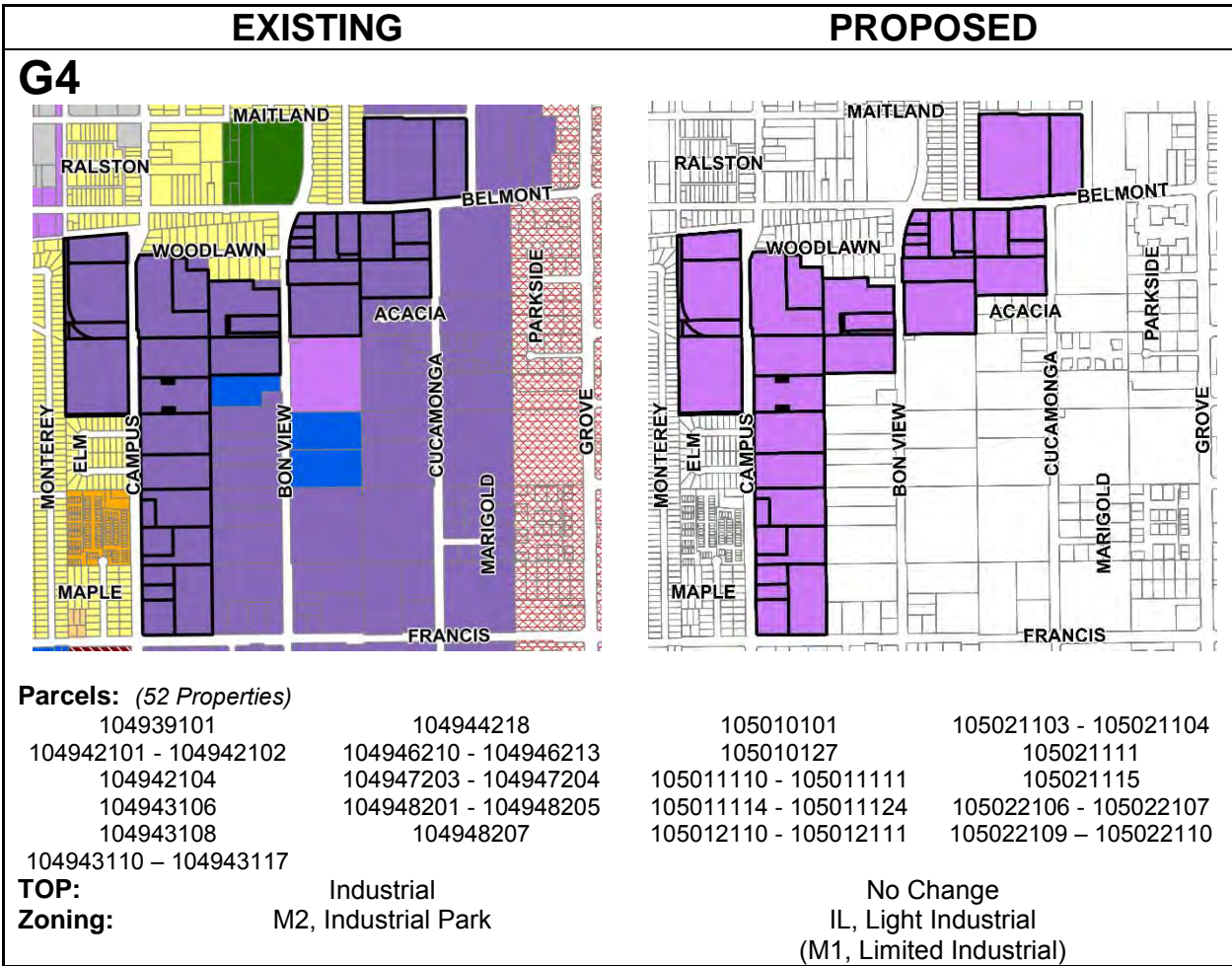
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11323109	104911108	104913117

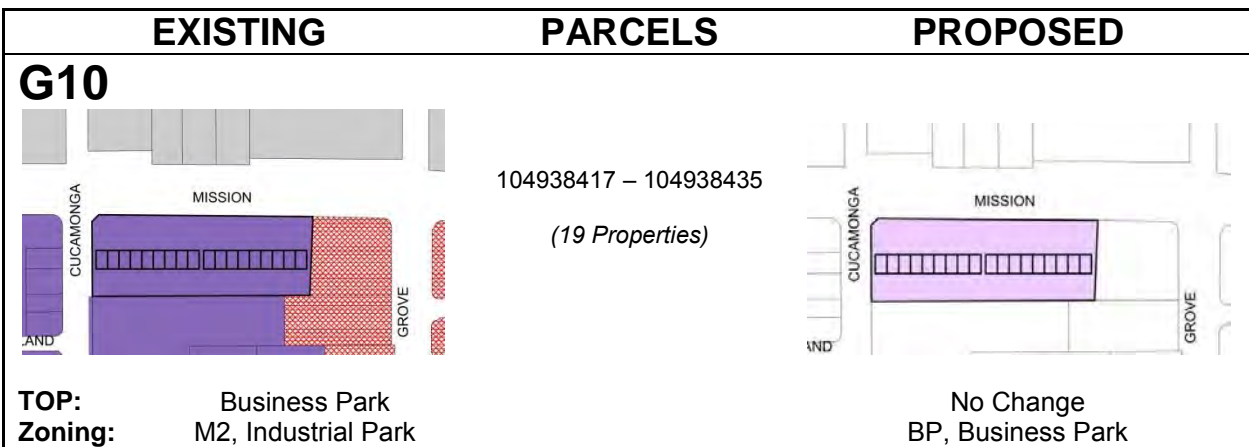
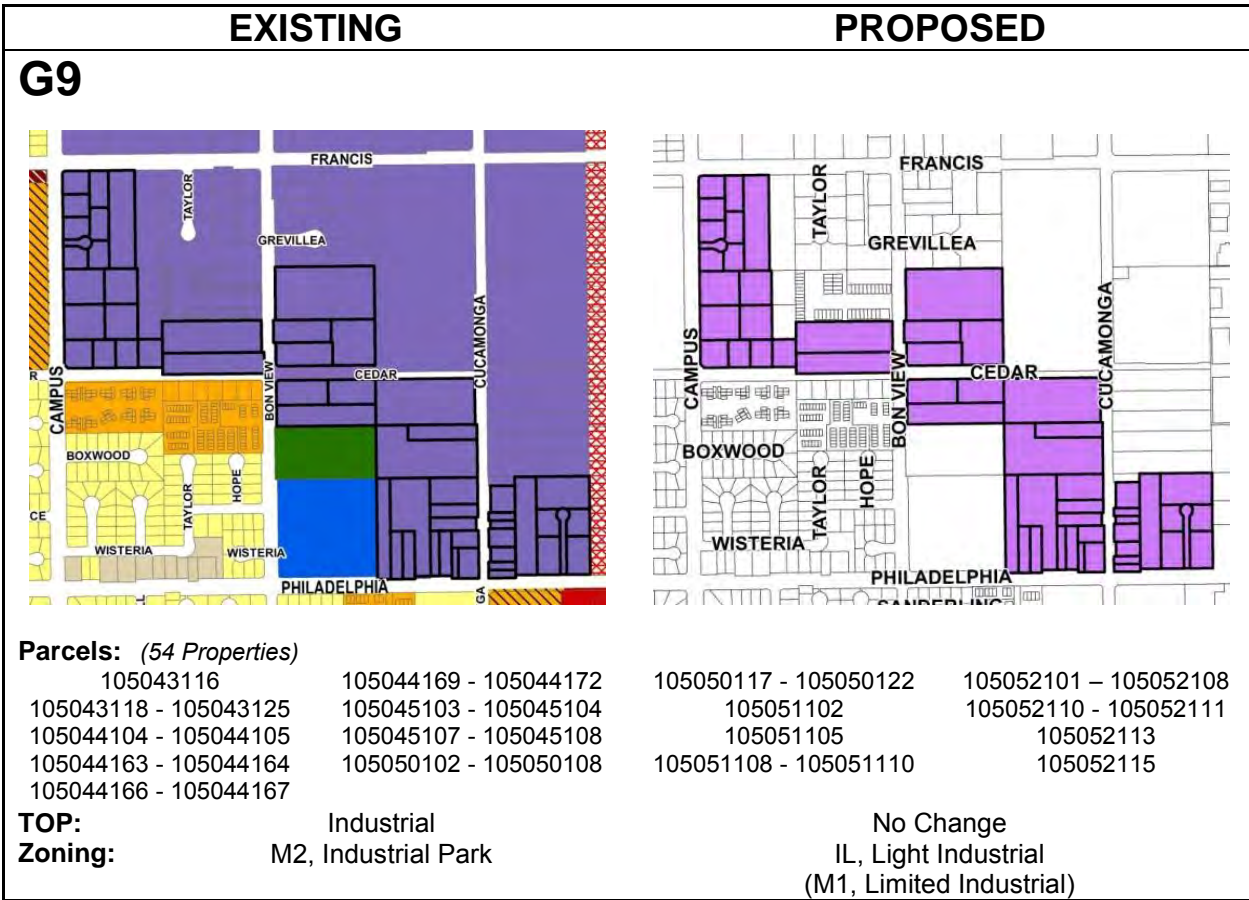
	EXISTING	PROPOSED
TOP:	Rail	No Change
Zoning:	M1, Limited Industrial	RC, Rail Corridor

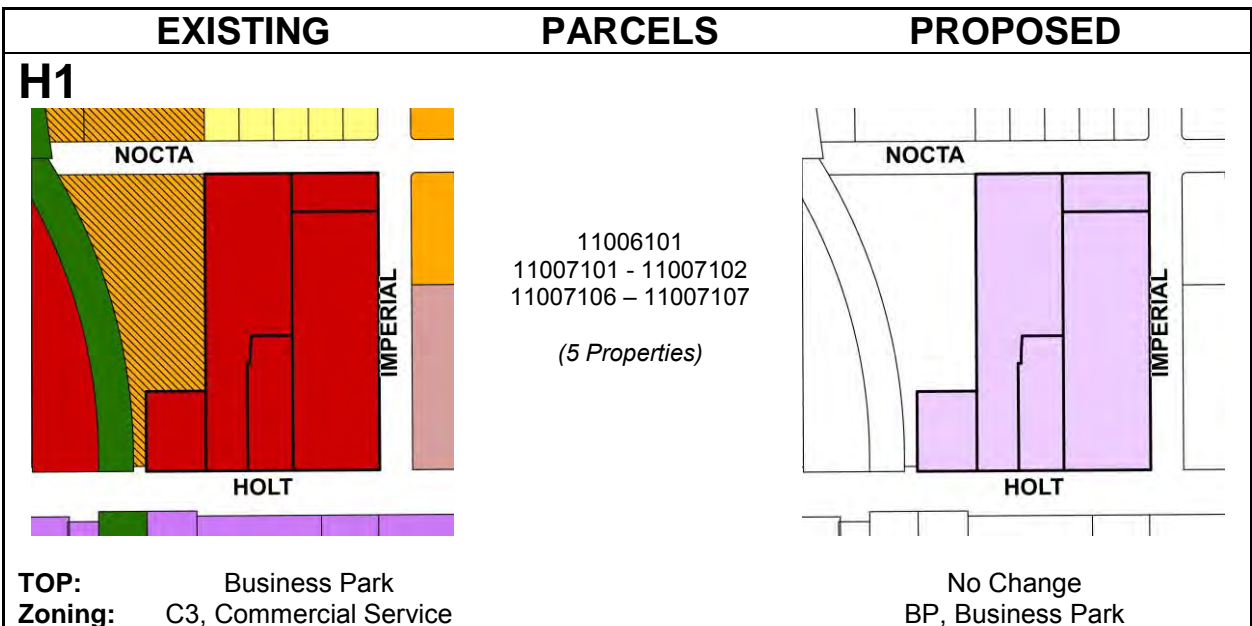
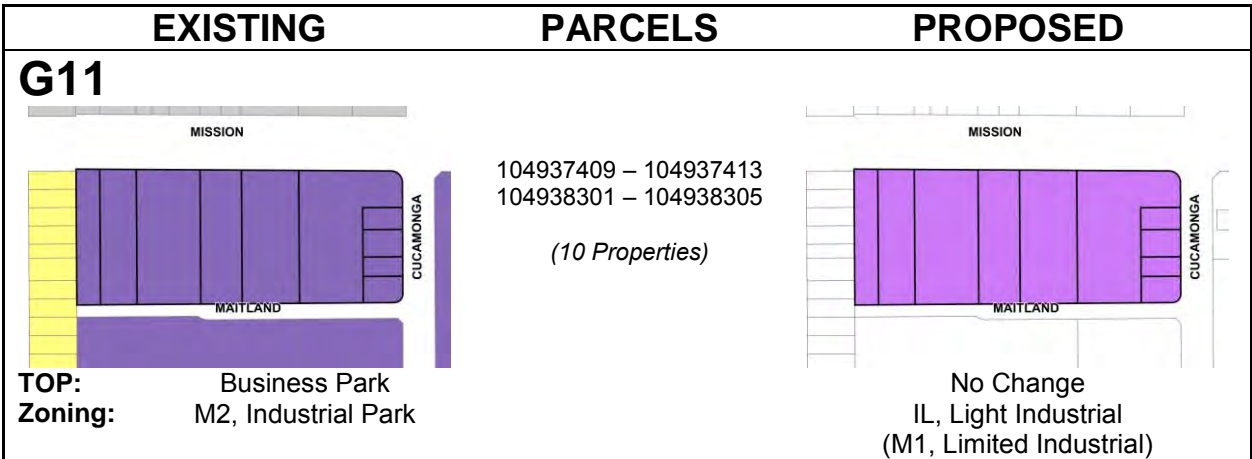
EXISTING	PROPOSED								
<h3>E26</h3> <p>Parcels: (20 Properties)</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">104910140</td> <td style="width: 33%; text-align: center;">104913108 – 104913109</td> <td style="width: 33%; text-align: center;">104913118 – 104913120</td> <td style="width: 33%; text-align: center;">104914123 – 104914124</td> </tr> <tr> <td style="text-align: center;">104913102 – 104913106</td> <td style="text-align: center;">104913113 – 104913116</td> <td style="text-align: center;">104914118 – 104914120</td> <td></td> </tr> </table> <p>TOP: Business Park</p> <p>Zoning: C3, Commercial Service and M1, Limited Industrial</p>	104910140	104913108 – 104913109	104913118 – 104913120	104914123 – 104914124	104913102 – 104913106	104913113 – 104913116	104914118 – 104914120		<p>TOP: No Change</p> <p>Zoning: IP, Industrial Park</p>
104910140	104913108 – 104913109	104913118 – 104913120	104914123 – 104914124						
104913102 – 104913106	104913113 – 104913116	104914118 – 104914120							



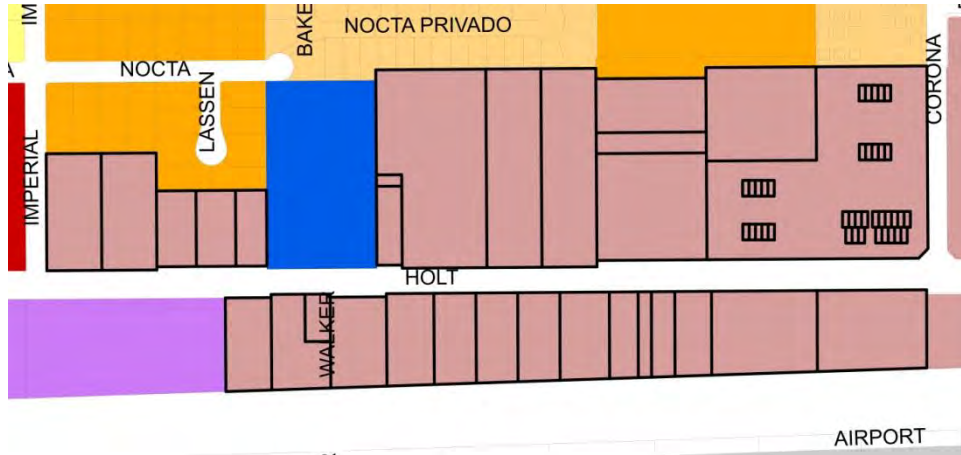




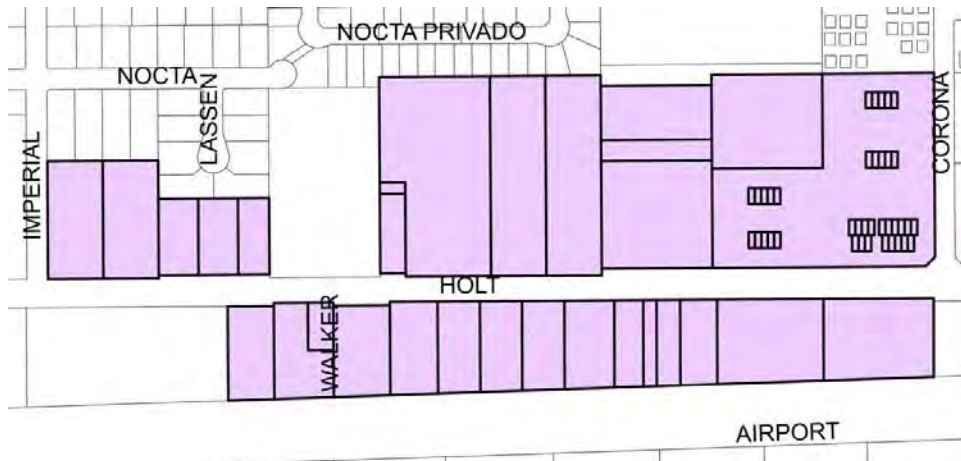




H2 EXISTING



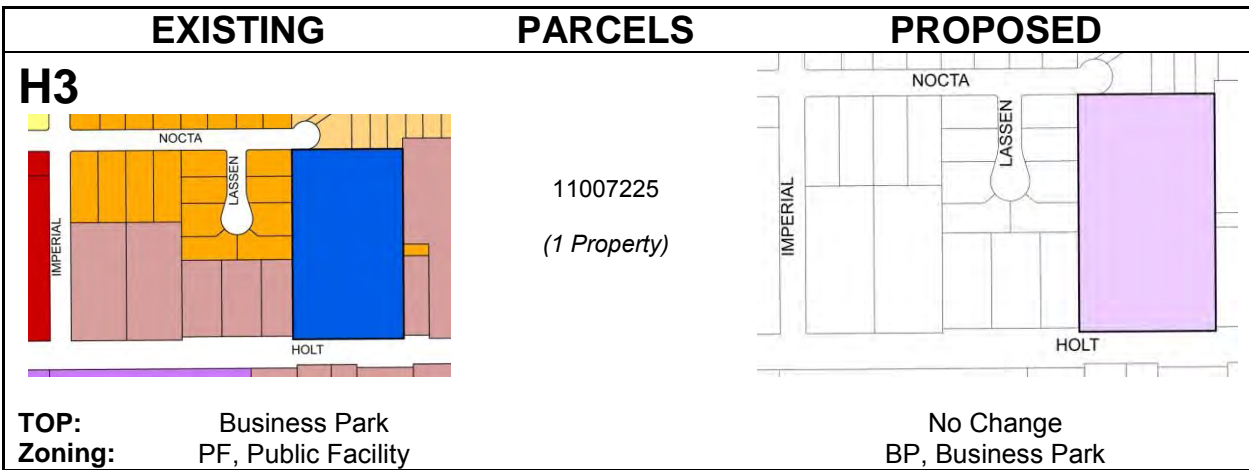
PROPOSED

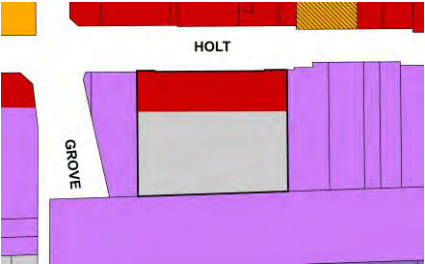
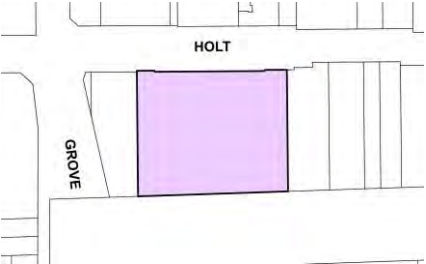


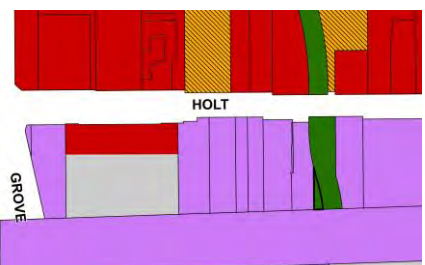
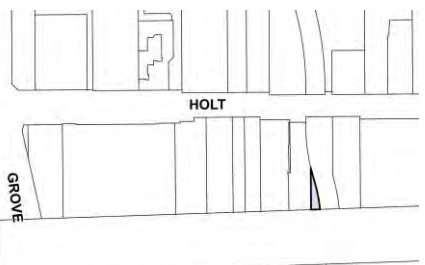
Parcels: (67 Properties)

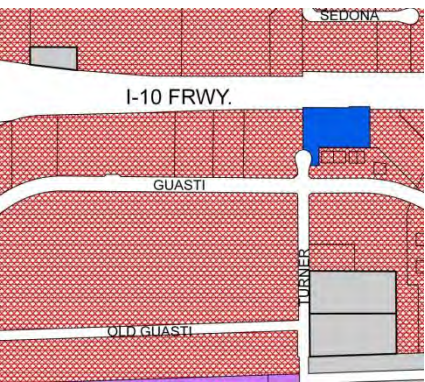
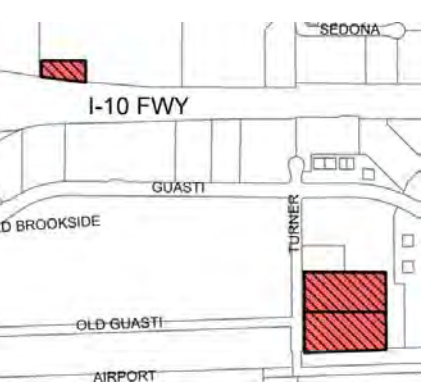
11007208 – 11007211	11008106 – 11008109	11010101 – 11010102	11011106 – 11011112
11007216	11009105	11011101 - 11011103	11012103 – 11012105
11008102 – 11008103	11009107 – 11009145		

	EXISTING	PROPOSED
TOP:	Business Park	No Change
Zoning:	C4, Airport Service Commercial	BP, Business Park

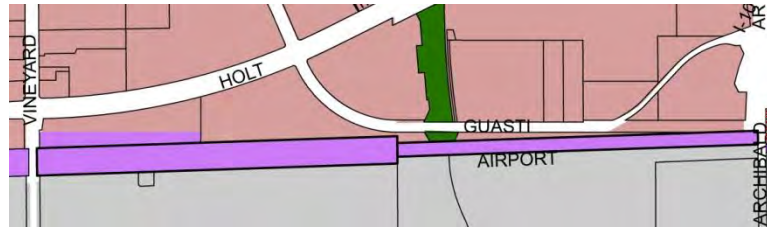


EXISTING	PARCELS	PROPOSED
H5 	11013120 (1 Property)	
TOP: Business Park Zoning: C3, Commercial Service and M3, General Industrial		No Change BP, Business Park

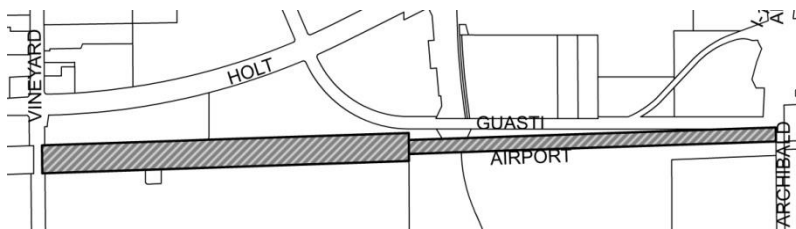
EXISTING	PARCELS	PROPOSED
H6 	11013121 (1 Property)	
TOP: Business Park Zoning: OS, Open Space		No Change BP, Business Park

EXISTING	PARCELS	PROPOSED
H15 	21019111 21055102 – 21055103 (3 Properties)	
TOP: Office/Commercial Zoning: M3, General Industrial		No Change OH, High Intensity Office

**H18
 EXISTING**



PROPOSED



Parcels: (2 Properties)
 11326117

11337102

EXISTING
 TOP: Rail
 Zoning: M1, Limited Industrial

PROPOSED
 TOP: No Change
 Zoning: RC, Rail Corridor

EXISTING

PARCELS

PROPOSED

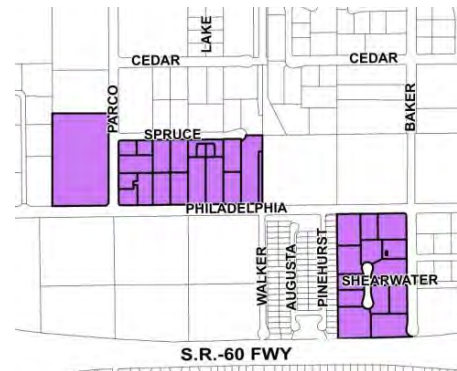
I1



- 11345131
- 11346303 - 11346304
- 11346307
- 11346310
- 11346313 - 11346314
- 11346319 - 11346320
- 11346322
- 11346324 - 11346329
- 11346334 - 11346336
- 11359101 - 11359113

(33 Properties)

TOP: Industrial
Zoning: M2, Industrial Park

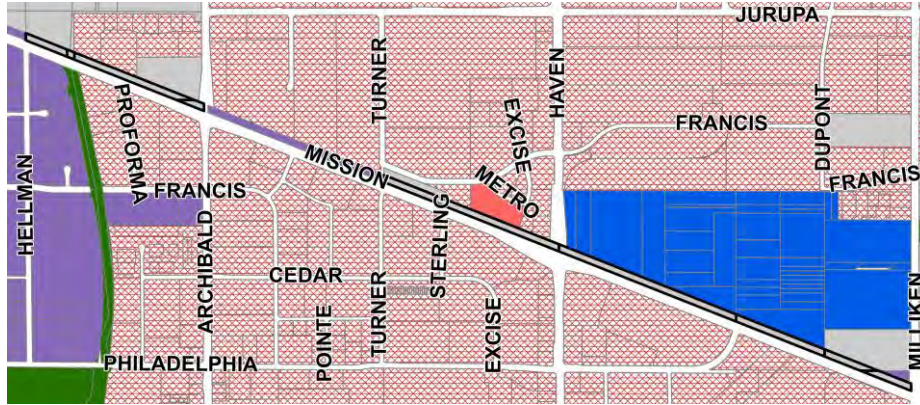


TOP: No Change
Zoning: M1, Limited Industrial

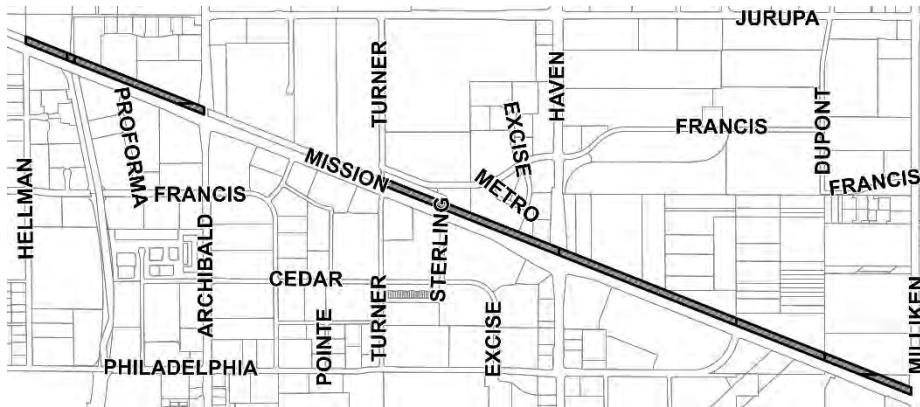
EXISTING		PROPOSED	
K1			
Parcels: (12 Properties)			
21128105	23815201	23815209	
21132110	23815203	23815215	
23812141	23815205 - 23815207	23815233 - 23815234	
TOP:	Industrial	No Change	
Zoning:	M3, General Industrial	IG, General Industrial (M2, Industrial Park)	

EXISTING		PROPOSED	
K4			
Parcels: (4 Properties)			
1327110	11327122	11327140	21126301
TOP:	Industrial	No Change	
Zoning:	M3, General Industrial	IG, General Industrial (M2, Industrial Park)	

**K5
 EXISTING**



PROPOSED



Parcels: (7 Properties)

11327105
 11339603
 21124201 – 21124202

EXISTING

Rail
 M3, General Industrial

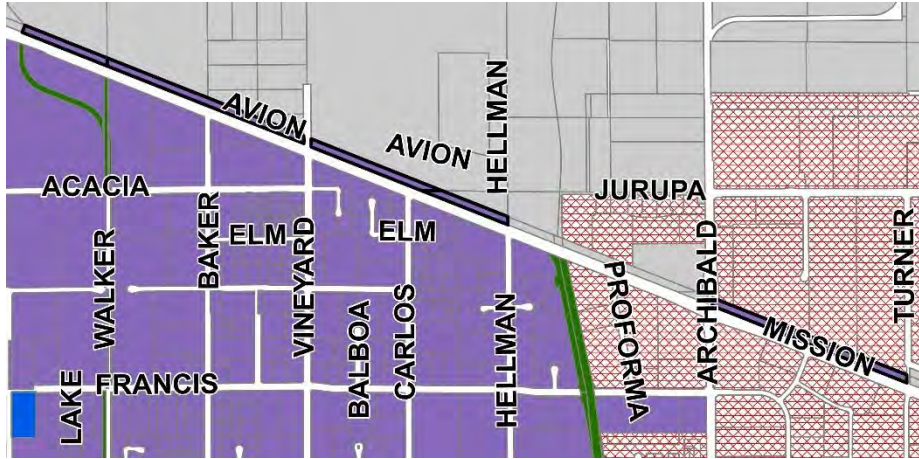
21127205
 21129101
 108335201

PROPOSED

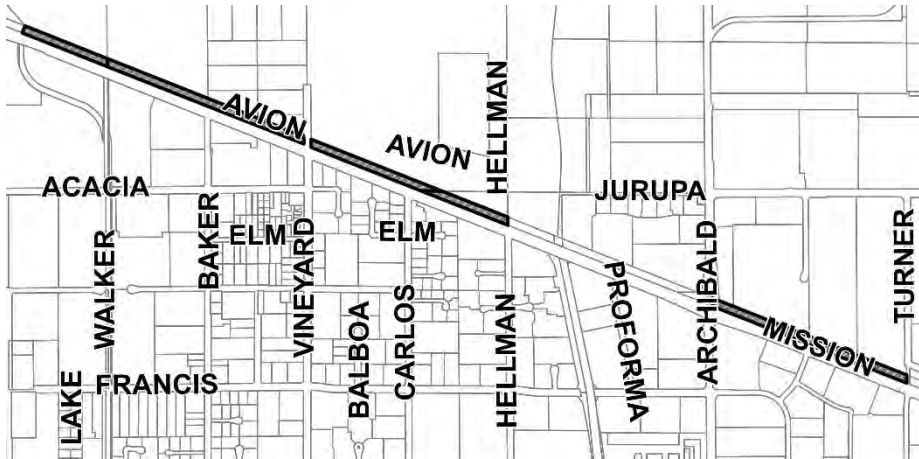
No Change
 RC, Rail Corridor

**TOP:
 Zoning:**

**K6
 EXISTING**



PROPOSED



Parcels: (4 Properties)
 11339601 – 11396602

11343103

21126101

	EXISTING	PROPOSED
TOP:	Rail	No Change
ZONING:	M2, Industrial Park	RC, Rail Corridor

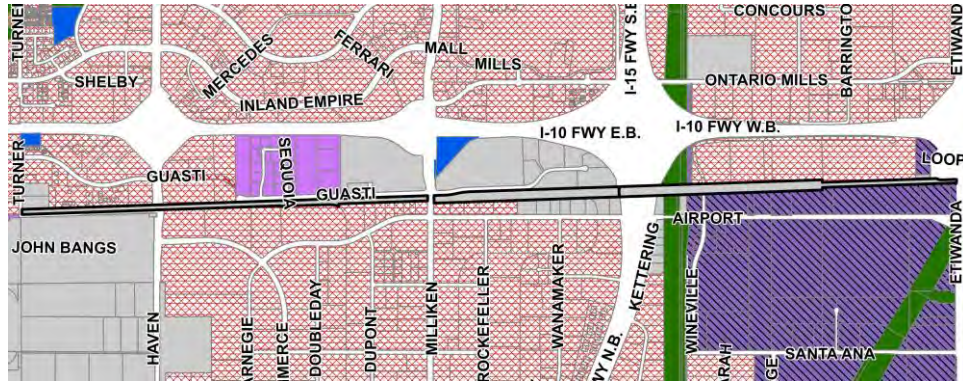
EXISTING	PARCELS	PROPOSED
K7		
	<p>11327112 (1 Property)</p>	
<p>TOP: Open Space – Non Recreation Zoning: M3, General Industrial</p>		<p>No Change UC, Utilities Corridor</p>

EXISTING	PARCELS	PROPOSED
K11		
	<p>23815215 (1 Property)</p>	
<p>TOP: Industrial Zoning: M3, General Industrial</p>		<p>Open Space – Non-Recreation UC, Utilities Corridor</p>

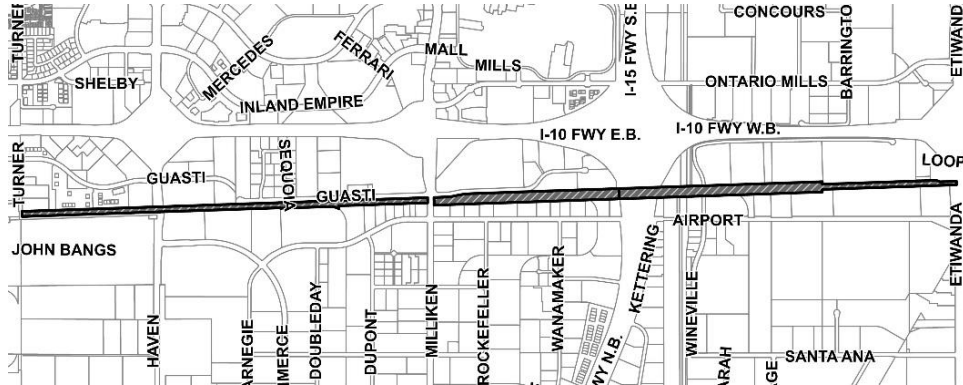
EXISTING	PROPOSED												
L3 Formerly Industrial Group L3													
<p>Parcels: (25 Properties)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">23802102</td> <td style="width: 33%; text-align: center;">23804227 - 23804228</td> <td style="width: 33%; text-align: center;">23818550 – 23818551</td> </tr> <tr> <td style="text-align: center;">23804218 – 23804219</td> <td style="text-align: center;">23804230 –</td> <td style="text-align: center;">23818554</td> </tr> <tr> <td style="text-align: center;">23804223 - 23804225</td> <td style="text-align: center;">23804234</td> <td style="text-align: center;">23824112 – 23824117</td> </tr> <tr> <td></td> <td style="text-align: center;">23804422</td> <td></td> </tr> </table>		23802102	23804227 - 23804228	23818550 – 23818551	23804218 – 23804219	23804230 –	23818554	23804223 - 23804225	23804234	23824112 – 23824117		23804422	
23802102	23804227 - 23804228	23818550 – 23818551											
23804218 – 23804219	23804230 –	23818554											
23804223 - 23804225	23804234	23824112 – 23824117											
	23804422												
<p>TOP: Industrial Zoning: M3, General Industrial</p>	<p style="text-align: center;">No Change IG, General Industrial (M2, Industrial Park)</p>												

EXISTING	PARCELS	PROPOSED
L6		
	<p>23805212 23805249 (2 Properties)</p>	
<p>TOP: Industrial Zoning: M3, General Industrial</p>		<p style="text-align: center;">No Change IG, General Industrial (M2, Industrial Park)</p>

**L10
 EXISTING**



PROPOSED



Parcels: (4 Properties)

21021202
 21055105

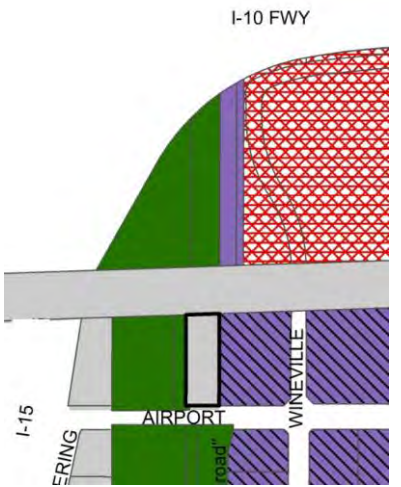
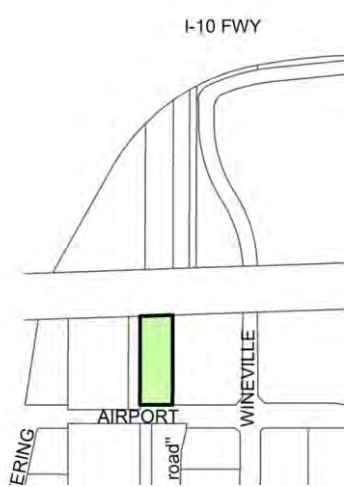
23804217
 23805235

EXISTING

PROPOSED

TOP: Rail
 Zoning: M3, General Industrial

TOP: No Change
 Zoning: RC, Rail Corridor

EXISTING	PARCELS	PROPOSED
<p>L11</p>  <p>I-10 FWY</p> <p>I-15</p> <p>ERING</p> <p>AIRPORT</p> <p>road</p> <p>WINEVILLE</p> <p>TOP: Open Space – Non Recreation Zoning: M3, General Industrial</p>	<p>23804424</p> <p>(1 Property)</p>	 <p>I-10 FWY</p> <p>I-15</p> <p>ERING</p> <p>AIRPORT</p> <p>road</p> <p>WINEVILLE</p> <p>No Change UC, Utilities Corridor</p>

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: October 27, 2015

FILE NOS.: PHP15-001, PHP15-004, PHP15-005 and PHP15-007

SUBJECT: Request for four Mills Act Contracts.

LOCATIONS: 509 East E Street (APN: 1048-391-13), 1258 North Euclid Avenue (APN: 1047-531-09), 327 West H Street (APN: 1048-271-07), and 204 East J Street (APN: 1048-071-06).

PROPERTY OWNERS: Ryan Castillo (File No. PHP15-001); Armando Villa (File No. PHP15-004); Richard and Jobelle Hernandez (File No. PHP15-005); Elizabeth Soriano and Edmund Bañuelos (File No. PHP15-007).


I. RECOMMENDATION:

That the Planning/Historic Preservation Commission adopt the attached resolutions, recommending that the City Council approve File Nos. PHP15-001, PHP15-004, PHP15-005 and PHP15-007. The Historic Preservation Subcommittee reviewed these applications on September 10, 2015 and is recommending approval.

II. BACKGROUND:

Effective March 7, 1973, Chapter 1442 of the Statutes of 1972 (also known as the Mills Act) added sections 50280 through 50289 to the Government Code to allow an owner of a qualified historical property to enter into a preservation contract with a local government. The City of Ontario established the Mills Act program in 1997 to provide an economic incentive for the preservation of designated historic landmarks and/or contributing structures within a designated historic district. Since inception of the City's program, 60 Mills Act contracts have been approved and recorded. Four contracts are proposed at this time.

In order for the historic property to be eligible for the program, it must meet the requirements outlined in the guidelines and standards set by the State of California, Board of Equalization and the City's Historic Preservation Ordinance, Article 26. The historic property must be either a local, state, or nationally designated property or a contributor within a locally designated historic

<p>Case Planner: <u>Elly Antuna, Assistant Planner</u></p> <p>Planning Director Approval: <u></u></p> <p>Submittal Date: _____</p> <p>Hearing Deadline: <u>N/A</u></p>	<table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Hearing Body</th> <th style="text-align: left; border-bottom: 1px solid black;">Date</th> <th style="text-align: left; border-bottom: 1px solid black;">Decision</th> <th style="text-align: left; border-bottom: 1px solid black;">Action</th> </tr> </thead> <tbody> <tr> <td>HPSC:</td> <td><u>09/10/2015</u></td> <td></td> <td>Recommend</td> </tr> <tr> <td>PC / HPC:</td> <td><u>10/27/2015</u></td> <td></td> <td>Recommend</td> </tr> <tr> <td>CC:</td> <td>_____</td> <td></td> <td></td> </tr> </tbody> </table>	Hearing Body	Date	Decision	Action	HPSC:	<u>09/10/2015</u>		Recommend	PC / HPC:	<u>10/27/2015</u>		Recommend	CC:	_____		
Hearing Body	Date	Decision	Action														
HPSC:	<u>09/10/2015</u>		Recommend														
PC / HPC:	<u>10/27/2015</u>		Recommend														
CC:	_____																

district. Additionally the proposed improvements must be considered restoration, rehabilitation (not to include new construction), or preservation.

While the Planning Department uses the required state formula to estimate potential tax savings for the property owner and potential reduction in property tax revenue for the city (city costs), only the San Bernardino County Assessor can determine the actual Mills Act adjusted value. The Mills Act assessment involves many variables that are typically determined by market forces such as interest rates, capitalization rates, and fair market rental rates. The City uses the same formula to calculate estimates as the Assessor’s Office pursuant to state guidelines. Upon City Council approval, the City Clerk informs the San Bernardino County Assessor that the property has entered into a Mills Act Contract. The Assessor values the historic property the following tax year, which may differ from the Planning Department estimates.

III. PROJECT ANALYSIS:

A. FILE NO.: PHP15-001

PROPERTY OWNER: Ryan Castillo

LOCATION: 509 East E Street

HISTORIC NAME: Rudi and Lena Pock House

DESIGNATION DATE: May 7, 2013
 (Local Landmark No. 92)



[1] Work Program — The applicant, Ryan Castillo, is proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. The exterior work includes repair to the roof, chimney cap, front cement sidewalk, and paint. The interior work includes installation of an electric water heater, central air, and insulation. The improvements are valued at an estimated \$24,000. This contract provides for \$32.30 in improvements for every \$1 in estimated property tax cost to the City.

[2] Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$2,430
Mills Act Annual Taxes Projected:	\$1,981 *
Potential Total Annual Tax Savings:	\$449
Savings over 10 years:	\$4,492
Savings Percentage:	18.5% *

* *The Mills Act annual taxes projection is based on several variables that are impacted by current market forces at the time of the San Bernardino County Assessor’s Office assessment of each property.*

[3] City Cost — According to the City budget, Ontario receives approximately 16.8% of the property taxes collected. The following shows the cost to the city for this contract based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$408
Mills Act Annual City Tax Revenue:	\$333
Total Annual Cost to the City:	\$75
Cost to the City over 10 years:	\$755

B. FILE NO.: PHP15-004

PROPERTY OWNER: Armando Villa

LOCATION: 1258 North Euclid Avenue

HISTORIC NAME: The Lela McClelland House

DESIGNATION DATE: June 4, 2013
 (Euclid Avenue Historic District)



[1] Work Program — The applicant, Armando Villa, is proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. The exterior work includes repair of grading around perimeter of residence, clay roof tiles, steel casement windows, and water damaged wood floor on balcony, paint all wood finishes, and plaster refinish. The interior work includes oak wood floor refinishing, HVAC return vent, shower tile and kitchen restoration, and replacement of steel water pipes. The improvements are valued at an estimated \$74,700. This contract provides for \$14.60 in improvements for every \$1 in estimated property tax cost to the City.

[2] Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$5,295
Mills Act Annual Taxes Projected:	\$2,252 *
Potential Total Annual Tax Savings:	\$3,043
Savings over 10 years:	\$30,434
Savings Percentage:	57.5% *

* *The Mills Act Annual Taxes Projection is based on several variables that are impacted by current market forces at the time of the San Bernardino County Assessor's Office assessment of each property.*

[3] City Cost — According to the City budget, Ontario receives approximately 16.8% of the property taxes collected. The following shows the cost to the city for this contract based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$890
Mills Act Annual City Tax Revenue:	\$378
Total Annual Cost to the City:	\$512
Cost to the City over 10 years:	\$5,120

C. FILE NO.: PHP15-005

PROPERTY OWNER: Richard and Jobelle Hernandez

LOCATION: 327 West H Street

HISTORIC NAME: George and Frances H. Peck House

DESIGNATION DATE: August 23, 2005
 (Villa Historic District)



[1] Work Program — The applicants, Richard and Jobelle Hernandez, are proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. The exterior work includes paint, repair and restoration of windows and trim, repair bathroom floor, removal of an aluminum awning on the front façade, and new rear yard landscape. The interior work includes wood floor refinishing, paint, electrical box update, basement refinish, plumbing update, and repair of the roof. The improvements are valued at an estimated \$26,100. This contract provides for \$13.80 in improvements for every \$1 in estimated property tax cost to the City.

[2] Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$3,474
Mills Act Annual Taxes Projected:	\$2,349 *
Potential Total Annual Tax Savings:	\$1,126
Savings over 10 years:	\$11,257
Savings Percentage:	32.4% *

* *The Mills Act Annual Taxes Projection is based on several variables that are impacted by current market forces at the time of the San Bernardino County Assessor’s Office assessment of each property.*

[3] City Cost — According to the City budget, Ontario receives approximately 16.8% of the property taxes collected. The following shows the cost to the city for this contract based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$583
Mills Act Annual City Tax Revenue:	\$395
Total Annual Cost to the City:	\$189
Cost to the City over 10 years:	\$1,891

D. FILE NO.: PHP15-007

PROPERTY OWNERS: Elizabeth Soriano, Edmund Bañuelos

LOCATION: 204 East J Street

HISTORIC NAME: Joseph Randolph House

DESIGNATION DATE: October 2, 2001
 (Rosewood Court Historic District)



[1] Work Program — The applicants, Elizabeth Soriano and Edmund Bañuelos, are proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. The exterior work includes chimney repair, front yard landscaping, window restoration, and paint. The interior work includes fireplace and bathroom restoration, wood floor refinishing, and new insulation and weather stripping around windows and door. The improvements are valued at an estimated \$34,118. This contract provides for \$9.22 in improvements for every \$1 in estimated property tax cost to the City.

[2] Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$3,766
Mills Act Annual Taxes Projected:	\$1,564 *
Potential Total Annual Tax Savings:	\$2,202
Savings over 10 years:	\$22,017
Savings Percentage:	58.5% *

* *The Mills Act Annual Taxes Projection is based on several variables that are impacted by current market forces at the time of the San Bernardino County Assessor's Office assessment of each property.*

[3] City Cost — According to the City budget, Ontario receives approximately 16.8% of the property taxes collected. The following shows the cost to the city for this contract and is based on estimates calculated by the planning Department.

Current Annual City Tax Revenue:	\$633
Mills Act Annual City Tax Revenue:	\$263
Total Annual Cost to the City:	\$370
Cost to the City over 10 years:	\$3,699

VI: CUMULATIVE IMPACTS:

The City currently has 60 approved Mills Act Contracts and 4 proposed contracts. The cumulative impacts are based on the initial projected assessment of each contract for the proposed year.

	Existing	Proposed
Number of contracts:	60	64
Average Annual Tax Saving to Owners:	\$1,708	\$1,708
Estimated Annual Cost to the City:	\$17,219	\$18,364
Estimated Cost to the City over 10 Years:	\$172,187	\$183,644
Estimated Total Value of Mills Act Improvements over 10 Years:	\$2,303,522	\$2,462,440
Estimated Loss of Revenue to Improvement Ratio:	\$1/13.38	\$1/13.41

VI. COMPLIANCE WITH THE ONTARIO PLAN:

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

[1] City Council Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals: [1] Invest in the Growth and Evolution of the City’s Economy; [2] Operate in a Businesslike Manner; [3] Focus Resources in Ontario’s Commercial and Residential Neighborhoods; [4] Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

[2] Policy Plan (General Plan)

a. *Community Design Element – Historic Preservation*

Goal: CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario’s people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

Policies:

CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

CD4-4 *Incentives.* We use the Mills Act and other federal, state, regional and local programs to assist property owners with the preservation of select properties and structures.

CD4-6 *Promotion of Public Involvement in Preservation.* We engage in programs to publicize and promote the City’s and the public’s involvement in preservation efforts.

b. *Community Design Element – Protection of Investment*

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

Policies:

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

CD5-3 *Improvements to Property & Infrastructure.* We provide programs to improve property and infrastructure.

CD5-4 *Neighborhood Involvement.* We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.

RESOLUTION NO. PC15-

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION APPROVING FILE NO. PHP15-001, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE RUDI AND LENA POCK HOUSE, LOCATED AT 509 EAST E STREET (APN 1048-391-13).

WHEREAS, Ryan Castillo ("Applicant") has filed an Application for the approval of a Mills Act Contract, File No. PHP15-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development and the Aesthetic, Cultural, Open Space and Recreational Resources Elements the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Historic Preservation Subcommittee reviewed this application on September 10, 2015, and recommends approval; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario recommends to the City Council approval of the Mills Act application and authorizes the execution of an Historic Property Preservation Agreement with the Applicant subject to the provisions of the City's Historic Preservation Ordinance (Sec. 9-1.2600).

SECTION 1. As the decision-making body for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Historic Preservation Commission, the Historic Preservation Commission finds as follows:

a. The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

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

a. California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

b. The Rudi and Lena Pock House, located at 509 East E Street, was designated as a Local Landmark on May 7, 2013; and

c. The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby recommends the City Council approve the request for a Mills Act Contract.

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

SECTION 5. 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 E. B Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP15-001
October 27, 2015
Page 3

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Historic
Preservation Commission

Historic Preservation Commission Resolution
File No. PHP15-001
October 27, 2015
Page 4

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

I, Marci Callejo, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC15-*** was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

RESOLUTION NO. PC15-

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION APPROVING FILE NO. PHP15-004, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE MISS LELA MCCLELLAND HOUSE, LOCATED AT 1258 NORTH EUCLID AVENUE (APN 1047-531-09).

WHEREAS, Armando Villa ("Applicant") has filed an Application for the approval of a Mills Act Contract, File No. PHP15-004, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development and the Aesthetic, Cultural, Open Space and Recreational Resources Elements the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Historic Preservation Subcommittee reviewed this application on September 10, 2015, and recommends approval; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario recommends to the City Council approval of the Mills Act application and authorizes the execution of an Historic Property Preservation Agreement with the Applicant subject to the provisions of the City's Historic Preservation Ordinance (Sec. 9-1.2600).

SECTION 1. As the decision-making body for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Historic Preservation Commission, the Historic Preservation Commission finds as follows:

a. The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

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

a. California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

b. The Lela McClelland House, located at 1258 North Euclid Avenue, was designated as a Contributor within the Euclid Avenue Historic District on June 4, 2013; and

c. The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby recommends the City Council approve the request for a Mills Act Contract.

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

SECTION 5. 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 E. B Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP15-004
October 27, 2015
Page 3

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Historic
Preservation Commission

Historic Preservation Commission Resolution
File No. PHP15-004
October 27, 2015
Page 4

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

I, Marci Callejo, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC15-*** was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

RESOLUTION NO. PC15-

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION APPROVING FILE NO. PHP15-005, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE GEORGE AND FRANCES H. PECK HOUSE, LOCATED AT 327 WEST H STREET (APN 1048-271-07).

WHEREAS, Richard and Jobelle Hernandez ("Applicant") have filed an Application for the approval of a Mills Act Contract, File No. PHP15-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development and the Aesthetic, Cultural, Open Space and Recreational Resources Elements the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Historic Preservation Subcommittee reviewed this application on September 10, 2015, and recommends approval; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario recommends to the City Council approval of the Mills Act application and authorizes the execution of an Historic Property Preservation Agreement with the Applicant subject to the provisions of the City's Historic Preservation Ordinance (Sec. 9-1.2600).

SECTION 1. As the decision-making body for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Historic Preservation Commission, the Historic Preservation Commission finds as follows:

a. The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

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

a. California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

b. The George and Frances H. Peck House, located at 327 West H Street, was designated as a Contributor within the Villa Historic District on August 23, 2005; and

c. The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby recommends the City Council approve the request for a Mills Act Contract.

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

SECTION 5. 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 E. B Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP15-005
October 27, 2015
Page 3

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Historic
Preservation Commission

Historic Preservation Commission Resolution
File No. PHP15-005
October 27, 2015
Page 4

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

I, Marci Callejo, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC15-*** was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

RESOLUTION NO. PC15-

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION APPROVING FILE NO. PHP15-007, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE JOSEPH RANDOLPH HOUSE, LOCATED AT 204 EAST J STREET (APN 1048-071-06).

WHEREAS, Elizabeth Soriano and Edmund Bañuelos ("Applicant") have filed an Application for the approval of a Mills Act Contract, File No. PHP15-007, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development and the Aesthetic, Cultural, Open Space and Recreational Resources Elements the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Historic Preservation Subcommittee reviewed this application on September 10, 2015, and recommends approval; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario recommends to the City Council approval of the Mills Act application and authorizes the execution of an Historic Property Preservation Agreement with the Applicant subject to the provisions of the City's Historic Preservation Ordinance (Sec. 9-1.2600).

SECTION 1. As the decision-making body for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Historic Preservation Commission, the Historic Preservation Commission finds as follows:

a. The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

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

a. California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

b. The Joseph Randolph House, located at 204 East J Street, was designated as a Contributor within the Rosewood Court Historic District on October 2, 2001; and

c. The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby recommends the City Council approve the request for a Mills Act Contract.

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

SECTION 5. 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 E. B Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6. The Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP15-007
October 27, 2015
Page 3

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 27th day of October 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Historic
Preservation Commission

Historic Preservation Commission Resolution
File No. PHP15-007
October 27, 2015
Page 4

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

I, Marci Callejo, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC15-*** was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on October 27, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:


Marci Callejo
Secretary Pro Tempore



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, Planning Director 

DATE: October 27, 2015

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF SEPTEMBER 2015

Attached, you will find the Planning Department Monthly Activity Report for the month of September 2015. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site at www.ci.ontario.ca.us/index.cfm/22418.

Monthly Activity Report—New Applications

Month of: September 2015

PADV15-005: **Submitted by Ontario Planning Department**

Street name changes within the southern portion of the City, referred to as “Ontario Ranch” (formerly “New Model Colony”). The proposed street name changes include: (1) Edison Avenue to Ontario Ranch Road, between Carpenter and Turner Avenues; and (2) Milliken Avenue to Hamner Avenue, between Riverside Drive and Bellgrave Avenue.

PCUP15-019: **Submitted by Davinder Talwar**

A Conditional Use Permit to establish alcohol beverage sales, including beer, wine, and distilled spirits for consumption off the premises (Type 21 ABC license), in conjunction with an existing 3,518 square foot gasoline service station and convenience store (which currently holds a Type 20 ABC license for beer and wine sales), on 0.5 acres of land located at 101 North Vineyard Avenue, within the C4 (Airport Service Commercial) zoning district (APN: 0110-092-04).

PCUP15-020: **Submitted by Southern California Glazier's Training Center**

A Conditional Use Permit to establish a 9,726-square foot vocational school for a glazier training center on approximately 0.628 acres of land located at 1481 South Balboa Avenue, within the M2 (Industrial Park) zoning district (APN: 0113-394-12).

PCUP15-021: **Submitted by Coffee House Holdings/Starbucks**

A Conditional Use Permit to establish alcohol beverage sales, including beer and wine for consumption on the premises (Type 20 ABC license) in conjunction with an existing 2,225-square foot coffee house (Starbucks) on approximately 1.21 acres of land located at 960 Ontario Mills Drive, Suite B, within the Commercial Office land use district of the Ontario Mills Specific Plan (APN: 238-014-04).

PCUP15-022: **Submitted by Yeast N' Flour**

A Conditional Use Permit to establish alcohol beverage sales, including beer and wine for consumption on the premises (Type 20 ABC license) in conjunction with a proposed 2,976-square foot restaurant, on approximately 0.146 acres of land located at 231 North Euclid Avenue, within the Central Business District Commercial zoning district (APN: 1048-565-05).

PCUP15-023: **Submitted by Matt Maldonado**

A Conditional Use Permit to establish a 1,619-square foot micro-brewery (Type 23 ABC license) in conjunction with ancillary beer tasting area, located at 1609 South Grove Avenue, Suite 109, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-08).

PCUP15-024: **Submitted by Coffee House Holdings, Inc.**

A Conditional Use Permit to establish alcoholic beverage sales, including beer and wine for consumption on the premises (Type 20 ABC license), in conjunction with an existing 2,601-square foot coffee house (Starbucks) on approximately 0.9 acres of land located at 2548 South Archibald Avenue, within the C1 (Shopping Center) zoning district (APN: 1083-011-15).

Monthly Activity Report—New Applications

Month of: September 2015

PDA15-003:

Submitted by Brookfield Residential

A Development Agreement between the City of Ontario and BrookCal Ontario, LLC, for the development of up to 120 dwellings (TT 18937) on 26.69 acres of land within Planning Area 7 of The Avenue Specific Plan, located at the northeast corner of Archibald and Edison Avenues (APN: 0218-201-17).

PDA15-004:

Submitted by Brookfield Residential

A Development Agreement between the City of Ontario and BrookCal Ontario, LLC, for the development of up to 117 dwellings on 26.98 acres of land within Planning Areas 9-12 of the Rich Haven Specific Plan, located at the southeast corner of Haven and Chino Avenues (APN: 0218-161-14).

PDA-15-005:

Submitted by Brookfield Residential

A Development Agreement between the City of Ontario and BrookCal Ontario, LLC, for the development of up to 117 dwellings on 26.81 acres of land within Planning Areas 28 and 29 of the Subarea 29 Specific Plan, located at southwest corner of Park View and Haven Avenues (APN: 0218-321-17).

PDEV15-031:

Submitted by Jim Robertson

A Development Plan to construct a 239,400-square foot industrial building on approximately 10.8 acres of land located on the west side of Campus Avenue, between Sunkist and California Streets, at 616 East Sunkist Street, within the M3 (General Industrial) zoning district (APN: 1049-221-01).

PDEV15-032:

Submitted by Accuride International Inc

A Development Plan to construct a 150,000-square foot industrial building on a 7.81 acres of land located at 2150 South Parco Avenue, within the M2 (Industrial Park) zoning district (APNs: 0113-451-30 & 31).

PDEV15-033:

Submitted by Verizon Wireless

A Development Plan to construct a wireless telecommunications facility (monopine) totaling 137 square feet on approximately 2.1 acres of land located at 4711 East Guasti Road, within the M3 (General Industrial) zoning district (APN: 0238-042-23).

PHP-15-008:

Submitted by LORI L AYALA

A request to designate a single-family residence located at 428 East Plaza Serena Street, as a Local Landmark (APN: 1048-072-21).

PMTT15-003:

Submitted by Jim Robertson

A Tentative Parcel Map to subdivide approximately 10.8 acres of land into 2 parcels, to facilitate the construction of a 239,400-square foot industrial building generally located on the west side

Monthly Activity Report—New Applications

Month of: September 2015

of Campus Avenue, between Sunkist and California Streets, within the M3 (General Industrial) zoning district (APN: 1049-221-01). Related File: PDEV15-031.

PSGN15-106: **Submitted by Kumon of Ontario**
A Sign Plan for a temporary 28-SF swooper banner, located at 2550 South Archibald Avenue, Suite# N.

PSGN15-107: **Submitted by Sizzler #545**
A Sign Plan for a temporary banner, to read "National Cheese Toast Day," located at 2228 South Mountain (Sizzler).

PSGN15-108: **Submitted by McHale Sign Company**
A Sign Plan for a face change on an existing monument sign, and the installation of one wall sign, for Flyers Energy, located at 3901 East Guasti Road.

PSGN15-109: **Submitted by Insignia**
A Sign Plan for the installation of one 60-SF wall sign and one monument sign tenant identification panel for Caliber Collision, located at 1455 South Cucamonga Avenue. Includes.

PSGN15-110: **Submitted by Mega Hertz Electric Signs**
A Sign Plan for the installation of 2 wall signs for Hyundai, located at 1307 South Kettering Drive.

PSGN15-111: **Submitted by MegaHertz Electric Signs**
A Sign Plan for the installation of one wall sign for Hyundai, located at 1307 South Kettering Drive.

PSGN15-112: **Submitted by Swain Sign, Inc.**
A Sign Plan for the installation of new wall signs and the reface of an existing monument sign for Banner Bank, located at 3999 East Inland Empire Boulevard.

PSGN15-113: **Submitted by Black Coffee Sign Fabricators, Inc.**
A Sign Plan for the installation of a 50-SF monument sign, located at 1456 North Grove Avenue.

PSGN15-114: **Submitted by Mall Signs and Service**
A Sign Plan for the installation of 2 new wall signs for RadioShack/Sprint, located at 624 West Holt Avenue, Suite A.

PSGN15-115: **Submitted by Subway**
A Sign Plan for the installation of a temporary swooper banner for Subway, located at 4880 East Motor Lane, Suite# F.

Monthly Activity Report—New Applications

Month of: September 2015

PSGN15-116:

Submitted by Turbo Sign Inc

A Sign Plan for the installation of a new sign for Mountain Beauty Supply, located at 1037 West Philadelphia Street.

PSGN15-117:

Submitted by Certified Sign

A Sign Plan to reface of an existing wall sign for Dollar Tree, located at 980 North Mountain Avenue.

PSGN15-118:

Submitted by La-Z-Boy Furniture Galleries

A Sign Plan for the installation of a temporary banner for La-Z-Boy Furniture Galleries, located at 4364 East Mills Circle. 10/1/2015 through 11/1/2015.

PSGN15-119:

Submitted by Swain Sign

A Sign Plan for the installation of new wall signs for Grocery Outlet, located at 2275 South Euclid Avenue.

PSGN15-120:

Submitted by Landmark Signs Inc

A Sign Plan for the installation of one new wall sign for K&V Barber, located at 2234 South Euclid Avenue.

PSGN15-121:

Submitted by Landmark Signs Inc

A Sign Plan for the installation of one new wall sign for Soft Touch Beauty, located at 2234 South Euclid Avenue, Suite D.

PSGN15-122:

Submitted by Landmark Signs Inc

A Sign Plan for the installation of a 14-SF wall sign for Fun Nails, located at 2234 South Euclid Avenue.

PSGN15-123:

Submitted by Landmark Signs Inc

A Sign Plan for the installation of a wall sign for Foot Doctor, located at 2234 South Euclid Avenue, Suite E.

PSGN15-124:

Submitted by Landmark Signs Inc.

A Sign Plan for the installation of a 23.56-SF wall sign, to read: "DENTIST", located at 2234 South Euclid Avenue, Suite B.

PTUP15-061:

Submitted by Reach Out

A Temporary Used Permit for the annual Dia de la Reiza Community Health Fair, to be held at our Lady of Guadalupe Church, located at 710 South Sultana Avenue.

Monthly Activity Report—New Applications

Month of: September 2015

PTUP15-062:

Submitted by Brookfield Residential

A Temporary Used Permit for the New Haven Grand Opening, includes live music, food trucks, tents, and temporary shade structures (no building permits required). Event to take place on 9/19/2015, 10:00AM to 3:00PM.

PTUP15-063:

Submitted by Alzheimers Association CA, Southland Chapter

A Temporary Use Permit for the Alzheimers Association Walk, located at Citizens Business Bank Arena, 4000 Ontario Center Parkway on October 10, 2015 from 7am to 12pm, with setup to begin at 4am. Will include live music, exhibitors, and food trucks.

PTUP15-065:

Submitted by Bethel Congregational Church LLC

A Temporary Use Permit for a fundraising event (Oktoberfest) to include live musicians, food vendors, crafts, contests and beer tastings, located at 536 North Euclid Avenue. To be held on 10/10/2015, 9:00AM to 7:00PM.

PTUP15-066:

Submitted by Friends of Ontario Airport

A Temporary Use Permit for a fund raising event to benefit the USO, Travelers Aid of the Inland Empire, Baldy View ROP Foundation and ONT Educational Outreach Program.

PTUP15-067:

Submitted by Citizens Business Bank Arena

A Temporary Use Permit for an outdoor car show located at Citizens Business Bank Arena, 4000 Ontario Centre Parkway, to be held on 10/18/2015.

PTUP15-068:

Submitted by Dolphine Rents for University of Phoenix

A Temporary Use Permit for University of Phoenix Commencement Ceremonies to be held at Citizens Business Bank Arena, 4000 Ontario Centre Parkway, to be held on 10/17/2015.

PVER15-056:

Submitted by Neal Mehta

A Zoning Verification for 921 North Milliken Avenue (APN: 0210-501-23)

PVER15-057:

Submitted by Orbis Archibald LLC

A Zoning Verification for 1455, 1495 and 1555 South Archibald Avenue (APN: 0211-261-17).

PVER15-058:

Submitted by Paul Grumbine

A Zoning Verification for 1339 North Sultana Avenue.

PVER15-059:

Submitted by Shanda Norris

A Zoning Verification for 2690 East Cedar Street.

PVER15-060:

Submitted by Renee Cruz

A Zoning Verification for 2600 through-2620 East Francis Street.

Monthly Activity Report—New Applications

Month of: September 2015

PVER15-061:

Submitted by Renee Cruz

A Zoning Verification for 2500 through 2520 East Francis Street.

Monthly Activity Report—Actions

Month of: September 2015

City Council — September 1, 2015

A public hearing to consider an ordinance approving File No. PDCA11-003, a Development Code Amendment proposing a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan and various changes in State laws and regulations, and the repeal of various provisions of the Ontario Municipal Code to provide for the elimination of duplications and inconsistencies with the proposed Development Code. **City Initiated.**

Action: The City Council APPROVED a resolution approving an Addendum to The Ontario Plan Environmental Impact Report, analyzing the environmental effects of the Project pursuant to Section 15164 of the California Environmental Quality Act Guidelines; and introduce and waive further reading of an ordinance amending Title 9 (Development Code) of the Ontario Municipal Code, and repealing various provisions of the Ontario Municipal Code, including: Title 4, Chapter 13 (Parking on Unpaved Surfaces); Title 5, Chapter 22 (Property Appearance – Nuisance); Title 6, Chapter 1 (Animals and Fowl); and Title 6, Chapter 2 (Fish Meal Storage and Handling).

Development Advisory Board — September 9, 2015

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT15-002: A Parcel Map (PM 19646) to subdivide a 1.85 acre parcel of land into a single parcel for condominium purposes, located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 0210-501-23); **submitted by OA Partners, LLC.** Planning Commission action is required.

Action: Continued to the 9/21/2015 meeting.

Zoning Administrator — September 9, 2015

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP15-010: A Conditional Use Permit to construct and operate an automated carwash in conjunction with an existing AM/PM Arco Service Station on 1.15 acres of land, located at 905 South Grove Avenue, within the Business Park land use designation of the Grove Avenue Specific Plan. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project is categorically exempt from

Monthly Activity Report—Actions

Month of: September 2015

environmental review pursuant to State CEQA Guidelines Section 15332 (Class 32-In-Fill Development Projects). (APN: 113-332-02); **submitted by: Dennis Nygren**

Action: The Zoning Administrator APPROVED Decision No. 2015-020, approving File No. PCUP15-010 subject to the departmental conditions of approval.

ENVIRONMENTAL ASSESSMENT AND VARIANCE REVIEW FOR FILE NO. PVAR15-006: A request for a Variance to deviate from the minimum interior side yard setback, from 10 feet to 1 foot, 10 inches, to accommodate a 360 square foot addition to an existing detached garage on approximately 0.244 acres of land within the Armsley Square Historic District, located at 410 West Armsley Square, within the RE (Residential Estate) zoning district. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15303 (Class 3 New Construction or Conversion of Small Structures) and Section 15305 (Class 5 Minor Alterations in Land Use Limitations). (APN: 1047-341-10); **submitted by Bradley Ball**

Action: The Zoning Administrator APPROVED Decision No. 2015-019, approving File No. PVAR15-006 subject to the departmental conditions of approval.

City Council — September 15, 2015

No Planning Department Items Scheduled

Development Advisory Board — September 21, 2015

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT15-002: A Parcel Map (PM 19646) to subdivide a 1.85 acre parcel of land into a single parcel for condominium purposes, located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 210-501-23); **submitted by OA Partners, LLC.** Planning Commission action is required. Continued from the 9/9/2015 meeting.

Action: The Development Advisory Board APPROVED Decision No. DAB15-055 recommending the Planning Commission approve File No. PMTT15-002 (Tentative Parcel Map No. 19646) subject to the departmental conditions of approval.

Monthly Activity Report—Actions

Month of: September 2015

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-016:

A Development Plan to construct an approximate 52,000-square foot automobile dealership (Audi Ontario) on 5.0 acres of land located at the southwest corner of Inland Empire Boulevard and the Cucamonga Creek Channel, within the Urban Commercial land use district of the Meredith International Centre Specific Plan. The environmental impacts of this project were analyzed in the Meredith International Centre Specific Plan Amendment Environmental Impact Report (File No. PSPA14-003), which was certified by the City of Ontario City Council on April 7, 2015. This Application introduces no new significant environmental impacts. All mitigation measures adopted with the Environmental Impact Report will be a condition of project approval. 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 for ONT. (APN: 0110-322-68) **Submitted by Whitfield Associates, Inc.**

Action: The Development Advisory Board APPROVED Decision No. DAB15-056 approving File No. PDEV15-016 subject to the departmental conditions of approval.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN FOR FILE NO. PDEV15-008:

A Development Plan to construct an approximate 24,500 square-foot industrial building, on approximately 1.12-acres of vacant land, located at the southeast corner of Francis Street and Bon View Avenue, at 926 East Francis Street, within the M2 (Industrial Park) zone. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15332 (In-Fill Development Projects). (APNs: 1050-461-03, 1050-461-05, and 1050-461-06); **submitted by: On Bon View, LLC.** Planning Commission action is required.

Action: The Development Advisory Board APPROVED Decision No. DAB15-057 recommending the Planning Commission approve File No. PDEV15-008 subject to the departmental conditions of approval.

Zoning Administrator — September 21, 2015

Meeting Cancelled

Planning Commission — September 22, 2015

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN FOR FILE NO. PDEV15-008:

A Development Plan to construct an approximate 24,800 square-foot industrial building, on approximately 1.12-acres of vacant land, located on the southeast corner of Francis Street and

Monthly Activity Report—Actions

Month of: September 2015

Bon View Avenue, at 926 East Francis Street, within the M2 (Industrial Park) zone. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15332 (In-Fill Development Projects). (APNs: 1050-461-03, 1050-461-05, and 1050-461-06); **submitted by On Bon View, LLC.**

Action: The Planning Commission APPROVED a resolution approving File No. PDEV15-008 subject to the departmental conditions of approval.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT FOR FILE NO. PCUP14-028: A Conditional Use Permit to establish a metal salvage and scrap yard recycling facility on a 2.38 acre site, located at 901 South Sultana Avenue, within the M3 (General Industrial) zoning district. Pursuant to the California Environmental Quality Act, staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1049-353-14); **submitted by Star Scrap Metal.**

Action: The Planning Commission DENIED File No. PCUP14-028. A resolution denying File No. PCUP14-028 is scheduled to be acted on by the Planning Commission at their next regular meeting on October 27, 2015.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT15-002: A Parcel Map (PM 19646) to subdivide a 1.85 acre parcel of land into a single parcel for condominium purposes, located at 921 North Milliken Avenue, within the Garden Commercial land use district of The Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 210-501-23); **submitted by OA Partners, LLC.**

Action: The Planning Commission APPROVED a resolution approving File No. PMTT15-002 (Tentative Parcel Map No. 19646) subject to the departmental conditions of approval.
