

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

December 22, 2015

Ontario Convention Center
2000 E. Convention Center Way, Ontario, CA 91764
Ballroom A

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 November 24, 2015, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV15-020: A Development Plan to construct 149 single-family homes on 20.69 gross acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Edison Avenue between Haven and Turner Avenues. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. (APN's: 0218-402-03 & 26 and 0218-392-07, 09 & 15); **submitted by Brookfield Residential. Continued from 11-24-15.**

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, GENERAL PLAN AMENDMENT AND ZONE CHANGE REVIEW FOR FILE NOS. PGPA15-002 AND PZC15-003: A City initiated request to: 1) Change the General Plan land use designation from Business Park to Industrial (Exhibit LU-01) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes (**File No. PGPA15-002**) and 2) Rezone from IL (Light Industrial) with Emergency Shelter Overlay to IG (General Industrial) with Emergency Shelter Overlay (**File No. PZC15-003**) on sixteen properties generally located 260 to 625 feet north of Mission Boulevard between Benson and Magnolia Avenues in order to make the zoning consistent with The Ontario Plan land use designations of the properties. 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. (APNs: 1011-211-07, 1011-211-10, 1011-211-12 thru 21, 1011-221-01 thru 03, and 1011-221-20); **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. PGPA15-002 (General Plan Amendment)

Motion to recommend Approval/Denial

3. File No. PZC15-003 (Zone Change)

Motion to recommend Approval/Denial

C. ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN, TENTATIVE PARCEL MAP, AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NOS. PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009: A Development Plan (**File No. PDEV15-031**) to construct a 239,400-square foot industrial building on approximately 10.8 acres of land; a Tentative Parcel Map (**File No. PMTT15-003; PM 19682**) to subdivide the project site into 2 parcels; and a Certificate of Appropriateness (**File No. PHP15-009**) for a Tier II historic eligible structure (the existing Sunkist Water Tower) to facilitate the relocation of the structure to the northeasterly corner of the project site to accommodate the construction of the proposed industrial building, 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 (zone change to IL, Light Industrial, currently in process). Staff finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures are recommended that will reduce identified effects to a level of nonsignificance; therefore, adoption of a Mitigated Negative

Declaration of environmental effects is recommended. 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: 1049-221-01) **Submitted by Commerce Construction Co., LP.**

1. **CEQA Determination**

Motion to Approve/Deny Mitigated Negative Declaration

2. **File No. PDEV15-031** (Development Plan)

Motion to Approve/Deny

3. **File No. PMTT15-003** (Tentative Parcel Map)

Motion to Approve/Deny

4. **File No. PHP15-009** (Certificate of Appropriateness)

Motion to Approve/Deny

D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA15-003:**

A revision to certain provisions of the comprehensive update to the City of Ontario Development Code (introduced by the City Council on 9/1/2015), as follows: [1] add Reference I - Public Art Program, to promote public art and art in public places; [2] add Reference G – Landscape Design and Construction Guidelines; [3] modify Table 5.02-1, Land Use Matrix, to allow “salvage facilities” as a permitted land use within the proposed IG (General Industrial) and IH (Heavy Industrial) zoning districts; and [4] modify Section 5.03.350, Salvage Facilities, to modify the operational and performance standards for salvage facilities. 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**

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

2. **File No. PDCA15-003** (Development Code Amendment)

Motion to recommend Approval/Denial

HISTORIC PRESERVATION ITEMS

E. **LOCAL LANDMARK DESIGNATION FOR FILE NO. PHP15-008**: A request for a Local Landmark designation for a 1,371 square foot, one story, Mediterranean Revival Bungalow style residential building, within the R1 (Single Family Residential) Zoning District located at 428 East Plaza Serena Street (APN: 1048-072-21); **submitted by Lori Ayala. City Council action is required.**

1. **CEQA Determination**

No action necessary – not a project

2. **File No. PHP15-008** (Local Landmark Designation)

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

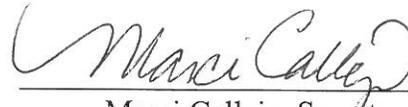
- 1) Monthly Activity Report

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 **Friday, December 18, 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

November 24, 2015

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

MINUTES

November 24, 2015

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:30 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, and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Ricci.

ANNOUNCEMENTS

Mr. Murphy requested Item A-02 be continued to the December 22, 2015 meeting. Mr. Downs and Mr. Gage will abstain from the voting on the Minutes due to being absent from the October meeting.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of October 27, 2015, approved as written.

**A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW
FOR FILE NO. PDEV15-020:**

A Development Plan to construct 149 single-family homes on 20.69 gross acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Edison Avenue between Haven and Turner Avenues. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans

(ALUCP) for ONT Airport. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. (APN's: 0218-402-03 & 26 and 0218-392-07, 09 & 15); **submitted by Brookfield Residential.**

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by Delman, to approve the Planning Commission Minutes of October 27, 2015, as written. The motion was carried 5 to 0. Downs and Gage abstain.

It was moved by Ricci, seconded by Delman, to continue item A-02, File No. PDEV15-020 to the next Planning Commission Meeting held on December 22, 2015. The motion was carried 7 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA15-002:** A request to amend Section 9-1.3176 (Section 4.02.010 of the Development Code Update), Billboard Relocation Agreements, to include an "Interagency Relocation Exception" to relocate billboards within the City of Ontario, provided the billboards meet certain locational criteria and findings and include the elimination of other billboards within the City. Staff has determined that the application is exempt from the requirements the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) (General Rule). 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.**

Planning Director, Scott Murphy, presented the staff report. He stated that staff is requesting the Planning Commission recommend approval to the City Council for File No. PDCA15-002.

No one responded.

PUBLIC TESTIMONY

No one responded.

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

Mr. Gage questioned if a billboard is being placed on the I-10 corridor, is that setting a precedence for others will have to be placed on the I-10 corridor?

Mr. Murphy replies it would be up to the City Council's discretion and the City does not have to enter into this type of agreement. The Development Code Amendment provides

the mechanism to enter into an agreement if they choose. The provision is that they must remove six (6) billboards, a total of five (5) which must be in the City of Ontario. Given the fact that there were only eleven (11) billboards in the City presently, the potential for this to happen again, is maybe one other time.

Mr. Gage asks if the billboards on the 10 FWY, at the Arena, Mercedes and Mark Christopher signs are the same as billboards.

Mr. Murphy states those are not billboards, but freeway signs which are electronic.

Mr. Gage questions that is this is approved, will more billboards or freeway signs be approved in their replacement?

Mr. Murphy states no. All the Commission is doing is providing the City Council the opportunity to enter into an agreement, but is not obligated.

Mr. Gage questions the size and placement of the new billboard. What it might look like?

Mr. Rice states that what is before them tonight is just an ordinance for the City Council, not the specifications. It provides the criteria for them to follow.

Mr. Murphy states that the provisions for location, criteria, etc. would become a negotiated process once the ordinance is passed and agreement is made.

Mr. Gage questions if those specifications would come before the Planning Commission?

Mr. Murphy states it would not come before the Planning Commission.

Mr. Willoughby asks Mr. Murphy if there are regulations on the billboards?

Mr. Murphy says there are currently no criteria because billboards were previously prohibited in the City.

Mr. Willoughby reiterates that this is an inter-agency exception, to be replaced on the same freeway that is existing and because of public improvements.

Mr. Murphy states that is correct. They tried to make the criteria as narrow as possible so there would not be a proliferation of signs along the 10 FWY or 15 FWY.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Mautz, to recommend adoption of a resolution to approve the Development Code Amendment, subject to conditions of approval. 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.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation: This subcommittee met on November 12, 2015

- **Approved a Tier III Designation to** the house located at 428 East Plaza Serena Street. A 1,371 square foot, one story, Mediterranean Revival Bungalow style residential building. (PHP15-011)
- **Recommended Approval for Landmark Designation for** the house located at 428 East Plaza Serena Street. A 1,371 square foot, one story, Mediterranean Revival Bungalow style residential building. (PHP15-008)

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated the Monthly Activity Reports are in their hands. He also reminded the Commission about the December Planning Commission meeting to be held at the Ontario Convention Center.

ADJOURNMENT

Ricci motioned to adjourn, seconded by Mautz. The meeting was adjourned at 6:50 p.m.

Secretary Pro Tempore

Chairman, Planning Commission



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, Planning Director *SM*

DATE: December 22, 2015

SUBJECT: ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-020: A Development Plan to construct 149 single-family homes on 20.69 gross acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Edison Avenue between Haven and Turner Avenues. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. (APN's: 0218-402-03 & 26 and 0218-392-07, 09 & 15); **submitted by Brookfield Residential.**

The applicant, Brookfield Residential, is requesting this item be continued to the January 26, 2016, Planning Commission meeting.



PLANNING COMMISSION STAFF REPORT

December 22, 2015

SUBJECT: A City initiated request to: 1) Change the General Plan land use designation from Business Park to Industrial (Exhibit LU-01) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes (**File No. PGPA15-002**) and 2) Rezone from IL (Light Industrial) with Emergency Shelter Overlay to IG (General Industrial) with Emergency Shelter Overlay (**File No. PZC15-003**) on sixteen properties generally located 260 to 625 feet north of Mission Boulevard between Benson and Magnolia Avenues in order to make the zoning consistent with The Ontario Plan land use designations of the properties. (APNs: 1011-211-07, 1011-211-10, 1011-211-12 thru 21, 1011-221-01 thru 03, and 1011-221-20); **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 recommend approval of File Nos. PGPA15-002 and PZC15-003, pursuant of the facts and reasons contained in the staff report and attached resolutions.

PROJECT SETTING:

The project site is comprised of 22 acres of land located between 260 and 625 feet north of Mission Boulevard, between Benson and Magnolia Avenues, within the IL, Light Industrial zoning district, and is depicted in **Figure 1: Project Location**, to the right.



Figure 1: Project Location

PROJECT ANALYSIS:

<i>Case Planner:</i>	Melanie Mullis, Senior Planner	<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>	November 19, 2015	ZA	NA	NA	NA
<i>Hearing Deadline:</i>	NA	PC	12/22/2015		Recommend
		CC			Final

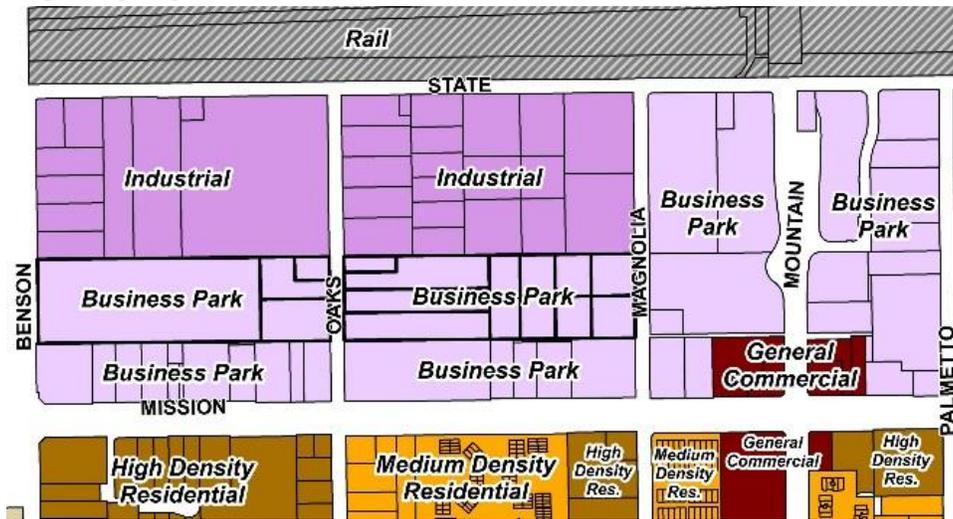
In 2010, The Ontario Plan (“TOP”) was adopted that contains the Policy Plan (General Plan) which sets forth the land use pattern for the City to achieve its Vision. After adoption of TOP, staff embarked on a two pronged effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City and to update the Development Code. Staff worked to establish zones that will effectively implement the intent of TOP. When The Ontario Plan was adopted in 2010, the subject properties were designated Business Park. The zones within the Development Code that could implement this land use designation are: BP, Business Park, IP, Industrial Park or IL, Light Industrial. Staff recommended the properties be zoned IL, Light Industrial.

During the public hearing process, several of the subject property owners expressed concerns about being rezoned IL, Light Industrial, believing the existing M3, General Industrial zone would be more permissive. The City Council approved staff’s recommendation to change the zoning of the properties from M3, General Industrial to IL, Light Industrial since the M3, General Industrial, zone was going to be eliminated with the adoption of the Development Code Update and changing to any other industrial zone would not be consistent with The Ontario Plan.

In order to address the property owners concerns, the City Council directed staff to prepare, for their consideration, a General Plan Amendment to change the land use designation on these properties from Business Park to Industrial and a Zone Change to change the zoning from IL, Light Industrial, with ES, Emergency Shelter Overlay to IG, General Industrial, with ES, Emergency Shelter Overlay. The Council stated that the Business Park designation provided along the Mission Boulevard frontage was sufficient to achieve the higher design standards desired along major arterials, such as Mission Boulevard, and to provide a transition/buffer zone to residential properties south of Mission Boulevard (in excess of 400 feet).

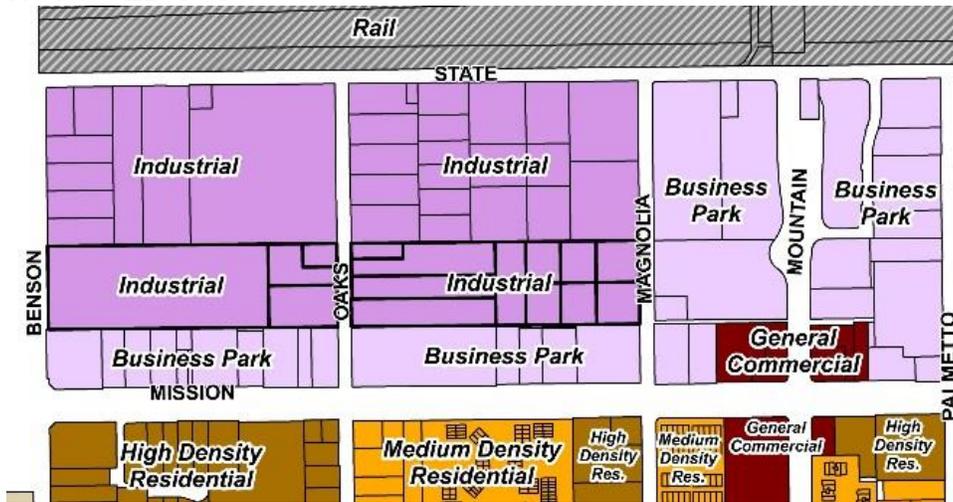
These proposed changes will make the General Plan Land Use Designation and Zoning of the properties consistent with their existing type of uses and the base zoning of the properties to the north. The maps below show how these proposed changes relate to the land use designations and zoning of the surrounding properties.

EXISTING TOP



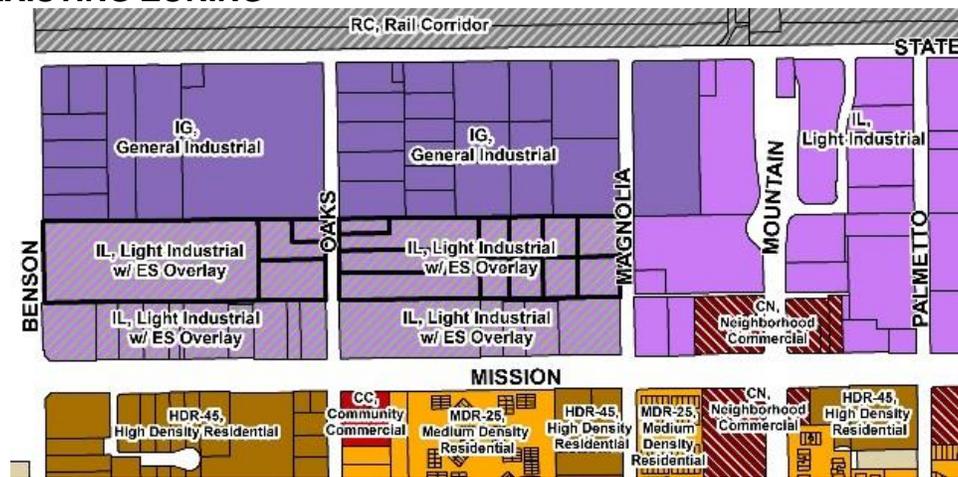
Existing: Business Park

PROPOSED TOP



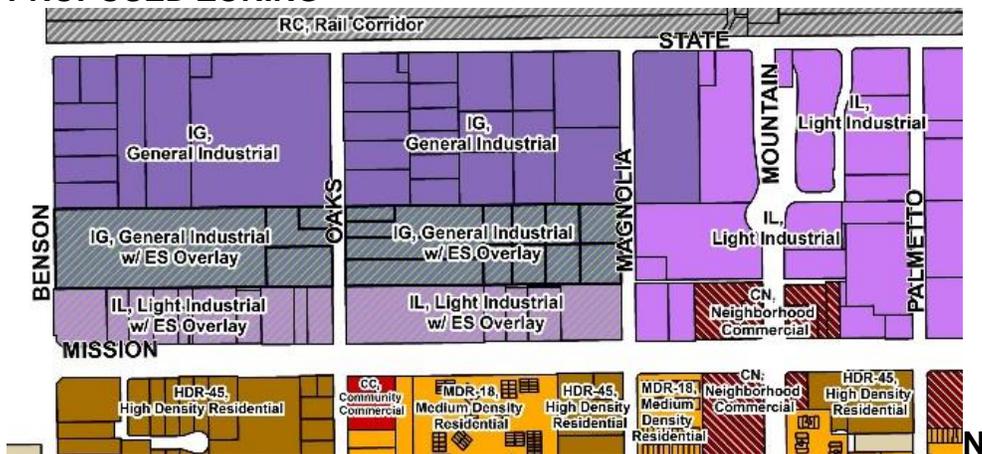
Proposed: Industrial

EXISTING ZONING



Existing: IL, Light Industrial with ES, Emergency Shelter Overlay

PROPOSED ZONING



Proposed: IG, General Industrial with ES, Emergency Shelter Overlay

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 Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses.

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 16 PARCELS TOTALING 20.99 ACRES AND MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES PURSUANT TO THE ONTARIO PLAN AND A ZONE CHANGE OF THESE PARCELS FROM IL, LIGHT INDUSTRIAL WITH ES, EMERGENCY SHELTER OVERLAY TO IG, GENERAL INDUSTRIAL WITH ES, EMERGENCY SHELTER OVERLAY

A. PROJECT INFORMATION

- 1. Project Title:** General Plan Amendment (**File No. PGPA15-002**) and Zone Change (**File No. PZC15-003**) A City initiated request to: 1) Change the General Plan land use designations from Business Park to Industrial (Exhibit LU-01) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 2) Rezone from IL, Light Industrial with ES, Emergency Shelter Overlay to IG, General Industrial with ES, Emergency Shelter Overlay on sixteen properties generally located between 260 and 625 feet north of Mission Boulevard between Benson and Magnolia Avenues (APNs: 1011-211-07, 1011-211-10, 1011-211-12 thru 21, 1011-221-01 thru 03, and 1011-221-20).
- 2. Lead Agency Name and Address:** City of Ontario
303 East "B" Street
Ontario, CA 91764
- 3. Contact Person(s) and Phone** Melanie Mullis, Senior Planner
- 4. Project Location:** 16 parcels totaling approximately 21 acres located on the north side of Mission Blvd. between Benson and Magnolia Avenues.

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 16 parcels totaling 20.99 acres located north of Mission Blvd. between Benson and Magnolia Avenues from Business Park to Industrial and rezone these parcels from IL, Light Industrial with ES, Emergency Shelter Overlay to IG, General Industrial with ES, Emergency Shelter Overlay. The changes are to accommodate the existing uses of the properties and to coordinate with the surrounding area.

The project also includes modifications to the Future Buildout Table and changes to the General Plan land use map and Zoning Map in order to be consistent with these 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 Ontario Plan EIR assumed more overall development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed amendment of the 21 acres from Business Park to Industrial associated with this amendment, will result in less development than TOP EIR analyzed at buildout.

	Units	Population	Non-Residential Square Footage	Jobs
Original TOP EIR	104,644	360,851	257,405,754	325,794
After Proposed Project	101,180	350,021	246,403,312	312,549

Since the anticipated buildout associated from the proposed changes will be less than originally analyzed in TOP EIR, no 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 in that the proposed changes would be more in keeping with the existing use of the properties. 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. As described on page 2, the amount of development anticipated at buildout will be cumulatively lower (dwelling units, population, non-residential square footage and jobs) than TOP EIR analyzed. 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.: PGPA15-002 and PZC15-003

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

Contact Person: Melanie Mullis, Senior Planner (909)395-2430

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 16 parcels totaling approximately 21 acres located north of Mission Boulevard between Benson and Magnolia Avenues.

Figure 1: Regional Location Map



Figure 2—Vicinity Map



Figure 3—Proposed General Plan Amendments

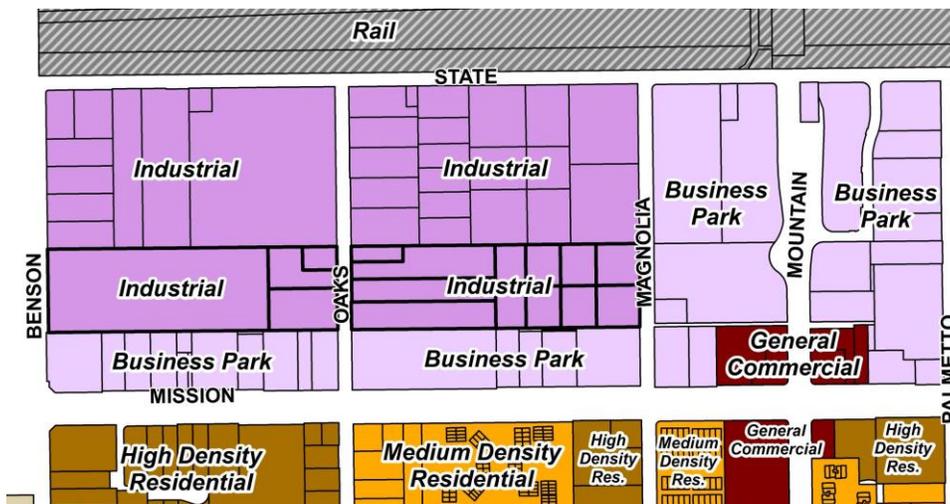


Figure 4 – Proposed Zone Changes

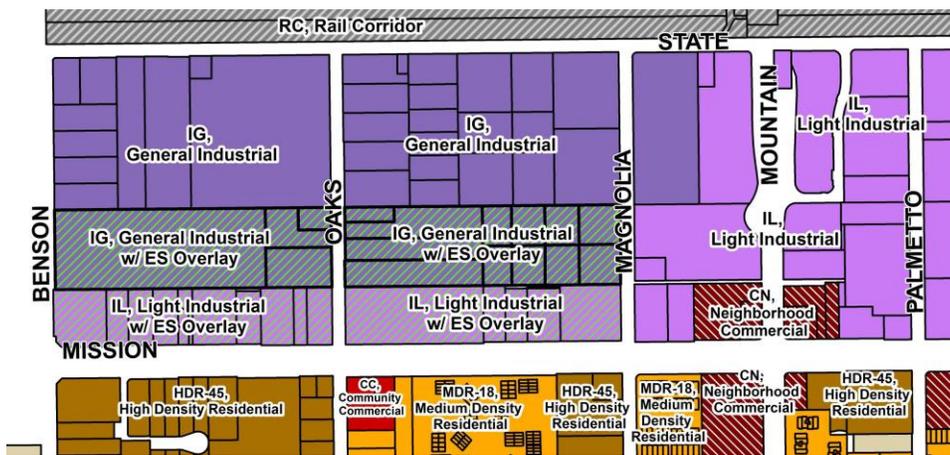


Figure 5—Airport Landuse Compatibility Review

See Exhibit B attached

General Plan Designation: Proposal to change the General Plan land use designations on sixteen parcels from Business Park to Industrial as shown in Exhibit A.

Zoning: IL (Light Industrial) with ES (Emergency Shelter) Overlay to IG (General Industrial) with ES (Emergency Shelter) Overlay (See Exhibit A)

Description of Project: A City initiated request to change the General Plan (**File No. PGPA15-002**) land use designation from Business Park to Industrial and rezone (**File No. PZC15-003**) from IL, Light Industrial with ES, Emergency Shelter Overlay to IG, General Industrial with ES, Emergency Shelter Overlay on sixteen parcels generally located between 260 and 625 feet north of Mission Boulevard between Benson and Magnolia Avenues 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 16 parcels totaling 20.99 acres of land located as described above.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	IG, General Industrial	Industrial
▪ South—	IL, Light Industrial	Commercial, vacant
▪ East—	IL, Light Industrial	Industrial
▪ West—	City of Montclair/San Bernardino County	Industrial

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.

Signature

Melanie Mullis
Printed Name

November 19, 2015
Date

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"/>
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"/>

<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>
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"/>
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"/>

<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>
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"/>
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"/>

<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>
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"/>

<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>
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 16 parcels throughout the City. 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. SR-83 (Euclid Avenue) traverses through the City and a portion of it is designated as a National Landmark. The proposed project is not in close proximity to SR-83 and will not impact the scenic or historic character of SR-83. None of the sixteen properties are listed on the Ontario Register (List of Historic Resources). 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 from Business Park to Industrial and rezoning these parcels from IL, Light Industrial with ES, Emergency Shelter to IG, General Industrial with ES, Emergency Shelter 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 and rezone these sixteen parcels. 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 zoning 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 land use designations on 16 parcels totaling 20.99 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 land use designations and rezoning 16 parcels totaling 20.99 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 land use designations and rezoning 16 parcels totaling 20.99 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 Amendment and Zone Change 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 and Zone Change 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 and Zone Change 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 and Zone Change does not authorize any new construction. Therefore the General Plan Amendment and Zone Change do 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 land use designation and zoning on 16 parcels totaling 20.99 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 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 land use designations and zoning 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 land use designations and zoning 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 land use designations and zoning 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 designation and zoning 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 sixteen 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. These sixteen parcels are not located within safety zones. 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designation designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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. As described on page 2, the cumulative impact of the proposed general plan amendment will have less impacts than the TOP EIR assumed resulting in less than significant impacts.

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 land use designations and zoning on 16 parcels totaling 20.99 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 generate lower total dwelling units, population, non-residential square footage and jobs than the certified TOP EIR assumed, resulting in less impacts. 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 should be less since the site will create fewer jobs under an Industrial designation than a Business Park designation. 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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 land use designations and zoning on 16 parcels totaling 20.99 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.

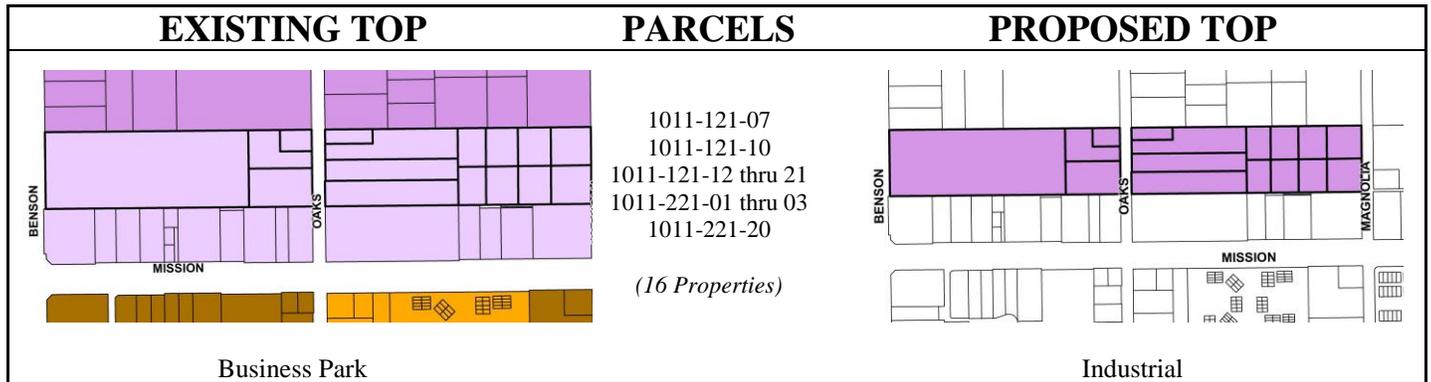
2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards.

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 Amendment



Proposed Zone Change

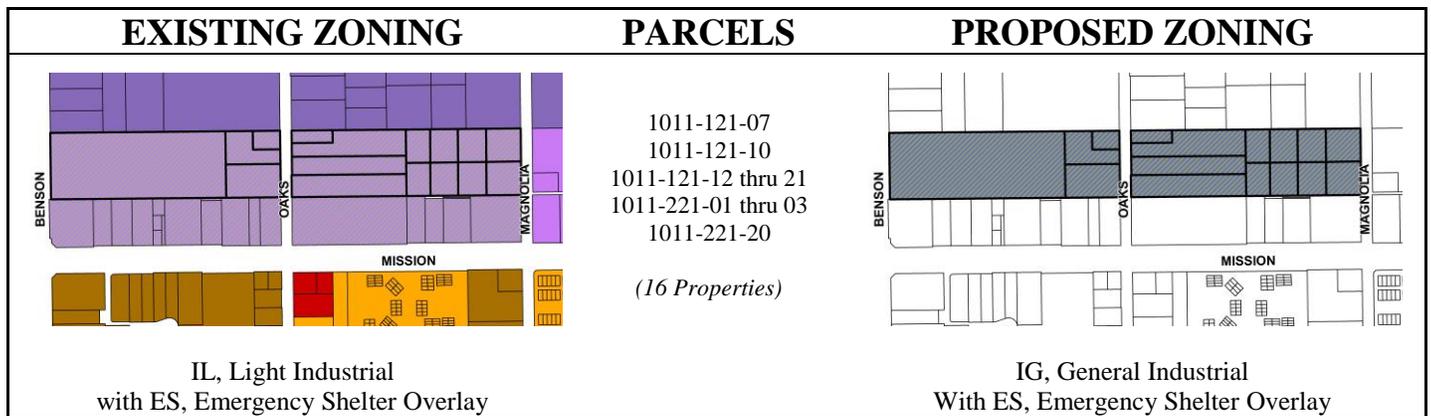
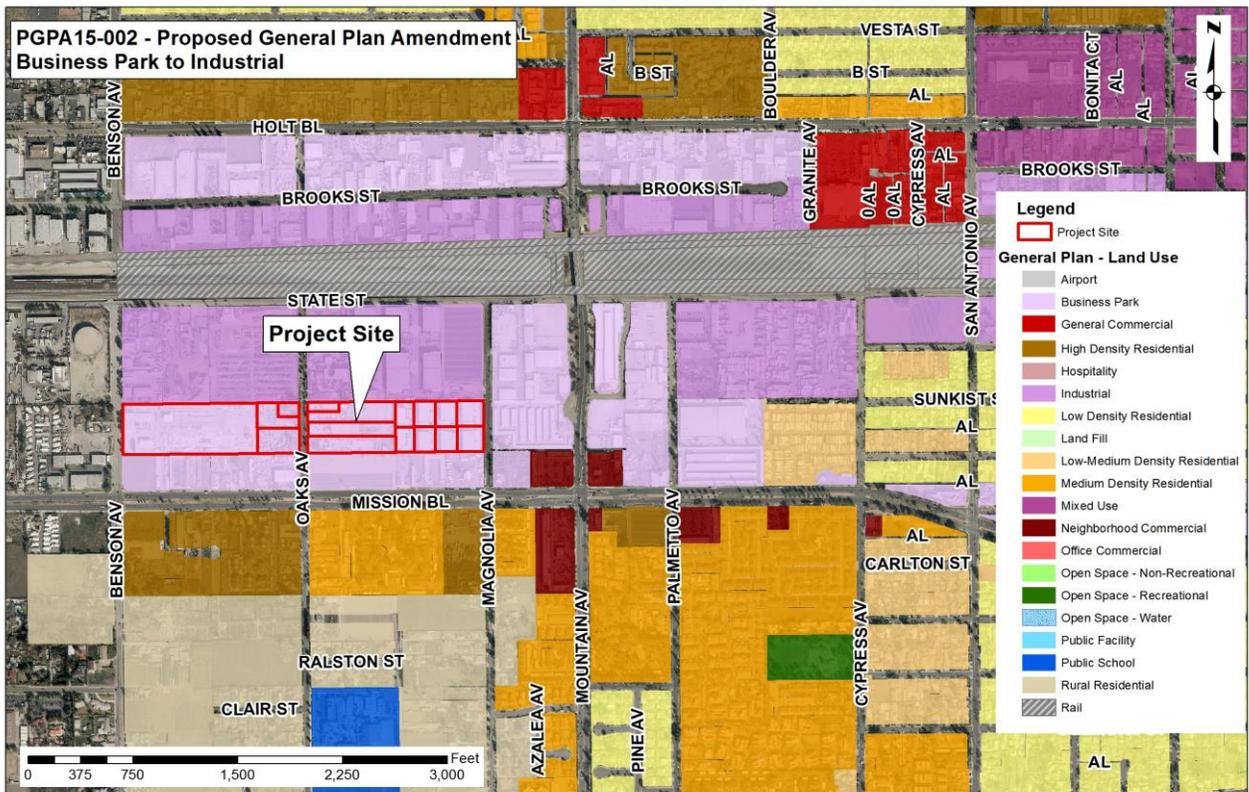
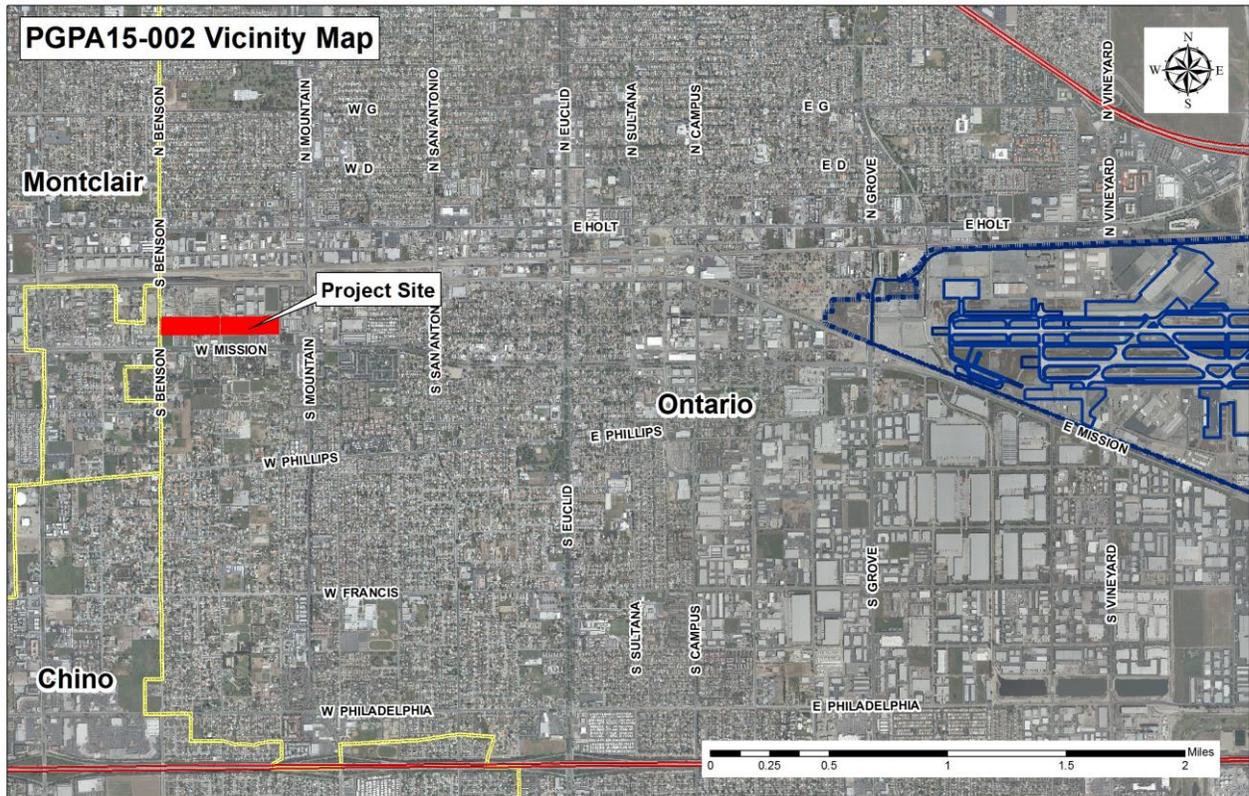
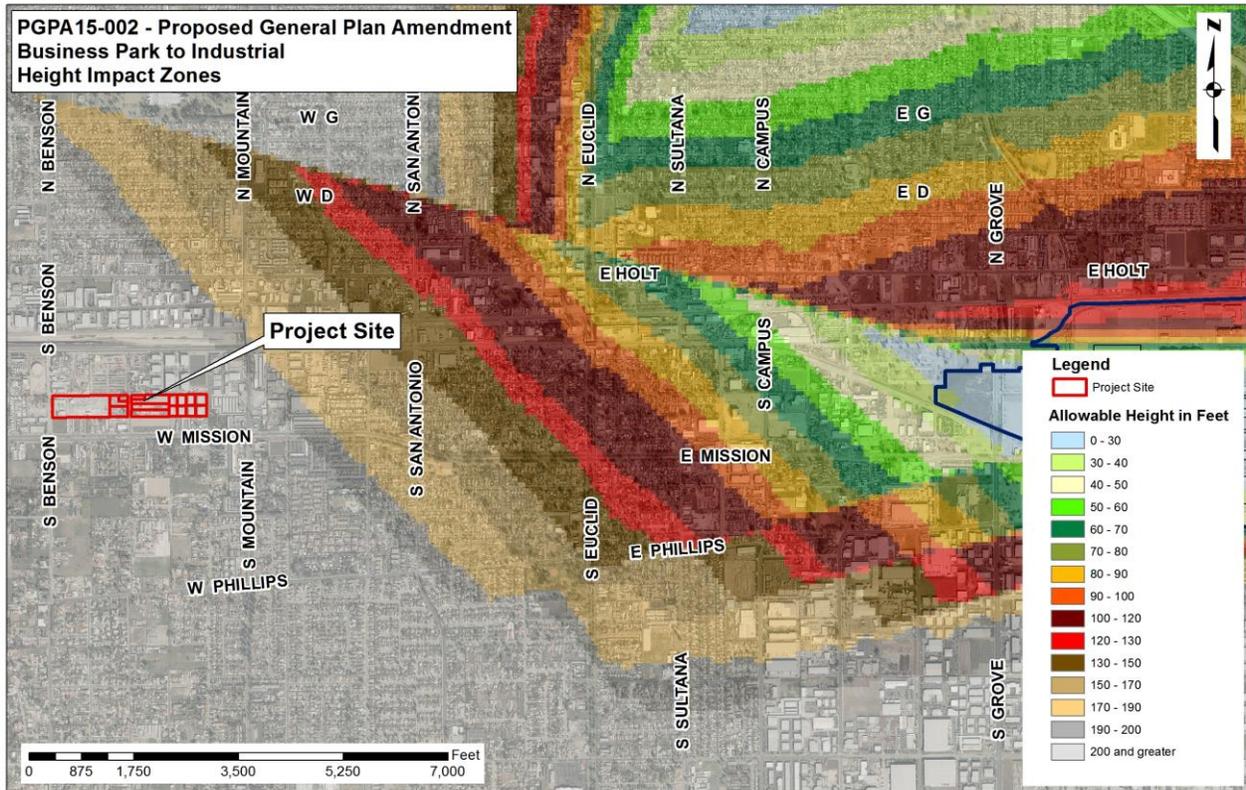
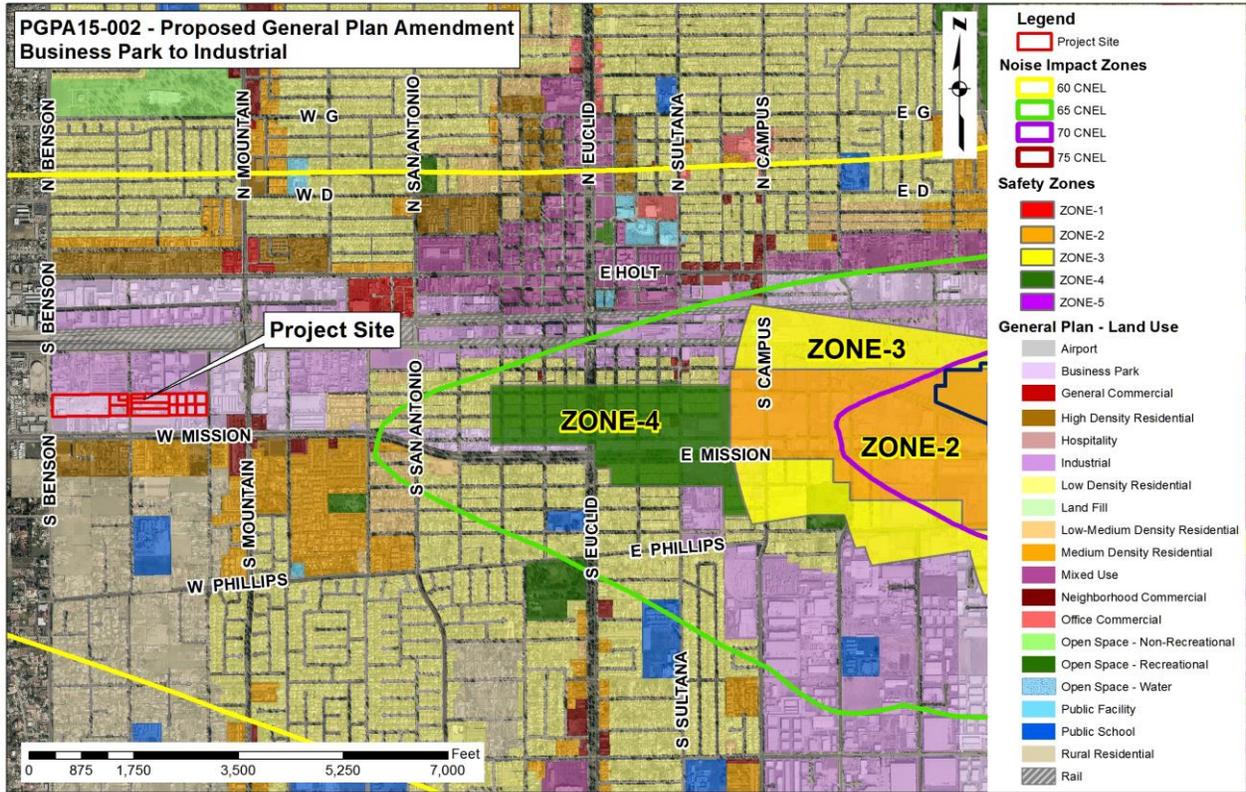


Exhibit B Airport Land Use Compatibility Review





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. PGPA15-002 and a Zone Change, File No. PZC15-003, (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application proposes to change the General Plan land use designations on sixteen parcels from Business Park to Industrial and the zoning from IL, Light Industrial with ES, Emergency Shelter Overlay to IG, General Industrial with ES, Emergency Shelter Overlay generally located 260 to 625 feet north of Mission Boulevard from Benson to Magnolia Avenues, 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 22nd day of December, 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 December 22, 2015 by the following roll call vote, to wit:

AYES:

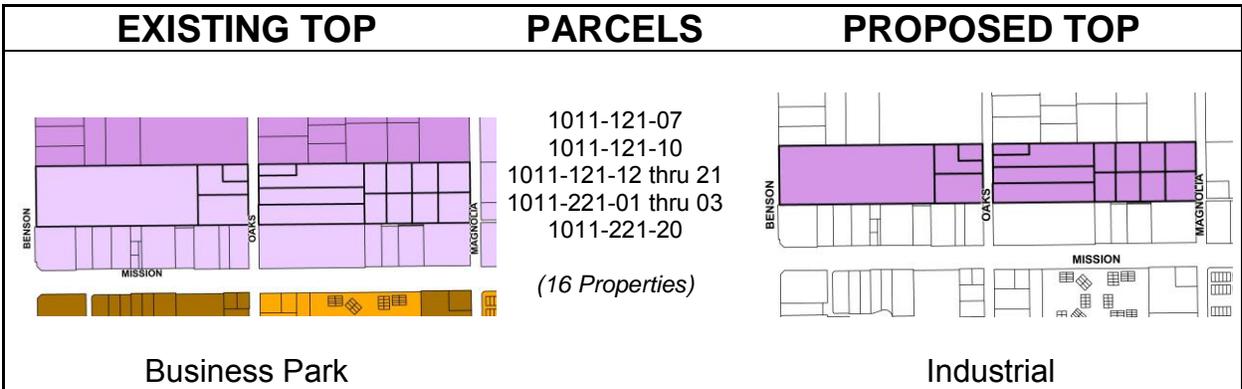
NOES:

ABSENT:

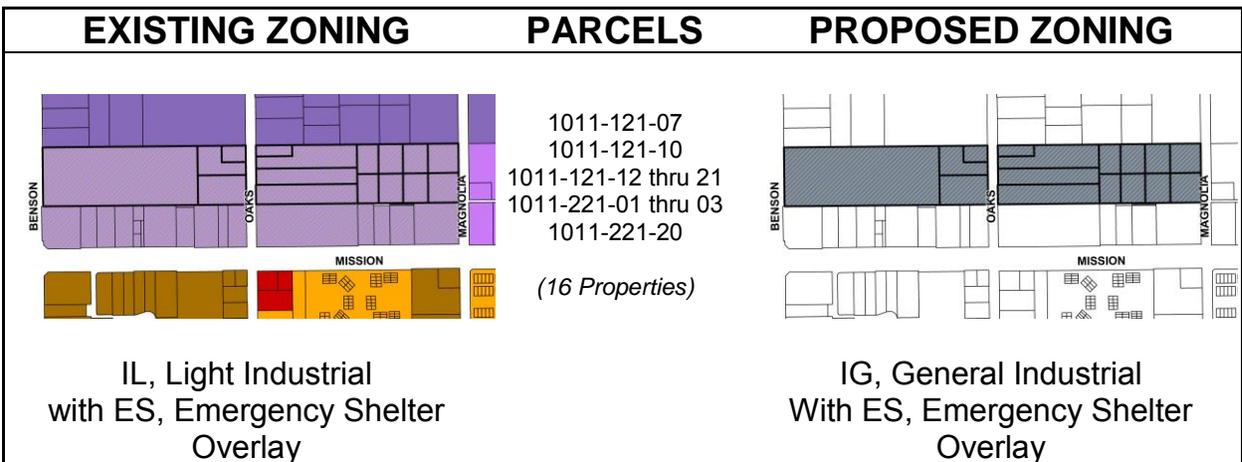
ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A Proposed General Plan Amendment



Proposed Zone Change



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT CITY COUNCIL APPROVE FILE NO. PGPA15-002, A CITY INITIATED REQUEST TO 1) CHANGE THE GENERAL PLAN LAND USE DESIGNATION ON SIXTEEN PARCELS FROM BUSINESS PARK TO INDUSTRIAL ON PARCELS GENERALLY LOCATED 260 TO 625 FEET NORTH OF MISSION BOULEVARD, FROM BENSON TO MAGNOLIA AVENUES (APNS: 1011-211-07, 1011-211-10, 1011-211-12 THRU 21, 1011-221-01 THRU 03, AND 1011-221-20) 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 3 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. PGPA15-002, 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 sixteen parcels from Business Park to Industrial located 260 to 625 feet north of Mission Boulevard from Benson to Magnolia Avenues, as shown in Exhibit A attached; and

WHEREAS, the proposed General Plan Amendment applies to 16 parcels totaling 20.99 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 a Community Open House on August 26, 2015, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, the Planning Commission held a public hearing on October 27, 2015 where the Planning Commission recommended a zone change of the subject properties from M3, General Industrial to IL, Light Industrial with ES, Emergency Shelter Overlay; and

WHEREAS, the City Council held a public hearing on November 17, 2015 where the City Council approved a zone change of the subject properties from M3, General Industrial to IL, Light Industrial with ES, Emergency Shelter Overlay in order for the subject properties to be consistent with The Ontario Plan (TOP) land use designation of Business Park and requested staff prepare a general plan amendment (from Business Park to Industrial) and a zone change (from IL, Light Industrial with ES, Emergency Shelter Overlay to IG, General Industrial with ES, Emergency Shelter Overlay) for their consideration on the subject properties in order to address concerns expressed during the public hearing process; 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 December 22, 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 December 22, 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 of the Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses.

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 third 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 approval of 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 22nd day of December, 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 December 22, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A
Proposed General Plan Amendments

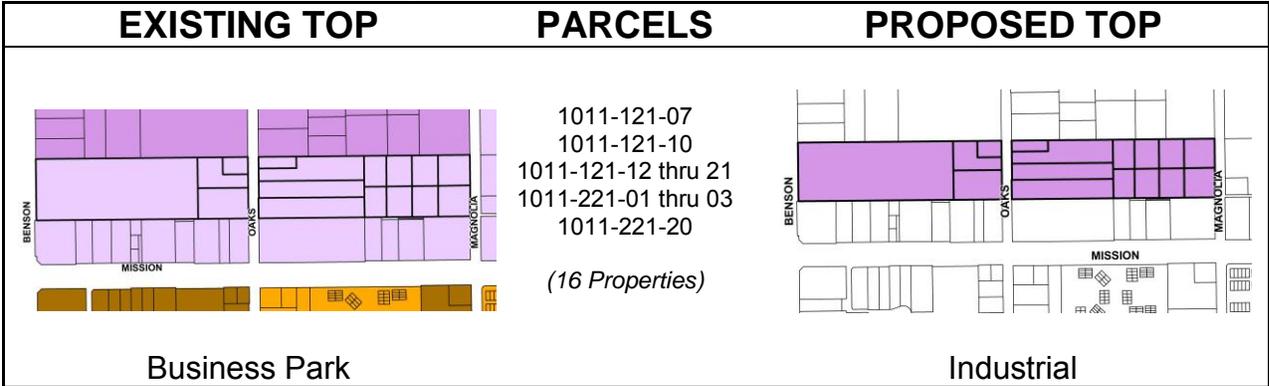


Exhibit B
LU-03 Future Buildout Table



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)	31,042	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>		<i>86,064</i>	<i>319,788</i>		
Mixed Use						
• Downtown	112	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscan Village	41	<ul style="list-style-type: none"> 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>		<i>15,116</i>	<i>30,232</i>	<i>34,914,612</i>	<i>72,368</i>



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 Commercial	244	0.30 FAR			3,192,120	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>34,767,697</i>	<i>60,630</i>
Employment						
Business Park	1,591 1,570	0.40 FAR			27,721,410 27,355,680	48,637 47,995
Industrial	6,219 6,240	0.55 FAR			148,999,594 149,502,472	130,914 131,356
<i>Subtotal</i>	<i>7,810</i>				<i>176,721,003</i>	<i>179,551</i>
Other						
Open Space–Non-Recreation	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>9,907</i>					
Total	31,784		101,180	350,021	246,403,312	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.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PZC15-003, A REQUEST TO CHANGE THE ZONING ON SIXTEEN PROPERTIES LOCATED 260 TO 625 FEET NORTH OF MISSION BOULEVARD BETWEEN BENSON AND MAGNOLIA AVENUES FROM IL, LIGHT INDUSTRIAL WITH ES, EMERGENCY SHELTER OVERLAY TO IG, GENERAL INDUSTRIAL WITH ES, EMERGENCY SHELTER OVERLAY IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 1011-211-07, 1011-211-10, 1011-211-12 THRU 21, 1011-221-01 THRU 03, AND 1011-221-20

WHEREAS, the City of Ontario ("Applicant") has initiated an Application for the approval of a Zone Change, File No. PZC15-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 16 properties located 260 to 625 feet north of Mission Boulevard between Benson and Magnolia Avenues; and

WHEREAS, the zoning of the properties is inconsistent with The Ontario Plan ("TOP") land use designation 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 a Community Open House on August 26, 2015, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, the Planning Commission held a public hearing on October 27, 2015 where the Planning Commission recommended a zone change of the subject properties from M3, General Industrial to IL, Light Industrial with ES, Emergency Shelter Overlay; and

WHEREAS, the City Council held a public hearing on November 17, 2015 where the City Council approved a zone change of the subject properties from M3, General Industrial to IL, Light Industrial with ES, Emergency Shelter Overlay in order for the subject properties to be consistent with The Ontario Plan (TOP) land use designation of Business Park and requested staff prepare a general plan amendment (from Business Park to Industrial) and a zone change (from IL, Light Industrial with ES, Emergency Shelter Overlay to IG, General Industrial with ES, Emergency Shelter Overlay) for their consideration on the subject properties; 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, as the first action on the Project, on December 22, 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, 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, on December 22, 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 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.

Planning Commission Resolution
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December 22, 2015
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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of December, 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
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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. PC15-** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on December 22, 2015 by the following roll call vote, to wit:

AYES:

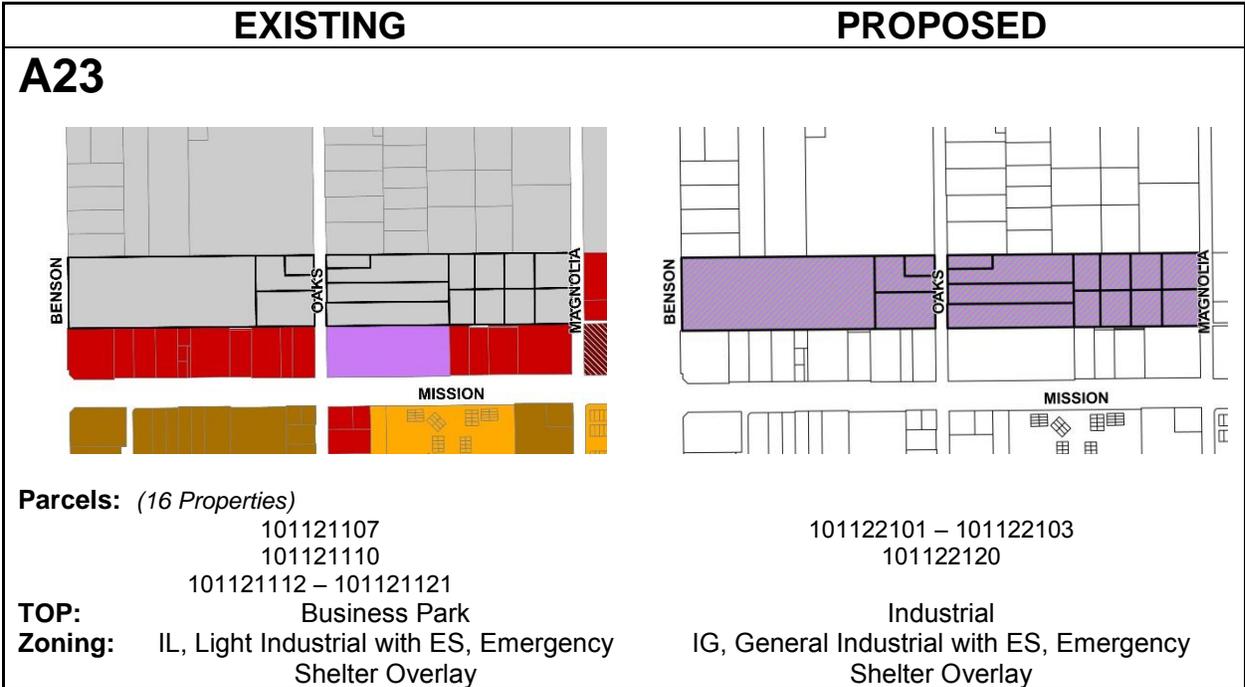
NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A PZC15-003





PLANNING COMMISSION STAFF REPORT

December 22, 2015

SUBJECT: A Development Plan (**File No. PDEV15-031**) to construct a 239,400-square foot industrial building on approximately 10.8 acres of land; a Tentative Parcel Map (**File No. PMTT15-003; PM 19682**) to subdivide the 11.09-acre project site into 2 parcels; and, a Certificate of Appropriateness (**File No. PHP15-009**) for a Tier II historic eligible structure (the existing Sunkist Water Tower), to facilitate the relocation of the structure to the northeasterly corner of the project site to accommodate the construction of the proposed industrial building, 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 (zone change to IL, Light Industrial, currently in process); (APN: 1049-221-01) **submitted by Commerce Construction Co., LP.**

PROPERTY OWNER: MHG Ontario, LLC, a Delaware Corp.

RECOMMENDED ACTION: That the Planning Commission/Historic Preservation Commission adopt a Mitigated Negative Declaration and approve File Nos. PDEV15-031, PMTT15-003 (PM 19682), and PHP15-009, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site, formerly developed with the Sunkist Growers fruit packing facility, is comprised of approximately 11.09 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 (zone change to IL, Light Industrial, will be effective on January 1, 2016), and is depicted in **Figure 1: Project Location**, to the right. The property surrounding the Project site is characterized by industrial land uses to the north, east and south. A mix of single-family residential and industrial



Figure 1: Project Location

Case Planner:	Charles Mercier & Diane Ayala	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	12/21/2015		Recommend
Submittal Date:	10/13/2015	ZA			
Hearing Deadline:	5/10/2016	PC	12/22/2015		Final
		CC			

land uses are located to the west. The existing surrounding land uses, and zoning and general plan land use designations are listed in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

[1] Background — In October 2008, the City entered into an Agreement with Sunkist Growers, Inc., for the acquisition of the 11.09-acre project site, which is bordered by Sunkist Street on the north, Campus Avenue on the east, California Avenue on the south, and vacated Monterey Avenue (existing Southern Pacific Railroad) on the west, and is located at 616 East Sunkist Street. City staff worked closely with Sunkist Growers to ensure that the buildings on the site of the former Sunkist Growers fruit packing facility were razed prior to the close of escrow in October 2012. At close of escrow, the only improvements remaining on the project site included the iconic Sunkist nonoperational water tower, located within the northeasterly quadrant of the site, and a small Southern California Edison (SCE) substation, located at the southwest corner of the project site.

In June 2013, the City issued a Request for Proposal (RFP) for the redevelopment of the project site. Following review of the RFPs by City staff, and presentations by qualified developers, Majestic Realty Co. was identified as the preferred developer.

In July 2015, the City Council approved conveyance of the project site to Majestic Realty Co. (MGH Ontario, LLC), and approved a Disposition and Development Agreement (DDA) between the City and MGH Ontario, LLC, for the redevelopment of the former Sunkist Growers Fruit Packing facility. In fulfillment of the DDA, The applicant is now requesting approval of:

- A Development Plan (File No. PDEV15-031) to construct a 239,400-square foot industrial building on proposed Parcel 1, having an area of 10.76 acres and a floor area ratio of 0.51;
- A Tentative Parcel Map (File No. PMTT15-003 (PM 19682)) to subdivide the 11.09-acre project site into 2 parcels; and
- A Certificate of Appropriateness (File No. PHP15-009) to facilitate the relocation of the existing Sunkist Water Tower to the northeasterly corner of the project site, which will accommodate the construction of the proposed industrial building.

The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.

[2] Site Design/Building Layout — The project site is proposed to be subdivided into two parcels, which are 10.76 acres (Parcel No. 1) and 0.33 acre (Parcel No. 2) in area. These proposed lot areas exceed the minimum 10,000-square foot (0.23 acre) lot area required by the M3 (future IL, Light Industrial) zoning district.

Parcel No. 1 is proposed for development with a 239,400 square foot industrial building. The front of the building is oriented to the east, toward Campus Avenue. A 105-foot building setback has been provided from the Campus Avenue property line. A 25-foot wide landscaped area has been provided immediately adjacent to the street.

Along Sunkist Street, a 19-foot landscaped setback has been provided, and a 66-foot building setback has been provided from the California Street property line. The California Street setback area will contain a fully landscaped detention basin.

A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is oriented to the west of the proposed building, toward vacated Monterey Avenue and the existing Southern Pacific Railroad right-of-way. The yard area will be screened from view of public streets by a combination of building walls and screen walls with view-obstructing gates. The applicant has proposed screen walls at 12.5 feet in height; however, as tractor-trailers typically range from 13.5 to 14 feet in height, staff has included a condition of approval requiring that screen walls shall be 14 feet in height to ensure that tractor-trailers are fully screened from view of public streets and the existing residentially zoned properties located west of the project site.

Parcel No. 2 will contain the existing SCE substation, which is proposed for future removal by SCE. Until the substation is razed, Planning Department condition no. 2.5(a) requires that the loading doors on the west building elevation, located south of the truck loading and maneuvering area shown on the site plan, shall be locked in the closed position, and shall not be permitted to be opened until such time that a truck maneuvering area equal to the width of the loading doors, and having a minimum depth of 120 feet, is provided in front of the dock-high loading doors for the purposes of truck maneuvering.

[3] Site Access/Circulation — Automobile and truck access, parking and maneuvering have been separated to the extent possible. Office and visitor parking will be accessed from two points along Campus Avenue, and employee parking will be accessed from a single point along California Avenue, adjacent to the southwest corner of the site. Trucks will access the project site from a single point along Sunkist Street, adjacent to the northwest corner of the site. Pursuant to the conditions of approval, decorative pavement will be provided at the 5 site entry points, which will extend from the back of the driveway apron, to the first intersecting drive aisle or parking space.

[4] Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The off-street parking calculations for the Project are as follows:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Warehouse / Distribution	232,218 SF	One space for each 1,000 SF of GFA for the first 20,000 SF, plus one space for each 2,000 SF of GFA in excess of 20,000 SF of GFA	130	192
Offices	7,182 SF	4 spaces for each 1,000 SF in excess of 10% of the GFA	0	0
TOTAL	239,400 SF		130	192

The number of off-street parking spaces provide for the Project exceeds the minimum number of parking spaces required by the Development Code for warehouse/distribution facilities. The increased number of off-street parking spaces has been provided to accommodate a potential tenant having a higher employee count, which involves limited manufacturing activities (screen printing on apparel and textile products (NAICS 323113)).

In addition to the off-street parking spaces required for each building, the City’s off-street parking and loading standards require that the Project provide a minimum of one tractor trailer parking space for each four dock-high loading spaces. The number of tractor trailer spaces provided for the building exceeds the minimum number of tractor trailer parking spaces required — four tractor trailer parking spaces are required and thirty tractor trailer parking spaces have been provided.

[5] Architecture — The proposed building is of concrete tilt-up construction. Architecturally, the buildings incorporate smooth-painted concrete, V-groove reveals, clerestory and storefront windows with clear anodized aluminum mullions and cool grey glazing, decorative wall-mounted light fixtures, and metal-clad canopies at the main office entries. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture.

Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
 - Articulation in the building parapet/roof line, which serves to accentuate the building’s entries and breaks up large expanses of building wall;
 - Variations in building massing;
 - A mix of exterior materials, finishes and fixtures; and

- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas.

[6] Landscaping — In general, the Project provides substantial landscaping for the length of each Project street frontage, at each office element, throughout the guest parking area, and in front of the screened loading and tractor-trailer yard area. Varying landscaped setbacks provided along the street frontages include a setback of 19 feet along Sunkist Street, 25 feet along Campus Avenue, and 66 feet along California Street.

A variety of accent and shade trees in 24-inch, 36-inch and 48-inch box sizes have been provided to enhance the project. Furthermore, decorative paving and lighting will be provided at key locations within the project.

[7] Utilities — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces, and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a vegetated bioswale with stormwater infiltration installed within the Campus Avenue parking setback area, and an infiltration basin installed within the California Avenue setback area. Any overflow drainage will be conveyed to public streets by way of parkway culverts.

[8] Certificate of Appropriateness — In 2011, the former Sunkist Growers fruit packing facility was demolished, except for one nonoperational water tower. The steel structure is approximately 110 feet tall and was constructed with bolted L-shaped profiles, a conical shaped roof, square shaped concrete footings, and is branded with a painted "Sunkist" sign on the north side, and an identical sign on the south side, that has been covered by graffiti. It appears to have been one of the original structures installed by Ontario Citrus Growers (later named Sunkist Growers), who were part of the California Fruit Growers Exchange (co-operative), as part of their former processing plant on the project site.

The former processing plant was constructed in 1926 and was the largest packing plant in Ontario. The facility covered 22 acres and employed nearly 1,000 workers at its peak production. The operation processed a large part of the unmarketable citrus fruit in Ontario into marketable products. The company earned its appreciation among local growers during a record cold season in December 1926, when it handled thousands of boxes of would be wind-falls. This plant eventually brought the well-known Sunkist brand to Ontario. The name Sunkist was used to recognize oranges of the highest quality implying that the fruit has been "kissed by the sun." This plant became the central location for the Sunkist citrus by-products operations and, in 1952,

the Exchange officially changed its name to Sunkist Growers, Inc. At the height of citrus production, the industry produced 60 percent of the nation's citrus supply and 20 percent of the world's supply. The Sunkist Growers, Inc., remained in Ontario with its Citrus Juice & Oil operation, which processes citrus fruit into orange beverages; soaps; polishes; perfumes; jams; dairy; and poultry feed; pharmaceuticals; and, vitamin supplements until its recent sale in 2007. The Ontario facility consolidated its operation with their state-of-the-art facility in Tipton, California, located in San Joaquin Valley. Prior to the sale of the Ontario property, all buildings and structures on site were demolished, except for the water tower, which remains in place at its original location.

The water tower was identified and assessed for national, state, and local landmark eligibility. The results of the survey concluded that the water tower did not meet National or California Registers, but did meet local landmark criteria. In 2008, the Ontario Historic Preservation Commission reviewed the water tower against the local landmark designation criteria and determined that the water tower sign was a Tier II historic resource eligible for local landmark designation. While the water tower's setting, feeling, and association with the processing plant operation have not remained intact since the original construction, due to the demolition of the site, the water tower is a familiar iconic symbol to the local community of an agricultural business and industry that was an integral component to the early years of development and the success of Ontario.

On December 17, 2015, the Historic Preservation Subcommittee (HPSC) reviewed the project, and recommended approval to the Planning/Historic Preservation Commission, subject to conditions of approval. The project conditions of approval that are related to the relocation of the water tower, Sunkist sign conservation and preservation, interpretative sign program, and landscape are attached to the report.

The Planning Commission, serving as the Historic Preservation Commission, must consider and clearly establish certain findings of facts for all Certificate of Appropriateness applications. The relocation of the water tower and the new construction, in whole or in part, will not:

[a] *Detrimentially change, destroy, or adversely affect any significant architectural feature of the resource.* The project proposes to relocate an existing water tower, a Tier II historic resource, approximately 120 feet northeast to the corner of the site from its original location. No alterations to the structure, other than the removal of non-structural items such as harness, piping, cables, platform, and access ladder. These features will be documented prior to their removal, but do not contribute to the significance of the historic resource and are no longer necessary as the water tower is not operational. The historic painted "Sunkist" sign, shape, size, height, and design of the structure, tank, and structural components will be maintained. Therefore, no adverse effects to significant character-defining features of the structure will occur.

[b] *Detrimentially change, destroy, or adversely affect the historic character or value of the resource.* The water tower is a familiar focal point and an iconic symbol to the local community of an agricultural business and industry that was an integral component to the early years of development and the success of Ontario. However, the setting, feeling, and association with the previous Sunkist citrus processing plant has not remained intact since the related buildings and structures on the site were demolished in 2011. The proposed industrial building will be set back from the water tower approximately 100 feet. The area adjacent to the water tower will be adequately landscaped in a design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed. Additionally, the historic painted Sunkist logo sign(s) will be conserved and preserved. The project, implemented with mitigation measures, will not detrimentally change, destroy, or adversely affect the historic character or value of the water tower.

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 Ontario International Airport

Supporting Goals

- Operate in a Businesslike Manner; and
- Focus Resources in Ontario's Commercial and Residential Neighborhoods;

[2] Policy Plan (General Plan)

Land Use Element — Compatibility

- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element — 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.

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

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

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

Safety Element — Seismic & Geologic Hazards

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

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

Community Design Element — 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.

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

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

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.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

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

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage

should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

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

Community Design — 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.

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

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

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

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

Community Design Element – Historic Preservation

▪ Goal: CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses preserved and serve as a focal point for civic pride and identity.

➤ *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.

➤ *CD4-6 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.

Community Design — 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.

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. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. The environmental documentation for this project is available for review at the Planning Department public counter.

TRIBAL CONSULTATION PURSUANT TO ASSEMBLY BILL 52 (AB-52): In September 2014, the Governor signed AB-52 into law, which requires that, prior to the adoption of a negative declaration, mitigated negative declaration, or environmental impact report for a project, a California Native American tribe that is traditionally and culturally affiliated with the geographic area in which a Project is proposed may require that the City consult with the tribe, if it provides written request to the City to be informed of proposed projects in the geographic area, and the tribe requests consultation.

Pursuant to AB-52, staff contacted Native American tribes identified by the State of California, Native American Heritage Commission (NAHC), as being traditionally and culturally affiliated with the geographic area in which the proposed project is located, including Gabrieleño Band of Mission Indians—Kizh Nation, San Manuel Band of Mission

Indians, and Soboba Band of Luiseño Indians. Soboba Band of Luiseño Indians did not respond with any specific concerns regarding known cultural resources in the specified area of the project.

Gabrieleño Band of Mission Indians–Kizh Nation and San Manuel Band of Mission Indians responded, finding that while the project site has been previously developed, there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. To avoid unnecessary destruction of cultural resources and protect what resources still exist at the project site for the benefit and education of future generations, Gabrieleño Band of Mission Indians–Kizh Nation has requested inclusion of a mitigation measure requiring that the Applicant obtain the services of a qualified Native American Monitor approved by the tribal representative, which must be present on site during construction-related ground disturbance activities. Gabrieleño Band of Mission Indians–Kizh Nation further requested that, if the project site contains native vegetation that will be removed, the Native American Monitor will document and distinguish native vegetation that is preferred by the Tribe, which will be made available to the Tribe prior to removal.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning & Land Uses:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site</i>	Vacant	Industrial	<u>Existing:</u> M3 (General Industrial); <u>Proposed:</u> IL (Light Industrial), effective 1/1/2016.
<i>North</i>	Recycling Processing Facility	Industrial	<u>Existing:</u> M3 (General Industrial); <u>Proposed:</u> IL (Light Industrial), effective 1/1/2016.
<i>South</i>	Warehouse / Distribution	Industrial	<u>Existing:</u> M3 (General Industrial); <u>Proposed:</u> IL (Light Industrial), effective 1/1/2016.
<i>East</i>	Vacant & Manufacturing	Industrial	<u>Existing:</u> M3 (General Industrial); <u>Proposed:</u> IG (General Industrial), effective 1/1/2016.
<i>West</i>	Single-Family Residential & Manufacturing	Low Density Residential & Industrial	<u>Existing:</u> R1 (Single-Family Residential) and M3 (General Industrial); <u>Proposed:</u> LDR-5 (Low Density Residential) and IL (Light Industrial), effective 1/1/2016.

Site & Building Characteristics:

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area (in Acres):</i>	11.09 AC	N/A	
<i>Lot/Parcel Size:</i>		10,000 SF (0.23 AC) Min.	Y
<ul style="list-style-type: none"> • <i>Parcel 1—</i> • <i>Parcel 2—</i> 	10.76 AC 0.33 AC		
<i>Building Area:</i>	239,400 SF	N/A	
<i>Floor Area Ratio:</i>	0.51	0.55 Max.	Y
<i>Landscaping:</i>	15.8% (74,034 SF)	15% Min,	Y
<i>Building Height:</i>	42 FT	55 FT Max.	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Warehouse / Distribution</i>	232,218	One space for each 1,000 SF of GFA for the first 20,000 SF, plus one space for each 2,000 SF of GFA in excess of 20,000 SF of GFA	130	192
<i>Office</i>	7,182	4 spaces for each 1,000 SF in excess of 10% of the GFA	0	0
TOTAL	239,400		130	192

EXHIBIT B: Exterior Building Elevations

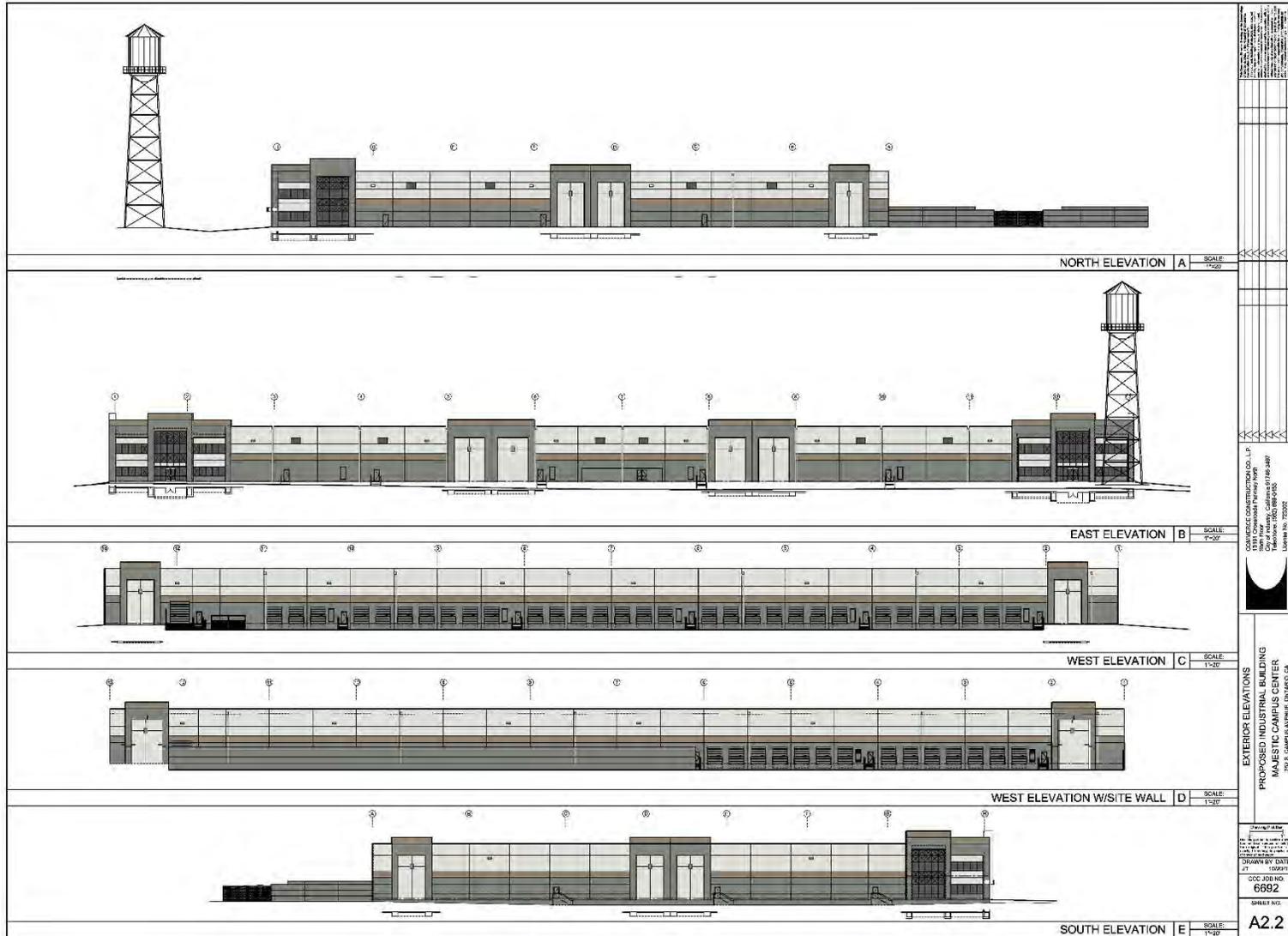


EXHIBIT C: Landscape Plan

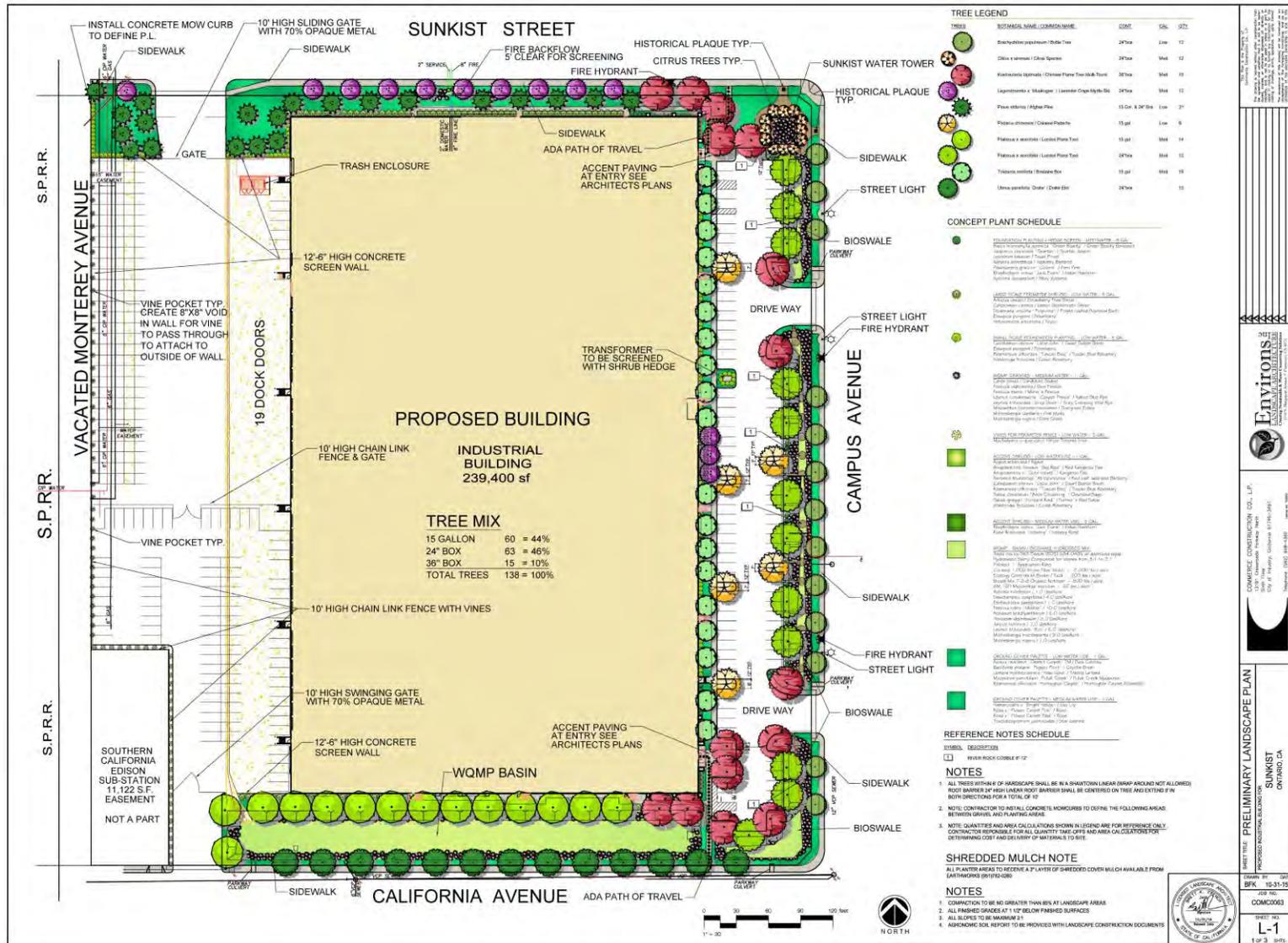
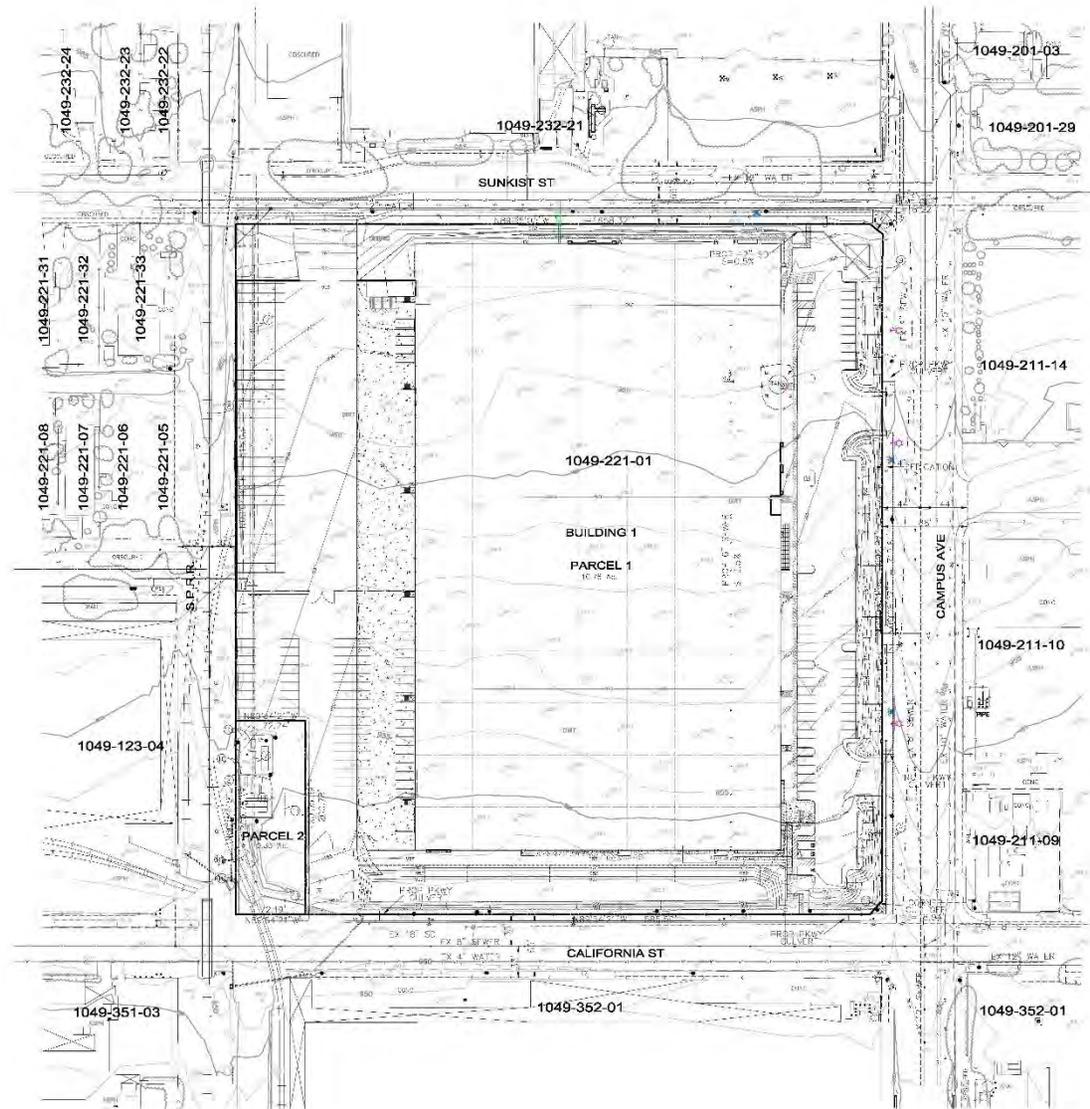


EXHIBIT D: Tentative Parcel Map No. 19682



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.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

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

Contact Person: Charles Mercier, Senior Planner

Project Sponsor: Jim Robertson, Commerce Construction Co., LP, 13191 Crossroads Parkway North, 6th Floor, Industry, California 91746

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is located on the west side of Campus Avenue, between Sunkist and California Streets, at 616 East Sunkist Street.

Figure 1—REGIONAL LOCATION MAP



Figure 2—VICINITY MAP

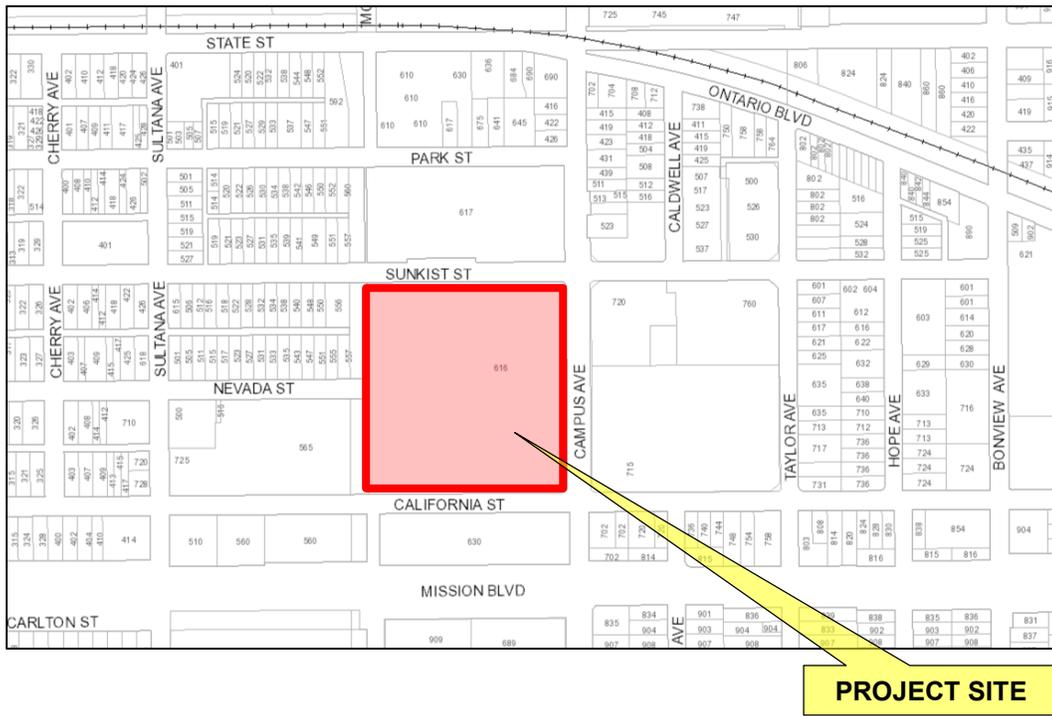
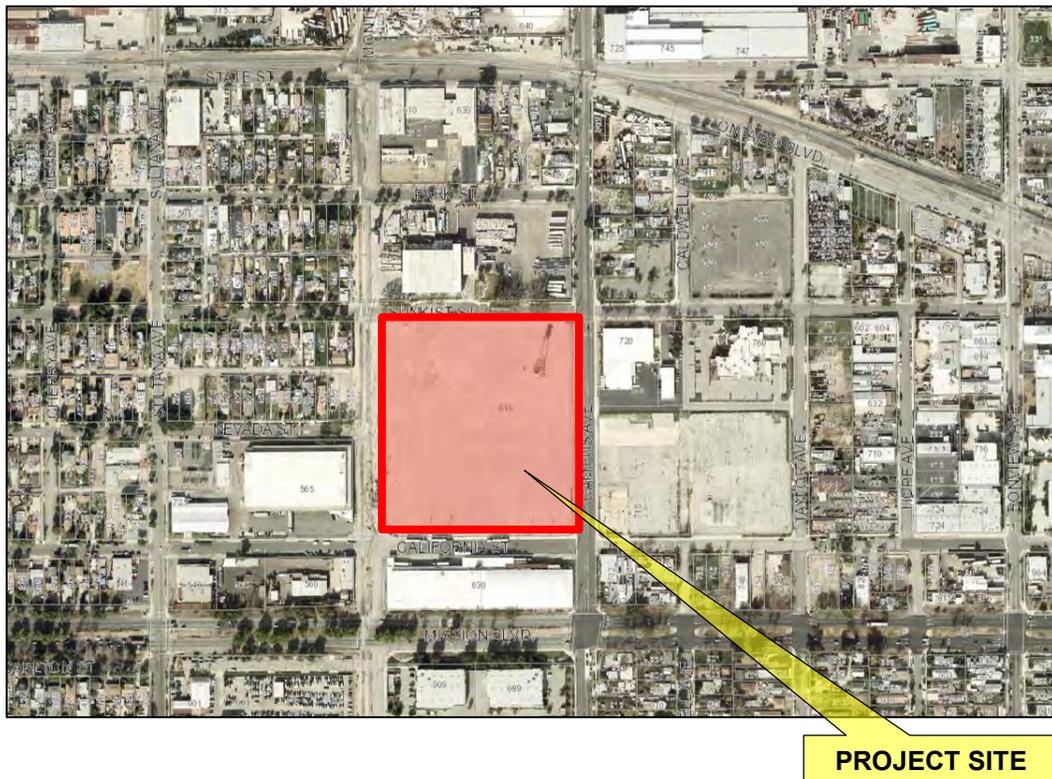


Figure 3—AERIAL PHOTOGRAPH



- | | |
|--|---|
| <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 EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature

12/01/2015

 Date

Charles Mercier, Senior Planner

 Printed Name and Title

City of Ontario Planning Department

 For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a 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"/>

<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>
<p>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>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)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

<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>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
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"/>

<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>
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"/>
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"/>

<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>
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 checked="" type="checkbox"/>	<input 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"/>

<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>
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"/>

<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>
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"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 Policy Plan (General Plan) does not identify scenic vistas within the City; however, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is not located on a major north-south street, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by Industrial development, and is surrounded by urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with a new concrete tilt-up industrial building, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property, as well as with the industrial development in the surrounding area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City’s Development Code, project on-site lighting will be shielded, diffused, or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site, and minimize light spillage.

Site lighting plans will be subject to review by the Planning and Police Departments prior to issuance of a building permit (pursuant to the City’s Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

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

Discussion of Effects: The site is presently vacant and does not contain any agricultural uses. Further, the site is identified as “Urban and Built-Up Land” on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project site will be zoned IL (Light Industrial) at the time building permit issuance and development of the site. The project site is not intended for agricultural use, except on an interim basis, prior to the ultimate development of the site. The proposed project is consistent with the development standards and allowed land uses of the IL zoning district. 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: None required.

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

Discussion of Effects: The project site will be zoned IL (Light Industrial) at the time of building permit issuance. The proposed project is consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan), and the development standards and allowed land uses of the IL zoning district. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The project site will be zoned IL (Light Industrial) at the time of building permit issuance, and is not designated for Farmland. The project site is currently vacant and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

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

Mitigation Required: None required.

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

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

Discussion of Effects: The project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which The Ontario Plan EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use low emission fuel, use low VOC architectural coatings, and implement an alternative transportation program

(which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

Mitigation: None required.

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

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

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

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

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

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

iii) After clearing, grading or earth moving:

- (1)** Seed and water until plant cover is established;
- (2)** Spread soil binders;
- (3)** Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and

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

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

c) *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: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because of the limited size and scope of the project. Although no impacts are anticipated, the project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Mitigation: None required.

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

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD,

projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project is located adjacent to sensitive receptors; however, it will not expose sensitive receptors to any increase in pollutant concentrations because the types of uses that would potentially impact sensitive receptors would not be supported on the project site pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan), and the IL (Light Industrial) zoning designation, which will be in effect on the property at the time of building occupancy. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The use proposed on the subject site, as well as those permitted within the IL zoning district, would not create objectionable odors. Furthermore, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: None required.

4) BIOLOGICAL RESOURCES. Would the project:

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The site is part of a larger vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Discussion of Effects: The project proposes relocation of an existing, non-operational water tower approximately 120 feet northeast of its current location within the parcel. The steel structure is approximately 110-feet tall and was constructed with bolted L-shaped profiles, a conical shaped roof, square shaped concrete footings, and is branded with a painted "Sunkist" sign on the north side of the tower and an identical sign on the south side that has been covered with graffiti. It appears to have been one of the original structures installed by Ontario Citrus Growers (later named Sunkist Growers), who were part of the California Fruit Growers Exchange (co-operative), as part of their former processing plant at this location. The water tower appears to be unaltered and in the original location.

The former processing plant was constructed in 1926 and was the largest packing plant in Ontario. The facility covered 22 acres and employed over 600 people. The operation processed a large part of the unmarketable citrus fruit in Ontario into marketable products. The company earned its appreciation among local growers during a record cold season in December 1926, when it handled thousands of boxes of would be wind-falls. This plant eventually brought the well-known Sunkist brand to Ontario. The name Sunkist was used to recognize oranges of the highest quality implying that the fruit has been "kissed by the sun." This plant became the central location for the Sunkist citrus by-products operations, and in 1952, the Exchange officially changed its name to Sunkist Growers, Inc. At the height of citrus production, the industry produced sixty percent of the nation's citrus supply and twenty percent of the world's supply. The Sunkist Growers, Inc. remained in Ontario with its Citrus Juice & Oil operation which processes citrus fruit into orange beverages, soaps, polishes, perfumes, jams, dairy and poultry feed, pharmaceuticals, and vitamin supplements, until its recent sale in 2007. The Ontario facility consolidated its operation with their state-of-the-art facility in Tipton, California, located in San Joaquin Valley. Prior to the sale of the Ontario property, all buildings and structures on site were demolished, except for the water tower, which remains in place at its original location.

In 2006, the water tower was identified and assessed for National Register eligibility during a previous survey for a cellular antenna installation project. The results of the survey concluded that the water tower did not meet National Register criteria for the purposes of the National Historic Preservation Act. In 2008, the Ontario Historic Preservation Commission reviewed the water tower against the local landmark designation criteria and determined that the water tower was a Tier II historic resource eligible for local landmark designation. While the water tower's setting, feeling, and association with the processing plant operation have not remained intact since the original construction due to the demolition of the site, the water tower is a familiar iconic symbol to the local community of an agricultural business and industry that was an integral component to the early years of development and the success of Ontario.

For the purposes of CEQA, the Sunkist water tower is a historic resource. As part of the environmental analysis for the project, an additional survey was completed for the water tower to determine California Register eligibility. The results of the survey concluded that the water tower did not meet National or California Register criteria, but did meet local landmark designation criteria.

The water tower's historic significance is related to the appearance of the structure and the association with the citrus industry. Given the current setting of the site, it is likely that the proposed relocation of the water tower, with mitigation measures, will result in negligible impacts to the historic resource. Furthermore, the project does not propose any alterations to the structure, other than the removal of non-structural items such as harness, piping, cables, platform, and access ladder. These features will be documented prior to their removal, but do not contribute to the significance of the historic resource and are no longer necessary as the water tower is not operational. The historic painted "Sunkist" sign, shape, size, height, and design of the structure, tank, and structural components will be maintained.

Mitigation: The following mitigation measures shall be implemented:

i) The height, shape, size, and design of the structure are character-defining features and shall be preserved without alteration. However, the non-character defining features, such as the ladder, platform, and piping, may be removed.

ii) The Sunkist logo signs shall be conserved and preserved prior to issuance of building permits for the relocation of water tower. Consultation with a professional art conservator to ascertain appropriate treatment and methods for graffiti removal, conservation, and preservation of the Sunkist logo signs is required and shall be subject to review and approval by the Planning Department. No sign other than the historic logo "Sunkist" shall be painted on or affixed to the water tower.

iii) A City approved relocation and structural plan of the water tower shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the structure.

iv) To convey the historic significance of the water tower, an interpretive sign program shall be approved and installed on site adjacent to water tower prior to issuance of building occupancy. The interpretive plan shall include a minimum of two signs that include a combination of narrative text, graphics and/or images which explain the historic context, purpose of preserving the water tower, and a statement(s) of historical significance.

v) The project shall incorporate a landscape design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed.

vi) The lighting on the water tower shall be restored to its original condition.

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

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: None required.

c) 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 proposes excavation depths to be less than 10 feet. While no adverse impacts are anticipated, standard conditions have been imposed on the project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will 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: None required.

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

Discussion of Effects: The proposed project is in an area that has been previously disturbed by 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 have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: None required.

e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?

Discussion of Effects: In September 2014, the Governor signed AB-52 into law, which requires that, prior to the adoption of a negative declaration, mitigated negative declaration, or environmental impact report for a project, a California Native American tribe that is traditionally and culturally affiliated with the geographic area in which a Project is proposed, may require that the City consult with the tribe, if it provides written request to the City to be informed of proposed projects in the geographic area, and the tribe requests consultation.

Pursuant to AB-52, staff notified Native American tribes identified by the State of California, Native American Heritage Commission (NAHC), as being traditionally and culturally affiliated with the geographic area in which the proposed project is located, including Gabrieleño Band of Mission Indians–Kizh Nation, San Manuel Band of Mission Indians, and Soboba Band of Luiseño Indians. The notification included a California Historical Resources Information System (CHRIS) report, which reviewed recorded archeological, built environment resource reports, and other historical records within a one-half mile radius of the project site.

Gabrieleño Band of Mission Indians–Kizh Nation responded, finding that while the project site has been previously developed, there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. To avoid unnecessary destruction of cultural resources and protect what resources still exist at the project site for the benefit and education of future generations, Gabrieleño Band of Mission Indians–Kizh Nation has requested inclusion of the following two mitigation measures:

Mitigation Measure 1: The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined by the Gabrieleño Band of Mission Indians, Kizh Nation, as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and vegetation removal. The tribal monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The tribal monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The tribal monitor(s) will photo-document the ground disturbing activities. The tribal monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the tribal monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when either the project site's ground disturbing activities are completed, or the tribal monitor(s) has determined that the site has negligible potential for impacts to cultural resources.

Mitigation Measure 2: If the project site contains native vegetation that will be removed, the tribal monitor(s) or an authorized Tribal representative shall visit the project site to document and distinguish native vegetation that is preferred by the Tribe. All plants preferred by the Tribe shall be made available to the Tribe prior to removal. Native vegetation is still used by the indigenous peoples for food and medicinal purposes.

San Manuel Band of Mission Indians also responded to the AB-52 Native American tribe notification, requesting a CHRIS report reviewing records within a one mile radius of the project site, in order to determine whether the Applicant would be required to obtain the services of a qualified Native American Monitor, approved by the tribal representative, which must be present on site during construction-related ground disturbance activities, which was already included the mitigation measures.

Soboba Band of Luiseño Indians did not respond with any specific concerns regarding known cultural resources in the specified area of the project.

Mitigation: The following mitigation measures shall be implemented:

i) The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and vegetation removal. The tribal monitor(s) must be approved by tribal representatives from Gabrieleño Band of Mission Indians–Kizh Nation and San Manuel Band of Mission Indians, and will be present on-site during the construction phases that involve any ground disturbing activities. The tribal monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The tribal monitor(s) will photo document the ground disturbing activities. The tribal monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the tribal monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when either the project site's ground disturbing activities are completed, or the tribal monitor(s) has determined that the site has negligible potential for impacts to cultural resources.

ii) If the project site contains native vegetation that will be removed, the tribal monitor(s) or an authorized Tribal representative shall visit the project site to document and distinguish native vegetation that is preferred by the Tribe. All plants preferred by the Tribe shall be made available to the Tribe prior to removal. Native vegetation is still used by the indigenous peoples for food and medicinal purposes.

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

Mitigation: None required.

ii) *Strong seismic ground shaking?*

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active

fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be 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.

iii) Seismic-related ground failure, including liquefaction?

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

Mitigation: None required.

iv) Landslides?

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

Mitigation: None required.

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

Discussion of Effects: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: The following mitigation measures shall be implemented:

i) Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion impacts.

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

iii) After clearing, grading, or earth moving:

(1) Seed and water until plant cover is established;

(2) Spread soil binders;

(3) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and

(4) Sweep streets if silt is carried to adjacent public thoroughfares.

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

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

Discussion of Effects: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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.

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

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

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

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

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

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

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

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

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

The City of Ontario adopted a Climate Action Plan (CAP) and associated *Greenhouse Gas Emissions CEQA Thresholds and Screening Tables* on December 16, 2014. The CAP establishes a method for Projects within the City, which require a discretionary action, to determine the potential significance of GHG emissions associated with the discretionary approvals.

The City of Ontario has adopted a threshold of significance for GHG emissions. A screening threshold of 3,000 MTCO_{2e} per year for small land uses was established, and is used to determine whether a project requires additional analysis.

In determining this level of emissions, the City used the database of projects kept by the Governor's Office of Planning and Research (OPR). The analysis of the 728 projects within the sample population combined commercial, residential, and mixed use projects. Emissions from each of these projects were calculated by SCAQMD to provide a consistent method of emissions calculations across the sample population, further reducing potential errors in the statistical analysis. In calculating the emissions from projects within the sample population, construction period GHG emissions were amortized over 30-years (the assumed average economic life of a development project).

This analysis determined that the 90th percentile ranged from 2,983 MT to 3,143 MT CO_{2e} per year. The 3,000 MT CO_{2e} per year value is the low end value within that range, rounded to the nearest hundred tons of emissions, and when combined with the efficiency measures below, are used in defining small projects that are considered less than significant and do not need to use the Screening Tables or alternative GHG mitigation analysis:

- Energy efficiency of at least 5 percent greater than 2010 Title 24 requirements, and
- Water conservation measures that matches the California Green Building Code in effect as of January 2011.

As such, if a project would emit GHGs less than 3,000 MTCO_{2e} per year, the project is not considered a substantial GHG emitter, and the GHG impact is less than significant, requiring no additional analysis and no mitigation. On the other hand, if a project would emit GHGs in excess of 3,000 MTCO_{2e} per year, then the project could be considered a substantial GHG emitter, requiring additional analysis and potential mitigation.

A GHG Analysis (prepared by Urban Crossroads, dated September 1, 2015) was prepared for the proposed project, and is available for review in the Planning Department's project file. The GHG Analysis utilized the latest version of the California Emissions Estimator Model (CalEEMod) v2013.2.2. The July October CalEEMod was employed to quantify GHG emissions for this Project. The CalEEMod model includes GHG emissions from construction, area, energy, mobile, waste, and water source categories.

The annual GHG emissions associated with the operation of the proposed Project are estimated to be 2,371.49 MTCO_{2e} per year, as summarized in the GHG Analysis. Direct and indirect operational emissions associated with the Project are compared with the City's threshold of significance (3,000 MTCO_{2e} per year). As shown in the GHG Analysis, the proposed Project would result in a less than significant impact with respect to GHG emissions.

Mitigation Required: The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and the results of the GHG Analysis submitted with the Project, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:

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

ii) Require all new landscaping irrigation systems installed to be automated, high efficiency irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors;

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

iv) Pursuant to the City's CAP, the project will be required to implement the following design features:

(1) Energy efficiency of at least 5 percent greater than 2010 Title 24 requirements, and

(2) Water conservation measures that matches the California Green Building Code in effect as of January 2011.

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

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of GHG 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 GHG emissions by 15 percent, at build-out, because the project is upholding the applicable adopted mitigation measures as represented in MM6-1 through MM6-6. Furthermore, the project has submitted a GHG Analysis consistent with the requirements of the City's CAP, and will be required to implement the design features required by the CAP. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.

Mitigation Required: None required.

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.

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

Discussion of Effects: The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: None required

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

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

Mitigation: None required.

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

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required.

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

Discussion of Effects: According to Land Use Element (Exhibit LU-06 Airport Environs) of the Policy Plan (General Plan), the proposed site is located within the airport land use plan. Furthermore, an Airport Land Use Compatibility Plan (ALUCP) Consistency Determination Report (copy on file with the Ontario Planning Department) was prepared for the project, which identifies that the Project will include both permanent and temporary structures that will exceed the maximum height limit for the project site (69 FT). Furthermore, the ALUCP Consistency Determination Report found the project site as being impacted by the below-listed items, and recommends measures to reduce identified impacts to a level of nonsignificance.

- Safety Zones 2 and 4;
- 65 to 70 dB CNEL Noise Impact Area;
- FAA Notification Surfaces;
- Airspace Obstruction Surfaces;
- Airspace Avigation Easement; and
- Avigation Easement Dedication.

Mitigation: The following mitigation measures shall be implemented, as recommended by the ALUCP Consistency Determination Report, which was prepared for the Project:

i) The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA prior to project approval (building permit issuance). Determination shall include building and water tower relocation. The website link is as follows: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

ii) Project is located within Safety Zones 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons shall not be allowed (ALUCP Policy S4b (Hazardous Material Storage).

iii) This project is located within Safety Zones 2 and 4, and applicant is required to file and record an Avigation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.

iv) The Land Use Intensity calculations proposed for the project have been met and are included in the ALUCP Consistency Determination Report (Warehouse: 232,218 SF and Office: 7,182 SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.

v) New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number people on site. Land uses are required to meet the policies of the LA/Ontario International Airport Land Use Compatibility Plan.

vi) The maximum height limit for the project site is 69 FT, and as such, any construction equipment, such as cranes or any other equipment exceeding 69 FT in height will need a determination of “No Hazard” from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed and approved by the FAA prior to operating such equipment on the project site during construction.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance.

Mitigation: None required.

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

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The

development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be approximately 230 to 250 feet below the ground surface. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: It is not anticipated that the project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site nor will the proposed project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required.

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

Discussion of Effects: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than 2 percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required.

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. This project will be of similar design and size to surrounding development. The project will become a part of the larger industrial community. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The proposed project is consistent with The Ontario Plan and does not interfere with any policies addressing environmental protection.

Constructed in 1926, the former Sunkist Growers fruit packing facility was demolished in 2011, excepting the iconic nonoperational Sunkist water tower, which stands at approximately 110 feet in height, and presently exceeds the maximum allowed height for structures in the area of the project site, as allowed by the LA/Ontario International Airport Land Use Compatibility Plan, and over its 89-year history, the water tower has not proven to be a hazard to air traffic in the area.

The project proposes to relocate the existing water tower from its original location, to a point approximately 120 feet to the northeast, at the northeast corner of the site. No alterations to the structure are proposed, other than the removal of non-structural items, such as harnesses, piping, cables, platforms, and an access ladder. With its relocation, the water tower will continue to exceed the maximum structure height allowed by the ALUCP for LA/Ontario International Airport, and is not anticipated to change the

degree of impact that presently exists. Furthermore, the water tower relocation will be required to comply with Federal Aviation Administration regulations pertaining to height. Therefore, any impacts associated with the proposed project would be less than significant and would not require mitigation.

Mitigation: None required.

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

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

Mitigation: None required.

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

Mitigation: None required.

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

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required.

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

e) For a project located within the noise impact zones of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: According to the Safety Element in The Ontario Plan, the project site is located within the airport land use plan. Furthermore, the ALUCP for ONT locates the project site within the 65 dB CNEL to 70 dB CNEL noise contour. Table 2-3 (Noise Criteria) of the ALUCP for ONT indicates that light industrial land uses are a “conditional” land use, allowing a maximum interior noise level of 50 dB CNEL, therefore, requiring that the proposed building be designed to achieve a maximum interior noise level of 50 dB CNEL.

Mitigation: The following mitigation measure shall be implemented: All occupied structures on the project site shall be designed to achieve a maximum interior noise level of 50 dB CNEL.

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

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

Mitigation: None required.

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

Mitigation: None required.

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

Discussion of Effects: The project site is currently undeveloped. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project site is currently undeveloped. Therefore, no impacts are anticipated.

Mitigation: None required.

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: 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.

ii) Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

iii) Schools?

Discussion of Effects: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: None required.

iv) Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

v) Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

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: This project is not proposing any significant 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.

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

Discussion of Effects: This project is not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required.

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

Mitigation: None required.

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

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the 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: None required.

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

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it [either is outside of areas with FAA-imposed height restrictions, or is under such height restrictions]. No impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

e) Result in inadequate emergency access?

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: None required.

f) Result in inadequate parking capacity?

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

Mitigation: None required.

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

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

Mitigation: None required.

17) UTILITIES AND SERVICE SYSTEMS. Would the project:

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: This project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: None required.

18) MANDATORY FINDINGS OF SIGNIFICANCE.

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

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

Mitigation: None required.

b) *Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?*

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required.

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

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

Mitigation: None required.

d) *Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?*

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required.

EARLIER ANALYZES

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

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

- a)** The Ontario Plan Final EIR
- b)** The Ontario Plan
- c)** City of Ontario Zoning
- d)** City of Ontario Development Code
- e)** LA/Ontario International Airport Land Use Compatibility Plan
- f)** Community Climate Action Plan

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 III.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

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

1) AIR QUALITY—The following fugitive dust mitigation measures shall be required:

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

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

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

c) After clearing, grading or earth moving:

- i) Seed and water until plant cover is established;
- ii) Spread soil binders;

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

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

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

2) CULTURAL RESOURCES—The following mitigation measures shall be implemented:

- a) The height, shape, size, and design of the structure are character-defining features and shall be preserved without alteration. However, the non-character defining features, such as the ladder, platform, and piping, may be removed.
- b) The Sunkist logo signs shall be conserved and preserved prior to issuance of building permits for the relocation of water tower. Consultation with a professional art conservator to ascertain appropriate treatment and methods for graffiti removal, conservation, and preservation of the Sunkist logo signs is required and shall be subject to review and approval by the Planning Department. No sign other than the historic logo “Sunkist” shall be painted on or affixed to the water tower.
- c) A City approved relocation and structural plan of the water tower shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the structure.
- d) To convey the historic significance of the water tower, an interpretive sign program shall be approved and installed on site adjacent to water tower prior to issuance of building occupancy. The interpretive plan shall include a minimum of two signs that include a combination of narrative text, graphics and/or images which explain the historic context, purpose of preserving the water tower, and a statement(s) of historical significance.
- e) The project shall incorporate a landscape design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed.
- f) The lighting on the water tower shall be restored to its original condition.
- g) The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and vegetation removal. The tribal monitor(s) must be approved by tribal representatives from Gabrieleño Band of Mission Indians—Kizh Nation and San Manuel Band

of Mission Indians, and will be present on-site during the construction phases that involve any ground disturbing activities. The tribal monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The tribal monitor(s) will photo document the ground disturbing activities. The tribal monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the tribal monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when either the project site's ground disturbing activities are completed, or the tribal monitor(s) has determined that the site has negligible potential for impacts to cultural resources.

- h)** If the project site contains native vegetation that will be removed, the tribal monitor(s) or an authorized Tribal representative shall visit the project site to document and distinguish native vegetation that is preferred by the Tribe. All plants preferred by the Tribe shall be made available to the Tribe prior to removal. Native vegetation is still used by the indigenous peoples for food and medicinal purposes.

3) GEOLOGY AND SOILS—The following mitigation measures shall be implemented:

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

4) GREENHOUSE GAS EMISSIONS—The following mitigation measures shall be implemented:

- a)** Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant , low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;
- b)** Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors;
- c)** Reduce heat gain from pavement and other similar hardscaping;
- d)** Pursuant to the City's CAP, the project will be required to implement the following design features:
 - i)** Energy efficiency of at least 5 percent greater than 2010 Title 24 requirements, and
 - ii)** Water conservation measures that matches the California Green Building Code in effect as of January 2011.

5) HAZARDS & HAZARDOUS MATERIALS—The following mitigation measures shall be implemented:

- a)** The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA prior to project approval. Determination shall include building and water tower relocation. The website link is as follows:
<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

b) Project is located within Safety Zones 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons shall not be allowed (ALUCP Policy S4b (Hazardous Material Storage)).

c) This project is located within Safety Zones 2 and 4, and applicant is required to file and record an Avigation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.

d) The Land Use Intensity calculations proposed for the project have been met and are included in the ALUCP Consistency Determination Report (Warehouse: 232,218 SF and Office: 7,182 SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.

e) New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number people on site. Land uses are required to meet the policies of the LA/Ontario International Airport Land Use Compatibility Plan.

f) The maximum height limit for the project site is 69 FT, and as such, any construction equipment, such as cranes or any other equipment exceeding 69 FT in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed and approved by the FAA prior to operating such equipment on the project site during construction.

6) NOISE—The following mitigation measure shall be implemented:

a) All occupied structures on the project site shall be designed to achieve a maximum interior noise level of 50 dB CNEL.

MITIGATION MONITORING AND REPORTING PROGRAM

Project File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

Project Sponsor: Jim Robertson, Commerce Construction Co., LP, 13191 Crossroads Parkway North, 6th Floor, Industry, California 91746

Lead Agency/Contact Person: Charles Mercier, Senior Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2036

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
1) AIR QUALITY						
<p>a) Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.</p>	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>b) Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:</p> <ul style="list-style-type: none"> i) Scheduling receipt of construction materials to non-peak travel periods. ii) Routing construction traffic through areas of least impact sensitivity. iii) Limiting lane closures and detours to off-peak travel periods. iv) Providing rideshare incentives for contractor and subcontractor personnel. 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>c) After clearing, grading or earth moving:</p> <ul style="list-style-type: none"> i) Seed and water until plant cover is established. ii) Spread soil binders. iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv) Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas, and washing/sweeping project access to public roadways on an adequate schedule. 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
d) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
2) CULTURAL RESOURCES						
a) The height, shape, size, and design of the structure are character-defining features and shall be preserved without alteration. However, the non-character defining features, such as the ladder, platform, and piping, may be removed.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
b) The Sunkist logo signs shall be conserved and preserved prior to issuance of building permits for the relocation of water tower. Consultation with a professional art conservator to ascertain appropriate treatment and methods for graffiti removal, conservation, and preservation of the Sunkist logo signs is required and shall be subject to review and approval by the Planning Department. No sign other than the historic logo "Sunkist" shall be painted on or affixed to the water tower.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
c) A City approved relocation and structural plan of the water tower shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the structure.	Building Dept & Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check		Stop work order or withhold grading permit and/or building permit
d) To convey the historic significance of the water tower, an interpretive sign program shall be approved and installed on site adjacent to water tower prior to issuance of building occupancy. The interpretive plan shall include a minimum of two signs that include a combination of narrative text, graphics and/or images which explain the historic context, purpose of preserving the water tower, and a statement(s) of historical significance.	Planning Dept	Building permit & building occupancy	Prior to building occupancy	Plan check & on-site inspection		Withhold building occupancy
e) The project shall incorporate a landscape design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed.	Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit, building permit, or building occupancy
f) The lighting on the water tower shall be restored to its original condition.	Building Dept & Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order, or withhold building permit and/or building occupancy
g) The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and	Planning Dept	Grading permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
vegetation removal. The tribal monitor(s) must be approved by tribal representatives from Gabrieleño Band of Mission Indians–Kizh Nation and San Manuel Band of Mission Indians, and will be present on-site during the construction phases that involve any ground disturbing activities. The tribal monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The tribal monitor(s) will photo document the ground disturbing activities. The tribal monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the tribal monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when either the project site's ground disturbing activities are completed, or the tribal monitor(s) has determined that the site has negligible potential for impacts to cultural resources.						
h) If the project site contains native vegetation that will be removed, the tribal monitor(s) or an authorized Tribal representative shall visit the project site to document and distinguish native vegetation that is preferred by the Tribe. All plants preferred by the Tribe shall be made available to the Tribe prior to removal. Native vegetation is still used by the indigenous peoples for food and medicinal purposes.	Planning Dept	Grading permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit
3) GEOLOGY & SOILS						
a) The applicant shall submit an erosion control plan to reduce wind erosion impacts.	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
b) Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c) After clearing, grading, or earth moving: i) Seed and water until plant cover is established. ii) Spread soil binders. iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv) Sweep streets if silt is carried to adjacent public thoroughfares	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

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d) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
4) GREENHOUSE GAS EMISSIONS						
<p>a) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:</p> <p>i) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.</p> <p>ii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.</p> <p>iii) Reduce heat gain from pavement and other similar hardscaping.</p> <p>iv) Pursuant to the City's CAP, the project will be required to implement the following design features:</p> <ul style="list-style-type: none"> ▪ Energy efficiency of at least 5 percent greater than 2010 Title 24 requirements, and ▪ Water conservation measures that matches the California Green Building Code in effect as of January 2011. 	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order or withhold building permit
5) HAZARDS & HAZARDOUS MATERIALS						
<p>a) The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA. Determination shall include building and water tower relocation. The website link is as follows: https://oeaaa.faa.gov/oeaaa/external/portal.jsp</p> <p>b) Project is located within Safety Zones 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons shall not be allowed (ALUCP Policy S4b (Hazardous Material Storage)).</p> <p>c) This project is located within Safety Zones 2 and 4, and applicant is required to file and record an Avigation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.</p> <p>d) The Land Use Intensity calculations proposed for the project have been met and are included in the ALUCP Consistency Determination Report (Warehouse: 232,218 SF and Office: 7,182</p>	Building Dept & Planning Dept	Prior to building permit issuance	As necessary	Plan check & on-site inspection		Withhold building permit

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.</p> <p>e) New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:</p> <p>NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number people on site. Land uses are required to meet the policies of the LA/Ontario International Airport Land Use Compatibility Plan.</p> <p>f) The maximum height limit for the project site is 69 FT, and as such, any construction equipment, such as cranes or any other equipment exceeding 69 FT in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed and approved by the FAA prior to operating such equipment on the project site during construction.</p>						
6) NOISE						
<p>a) All occupied structures on the project site shall be designed to achieve a maximum interior noise level of 50 dB CNEL.</p>	Building Dept & Planning Dept	Prior to building permit issuance	As necessary	On-site inspection		Withhold building permit

RESOLUTION NO. PC15-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION, INCLUDING ENVIRONMENTAL CHECKLIST AND MITIGATION MONITORING AND REPORTING PROGRAM, FOR FILE NOS. PDEV15-031, PMTT15-003 (PM 19682), AND PHP15-009, A DEVELOPMENT PLAN (FILE NO. PDEV15-031) TO CONSTRUCT A 239,400-SQUARE FOOT INDUSTRIAL BUILDING ON APPROXIMATELY 10.8 ACRES OF LAND (PARCEL 1 OF PARCEL MAP NO. 19682), A TENTATIVE PARCEL MAP (FILE NO. PMTT15-003; PM 19682) TO SUBDIVIDE 11.09 ACRES OF LAND INTO 2 PARCELS, AND A CERTIFICATE OF APPROPRIATENESS (FILE NO. PHP15-009) FOR A TIER II HISTORIC ELIGIBLE STRUCTURE (THE EXISTING SUNKIST WATER TOWER), TO FACILITATE THE RELOCATION OF THE STRUCTURE TO THE NORTHEASTERLY CORNER OF THE PROJECT SITE TO ACCOMMODATE THE CONSTRUCTION OF THE PROPOSED INDUSTRIAL BUILDING, 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, AND MAKING FINDINGS IN SUPPORT THEREOF— APN: 1049-221-01.

WHEREAS, COMMERCE CONSTRUCTION CO., LP ("Applicant") has filed an Application for the approval of a Development Plan (File No. PDEV15-031) to construct a 239,400-square foot industrial building on approximately 10.8 acres of land (parcel 1 of Parcel Map 19682), a Tentative Parcel Map (File No. PMTT15-003; PM 19682) to subdivide 11.09 acres of land into 2 parcels, and a Certificate of Appropriateness (File No. PHP15-009) for a Tier II historic eligible structure (the existing Sunkist Water Tower), to facilitate the relocation of the structure to the northeasterly corner of the project site, to accommodate the construction of the proposed industrial building, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to property 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 (a zone change to IL, Light Industrial, will be effective on January 1, 2016), having an overall project width of approximately 722 feet and an overall project depth of approximately 673 feet, and is presently unimproved, excepting an existing inoperative water tower, approximately 110 feet in height, located within the northeasterly quadrant of the project site, and a Southern California Edison substation located at the southwesterly corner of the project site; and

WHEREAS, the property to the north of the Project site is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January

1, 2016), and is developed with a recycling processing facility. The property to the south is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and is developed with a warehouse/distribution land use. The property to the east is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and contains a mixture of vacant land and manufacturing land uses. The property to the west is within the R1 (Single-Family Residential) and M3 (General Industrial) zoning districts (LDR-5 (Low Density Residential) and IL (Light Industrial) will be effective on January 1, 2016), and is developed with a mix of single-family residential and manufacturing land uses; and

WHEREAS, in October 2008, the City entered into an Agreement with Sunkist Growers, Inc., for the acquisition of the 11.09-acre project site, which is bordered by Sunkist Street on the north, Campus Avenue on the east, California Avenue on the south, and vacated Monterey Avenue (existing Southern Pacific Railroad) on the west, and is located at 616 East Sunkist Street. City staff worked closely with Sunkist Growers to ensure that the buildings on the site of the former Sunkist Growers fruit packing facility were razed prior to the close of escrow in October 2012. At close of escrow, the only improvements remaining on the project site included the iconic Sunkist nonoperational water tower, located within the northeasterly quadrant of the site, and a small Southern California Edison (SCE) substation, located at the southwest corner of the project site.; and

WHEREAS, in June 2013, the City issued a Request for Proposal (RFP) for the redevelopment of the project site. Following review of the RFPs by City staff, and presentations by qualified developers, Majestic Realty Co. was identified as the preferred developer.; and

WHEREAS, in July 2015, the City Council approved conveyance of the project site to Majestic Realty Co. (MGH Ontario, LLC), and approved a Disposition and Development Agreement (DDA) between the City and MGH Ontario, LLC, for the redevelopment of the former Sunkist Growers Fruit Packing facility. In fulfillment of the DDA, The applicant is now requesting approval of:

- A Tentative Parcel Map (File No. PMTT15-003 (PM 19682)) to subdivide the 11.09-acre project site into two parcels, which are 10.76 acres (Parcel No. 1) and 0.33 acre (Parcel No. 2) in area;
- A Development Plan (File No. PDEV15-031) to construct a 239,400-square foot industrial building on proposed Parcel 1, a 10.76 acre site having a floor area ratio of 0.51; and
- A Certificate of Appropriateness (File No. PHP15-009) to facilitate the relocation of the existing Sunkist Water Tower to the northeasterly corner of the project site, which will accommodate the construction of the proposed industrial building; and

WHEREAS, pursuant to AB-52, staff contacted Native American tribes identified by the State of California, Native American Heritage Commission (NAHC), as being traditionally and culturally affiliated with the geographic area in which the proposed project is located, including Gabrieleño Band of Mission Indians—Kizh Nation, San Manuel Band of Mission Indians, and Soboba Band of Luiseño Indians. Soboba Band of Luiseño Indians did not respond with any specific concerns regarding known cultural resources in the specified area of the project. Gabrieleño Band of Mission Indians—Kizh Nation and San Manuel Band of Mission Indians responded, finding that while the project site has been previously developed, there still is a possibility that unknown, yet significant, cultural resources will be encountered during ground disturbance activities. To avoid unnecessary destruction of cultural resources and protect what resources still exist at the project site for the benefit and education of future generations, Gabrieleño Band of Mission Indians—Kizh Nation has requested inclusion of a mitigation measure requiring that the Applicant obtain the services of a qualified Native American Monitor approved by the tribal representative, which must be present on site during construction-related ground disturbance activities. Gabrieleño Band of Mission Indians—Kizh Nation further requested that, if the project site contains native vegetation that will be removed, the Native American Monitor will document and distinguish native vegetation that is preferred by the Tribe, which will be made available to the Tribe prior to removal; and

WHEREAS, 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).; 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, on the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program were prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, the MND was made available to the public and to all interested agencies for review and comment pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, on December 21, 2015, the Development Advisory Board of the City of Ontario conducted a hearing and issued a decision recommending the Planning Commission approve the subject Applications; and

WHEREAS, on December 22, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the MND, the initial study, and the administrative record for 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 MND, 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 MND, 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 MND has been completed in compliance with CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines;

b. The MND contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission;

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 MND.

SECTION 2. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings and conclusions set forth in Section 1, above, the Planning Commission hereby: [1] approves and adopts the Mitigated Negative Declaration; and [2] adopts the Mitigation Monitoring and Reporting Program prepared for the Project, which is included as Exhibit A of this Resolution.

SECTION 3. 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 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 22nd day of December 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 December 22, 2015, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A: Mitigation Monitoring and Reporting Program

(Exhibit A follows this page)

MITIGATION MONITORING AND REPORTING PROGRAM

Project File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

Project Sponsor: Jim Robertson, Commerce Construction Co., LP, 13191 Crossroads Parkway North, 6th Floor, Industry, California 91746

Lead Agency/Contact Person: Charles Mercier, Senior Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2036

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
1) AIR QUALITY						
<p>a) Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.</p>	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>b) Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:</p> <ul style="list-style-type: none"> i) Scheduling receipt of construction materials to non-peak travel periods. ii) Routing construction traffic through areas of least impact sensitivity. iii) Limiting lane closures and detours to off-peak travel periods. iv) Providing rideshare incentives for contractor and subcontractor personnel. 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>c) After clearing, grading or earth moving:</p> <ul style="list-style-type: none"> i) Seed and water until plant cover is established. ii) Spread soil binders. iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv) Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas, and washing/sweeping project access to public roadways on an adequate schedule. 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
d) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
2) CULTURAL RESOURCES						
a) The height, shape, size, and design of the structure are character-defining features and shall be preserved without alteration. However, the non-character defining features, such as the ladder, platform, and piping, may be removed.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
b) The Sunkist logo signs shall be conserved and preserved prior to issuance of building permits for the relocation of water tower. Consultation with a professional art conservator to ascertain appropriate treatment and methods for graffiti removal, conservation, and preservation of the Sunkist logo signs is required and shall be subject to review and approval by the Planning Department. No sign other than the historic logo "Sunkist" shall be painted on or affixed to the water tower.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
c) A City approved relocation and structural plan of the water tower shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the structure.	Building Dept & Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check		Stop work order or withhold grading permit and/or building permit
d) To convey the historic significance of the water tower, an interpretive sign program shall be approved and installed on site adjacent to water tower prior to issuance of building occupancy. The interpretive plan shall include a minimum of two signs that include a combination of narrative text, graphics and/or images which explain the historic context, purpose of preserving the water tower, and a statement(s) of historical significance.	Planning Dept	Building permit & building occupancy	Prior to building occupancy	Plan check & on-site inspection		Withhold building occupancy
e) The project shall incorporate a landscape design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed.	Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit, building permit, or building occupancy
f) The lighting on the water tower shall be restored to its original condition.	Building Dept & Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order, or withhold building permit and/or building occupancy
g) The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and	Planning Dept	Grading permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit

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vegetation removal. The tribal monitor(s) must be approved by tribal representatives from Gabrieleño Band of Mission Indians–Kizh Nation and San Manuel Band of Mission Indians, and will be present on-site during the construction phases that involve any ground disturbing activities. The tribal monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The tribal monitor(s) will photo document the ground disturbing activities. The tribal monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the tribal monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when either the project site's ground disturbing activities are completed, or the tribal monitor(s) has determined that the site has negligible potential for impacts to cultural resources.						
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d) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
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<p>a) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:</p> <p>i) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.</p> <p>ii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.</p> <p>iii) Reduce heat gain from pavement and other similar hardscaping.</p> <p>iv) Pursuant to the City's CAP, the project will be required to implement the following design features:</p> <ul style="list-style-type: none"> ▪ Energy efficiency of at least 5 percent greater than 2010 Title 24 requirements, and ▪ Water conservation measures that matches the California Green Building Code in effect as of January 2011. 	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order or withhold building permit
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<p>a) The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA. Determination shall include building and water tower relocation. The website link is as follows: https://oeaaa.faa.gov/oeaaa/external/portal.jsp</p> <p>b) Project is located within Safety Zones 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons shall not be allowed (ALUCP Policy S4b (Hazardous Material Storage)).</p> <p>c) This project is located within Safety Zones 2 and 4, and applicant is required to file and record an Avigation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.</p> <p>d) The Land Use Intensity calculations proposed for the project have been met and are included in the ALUCP Consistency Determination Report (Warehouse: 232,218 SF and Office: 7,182</p>	Building Dept & Planning Dept	Prior to building permit issuance	As necessary	Plan check & on-site inspection		Withhold building permit

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.</p> <p>e) New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:</p> <p>NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number people on site. Land uses are required to meet the policies of the LA/Ontario International Airport Land Use Compatibility Plan.</p> <p>f) The maximum height limit for the project site is 69 FT, and as such, any construction equipment, such as cranes or any other equipment exceeding 69 FT in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed and approved by the FAA prior to operating such equipment on the project site during construction.</p>						
6) NOISE						
<p>a) All occupied structures on the project site shall be designed to achieve a maximum interior noise level of 50 dB CNEL.</p>	<p>Building Dept & Planning Dept</p>	<p>Prior to building permit issuance</p>	<p>As necessary</p>	<p>On-site inspection</p>		<p>Withhold building permit</p>

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV15-031, A DEVELOPMENT PLAN TO CONSTRUCT 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, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-221-01.

WHEREAS, COMMERCE CONSTRUCTION CO., LP ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV15-031, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to property 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 (a zone change to IL, Light Industrial, will be effective on January 1, 2016), having an overall project width of approximately 722.27 feet and an overall project depth of approximately 673.32 feet, and is presently unimproved, excepting an existing inoperative water tower, approximately 110 feet in height, located within the northeasterly quadrant of the project site, and a Southern California Edison substation located at the southwesterly corner of the project site; and

WHEREAS, the property to the north of the Project site is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and is developed with a recycling processing facility. The property to the south is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and is developed with a warehouse/distribution land use. The property to the east is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and contains a mixture of vacant land and manufacturing land uses. The property to the west is within the R1 (Single-Family Residential) and M3 (General Industrial) zoning districts (LDR-5 (Low Density Residential) and IL (Light Industrial) will be effective on January 1, 2016), and is developed with a mix of single-family residential and manufacturing land uses; and

WHEREAS, the Development Plan was submitted in conjunction with a Tentative Parcel Map (File No. PMTT15-003) and Certificate of Appropriateness (File No. PHP15-009), which are necessary to facilitate the proposed Project.

WHEREAS, in October 2008, the City entered into an Agreement with Sunkist Growers, Inc., for the acquisition of the 11.09-acre project site, which is bordered by Sunkist Street on the north, Campus Avenue on the east, California Avenue on the south, and vacated Monterey Avenue (existing Southern Pacific Railroad) on the west, and is

located at 616 East Sunkist Street. City staff worked closely with Sunkist Growers to ensure that the buildings on the site of the former Sunkist Growers fruit packing facility were razed prior to the close of escrow in October 2012. At close of escrow, the only improvements remaining on the project site included the iconic Sunkist nonoperational water tower, located within the northeasterly quadrant of the site, and a small Southern California Edison (SCE) substation, located at the southwest corner of the project site.; and

WHEREAS, in June 2013, the City issued a Request for Proposal (RFP) for the redevelopment of the project site. Following review of the RFPs by City staff, and presentations by qualified developers, Majestic Realty Co. was identified as the preferred developer; and

WHEREAS, in July 2015, the City Council approved conveyance of the project site to Majestic Realty Co. (MGH Ontario, LLC), and approved a Disposition and Development Agreement (DDA) between the City and MGH Ontario, LLC, for the redevelopment of the former Sunkist Growers Fruit Packing facility. In fulfillment of the DDA, The applicant is now requesting approval of a Development Plan (File No. PDEV15-031) to construct a 239,400-square foot industrial building on 10.8 acres of land (proposed Parcel 1 of Tentative Parcel Map No. 19682), and having a floor area ratio of 0.51; and

WHEREAS, the front of the proposed building is oriented to the east, toward Campus Avenue. A 105-foot setback has been provided from the Campus Avenue property line. A 25-foot wide landscaped area has been provided immediately adjacent to the street. Along Sunkist Street, a 19-foot landscaped setback has been provided, and a 66-foot setback has been provided from the California Street property line. The California Street setback area will contain a fully landscaped detention basin; and

WHEREAS, a yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is oriented to the west of the proposed building, toward vacated Monterey Avenue and the existing Southern Pacific Railroad right-of-way. The yard area will be screened from view of public streets by a combination of building walls and screen walls with view-obstructing gates. The applicant has proposed screen walls at 12.5 feet in height; however, as tractor-trailers typically range from 13.5 to 14 feet in height, staff has included a condition of approval requiring that screen walls shall be 14 feet in height to ensure that tractor-trailers are fully screened from view of public streets and the existing residentially zoned properties located west of the project site; and

WHEREAS, the existing SCE substation, Parcel No. 2, is proposed for future removal. Until the substation has been razed by SCE, the loading doors on the west building elevation, located south of the truck loading and maneuvering area shown on the site plan, have been conditioned to remain locked in the closed position, and shall not be permitted to be opened until such time that a truck maneuvering area equal to the width

of the loading doors, and having a minimum depth of 120 feet, is provided in front of the dock-high loading doors for the purposes of truck maneuvering; and

WHEREAS, automobile and truck access, parking, and maneuvering, have been separated to the extent possible. Office and visitor parking will be accessed from two points along Campus Avenue, and employee parking will be accessed from a single point along California Avenue, adjacent to the southwest corner of the site. Trucks will access the project site from a single point along Sunkist Street, adjacent to the northwest corner of the site. Pursuant to the conditions of approval, a decorative pavement will be provided at the five site entry points, which will extend from the back of the driveway apron, to the first intersecting drive aisle or parking space; and

WHEREAS, the Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The number of off-street parking spaces provide for the Project exceeds the minimum number of parking spaces required by the Development Code for warehouse/distribution facilities. The increased number of off-street parking spaces has been provided to accommodate a potential tenant having a higher employee count, which involves limited manufacturing activities (screen printing on apparel and textile products (NAICS 323113)). In addition to the off-street parking spaces required for each building, the City's off-street parking and loading standards require that the Project provide a minimum of one tractor trailer parking space for each four dock-high loading spaces. The number of tractor trailer spaces provided for the building exceeds the minimum number of tractor trailer parking spaces required — four tractor trailer parking spaces are required and thirty tractor trailer parking spaces have been provided; and

WHEREAS, the proposed building is of concrete tilt-up construction. Architecturally, the buildings incorporate smooth-painted concrete, V-groove reveals, clerestory and storefront windows with clear anodized aluminum mullions and cool grey glazing, decorative wall-mounted light fixtures, and metal-clad canopies at the main office entries. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture. The proposed project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- Variations in building massing;
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas; and

WHEREAS, in general, the Project provides substantial landscaping for the length of each Project street frontage, at each office element, throughout the guest parking area, and in front of the screened loading and tractor-trailer yard area. Varying landscaped setbacks provided along the street frontages include a setback of 19 feet along Sunkist Street, 25 feet along Campus Avenue, and 66 feet along California Street. Furthermore, a variety of accent and shade trees in 24-inch, 36-inch and 48-inch box sizes, have been provided to enhance the project, and decorative paving and lighting will be provided at key locations within the project; and

WHEREAS, public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces, and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a vegetated bioswale with stormwater infiltration installed within the Campus Avenue parking setback area, and an infiltration basin installed within the California Avenue setback area. Any overflow drainage will be conveyed to public streets by way of parkway culverts; and

WHEREAS, 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).; 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, on December 21, 2015, the Development Advisory Board of the City of Ontario conducted a hearing and issued a decision recommending the Planning Commission approve the subject Applications; and

WHEREAS, as the first action on the Project, on December 22, 2015, the Planning Commission approved a resolution adopting a Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program, prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

WHEREAS, on December 22, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the MND, 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 decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the MND, 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 MND, 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 MND, 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 MND 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 MND, the Mitigation Monitoring and Reporting Program, and the initial study.

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 Project is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.

b. The Project will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary

to protect the public health, safety and general welfare have been required of the proposed project.

c. The Project will not have a significant adverse impact on the environment.

d. The Project is consistent with the development standards set forth in the Development Code or applicable Specific Plan.

e. The Project is consistent with the design guidelines set forth in the Development Code or applicable Specific Plan.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby **approves** the herein described Application 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 22nd day of December 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. PDEV15-031
December 22, 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. PC15-*** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on December 22, 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: PDEV15-031

Related Files: PMTT15-003 (PM 19682) & PHP15-009

Project Description: 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 (zone change to IL, Light Industrial, currently in process); (APN: 1049-221-01) **submitted by Commerce Construction Co., LP.**

Prepared by: Charles Mercier, Senior Planner

Phone: (909) 395-2425; **Email:** cmercier@ci.ontario.ca.us; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Project 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 City Clerk/Records Management Department.

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

2.1 Time Limits. Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved. 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 Landscaping.

(a) On Parcel 2 of Parcel Map No. 19862, the California Avenue street frontage shall be provided with temporary landscaping and irrigation (tall shrubs and ground cover) to the satisfaction of the Planning Director, which covers the area extending

from the Southern California Edison substation to the back of sidewalk adjacent to California Avenue.

(b) Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.3 Walls and Fences.

(a) The screen walls parallel to Sunkist and California Streets shall be 14 feet in height, with 10-foot high view obstructing gates.

(b) Required view-obstructing gates shall be designed to achieve minimum 33 percent screening. This may be attained utilizing sliding or swinging tubular steel gate frames with square steel tubular pickets spaced at 2" apart, or through the use of perforated or solid sheet metal panels.

(c) The California Street screen wall shall be extended across Parcel 2 of Parcel Map No. 19682 upon the removal of the Southern California Edison substation.

(d) Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.4 Parking, Circulation and Access.

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

(b) Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.5 Loading and Outdoor Storage Areas.

(a) The 14 loading doors located on the west building elevation, south of the truck loading and maneuvering area shown on the approved site plan, shall be locked in the closed position, and shall not be permitted to be opened until such time that a truck maneuvering area equal to the width of the loading doors, and a minimum of 120 FT in depth, is provided in front of dock-high loading doors for the purposes of truck maneuvering. At a minimum, the maneuvering area shall be designed to accommodate the minimum practical turning radius of a 55-FT semi-trailer and tractor combination. Deviations from this minimum maneuvering standard may be permitted if it can be shown that the spatial needs are less than the minimum required due to the truck size and type that will be utilized in the operation of a specific use; however, in permitting such deviation, the City may require the recordation of a covenant of restriction to run with the land, which specifies limitations relating to truck size and/or type. Larger maneuvering areas shall be required if the use of a larger semi-trailer and tractor combination is proposed.

(b) Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.6 Site Lighting. Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.7 Mechanical and Rooftop Equipment. Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.8 Architectural Treatment. Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.9 Signs. Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.10 Sound Attenuation. Comply with the *Standard Conditions for New Development*, as required by City Council Resolution No. 1020-021.

2.11 Environmental Review.

(a) The proposed project **will not** have a significant effect on the environment, and a **Mitigated Negative Declaration** has been prepared and adopted. All mitigation measures listed in the attached Mitigation Monitoring and Reporting Program shall be a condition of project approval.

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

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

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

2.12 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) filing fee shall be provided to the Planning Department.** The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which 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 an extension to the statute of limitations for the filing of a CEQA lawsuit, from 30 days to 180 days.

MITIGATION MONITORING AND REPORTING PROGRAM

Project File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

Project Sponsor: Jim Robertson, Commerce Construction Co., LP, 13191 Crossroads Parkway North, 6th Floor, Industry, California 91746

Lead Agency/Contact Person: Charles Mercier, Senior Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2036

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
1) AIR QUALITY						
<p>a) Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.</p>	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>b) Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:</p> <ul style="list-style-type: none"> i) Scheduling receipt of construction materials to non-peak travel periods. ii) Routing construction traffic through areas of least impact sensitivity. iii) Limiting lane closures and detours to off-peak travel periods. iv) Providing rideshare incentives for contractor and subcontractor personnel. 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>c) After clearing, grading or earth moving:</p> <ul style="list-style-type: none"> i) Seed and water until plant cover is established. ii) Spread soil binders. iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv) Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas, and washing/sweeping project access to 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

Mitigation Monitoring And Reporting Program
 File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
public roadways on an adequate schedule.						
d) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
2) CULTURAL RESOURCES						
a) The height, shape, size, and design of the structure are character-defining features and shall be preserved without alteration. However, the non-character defining features, such as the ladder, platform, and piping, may be removed.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
b) The Sunkist logo signs shall be conserved and preserved prior to issuance of building permits for the relocation of water tower. Consultation with a professional art conservator to ascertain appropriate treatment and methods for graffiti removal, conservation, and preservation of the Sunkist logo signs is required and shall be subject to review and approval by the Planning Department. No sign other than the historic logo "Sunkist" shall be painted on or affixed to the water tower.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
c) A City approved relocation and structural plan of the water tower shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the structure.	Building Dept & Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check		Stop work order or withhold grading permit and/or building permit
d) To convey the historic significance of the water tower, an interpretive sign program shall be approved and installed on site adjacent to water tower prior to issuance of building occupancy. The interpretive plan shall include a minimum of two signs that include a combination of narrative text, graphics and/or images which explain the historic context, purpose of preserving the water tower, and a statement(s) of historical significance.	Planning Dept	Building permit & building occupancy	Prior to building occupancy	Plan check & on-site inspection		Withhold building occupancy
e) The project shall incorporate a landscape design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed.	Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit, building permit, or building occupancy
f) The lighting on the water tower shall be restored to its original condition.	Building Dept & Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order, or withhold building permit and/or building occupancy

Mitigation Monitoring And Reporting Program

File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>g) The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and vegetation removal. The tribal monitor(s) must be approved by tribal representatives from Gabrieleño Band of Mission Indians–Kizh Nation and San Manuel Band of Mission Indians, and will be present on-site during the construction phases that involve any ground disturbing activities. The tribal monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The tribal monitor(s) will photo document the ground disturbing activities. The tribal monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the tribal monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when either the project site's ground disturbing activities are completed, or the tribal monitor(s) has determined that the site has negligible potential for impacts to cultural resources.</p>	Planning Dept	Grading permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit
<p>h) If the project site contains native vegetation that will be removed, the tribal monitor(s) or an authorized Tribal representative shall visit the project site to document and distinguish native vegetation that is preferred by the Tribe. All plants preferred by the Tribe shall be made available to the Tribe prior to removal. Native vegetation is still used by the indigenous peoples for food and medicinal purposes.</p>	Planning Dept	Grading permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit
3) GEOLOGY & SOILS						
<p>a) The applicant shall submit an erosion control plan to reduce wind erosion impacts.</p>	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
<p>b) Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.</p>	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>c) After clearing, grading, or earth moving: i) Seed and water until plant cover is established.</p>	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading

Mitigation Monitoring And Reporting Program
 File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>ii) Spread soil binders.</p> <p>iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind.</p> <p>iv) Sweep streets if silt is carried to adjacent public thoroughfares</p>						permit; or withhold building permit
d) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
4) GREENHOUSE GAS EMISSIONS						
<p>a) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:</p> <p>i) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.</p> <p>ii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.</p> <p>iii) Reduce heat gain from pavement and other similar hardscaping.</p> <p>iv) Pursuant to the City's CAP, the project will be required to implement the following design features:</p> <ul style="list-style-type: none"> ▪ Energy efficiency of at least 5 percent greater than 2010 Title 24 requirements, and ▪ Water conservation measures that matches the California Green Building Code in effect as of January 2011. 	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order or withhold building permit
5) HAZARDS & HAZARDOUS MATERIALS						
<p>a) The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA. Determination shall include building and water tower relocation. The website link is as follows: https://oeaaa.faa.gov/oeaaa/external/portal.jsp</p> <p>b) Project is located within Safety Zones 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons shall not be allowed (ALUCP Policy S4b (Hazardous Material Storage)).</p> <p>c) This project is located within Safety Zones 2 and 4, and</p>	Building Dept & Planning Dept	Prior to building permit issuance	As necessary	Plan check & on-site inspection		Withhold building permit

Mitigation Monitoring And Reporting Program
 File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>applicant is required to file and record an Avigation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.</p> <p>d) The Land Use Intensity calculations proposed for the project have been met and are included in the ALUCP Consistency Determination Report (Warehouse: 232,218 SF and Office: 7,182 SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.</p> <p>e) New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:</p> <p>NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number people on site. Land uses are required to meet the policies of the LA/Ontario International Airport Land Use Compatibility Plan.</p> <p>f) The maximum height limit for the project site is 69 FT, and as such, any construction equipment, such as cranes or any other equipment exceeding 69 FT in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed and approved by the FAA prior to operating such equipment on the project site during construction.</p>						

6) NOISE						
All occupied structures on the project site shall be designed to achieve a maximum interior noise level of 50 dB CNEL.	Building Dept & Planning Dept	Prior to building permit issuance	As necessary	On-site inspection		Withhold building permit



CITY OF ONTARIO MEMORANDUM

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
 Doug Sorel, Police Department
 Art Andres, Deputy Fire Chief/Fire Marshal
 Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
 Julie Bjork, Housing Manager
 Tom Danna, T. E., Traffic/Transportation Manager
 Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director

FROM: Chuck Mercier,

DATE: September 11, 2015

SUBJECT: FILE #: PDEV15-031 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 **Friday, September 25, 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 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*

- 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.

Planning
Department

Lorena Mejia
Signature

Associate Planner
Title

10/20/15
Date

CD No. 2015-048

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV15-031
 Address: 616 East Sunkist Street
 APN: 1049-221-01
 Existing Land Use: Vacant
 Proposed Land Use: 239,400 SF Industrial Warehouse Building
 Site Acreage: 10.8 Proposed Structure Height: 45'
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Chuck Mercier
 Date: 10/20/15
 CD No.: 2015-046
 PALU No.: n/a

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

- | Safety | Noise Impact | Airspace Protection | Overflight Notification |
|--|---|--|---|
| <input type="radio"/> Zone 1 | <input type="radio"/> 75+ dB CNEL | <input type="checkbox"/> High Terrain Zone | <input checked="" type="checkbox"/> Avigation Easement Dedication |
| <input type="radio"/> Zone 1A | <input type="radio"/> 70 - 75 dB CNEL | <input checked="" type="checkbox"/> FAA Notification Surfaces | <input type="radio"/> Recorded Overflight Notification |
| <input checked="" type="checkbox"/> Zone 2 | <input checked="" type="checkbox"/> 65 - 70 dB CNEL | <input checked="" type="checkbox"/> Airspace Obstruction Surfaces | <input type="checkbox"/> Real Estate Transaction Disclosure |
| <input type="radio"/> Zone 3 | <input type="radio"/> 60 - 65 dB CNEL | <input checked="" type="checkbox"/> Airspace Avigation Easement Area | |
| <input checked="" type="checkbox"/> Zone 4 | | Allowable Height: 69 feet | |
| <input type="radio"/> Zone 5 | | | |

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

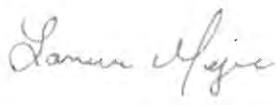
- Zone A
 Zone B1
 Zone C
 Zone D
 Zone E

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 Airport Land Use Compatibility Plan (ALUCP) for ONT provided that the following conditions are met:

See Attached

Airport Planner Signature: 

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT

CD No.: 2015-046
PALU No.: n/a

PROJECT CONDITIONS

1. The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA prior to project approval. Determination shall include building and water tower relocation. the website link is provided below.

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

2. Project is located within Safety Zone 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons is not allowed (ALUCP Policy S4b (Hazardous Material Storage)).

3. This project is located within Safety Zone 2 and 4 , and applicant is required to file and record an Aviation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.

4. The Land Use Intensity calculations proposed for this building have been met and are attached to this report (Warehouse – 232,218 SF and Office – 7,182 SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.

5. New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:

(NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number of people on site. Land uses are required to meet the policies and criteria of the LA/Ontario International Airport Land Use Compatibility Plan.

6. The maximum height limit for the project site is 69 feet and as such, any construction equipment such as cranes or any other equipment exceeding 69 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.

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

PRELIMINARY PLAN CORRECTIONS

Sign Off	
	12/9/15
Carolyn Bell, Sr. Landscape Planner	Date

Reviewer's Name: Carolyn Bell, Sr. Landscape Planner	Phone: (909) 395-2237
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D.A.B. File No.: PDEV15-031 Rev 1	Case Planner: Chuck Mercier
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Project Name and Location: Majestic Campus Center 616 east Sunkist St

Applicant/Representative: James Robertson 13191 Crossroads Parkway N City of Industry, CA 91746
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<input checked="" type="checkbox"/>	A Preliminary Landscape Plan 11/6/2015 meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

CORRECTIONS REQUIRED

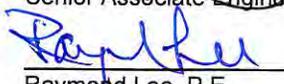
1. Provide a level grade minimum 5' from basin edge Section B & C sheet 3.
2. Design spaces so utilities such as backflows and transformers are screened with 5' of landscape. **Show irrigation meter and backflow device.**
3. Show street lights on landscape plans – **Sunkist and California Streets.**
4. Show parkway landscape and street trees spaced 35' apart. **Correction 30' oc.**
5. Show Street trees on Sunkist Street – Crape Myrtle 'Muskogee', Camphor if power lines are under grounded. Continue street trees along Sunkist instead of Koelreuteria toward walkway.
6. Sht L-1: Add note; where possible all trees shall be min 5' from paved edge.
7. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end. **Provide 6' clear space for tree in transformer planter, move transformer if possible west of walkway.**
8. Call out type of proposed irrigation system. **Use pop up stream bubblers 2 per tree.**
9. Reduce quantity of river rock cobble at east basin to slope area only and not bottom of basin 18" wide by 8 feet long.
10. Sht 3: Sections E & F add dimension for depth of footing on west property line wall. Vine pockets should have 3' of soil cover over footing or show a bridge footing.
11. Change chain link fence to horizontal wire mesh fence.
12. Show landscaping for SCE Substation frontage, tall shrubs and groundcover where walkway ends.
13. Show corner ramps per City standard.
14. Move citrus trees away from tower, double row on Sunkist, space 15' oc and one row on Campus.
15. Remove landscaping under tower and keep cobble stone maximum 2' beyond edge of tower base.
16. Move employee break area adjacent to walkway near Sunkist Street.
17. Add one more accent tree at each driveway near sidewalk where space allows.
18. Add California native trees approximately 10%; 3 at southeast corner, 3 at southwest corner and 5 at northwest corner. Such as Quercus agrifolia, Quercus suber, etc.
19. Show 5% 48 box trees. Such as Quercus, Koelreuteria or Platanus.
20. Add 50% evergreen trees along south building frontage for screening.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development and Environmental], Traffic/Transportation Division, Ontario Municipal Utilities Company and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
<p><u>PROJECT FILE NO. PM19682/PMTT15-003 AND PDEV15-031</u></p> <p><input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__</p>		

CITY PROJECT ENGINEER & PHONE NO: CITY PROJECT PLANNER & PHONE NO: DAB MEETING DATE: PROJECT NAME / DESCRIPTION: LOCATION: APPLICANT: REVIEWED BY: APPROVED BY:	<p>Naiim Khoury, Associate Engineer <i>NK</i> (909) 395-2152</p> <p>Chuck Mercier, Senior Planner (909) 395-2425</p> <p>December 21, 2015</p> <p>Majestic Campus Center (Sunkist Property). Subdivide 1 parcel into two parcels & construct 239,400 SF industrial building on parcel 1 SWC of Sunkist Street and Campus Avenue</p> <p>Majestic Realty Company</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;">  Omar Gonzalez, P.E. Senior Associate Engineer </div> <div style="text-align: center;"> <p>12/10/15 Date</p> </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div style="text-align: center;">  Raymond Lee, P.E. Assistant City Engineer </div> <div style="text-align: center;"> <p>12/10/15 Date</p> </div> </div>
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THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 - a) 4 feet along the west side of Campus Avenue to achieve the ultimate half street right-of-way width of 44 feet from street centerline.
 - b) Property line corner 'cut-back' per City Standard No. 1301 at the northwest corner of Campus Avenue and California Street and southwest corner of Campus Avenue and Sunkist Street.
- 1.02 Dedicate to the City of Ontario, the following easement(s):
 - a) 15 feet storm drain easement on Parcel 1 for the proposed public storm drain pipe traversing through the project site between Sunkist Street and California Street.
 - b) Access easement on Parcel 1 for the maintenance of the proposed public storm drain facility on site.
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the existing public easement for water line purposes along the westerly property line.
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements, and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____
- 1.08 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted a minimum of three (3) months prior to, and the annexation shall be completed, prior to final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property.



Contact Management Services at (909) 395-2124 regarding this requirement.

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

- 1.10 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

- 1.11 Other conditions:
 - a) Reserve Cross-lot drainage easement between parcels 1 and 2 for the benefit of both parcels.
 - b) Reserve reciprocal access easement for ingress and egress between Parcels 1 and 2.
 - c) Dedicate additional public easement for sidewalk purposes as required at driveway locations and any vertical obstruction per ADA requirements and City Standards.

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

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

- 2.01 Record parcel Map No. PM19682 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements



established in the Water Quality Management Plan (WQMP), as applicable to the project.

2.07 Submit a soils/geology report.

2.08 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agencies:**

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- California Department of Public Health for recycled water
- California Public Utilities Commission (CPUC) due to the close proximity of this project to the Railroad Tracks. See Section 2.14, e-g.**
- Union Pacific Rail Road (UPRR) due to the close proximity of this project to the Railroad Tracks. See Section 2.14, e-g.**

2.09 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____

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

2.10 Dedicate to the City of Ontario the following easement(s): _____

2.11 New Model Colony (NMC) Developments:

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

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

2.13 Other conditions: _____



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

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

Improvement	Campus Avenue	Sunkist Street	California Street	On-Site Public Easement
Curb and Gutter	<input checked="" type="checkbox"/> Widen to 32 ft. from C/L where curb line protrude outward into the traffic lane at approximately 280 feet north of California Street <input checked="" type="checkbox"/> Replace Damaged areas due to construction and utilities <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove existing curb and replace with new Curb and Gutter along entire site frontage	<input checked="" type="checkbox"/> New at 26 ft. from C/L to extend westerly along Parcel 2 frontage as required to extend new sidewalk <input checked="" type="checkbox"/> Replace Damaged areas due to construction and utilities <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement along project frontage from centerline to new gutter line <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement due to sidewalk, driveway and curb and gutter improvements <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused driveway approaches with full-height curb and gutter and sidewalk improvements	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused driveway approaches with full-height curb and gutter and sidewalk improvements	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused driveway approaches with full-height curb and gutter and sidewalk improvements	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace damaged sidewalk areas	<input checked="" type="checkbox"/> New along the entire frontage-adjacent to property line <input type="checkbox"/> Remove	<input checked="" type="checkbox"/> New along the frontage of Parcel 2 <input checked="" type="checkbox"/> Remove and replace damaged areas	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace as required to meet ADA	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace as required to meet ADA	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace as required to meet ADA	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New, as required <input checked="" type="checkbox"/> Relocation if required due to new driveway construction	<input checked="" type="checkbox"/> New, as required <input checked="" type="checkbox"/> Relocation if required due to new driveway construction	<input checked="" type="checkbox"/> New, as required <input checked="" type="checkbox"/> Relocation if required due to new driveway construction	<input type="checkbox"/> New <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Laterals	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing as required	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing as required	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing as required	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New along parcel 2 <input checked="" type="checkbox"/> Upgrade existing street lights to LED	<input type="checkbox"/> New <input type="checkbox"/> Relocation



Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> CB, Laterals and connections along the south sides of Sunkist Street	<input checked="" type="checkbox"/> Connect on-site main to CB <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> On-site Main within public easement <input type="checkbox"/> Lateral
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate <input checked="" type="checkbox"/> Pay in-lieu fees for undergrounding	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Fiber Optic Improvements (see Sec. 2.F)	<input checked="" type="checkbox"/> New fiber optic conduit system <input type="checkbox"/> Relocation	_____	_____	_____

Specific notes for improvements listed in item no. 2.14, above

- a) Remove and replace sidewalk panels to provide sidewalk transition at vertical obstruction within the public sidewalk areas per City Standard No. 1216. Additional public easement may be required if the sidewalk extends beyond the right-of-way line. See Section 1.11-c.
- b) All driveway approaches BCR/ECR shall be a minimum of 5 feet from existing or proposed utilities.
- c) This project shall meet the "SOLID WASTE DEPARTMENT REFUSE AND RECYCLING PLANNING MANUAL" requirements as follows:
 1. Per the Planning Manual, this site requires 8 separate 4 CY bins, or at least two 4 CY bins and combination of compactor(s). The current site plan does not show the necessary trash receptacles to meet the solid waste requirements. The applicant/developer shall comply with the City of Ontario refuse collection standards during the grading plan check process. Selection of compactors and location of trash enclosures requires an approval from the Ontario Municipal Utilities Company (OMUC) and may impact the proposed on-site parking layout that is currently shown on the site plan.
 2. Accessibility to all trash enclosures and compactors shall be reviewed and approved by OMUC during the review of grading plans.
- d) Construct new sidewalk along the project frontage of Sunkist and across UPRR property to join existing sidewalk to the west of the Railroad Tracks per CPUC request. Also, the applicant/developer shall install pedestrian barricades and signage on the north Side of Sunkist Street as request per CPUC on each approach of the UPRR tracks



to direct pedestrian to the south side of Sunkist Street.

- e) **Construct new sidewalk on north Side of California Street along parcel 2 and across UPRR property to join existing sidewalk to the west of the Railroad Tracks per CPUC request.**
- f) **The proposed driveways along Sunkist Street and California Street are contingent upon the CPUC and UPRR evaluation and approval to meet their minimum distance requirements from the Railroad Tracks. If CPUC or UPRR require any change to the proposed driveway locations, the change may impact the site design and may require additional on-site and off-site improvements.**

- 2.15 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.16 Reconstruct the full pavement structural section based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.
- 2.17 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.18 Other conditions: _____

C. SEWER

- 2.19 **8-inch and 12-inch sewer mains are available for connection by this project in California Street and Campus Avenue respectively. (Ref: Sewer Atlas sheet Nos. K14 and L14)**
- 2.20 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.21 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.22 **Other conditions:**
 - a) **All on-site sewer lines shall be private facilities.**
 - b) **Sewer services shall be constructed outside of existing and proposed driveway approaches.**

D. WATER

- 2.23 **8-inch and 12-inch water mains are available for connection by this project in California Street and Sunkist Street respectively. (Ref: Sewer Atlas sheet Nos. K14 and L14)**
- 2.24 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak demand water flows for modeling the impact of the subject project to the existing water system. The project site is within a deficient public water system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based



on the results of the analysis, Applicant may be required to mitigate the project impacts to the deficient public water system, including, but not limited to upgrading of the existing water main(s) and/or construction of a new main(s).

- 2.26 Design and construct appropriate cross-connection protection for new potable water and fire service connections. Appropriate protection shall be based upon the degree of hazard per Title 17 of the California Code of Regulations. The minimum requirement is the installation of a backflow prevention device per current City standards. All existing potable water and fire services that do not meet the current minimum level of protection shall be upgraded (retrofitted) with the appropriate backflow protection assembly per current City standards.
- 2.27 Request a water flow test to be conducted, to determine if a water main upgrade is necessary to achieve required fire flow for the project. The application is available on the City website (www.ci.ontario.ca.us) or Applicant can contact the City of Ontario Fire Department at (909) 395-2029 to coordinate scheduling of this test. Applicant shall design and construct a water main upgrade if the water flow test concludes that an upgrade is warranted.
- 2.28 **Other conditions:**
 - a) **For optimum on-site fire looping, one DCDA shall be located on Sunkist and the second DCDA shall connect onto California Street.**
 - b) **Abandon the existing water line in the existing public water easement along the westerly property line, including removal of all valves at the points of connection with Nevada and Sunkist. Vacate the public utility easement (see section 1.04).**
 - c) **RP/backflow devices will be required on all irrigation services.**
 - d) **Proposed fire and water services shall be constructed outside of existing or proposed driveway approach and curb return areas.**

E. RECYCLED WATER

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

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

F. TRAFFIC / TRANSPORTATION

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



3. Impact at specific intersections as selected by the City Engineer



2.35 Other conditions:



- a) Applicant/Developer shall design and construct infill public streetlights along the project frontages of Campus Avenue, California Street, and Sunkist Street, in accordance with City's Traffic and Transportation Design Guidelines, latest edition. This requirement shall include the frontage of Parcel 2.
- b) Existing streetlights on California Street that satisfy all requirements necessary to remain-in-place shall have their fixtures converted to LED lamps per City Guidelines. Modifications, such as, but not limited to, sidewalk transitions and possible easement dedications, shall be required to mitigate existing streetlight posts that do not provide for ADA clearance.
- c) All Driveways shall be constructed in accordance with City Standard Drawing No. 1204. All abandoned driveways shall have associated curb cuts and aprons shall be replaced with sidewalk and full-height curb in accordance with City Standard Drawings. All driveway approaches within the public right-of-way and easements shall be kept clear of any decorative paving.
- d) Applicant/Developer shall install No Parking signs and remove any conflicting signs and curb markings along the project frontages of Campus Avenue, California Street and Sunkist Street. Existing Railroad Cross-buck sign on California Street shall be relocated to provide ADA clearance. Installations shall be in accordance with City Standards and to the satisfaction of the City Engineer.
- e) The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting, signing and striping and/or street lighting design to discuss items such as signal phasing, striping layout and tie-ins to existing or future street light circuits.
- f) Reciprocal access easements shall be provided between Parcels 1 and 2. See Section 1.11- b.

Fiber Optic (see attached exhibit)

- g) Install Ontario Fiber Optic Hand Hole HH-3 (30x48x36). Newbasis Part # PCA-304836-90244 per City Standard 1316. Conduits Sweeping into Hand Holes Shall Enter in Flush with the Cut Out Mouse Holes Aligned Parallel to the Bottom of the Box and Come In Perpendicular to the Wall of the Box. Conduits Shall Not Enter at any Angle Other Than Parallel. Provide 5' Min. Clearance From Existing /Proposed Utilities.
- h) Install Ontario Fiber Optic Hand Hole HH-4 (36x60x36). Newbasis Part #PCA-366036-90146 per City Standard 1316. Conduits Sweeping into Hand Holes Shall Enter in Flush with the Cut Out Mouse Holes Aligned Parallel to the Bottom of the Box and Come In Perpendicular to the Wall of the Box. Conduits Shall Not Enter at any Angle Other Than Parallel. Provide 5' Min. Clearance From Existing /Proposed Utilities.
- i) Construct and Install Fiber Optic Conduit at a Minimum Depth of 36". Trenching shall be Per City Standard 1306. (1) 7-way Microduct (Duraline - Orange) 13/16mm tubes and (1) 2" HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install located/tracer wires min. 10AWG within conduit bank and fiber warning tape 12-inch above the uppermost duct.
- j) Construct and Install Fiber Optic Conduit at a Minimum Dept of 36". Trenching shall be Per City Standard for Commercial Buildings. (1) 2" HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install located/tracer wires min. 10AWG within conduit bank and fiber warning tape 12-inch above the uppermost duct.



- k) All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards, available at: <http://www.ci.ontario.ca.us/index.aspx?page=278>.
- l) All unused conduits/ducts/microducts shall be protected with ducts plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
- m) Conduit bank requires (1) 10AWG high strength (min. break load 600#) copper-clad steel w/ 30mil HDPE orange insulation for locate/tracer wire.
- n) Fiber Optic Conduit Building Entrance shall be Per City Structured Wiring Ordinance for Commercial Buildings.

G. DRAINAGE / HYDROLOGY

- 2.36 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.37 Design and construct a storm water detention facility on the project site. An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Post-development flows from the site shall not exceed 80% of pre-development flows, in accordance with the approved hydrology study and improvement plans.
- 2.38 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.39 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.40 Pay Storm Drain Impact Fee.
- 2.41 Other conditions:
 - a) In conjunction with the proposed new curb and gutter along the entire project frontage of Sunkist Street and in order to eliminate any stormwater flow from the southerly half of Sunkist to the Railroad right-of-way and redirect the flow to California Street, the applicant/developer shall be responsible to redesign and reconstruct the southerly half of Sunkist Street including an on-site and off-site 18-inch storm drain system. However; applicant/developer must submit the hydraulics and hydrology study to show that the proposed 18-inch on site SD has the capacity to also accommodate the flow from the north side of Sunkist, for future connection. The proposed SD system must be designed in such a way that those catch basins on the north side of Sunkist can be connected to the proposed system in the future. In addition, the proposed 18" SD pipe needs to connect to the existing catch basin along the north side of California Street instead of connecting to the existing 18" CMP pipe in California Street.
 - b) The public easement for the proposed on-site public storm drain shall be kept clear of trees with extensive root system and any decorative paving. During the course of maintenance and repairs of public storm drain system within the public easement, the City will restore trenches per the latest City Standards, as applicable. Restoration of any enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscaping enhancements shall be the



responsibility of the property owner.

- c) **Replace the damaged portion of the existing catch basin located along the north side of California Street.**

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

- 2.42 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.43 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.44 Other conditions: _____

I. SPECIAL DISTRICTS

- 2.45 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.46 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted three (3) months prior to, and the annexation shall be completed prior to, final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact the Management Services Department at (909) 395-2124, regarding this requirement.
- 2.47 Other conditions: _____

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

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



- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.04 Submit electronic copies of all approved studies/reports (i.e. hydrology, WQMP, etc.).
- 3.05 Submit to the City a PDF copy of all approved improvement plans.



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PM19682/PMTT15-003 and PDEV15-031

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

1. A copy of this check list
2. Payment of fee for Plan Checking
3. One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.
4. One (1) copy of project Conditions of Approval
5. Two (2) sets of Potable Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Fiber Optic Plan
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Specifications available at [http:// www.ci.ca.us/index.aspx?page=278](http://www.ci.ca.us/index.aspx?page=278).
15. Two (2) copies of Water Quality Management Plan (WQMP)
16. One (1) copy of Hydrology/Drainage study
17. One (1) copy of Soils/Geology report
18. Payment for Final Map/Parcel Map processing fee
19. Three (3) copies of Parcel Map
20. One (1) copy of approved Tentative Map
21. One (1) copy of Preliminary Title Report (current within 30 days)
22. One (1) copy of Traverse Closure Calculations



23. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
24. Two (2) copies of Engineering Report and an electronic file (PDF format on a compact disc) for recycled water use
25. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Chuck Mercier

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: September 16, 2015

SUBJECT: PDEV15-031/PMTT15-003 (PM 19682)

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

Conditions of Approval

1. The address for the project is: 752 S. Campus Avenue.
2. The project shall comply with the CBC.

KS: kc



CITY OF ONTARIO

MEMORANDUM

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
Doug Sorel, Police Department
Art Andres, Deputy Fire Chief/Fire Marshal
Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
Julie Bjork, Housing Manager
Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director

FROM: Chuck Mercier,

DATE: September 11, 2015

SUBJECT: FILE #: PDEV15-031 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 **Friday, September 25, 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 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.

The plan does adequately address the departmental concerns at this time.

- No comments
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Police
Department

Douglas Sorel
Signature

MANAGEMENT ANALYST
Title

9/28/15
Date



CITY OF ONTARIO

MEMORANDUM

TO: Chuck Mercier, Senior Planner
Planning Department

FROM: Adam A. Panos, Fire Protection Analyst
Fire Department

DATE: October 19, 2015

SUBJECT: 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). Related File: PMTT15-003 (PM 19682)

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
 - Standard Conditions of Approval apply, as stated below.
- The plan **does NOT** adequately address Fire Department requirements.
- The comments contained in the attached report must be met prior to scheduling for Development Advisory Board.

SITE AND BUILDING FEATURES:

- A. Type of Building Construction Used: VB concrete tilt-up
- B. Roof Materials Used: Wood non-rated
- C. Ground Floor Area(s): 239, 400 sq. ft.
- D. Number of Stories: 1
- E. Total Square Footage: 239, 400 sq. ft.
- F. Type of Occupancy: B, S-1, F-1

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty (20) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site street fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.8 Hose valves with two and one half inch (2 ½”) connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.
- 4.9 Due to inaccessible rail spur areas, two and one half inch 2-1/2” fire hose connections shall be provided in these areas. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1.3280 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1.3280 of the Ontario Municipal Code and Standard #H-003.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO MEMORANDUM

TO: 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
 Doug Sorel, Police Department
 Art Andres, Deputy Fire Chief/Fire Marshal
 Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
 Julie Bjork, Housing Manager
 Tom Danna, T. E., Traffic/Transportation Manager
 Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director

City of Ontario
Housing Department

SEP 14 2015

received by

FROM: Chuck Mercier,

DATE: September 11, 2015

SUBJECT: FILE #: PDEV15-031

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 **Friday, September 25, 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 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.

- 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.

Housing & Municipal Services
Department

Signature

Housing & Municipal Services Dir.
Title

Date

[Handwritten Signature]
for Brent Schultz

9/25/15



CITY OF ONTARIO

MEMORANDUM

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
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 Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director

FROM: Chuck Mercier,

DATE: September 11, 2015

SUBJECT: FILE #: PDEV15-031 Finance Acct#:

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 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
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PROJECT DESCRIPTION: 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.

- 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.
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<i>Code</i>	<i>Joe M. DeFina</i>	<i>Code Enforcement Supervisor</i>	<i>9/14/15</i>
Department	Signature	Title	Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT15-003, A TENTATIVE PARCEL MAP (PM 19682) TO SUBDIVIDE APPROXIMATELY 11.09 ACRES OF LAND INTO TWO PARCELS, 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, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-221-01.

WHEREAS, COMMERCE CONSTRUCTION CO., LP ("Applicant") has filed an Application for the approval of Tentative Parcel Map No. 19682, File No. PMTT15-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to property 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 (a zone change to IL, Light Industrial, will be effective on January 1, 2016), having an overall project width of approximately 722.27 feet and an overall project depth of approximately 673.32 feet, and is presently unimproved, excepting an existing inoperative water tower, approximately 110 feet in height, located within the northeasterly quadrant of the project site, and a Southern California Edison substation located at the southwesterly corner of the project site; and

WHEREAS, the property to the north of the Project site is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and is developed with a recycling processing facility. The property to the south is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and is developed with a warehouse/distribution land use. The property to the east is within the M3 (General Industrial) zoning district (a zone change to IL, Light Industrial, will be effective on January 1, 2016), and contains a mixture of vacant land and manufacturing land uses. The property to the west is within the R1 (Single-Family Residential) and M3 (General Industrial) zoning districts (LDR-5 (Low Density Residential) and IL (Light Industrial) will be effective on January 1, 2016), and is developed with a mix of single-family residential and manufacturing land uses; and

WHEREAS, the Tentative Parcel Map was submitted in conjunction with a Development Plan (File No. PDEV15-031) and Certificate of Appropriateness (File No. PHP15-009), which are necessary to facilitate the proposed Project.

WHEREAS, in October 2008, the City entered into an Agreement with Sunkist Growers, Inc., for the acquisition of the 11.09-acre project site, which is bordered by Sunkist Street on the north, Campus Avenue on the east, California Avenue on the south,

and vacated Monterey Avenue (existing Southern Pacific Railroad) on the west, and is located at 616 East Sunkist Street. City staff worked closely with Sunkist Growers to ensure that the buildings on the site of the former Sunkist Growers fruit packing facility were razed prior to the close of escrow in October 2012. At close of escrow, the only improvements remaining on the project site included the iconic Sunkist nonoperational water tower, located within the northeasterly quadrant of the site, and a small Southern California Edison (SCE) substation, located at the southwest corner of the project site.; and

WHEREAS, in June 2013, the City issued a Request for Proposal (RFP) for the redevelopment of the project site. Following review of the RFPs by City staff, and presentations by qualified developers, Majestic Realty Co. was identified as the preferred developer; and

WHEREAS, in July 2015, the City Council approved conveyance of the project site to Majestic Realty Co. (MGH Ontario, LLC), and approved a Disposition and Development Agreement (DDA) between the City and MGH Ontario, LLC, for the redevelopment of the former Sunkist Growers Fruit Packing facility. In fulfillment of the DDA, The applicant is now requesting approval of Tentative Parcel Map No. 19682, which will subdivide the 11.09-acre project site into two parcels, which are 10.76 acres (Parcel No. 1) and 0.33 acre (Parcel No. 2) in area. These proposed lot areas exceed the minimum 10,000-square foot (0.23 acre) lot area required by the M3 (and future IL, Light Industrial) zoning district;

WHEREAS, public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces, and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a vegetated bioswale with stormwater infiltration installed within the Campus Avenue parking setback area, and an infiltration basin installed within the California Avenue setback area. Any overflow drainage will be conveyed to public streets by way of parkway culverts; and

WHEREAS, 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).; 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, on December 21, 2015, the Development Advisory Board of the City of Ontario conducted a hearing and issued a decision recommending the Planning Commission approve the subject Applications; and

WHEREAS, as the first action on the Project, on December 22, 2015, the Planning Commission approved a resolution adopting a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program, prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

WHEREAS, on December 22, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the MND, the initial study, and the administrative record for 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 MND, 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 MND, 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 MND, 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 MND 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 MND, the Mitigation Monitoring and Reporting Program, and the initial study.

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.
- b. The design or improvement of the subdivision is consistent with all applicable general and specific plans.
- c. The site is physically suitable for the type of development proposed.
- d. The site is physically suitable for the proposed density of development.
- e. The design of the subdivision or the proposed improvement is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
- f. The design of the subdivision or the proposed improvement is not likely to cause serious public health problems.
- g. The design of the subdivision 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 design of the subdivision has, to the extent feasible, provided for future passive or natural heating or cooling opportunities, i.e. lot sizes and configuration permit orientation of structures in an east-west alignment or permit orientation of structures to take advantage of shade or prevailing breezes.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby **approves** the herein described Application 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 22nd day of December 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. PMTT15-003
December 22, 2015
Page 6

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 December 22, 2015, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

File No: PMTT15-003 (PM 19682)

Related Files: PDEV15-031 & PHP15-009

Project Description: A Tentative Parcel Map to subdivide 11.09-acres of land into 2 parcels to facilitate the construction of a 239,400-square foot industrial building, 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 (zone change to IL, Light Industrial, currently in process); (APN: 1049-221-01) **submitted by Commerce Construction Co., LP.**

Prepared by: Charles Mercier, Senior Planner

Phone: (909) 395-2425; **Email:** cmercier@ci.ontario.ca.us; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Project 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 City Clerk/Records Management Department.

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

2.1 Time Limits. Tentative Parcel Map 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 parcel map shall be in conformance with the approved tentative parcel map on file with the City. Any substantial variation from the approved tentative parcel map shall 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 the issuance of a building permit.

(b) The CC&Rs shall be in a form, and contain provisions satisfactory to, the City. The articles of incorporation for the Property Owners Association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

2.4 Environmental Review.

(a) The proposed project **will not** have a significant effect on the environment, and a **Mitigated Negative Declaration** has been prepared and adopted. All mitigation measures listed in the attached Mitigation Monitoring and Reporting Program shall be a condition of project approval.

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

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

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

2.5 Additional Fees. Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which 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 an extension to the statute of limitations for the filing of a CEQA lawsuit, from 30 days to 180 days.

MITIGATION MONITORING AND REPORTING PROGRAM

Project File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

Project Sponsor: Jim Robertson, Commerce Construction Co., LP, 13191 Crossroads Parkway North, 6th Floor, Industry, California 91746

Lead Agency/Contact Person: Charles Mercier, Senior Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2036

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
1) AIR QUALITY						
<p>a) Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.</p>	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>b) Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:</p> <ul style="list-style-type: none"> i) Scheduling receipt of construction materials to non-peak travel periods. ii) Routing construction traffic through areas of least impact sensitivity. iii) Limiting lane closures and detours to off-peak travel periods. iv) Providing rideshare incentives for contractor and subcontractor personnel. 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>c) After clearing, grading or earth moving:</p> <ul style="list-style-type: none"> i) Seed and water until plant cover is established. ii) Spread soil binders. iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv) Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas, and washing/sweeping project access to 	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

Mitigation Monitoring And Reporting Program
 File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
public roadways on an adequate schedule.						
d) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
2) CULTURAL RESOURCES						
a) The height, shape, size, and design of the structure are character-defining features and shall be preserved without alteration. However, the non-character defining features, such as the ladder, platform, and piping, may be removed.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
b) The Sunkist logo signs shall be conserved and preserved prior to issuance of building permits for the relocation of water tower. Consultation with a professional art conservator to ascertain appropriate treatment and methods for graffiti removal, conservation, and preservation of the Sunkist logo signs is required and shall be subject to review and approval by the Planning Department. No sign other than the historic logo "Sunkist" shall be painted on or affixed to the water tower.	Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order or withhold building permit
c) A City approved relocation and structural plan of the water tower shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the structure.	Building Dept & Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check		Stop work order or withhold grading permit and/or building permit
d) To convey the historic significance of the water tower, an interpretive sign program shall be approved and installed on site adjacent to water tower prior to issuance of building occupancy. The interpretive plan shall include a minimum of two signs that include a combination of narrative text, graphics and/or images which explain the historic context, purpose of preserving the water tower, and a statement(s) of historical significance.	Planning Dept	Building permit & building occupancy	Prior to building occupancy	Plan check & on-site inspection		Withhold building occupancy
e) The project shall incorporate a landscape design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed.	Planning Dept	Grading Plan & building permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit, building permit, or building occupancy
f) The lighting on the water tower shall be restored to its original condition.	Building Dept & Planning Dept	Building permit issuance and throughout construction	As necessary	Plan check & on-site inspection		Stop work order, or withhold building permit and/or building occupancy

Mitigation Monitoring And Reporting Program
 File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>g) The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, trenching, and vegetation removal. The tribal monitor(s) must be approved by tribal representatives from Gabrieleño Band of Mission Indians–Kizh Nation and San Manuel Band of Mission Indians, and will be present on-site during the construction phases that involve any ground disturbing activities. The tribal monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The tribal monitor(s) will photo document the ground disturbing activities. The tribal monitor(s) must also have Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the tribal monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when either the project site's ground disturbing activities are completed, or the tribal monitor(s) has determined that the site has negligible potential for impacts to cultural resources.</p>	Planning Dept	Grading permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit
<p>h) If the project site contains native vegetation that will be removed, the tribal monitor(s) or an authorized Tribal representative shall visit the project site to document and distinguish native vegetation that is preferred by the Tribe. All plants preferred by the Tribe shall be made available to the Tribe prior to removal. Native vegetation is still used by the indigenous peoples for food and medicinal purposes.</p>	Planning Dept	Grading permit issuance	As necessary	Plan check & on-site inspection		Stop work order or withhold grading permit
3) GEOLOGY & SOILS						
<p>a) The applicant shall submit an erosion control plan to reduce wind erosion impacts.</p>	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
<p>b) Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.</p>	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
<p>c) After clearing, grading, or earth moving: i) Seed and water until plant cover is established.</p>	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading

Mitigation Monitoring And Reporting Program
 File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>ii) Spread soil binders.</p> <p>iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind.</p> <p>iv) Sweep streets if silt is carried to adjacent public thoroughfares</p>						permit; or withhold building permit
d) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
4) GREENHOUSE GAS EMISSIONS						
<p>a) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:</p> <p>i) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.</p> <p>ii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.</p> <p>iii) Reduce heat gain from pavement and other similar hardscaping.</p> <p>iv) Pursuant to the City's CAP, the project will be required to implement the following design features:</p> <ul style="list-style-type: none"> ▪ Energy efficiency of at least 5 percent greater than 2010 Title 24 requirements, and ▪ Water conservation measures that matches the California Green Building Code in effect as of January 2011. 	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order or withhold building permit
5) HAZARDS & HAZARDOUS MATERIALS						
<p>a) The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA. Determination shall include building and water tower relocation. The website link is as follows: https://oeaaa.faa.gov/oeaaa/external/portal.jsp</p> <p>b) Project is located within Safety Zones 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons shall not be allowed (ALUCP Policy S4b (Hazardous Material Storage)).</p> <p>c) This project is located within Safety Zones 2 and 4, and</p>	Building Dept & Planning Dept	Prior to building permit issuance	As necessary	Plan check & on-site inspection		Withhold building permit

Mitigation Monitoring And Reporting Program
 File Nos.: PDEV15-031, PMTT15-003 (PM 19682) & PHP15-009

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<p>applicant is required to file and record an Avigation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.</p> <p>d) The Land Use Intensity calculations proposed for the project have been met and are included in the ALUCP Consistency Determination Report (Warehouse: 232,218 SF and Office: 7,182 SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.</p> <p>e) New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:</p> <p>NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number people on site. Land uses are required to meet the policies of the LA/Ontario International Airport Land Use Compatibility Plan.</p> <p>f) The maximum height limit for the project site is 69 FT, and as such, any construction equipment, such as cranes or any other equipment exceeding 69 FT in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed and approved by the FAA prior to operating such equipment on the project site during construction.</p>						

6) NOISE						
All occupied structures on the project site shall be designed to achieve a maximum interior noise level of 50 dB CNEL.	Building Dept & Planning Dept	Prior to building permit issuance	As necessary	On-site inspection		Withhold building permit

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV15-031
 Address: 616 East Sunkist Street
 APN: 1049-221-01
 Existing Land Use: Vacant
 Proposed Land Use: 239,400 SF Industrial Warehouse Building
 Site Acreage: 10.8 Proposed Structure Height: 45'
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Chuck Mercier
 Date: 10/20/15
 CD No.: 2015-046
 PALU No.: n/a

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

- | Safety | Noise Impact | Airspace Protection | Overflight Notification |
|--|---|--|---|
| <input type="radio"/> Zone 1 | <input type="radio"/> 75+ dB CNEL | <input type="checkbox"/> High Terrain Zone | <input checked="" type="checkbox"/> Avigation Easement Dedication |
| <input type="radio"/> Zone 1A | <input type="radio"/> 70 - 75 dB CNEL | <input checked="" type="checkbox"/> FAA Notification Surfaces | <input type="radio"/> Recorded Overflight Notification |
| <input checked="" type="checkbox"/> Zone 2 | <input checked="" type="checkbox"/> 65 - 70 dB CNEL | <input checked="" type="checkbox"/> Airspace Obstruction Surfaces | <input type="checkbox"/> Real Estate Transaction Disclosure |
| <input type="radio"/> Zone 3 | <input type="radio"/> 60 - 65 dB CNEL | <input checked="" type="checkbox"/> Airspace Avigation Easement Area | |
| <input checked="" type="checkbox"/> Zone 4 | | Allowable Height: 69 feet | |
| <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 Airport Land Use Compatibility Plan (ALUCP) for ONT provided that the following conditions are met:

See Attached

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT

CD No.: 2015-046
PALU No.: n/a

PROJECT CONDITIONS

1. The project applicant is required to file a FAA Form 7460-1 due to potential height impacts to aircraft in flight and receive a determination of "No Hazard" from FAA prior to project approval. Determination shall include building and water tower relocation. the website link is provided below.

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

2. Project is located within Safety Zone 2 and 4, above ground storage of hazardous materials greater than 6,000 gallons is not allowed (ALUCP Policy S4b (Hazardous Material Storage)).

3. This project is located within Safety Zone 2 and 4 , and applicant is required to file and record an Aviation Easement with the City of Ontario prior to obtaining a Certificate of Occupancy.

4. The Land Use Intensity calculations proposed for this building have been met and are attached to this report (Warehouse – 232,218 SF and Office – 7,182 SF). Future land uses that deviate from what is currently proposed must meet the policies and criteria of the LA/Ontario ALUCP.

5. New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:

(NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number of people on site. Land uses are required to meet the policies and criteria of the LA/Ontario International Airport Land Use Compatibility Plan.

6. The maximum height limit for the project site is 69 feet and as such, any construction equipment such as cranes or any other equipment exceeding 69 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.

Intensity Calculations for PDEV 15-031

CD No. 2015-046

Proposed Land Use	Land Use SF	Acreage	Safety Zone	Load Factors ALUCP Load Factor	Sitewide Average Calculations (Zone 2 = 60 P/AC max) ALUCP Load Factor	Single Acre SF Calculations (Zone 2 = 120 P/AC max)	Single Acre Intensity Calculations (Zone 2 = 120 P/AC max)
Warehouse	232,218		2	1,000	232	36,378	36
Office	7,182		2	215	33	7,182	33
Totals	239,400	9.05			29		70
Sitewide Average Calculation							
					29		
Single Acre Intensity Calculation							
					70		
<p>Site Wide Average Calculation is for Zone 2. ALUCP criteria for Zone 2 allows a maximum of 60 people. The proposed project would generate a site wide average of 29 people as indicated in the calculations above.</p>							
<p>Single Acre Intensity Calculation is for Zone 2. ALUCP single acre criteria for Zone 2 allows a maximum of 120 people. The proposed project would generate a single acre intensity of 70 people as indicated in the above calculations.</p>							



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development and Environmental], Traffic/Transportation Division,
Ontario Municipal Utilities Company and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
<p><u>PROJECT FILE NO. PM19682/PMTT15-003 AND PDEV15-031</u></p> <p><input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__</p>		

CITY PROJECT ENGINEER & PHONE NO:	Naiim Khoury, Associate Engineer nk (909) 395-2152
CITY PROJECT PLANNER & PHONE NO:	Chuck Mercier, Senior Planner (909) 395-2425
DAB MEETING DATE:	December 21, 2015
PROJECT NAME / DESCRIPTION:	Majestic Campus Center (Sunkist Property). Subdivide 1 parcel into two parcels & construct 239,400 SF industrial building on parcel 1 SWC of Sunkist Street and Campus Avenue
LOCATION:	Majestic Realty Company
APPLICANT:	<div style="text-align: center;"> </div>
REVIEWED BY:	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> Omar Gonzalez, P.E. Senior Associate Engineer </div> <div style="text-align: center;"> <div style="color: blue; font-family: cursive; font-size: 1.2em;">12/10/15</div> Date </div> </div>
APPROVED BY:	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> Raymond Lee, P.E. Assistant City Engineer </div> <div style="text-align: center;"> <div style="color: blue; font-family: cursive; font-size: 1.2em;">12/10/15</div> Date </div> </div>



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 - a) 4 feet along the west side of Campus Avenue to achieve the ultimate half street right-of-way width of 44 feet from street centerline.
 - b) Property line corner 'cut-back' per City Standard No. 1301 at the northwest corner of Campus Avenue and California Street and southwest corner of Campus Avenue and Sunkist Street.

- 1.02 Dedicate to the City of Ontario, the following easement(s):
 - a) 15 feet storm drain easement on Parcel 1 for the proposed public storm drain pipe traversing through the project site between Sunkist Street and California Street.
 - b) Access easement on Parcel 1 for the maintenance of the proposed public storm drain facility on site.

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the existing public easement for water line purposes along the westerly property line.
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements, and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____
- 1.08 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted a minimum of three (3) months prior to, and the annexation shall be completed, prior to final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property.



Contact Management Services at (909) 395-2124 regarding this requirement.

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

- 1.10 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

- 1.11 Other conditions:
 - a) Reserve Cross-lot drainage easement between parcels 1 and 2 for the benefit of both parcels.
 - b) Reserve reciprocal access easement for ingress and egress between Parcels 1 and 2.
 - c) Dedicate additional public easement for sidewalk purposes as required at driveway locations and any vertical obstruction per ADA requirements and City Standards.

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

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

- 2.01 Record parcel Map No. PM19682 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements



established in the Water Quality Management Plan (WQMP), as applicable to the project.

2.07 Submit a soils/geology report.

2.08 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agencies:**

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- California Department of Public Health for recycled water
- California Public Utilities Commission (CPUC) due to the close proximity of this project to the Railroad Tracks. See Section 2.14, e-g.**
- Union Pacific Rail Road (UPRR) due to the close proximity of this project to the Railroad Tracks. See Section 2.14, e-g.**

2.09 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____

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

2.10 Dedicate to the City of Ontario the following easement(s): _____

2.11 New Model Colony (NMC) Developments:

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

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

2.13 Other conditions: _____



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

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

Improvement	Campus Avenue	Sunkist Street	California Street	On-Site Public Easement
Curb and Gutter	<input checked="" type="checkbox"/> Widen to 32 ft. from C/L where curb line protrude outward into the traffic lane at approximately 280 feet north of California Street <input checked="" type="checkbox"/> Replace Damaged areas due to construction and utilities <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove existing curb and replace with new Curb and Gutter along entire site frontage	<input checked="" type="checkbox"/> New at 26 ft. from C/L to extend westerly along Parcel 2 frontage as required to extend new sidewalk <input checked="" type="checkbox"/> Replace Damaged areas due to construction and utilities <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement along project frontage from centerline to new gutter line <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement due to sidewalk, driveway and curb and gutter improvements <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused driveway approaches with full-height curb and gutter and sidewalk improvements	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused driveway approaches with full-height curb and gutter and sidewalk improvements	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused driveway approaches with full-height curb and gutter and sidewalk improvements	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace damaged sidewalk areas	<input checked="" type="checkbox"/> New along the entire frontage-adjacent to property line <input type="checkbox"/> Remove	<input checked="" type="checkbox"/> New along the frontage of Parcel 2 <input checked="" type="checkbox"/> Remove and replace damaged areas	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace as required to meet ADA	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace as required to meet ADA	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace as required to meet ADA	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New, as required <input checked="" type="checkbox"/> Relocation if required due to new driveway construction	<input checked="" type="checkbox"/> New, as required <input checked="" type="checkbox"/> Relocation if required due to new driveway construction	<input checked="" type="checkbox"/> New, as required <input checked="" type="checkbox"/> Relocation if required due to new driveway construction	<input type="checkbox"/> New <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Laterals	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing as required	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing as required	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing as required	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New along parcel 2 <input checked="" type="checkbox"/> Upgrade existing street lights to LED	<input type="checkbox"/> New <input type="checkbox"/> Relocation



Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> CB, Laterals and connections along the south sides of Sunkist Street	<input checked="" type="checkbox"/> Connect on-site main to CB <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> On-site Main within public easement <input type="checkbox"/> Lateral
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate <input checked="" type="checkbox"/> Pay in-lieu fees for undergrounding	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Fiber Optic Improvements (see Sec. 2.F)	<input checked="" type="checkbox"/> New fiber optic conduit system <input type="checkbox"/> Relocation	_____	_____	_____

Specific notes for improvements listed in item no. 2.14, above

- a) Remove and replace sidewalk panels to provide sidewalk transition at vertical obstruction within the public sidewalk areas per City Standard No. 1216. Additional public easement may be required if the sidewalk extends beyond the right-of-way line. See Section 1.11-c.
- b) All driveway approaches BCR/ECR shall be a minimum of 5 feet from existing or proposed utilities.
- c) This project shall meet the "SOLID WASTE DEPARTMENT REFUSE AND RECYCLING PLANNING MANUAL" requirements as follows:
 1. Per the Planning Manual, this site requires 8 separate 4 CY bins, or at least two 4 CY bins and combination of compactor(s). The current site plan does not show the necessary trash receptacles to meet the solid waste requirements. The applicant/developer shall comply with the City of Ontario refuse collection standards during the grading plan check process. Selection of compactors and location of trash enclosures requires an approval from the Ontario Municipal Utilities Company (OMUC) and may impact the proposed on-site parking layout that is currently shown on the site plan.
 2. Accessibility to all trash enclosures and compactors shall be reviewed and approved by OMUC during the review of grading plans.
- d) Construct new sidewalk along the project frontage of Sunkist and across UPRR property to join existing sidewalk to the west of the Railroad Tracks per CPUC request. Also, the applicant/developer shall install pedestrian barricades and signage on the north Side of Sunkist Street as request per CPUC on each approach of the UPRR tracks



to direct pedestrian to the south side of Sunkist Street.

- e) Construct new sidewalk on north Side of California Street along parcel 2 and across UPRR property to join existing sidewalk to the west of the Railroad Tracks per CPUC request.
- f) The proposed driveways along Sunkist Street and California Street are contingent upon the CPUC and UPRR evaluation and approval to meet their minimum distance requirements from the Railroad Tracks. If CPUC or UPRR require any change to the proposed driveway locations, the change may impact the site design and may require additional on-site and off-site improvements.

- 2.15 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.16 Reconstruct the full pavement structural section based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.
- 2.17 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.18 Other conditions: _____

C. SEWER

- 2.19 **8-inch and 12-inch sewer mains are available for connection by this project in California Street and Campus Avenue respectively. (Ref: Sewer Atlas sheet Nos. K14 and L14)**
- 2.20 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.21 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.22 **Other conditions:**
 - a) All on-site sewer lines shall be private facilities.
 - b) Sewer services shall be constructed outside of existing and proposed driveway approaches.

D. WATER

- 2.23 **8-inch and 12-inch water mains are available for connection by this project in California Street and Sunkist Street respectively. (Ref: Sewer Atlas sheet Nos. K14 and L14)**
- 2.24 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak demand water flows for modeling the impact of the subject project to the existing water system. The project site is within a deficient public water system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based



on the results of the analysis, Applicant may be required to mitigate the project impacts to the deficient public water system, including, but not limited to upgrading of the existing water main(s) and/or construction of a new main(s).

- 2.26 Design and construct appropriate cross-connection protection for new potable water and fire service connections. Appropriate protection shall be based upon the degree of hazard per Title 17 of the California Code of Regulations. The minimum requirement is the installation of a backflow prevention device per current City standards. All existing potable water and fire services that do not meet the current minimum level of protection shall be upgraded (retrofitted) with the appropriate backflow protection assembly per current City standards.
- 2.27 Request a water flow test to be conducted, to determine if a water main upgrade is necessary to achieve required fire flow for the project. The application is available on the City website (www.ci.ontario.ca.us) or Applicant can contact the City of Ontario Fire Department at (909) 395-2029 to coordinate scheduling of this test. Applicant shall design and construct a water main upgrade if the water flow test concludes that an upgrade is warranted.
- 2.28 **Other conditions:**
 - a) **For optimum on-site fire looping, one DCDA shall be located on Sunkist and the second DCDA shall connect onto California Street.**
 - b) **Abandon the existing water line in the existing public water easement along the westerly property line, including removal of all valves at the points of connection with Nevada and Sunkist. Vacate the public utility easement (see section 1.04).**
 - c) **RP/backflow devices will be required on all irrigation services.**
 - d) **Proposed fire and water services shall be constructed outside of existing or proposed driveway approach and curb return areas.**

E. RECYCLED WATER

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

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

F. TRAFFIC / TRANSPORTATION

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



3. Impact at specific intersections as selected by the City Engineer



2.35

Other conditions:



- a) Applicant/Developer shall design and construct infill public streetlights along the project frontages of Campus Avenue, California Street, and Sunkist Street, in accordance with City's Traffic and Transportation Design Guidelines, latest edition. This requirement shall include the frontage of Parcel 2.
- b) Existing streetlights on California Street that satisfy all requirements necessary to remain-in-place shall have their fixtures converted to LED lamps per City Guidelines. Modifications, such as, but not limited to, sidewalk transitions and possible easement dedications, shall be required to mitigate existing streetlight posts that do not provide for ADA clearance.
- c) All Driveways shall be constructed in accordance with City Standard Drawing No. 1204. All abandoned driveways shall have associated curb cuts and aprons shall be replaced with sidewalk and full-height curb in accordance with City Standard Drawings. All driveway approaches within the public right-of-way and easements shall be kept clear of any decorative paving.
- d) Applicant/Developer shall install No Parking signs and remove any conflicting signs and curb markings along the project frontages of Campus Avenue, California Street and Sunkist Street. Existing Railroad Cross-buck sign on California Street shall be relocated to provide ADA clearance. Installations shall be in accordance with City Standards and to the satisfaction of the City Engineer.
- e) The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting, signing and striping and/or street lighting design to discuss items such as signal phasing, striping layout and tie-ins to existing or future street light circuits.
- f) Reciprocal access easements shall be provided between Parcels 1 and 2. See Section 1.11- b.

Fiber Optic (see attached exhibit)

- g) Install Ontario Fiber Optic Hand Hole HH-3 (30x48x36). Newbasis Part # PCA-304836-90244 per City Standard 1316. Conduits Sweeping into Hand Holes Shall Enter in Flush with the Cut Out Mouse Holes Aligned Parallel to the Bottom of the Box and Come In Perpendicular to the Wall of the Box. Conduits Shall Not Enter at any Angle Other Than Parallel. Provide 5' Min. Clearance From Existing /Proposed Utilities.
- h) Install Ontario Fiber Optic Hand Hole HH-4 (36x60x36). Newbasis Part #PCA-366036-90146 per City Standard 1316. Conduits Sweeping into Hand Holes Shall Enter in Flush with the Cut Out Mouse Holes Aligned Parallel to the Bottom of the Box and Come In Perpendicular to the Wall of the Box. Conduits Shall Not Enter at any Angle Other Than Parallel. Provide 5' Min. Clearance From Existing /Proposed Utilities.
- i) Construct and Install Fiber Optic Conduit at a Minimum Depth of 36". Trenching shall be Per City Standard 1306. (1) 7-way Microduct (Duraline - Orange) 13/16mm tubes and (1) 2" HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install located/tracer wires min. 10AWG within conduit bank and fiber warning tape 12-inch above the uppermost duct.
- j) Construct and Install Fiber Optic Conduit at a Minimum Dept of 36". Trenching shall be Per City Standard for Commercial Buildings. (1) 2" HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install located/tracer wires min. 10AWG within conduit bank and fiber warning tape 12-inch above the uppermost duct.



- k) All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards, available at: <http://www.ci.ontario.ca.us/index.aspx?page=278>.
- l) All unused conduits/ducts/microducts shall be protected with ducts plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
- m) Conduit bank requires (1) 10AWG high strength (min. break load 600#) copper-clad steel w/ 30mil HDPE orange insulation for locate/tracer wire.
- n) Fiber Optic Conduit Building Entrance shall be Per City Structured Wiring Ordinance for Commercial Buildings.

G. DRAINAGE / HYDROLOGY

- 2.36 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.37 Design and construct a storm water detention facility on the project site. An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Post-development flows from the site shall not exceed 80% of pre-development flows, in accordance with the approved hydrology study and improvement plans.
- 2.38 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.39 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.40 Pay Storm Drain Impact Fee.
- 2.41 Other conditions:
 - a) In conjunction with the proposed new curb and gutter along the entire project frontage of Sunkist Street and in order to eliminate any stormwater flow from the southerly half of Sunkist to the Railroad right-of-way and redirect the flow to California Street, the applicant/developer shall be responsible to redesign and reconstruct the southerly half of Sunkist Street including an on-site and off-site 18-inch storm drain system. However; applicant/developer must submit the hydraulics and hydrology study to show that the proposed 18-inch on site SD has the capacity to also accommodate the flow from the north side of Sunkist, for future connection. The proposed SD system must be designed in such a way that those catch basins on the north side of Sunkist can be connected to the proposed system in the future. In addition, the proposed 18" SD pipe needs to connect to the existing catch basin along the north side of California Street instead of connecting to the existing 18" CMP pipe in California Street.
 - b) The public easement for the proposed on-site public storm drain shall be kept clear of trees with extensive root system and any decorative paving. During the course of maintenance and repairs of public storm drain system within the public easement, the City will restore trenches per the latest City Standards, as applicable. Restoration of any enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscaping enhancements shall be the



responsibility of the property owner.

- c) **Replace the damaged portion of the existing catch basin located along the north side of California Street.**

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

- 2.42 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.43 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.44 Other conditions: _____

I. SPECIAL DISTRICTS

- 2.45 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.46 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted three (3) months prior to, and the annexation shall be completed prior to, final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact the Management Services Department at (909) 395-2124, regarding this requirement.
- 2.47 Other conditions: _____

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

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



- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.04 Submit electronic copies of all approved studies/reports (i.e. hydrology, WQMP, etc.).
- 3.05 Submit to the City a PDF copy of all approved improvement plans.



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PM19682/PMTT15-003 and PDEV15-031

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

1. A copy of this check list
2. Payment of fee for Plan Checking
3. One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.
4. One (1) copy of project Conditions of Approval
5. Two (2) sets of Potable Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Fiber Optic Plan
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Specifications available at [http:// www.ci.ca.us/index.aspx?page=278](http://www.ci.ca.us/index.aspx?page=278).
15. Two (2) copies of Water Quality Management Plan (WQMP)
16. One (1) copy of Hydrology/Drainage study
17. One (1) copy of Soils/Geology report
18. Payment for Final Map/Parcel Map processing fee
19. Three (3) copies of Parcel Map
20. One (1) copy of approved Tentative Map
21. One (1) copy of Preliminary Title Report (current within 30 days)
22. One (1) copy of Traverse Closure Calculations



23. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
24. Two (2) copies of Engineering Report and an electronic file (PDF format on a compact disc) for recycled water use
25. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Chuck Mercier

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: September 16, 2015

SUBJECT: PDEV15-031/PMTT15-003 (PM 19682)

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

Conditions of Approval

1. The address for the project is: 752 S. Campus Avenue.
2. The project shall comply with the CBC.

KS: kc



CITY OF ONTARIO

MEMORANDUM

TO: Chuck Mercier, Senior Planner
Planning Department

FROM: Adam A. Panos, Fire Protection Analyst
Fire Department

DATE: October 19, 2015

SUBJECT: 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). Related File: PMTT15-003 (PM 19682)

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
 - Standard Conditions of Approval apply, as stated below.
- The plan **does NOT** adequately address Fire Department requirements.
- The comments contained in the attached report must be met prior to scheduling for Development Advisory Board.

SITE AND BUILDING FEATURES:

- A. Type of Building Construction Used: VB concrete tilt-up
- B. Roof Materials Used: Wood non-rated
- C. Ground Floor Area(s): 239, 400 sq. ft.
- D. Number of Stories: 1
- E. Total Square Footage: 239, 400 sq. ft.
- F. Type of Occupancy: B, S-1, F-1

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty (20) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site street fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.8 Hose valves with two and one half inch (2 ½”) connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.
- 4.9 Due to inaccessible rail spur areas, two and one half inch 2-1/2” fire hose connections shall be provided in these areas. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1.3280 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1.3280 of the Ontario Municipal Code and Standard #H-003.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO MEMORANDUM

TO: 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
 Doug Sorel, Police Department
 Art Andres, Deputy Fire Chief/Fire Marshal
 Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
 Julie Bjork, Housing Manager
 Tom Danna, T. E., Traffic/Transportation Manager
 Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director

City of Ontario
Housing Department

SFP 28 2015

Received by 

FROM: Chuck Mercier,

DATE: September 24, 2015

SUBJECT: FILE #: PMTT15-003 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 **Thursday, October 8, 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 Tentative Parcel Map subdividing approximately 10.8 acres of land into two parcels to facilitate the construction of a 239,400 square foot industrial building generally located on the west side of Campus Avenue, between Sunkist and CALifornia Streets, within the M3 (General Industrial) zoning district. Related File: PDEV15-031.

- 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.

Housing & Municipal Services

Department

Signature

Housing & Municipal Services Dir.

Title

Date



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
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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.

<i>Code</i>	<i>Joe M. [Signature]</i>	<i>Code Enforcement Supervisor</i>	<i>9/14/15</i>
Department	Signature	Title	Date

RESOLUTION NO.

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION APPROVING FILE NO. PHP15-009, A CERTIFICATE OF APPROPRIATENESS TO RELOCATE A 110 FEET TALL WATER TOWER, A TIER II HISTORIC ELIGIBLE STRUCTURE, FROM ITS CURRENT LOCATION APPROXIMATELY 120 FEET NORTHEAST TO THE CORNER OF THE SITE TO ALLOW FOR THE CONSTRUCTION OF A 239,400 SQUARE FOOT INDUSTRIAL BUILDING WITHIN THE M3 GENERAL INDUSTRIAL ZONING DISTRICT LOCATED AT THE NORTHWEST CORNER OF CALIFORNIA AVENUE AND CAMPUS AVENUE AT 616 EAST SUNKIST STREET (APN: 1049-221-01).

WHEREAS, Commerce Construction Co. LP, (“Applicant”) has filed an application for the approval of a Local Historic Landmark Designation, File No. PHP15-009, as described in the title of this Resolution (hereinafter referred to as “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 Ordinance, Article 26 of the Ontario Development Code requires approval of a Certificate of Appropriateness for relocation of a historic resource to ensure compatibility in an effort to avoid adverse impacts to the historic resource; and

WHEREAS, the Certificate of Appropriateness was submitted in conjunction with a Tentative Parcel Map (File No. PMTT15-003), which subdivides the project site into two parcels, and Development Plan (File No. PDEV15-031), for the construction of a 239,400 square foot industrial building on a 10.8-acre parcel.

WHEREAS, the Sunkist Water Tower, constructed in 1926 as part of the Sunkist processing facility, located at 616 East Sunkist (APN: 1049-221-01) is worthy of preservation and was determined by the Ontario Historic Preservation Commission, on September 24, 2008, a Tier II Historic Resource eligible for local historic landmark designation; 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, on December 17, 2015, the Historic Preservation Subcommittee reviewed this Application and recommended approval with conditions; and

WHEREAS, as the first action on the Project, on December 22, 2015, the Planning Commission approved a resolution adopting a Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program, prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

WHEREAS, on December 22, 2015, the Planning/Historic Preservation Commission of the City of Ontario conducted a hearing to consider the MND, 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, BE IT RESOLVED, that the Historic Preservation Commission of the City of Ontario as follows:

SECTION 1. As the decision-making body for the Project, the Historic Preservation/ Planning Commission has reviewed and considered the information contained in the MND, 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 MND, the initial study, and the administrative record, including all written and oral evidence presented to the Historic Preservation/Planning Commission, the Historic Preservation/Planning Commission finds as follows:

a. The MND, 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 MND and initial study contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Historic Preservation/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 MND, the Mitigation Monitoring and Reporting Program, and the initial study.

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 that the project:

a. Will not detrimentally change, destroy, or adversely affect any significant architectural feature of the resource. The project proposes to relocate an existing water tower, a Tier II historic resource, approximately 120 feet northeast to the corner of the site from its original location. No alterations to the structure, other than the removal of non-structural items such as harness, piping, cables, platform, and access ladder. These features will be documented prior to their removal, but do not contribute to the significance of the historic resource and are no longer necessary as the water tower is not operational. The historic painted "Sunkist" sign, shape, size, height, and design of the structure, tank, and structural components will be maintained. Therefore, no adverse affects to significant character-defining features of the structure will occur; and

b. Will not detrimentally change, destroy, or adversely affect the historic character or value of the resource. The water tower is a familiar focal point and an iconic symbol to the local community of an agricultural business and industry that was an integral component to the early years of development and the success of Ontario. However, the setting, feeling, and association with the previous Sunkist citrus processing plant has not remained intact since the related buildings and structures on the site were demolished in 2011. The proposed industrial building will be set back from the water tower approximately 100 feet. The area adjacent to the water tower will be adequately landscaped in a design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed. Additionally, the historic painted Sunkist logo sign(s) will be conserved and preserved. The project, implemented with mitigation measures, will not detrimentally change, destroy, or adversely affect the historic character or value of the water tower; and

c. The project is consistent with Article 26, Historic Preservation of the Ontario Development Code.

SECTION 3. Based upon findings set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby **approves** the Certificate of Appropriateness, subject to the conditions attached herein and by this reference (Exhibit A).

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 incorporate fully in the defense.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings have been raised are located at 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.

Historic Preservation Commission Resolution
File No. PHP15-009
December 22, 2015
Page 5

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 22nd day of December, 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. PHP15-009
December 22, 2015
Page 6

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 December 22, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A- Conditions of Approval

1. The Certificate of Appropriateness shall become void eighteen (18) months from the date of approval unless a building permit has been issued and work authorized by this approval has commenced prior to the expiration date and is diligently pursued to completion.
2. The height, shape, size, and design of the structure are character-defining features and shall be preserved without alteration. However, the non-character defining features, such as the ladder, platform, and piping, may be removed.
3. The Sunkist logo signs shall be conserved and preserved prior to issuance of building permits for the relocation of water tower. Consultation with a professional art conservator to ascertain appropriate treatment and methods for graffiti removal, conservation, and preservation of the Sunkist logo signs is required and shall be subject to review and approval by the Planning Department. No sign other than the historic logo "Sunkist" shall be painted on or affixed to the water tower.
4. A City approved relocation and structural plan of the water tower shall be completed prior to issuance of any grading and/or building permit for the site and prior to any alterations to the structure.
5. To convey the historic significance of the water tower, an interpretive sign program shall be approved and installed on site adjacent to water tower prior to issuance of building occupancy. The interpretive plan shall include a minimum of two signs that include a combination of narrative text, graphics and/or images which explain the historic context, purpose of preserving the water tower, and a statement(s) of historical significance.
6. The project shall incorporate a landscape design that helps to create a meaningful connection to the period of time (1920-1930) in history in which the citrus industry and the Sunkist processing plant was constructed.
7. The lighting on the water tower shall be restored to its original condition.
8. The applicant shall obtain a building permit prior to any demolition, relocation, or construction.
9. Any deviation from the approved plans shall require approval of the Planning Department and, if necessary, the Historic Preservation Commission.

10. Conditions of Approval and approved Mitigation Measures Monitoring table shall be reproduced onto the all plans submitted for permits.
11. Prior to Occupancy the Planning Department shall inspect the premises to ensure the Conditions of Approval have been met and that the addition has been constructed per the approved plans. Upon the completion of the addition and compliance with the requirements stated above, the Planning Department shall issue a Certificate of Completion.



PLANNING COMMISSION STAFF REPORT

December 22, 2015

SUBJECT: A revision (File No. PDCA15-003) to certain provisions of the comprehensive update to the City of Ontario Development Code (adopted by the City Council on 12/1/2015), as follows: [1] add Reference I - Public Art Program, to promote public art and art in public places; [2] add Reference G – Landscape Design and Construction Guidelines; [3] modify Table 5.02-1, Land Use Matrix, to allow “salvage facilities” as a permitted land use within the proposed IG (General Industrial) and IH (Heavy Industrial) zoning districts; and [4] modify Section 5.03.350, Salvage Facilities, to modify the operational and performance standards for salvage facilities. City Council action is required.

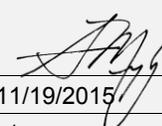
PROPERTY OWNER: City Initiated

RECOMMENDED ACTION: That the Planning Commission recommend adoption of an Addendum and approval of File No. PDCA15-003 to the City Council, pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval contained in the attached departmental reports.

REFERENCE I – PUBLIC ART PROGRAM: Following publication of the legal notice, staff determined that further refinements were necessary to the public art program section. As a result, the public art program provisions are being removed from consideration at this time and will be rescheduled and re-noticed for an upcoming meeting.

REFERENCE G – LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES: While much attention is focused on the design of a building or buildings, the landscaping provided for a project can enhance or detract from the overall design. Since adoption of the Development Code in 2000, the City has continuously looked to strengthen and expand our design guidelines in all areas to provide better developments for the City. Reference G – Landscape Design and Construction Guidelines is a compilation of existing design guidelines contained in the Development Code and best practices being used by staff over the past several years. In addition, the guidelines take into account water conservation measures currently in place and expected to remain for the foreseeable future.

SALVAGE FACILITIES: During the City Council hearing of November 17, 2015, several property owners expressed concern about the changes in the Development Code that

<i>Case Planner:</i>	Scott Murphy, Planning Director	<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
<i>Planning Director Approval:</i>		DAB			
<i>Submittal Date:</i>	11/19/2015	ZA			
<i>Hearing Deadline:</i>	n/a	PC	12/22/2015		Recommend
		CC			Final

removed “Salvage Facilities” from the IG (General Industrial) zoning designation. To address the property owners concerns, the City Council directed staff to prepare, for their consideration, a Development Code Amendment that would permit salvage facilities with the IG zone.

In reviewing this request, staff found that there are a number of salvage facilities currently operating on properties zone M3 (Heavy Industrial) that are slated to be rezoned to IG (effective January 1, 2016). The rezoning of the properties and elimination of salvage facilities from the IG will result in most of the salvage facilities becoming legal, non-conforming uses. The Development Code also identifies salvage facilities as a conditionally permitted use in the IH (Heavy Industrial) zoning category. To minimize disruption to existing businesses, the Development Code Amendment would allow salvage facilities into the IG and IH zones as a permitted use, subject to certain performance standards including the following:

- Increasing the separation from residentially zoned properties from 300 feet to 750 feet;
- Requiring greater dust control provisions;
- Prohibiting the melting, baking, gas and non-gas torch cutting of metals;
- Requiring any materials or scrap metals brought to a site for processing will be free of impurities, hazardous or radioactive chemicals;
- Requiring salvage facilities to receive scrap supplies from reliable sources that follow the established guidelines and to obtain material data safety sheets and labels for the scrap materials accepted; and
- Require equipment information shall be submitted to the Planning Department for review and evaluation.

With these provisions, placement of salvage facilities will be further removed from residential areas and operate in a manner more acceptable to adjacent uses.

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
- Invest in the Growth and Evolution of the City's Economy

[2] Policy Plan (General Plan)

[a] Land Use – Compatibility

- Goal LU2: Compatibility between wide ranges of uses.
 - LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.
 - LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.
 - LU2-3 Hazardous Uses. We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants or hazardous materials.
 - LU2-4 Regulation of Nuisances. We regulate the location, concentration and operations of potential nuisances.
 - LU2-5 Regulation of Uses. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.

[b] 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.
 - 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.

➤ CD2-5 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.

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 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.

CITY OF ONTARIO

ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO PLAN RE: DEVELOPMENT CODE AMENDMENT TO ESTABLISH CONSISTENCY WITH THE ONTARIO PLAN

A. PROJECT INFORMATION

1. **Project Title:** Development Code Amendment (**File No. PDCA15-003**) to add Reference I - Public Art Program, to promote public art and art in public places; [2] add Reference G – Landscape Design and Construction Guidelines; [3] modify Table 5.02-1, Land Use Matrix, to allow “salvage facilities” as a permitted land use within the proposed IG (General Industrial) and IH (Heavy Industrial) zoning districts; and [4] modify Section 5.03.350, Salvage Facilities, to modify the operational and performance standards for salvage facilities; submitted by the City of Ontario.
2. **Lead Agency Name and Address:** City of Ontario
303 East "B" Street
Ontario, CA 91764
3. **Contact Person(s) and Phone** Scott Murphy, Planning Director
4. **Project Location:** City-Wide within the City of Ontario, County of San Bernardino.

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 and certified (SCH # 2008101140) 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, green house gas emissions, noise and transportation/traffic.

PROJECT DESCRIPTION:

The City is proposing an amendment to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan, and various amendments to the Ontario Municipal Code to provide for the logical arrangement of provisions and eliminate duplications and inconsistencies. Furthermore, Development Code Amendment provisions will be revised to:

- add Reference I - Public Art Program, to promote public art and art in public places;
- add Reference G – Landscape Design and Construction Guidelines;
- modify Table 5.02-1, Land Use Matrix, to allow “salvage facilities” as a permitted land use within the proposed IG (General Industrial) and IH (Heavy Industrial) zoning districts; and
- modify Section 5.03.350, Salvage Facilities, to modify the operational and performance standards for salvage facilities

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).

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 Development Code Amendment is consistent with TOP land use designations that were already analyzed 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.

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 a 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 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 the TOP EIR.

CONCLUSION:

The Ontario Plan Environmental Impact Report (TOP EIR), certified in 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 development code amendment is to create consistency with TOP. 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.

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



California Environmental Quality Act Environmental Checklist Form

Project Title/File No.: PDCA15-003

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

Contact Person: Scott Murphy, (909)395-2036

Project Sponsor: City of Ontario, 303 E. B Street, Ontario, CA 91764

Project Location: City-Wide within the City of Ontario. The City is generally bounded by Benson Avenue and Euclid Avenue on the west; Interstate 10 (I-10), 8th Street, and 4th 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. Regional circulation to and through the City is provided by I-10 and State Route 60 (SR-60) east-west, and by I-15 and SR-83 (Euclid Avenue) north-south, located in the county of San Bernardino.

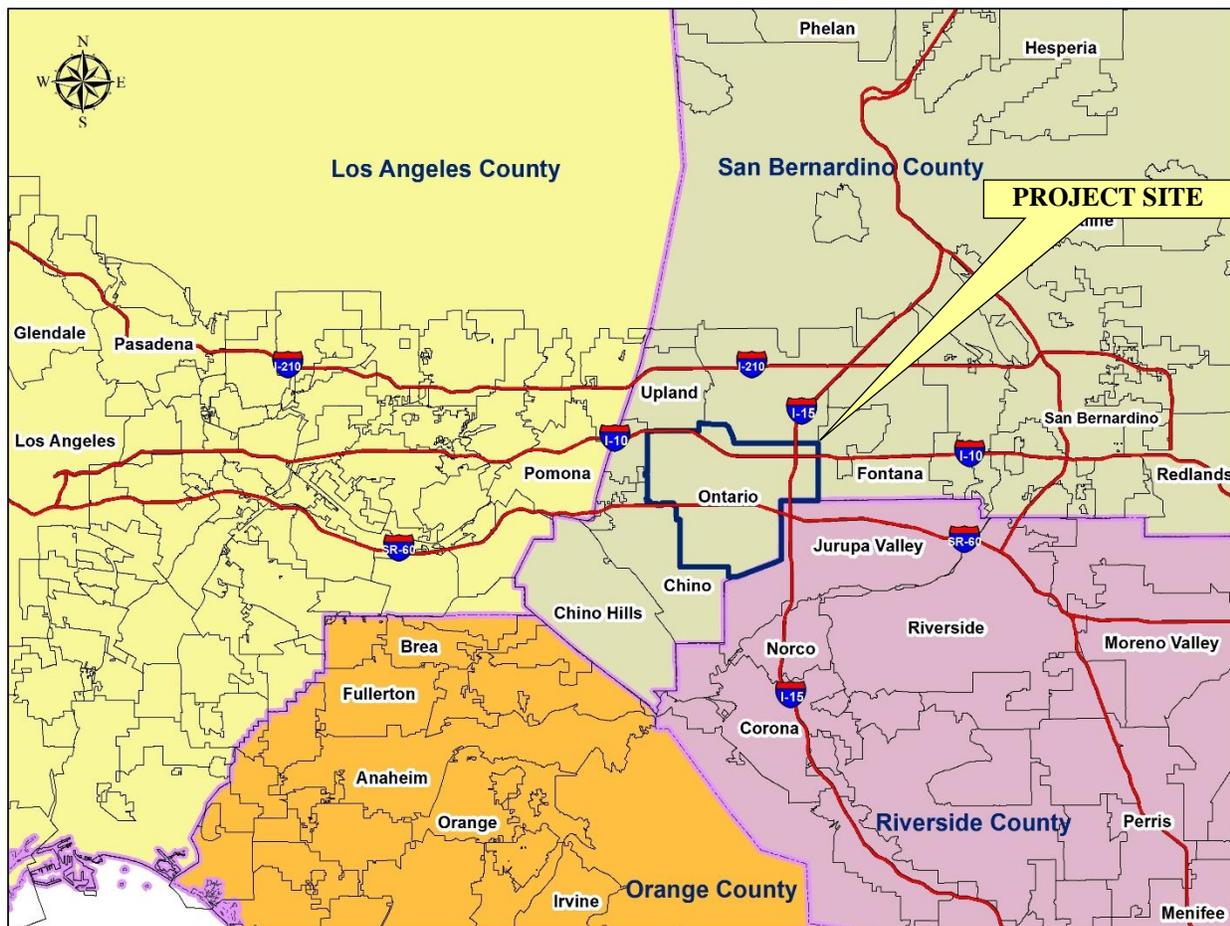


Figure 1—REGIONAL LOCATION MAP

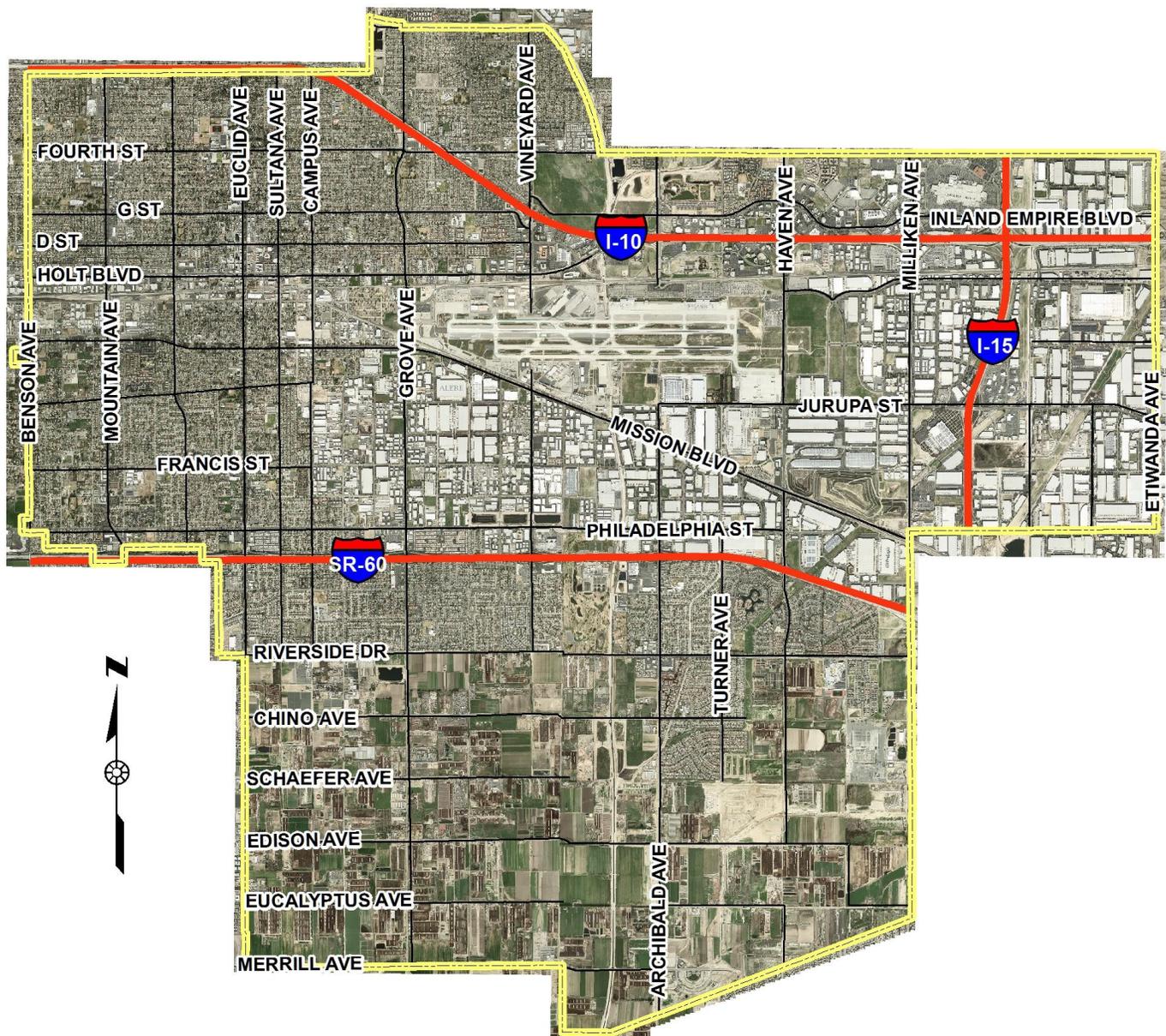


Figure 2— AERIAL PHOTOGRAPH

General Plan Designation: Varies

Zoning: Varies

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 and certified (SCH # 2008101140) 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, green house gas emissions, noise and transportation/traffic.

Project Description: The City is proposing an amendment to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan, and various amendments to the Ontario Municipal Code to provide for the logical arrangement of provisions and eliminate duplications and inconsistencies. Furthermore, Development Code Amendment provisions will be revised to:

- add Reference I - Public Art Program, to promote public art and art in public places;
- add Reference G – Landscape Design and Construction Guidelines;
- modify Table 5.02-1, Land Use Matrix, to allow “salvage facilities” as a permitted land use within the proposed IG (General Industrial) and IH (Heavy Industrial) zoning districts; and
- modify Section 5.03.350, Salvage Facilities, to modify the operational and performance standards for salvage facilities

The proposed Development Code Amendment will amend the City’s Development Code in order to reflect policies and implementation measures specified in the TOP and, pursuant to Section 65860 of the Government Code, providing consistency between zoning ordinances and general plans.

Project Setting: As illustrated in Figure 1, 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 in Figure 2, the City comprises approximately 50 square miles (31,958 acres), which includes the 8,200-acre New Model Colony (NMC) in the southern portion of the City (formerly the City’s Sphere of Influence) and the northern urbanized portion of the City known as the Old Model Colony (OMC). The City is generally bounded by Benson Avenue and Euclid Avenue on the west; Interstate 10 (I-10), 8th Street, and 4th Street on the north; Etiwanda Avenue and Hammer Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. Regional circulation to and through the City is provided by I-10 and State Route 60 (SR-60) east–west, and by I-15 and SR-83 (Euclid Avenue) north–south.

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:

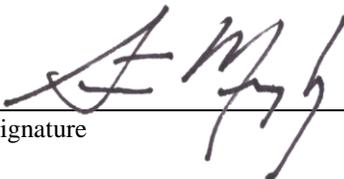
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <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"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <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 TOP EIR, including revisions or mitigation measures that are imposed upon the proposed project, the analysis from the Certified TOP EIR prepared for this project was used as a basis for this Addendum, nothing further is required.



Signature

Scott Murphy, Planning
Printed Name

December 1, 2015

Date

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 Section XVII, "Earlier Analyses," 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.

EVALUATION OF ENVIRONMENTAL IMPACTS

Issues:		<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
I. 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"/>	

II. **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"/>	
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"/>	

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

III. **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"/>

Issues:		<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
IV. 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"/>	
V. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 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 § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
VI. 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"/>

Issues:		<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
VII. 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"/>	
VIII. 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"/>	

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

IX. 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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
X. 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"/>

Issues:		<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
XI. 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"/>
XII. 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"/>
XIII. 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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
XIV. 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"/>
XV. 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"/>

Issues:		<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
XVI. 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"/>
XVII. 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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

XVIII. 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"/>
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Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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

The project under consideration proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan, and various amendments to the Ontario Municipal Code to provide for the logical arrangement of provisions and eliminate duplications and inconsistencies for properties in the City of Ontario. Furthermore, Development Code Amendment provisions will be revised to:

- Establish standards for the orderly physical development of the City;
- Preserve the character and quality of existing neighborhoods;
- Promote good urban design;
- Achieve the proper arrangement of land uses envisioned in The Ontario Plan;
- Provide for the establishment of a full range of residential, commercial agriculture, office, commercial, industrial, public, and transportation-related activities, as envisioned by The Ontario Plan;
- Promote the economic stability of land uses that conform to The Ontario Plan;
- Achieve compatibility between Ontario International Airport and the land uses and new development that surround it;
- Establish comprehensive procedures for appropriate and effective public involvement in land use, development, subdivision, and environmental decisions, and provide for the processing of applications in an expedient manner;
- Establish procedures for the open and transparent processing of applications;
- Establish standards and guidelines that promote and inspire innovative and sustainable subdivision, site, building, landscape, and infrastructure design;
- Promote the preservation and protection of the City’s historic character and resources;
- Promote safe and efficient pedestrian and traffic circulation systems, and ensure that new development will not overburden the capacity of existing streets, utilities, or community facilities and services; and
- Ensure that the costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way, and for the improvements necessary to serve new developments, are borne by subdividers and developers rather than by the taxpayers of the City.

Here, the project does not permit construction of new structures, nor the introduction of any new uses that were not part of the project description in TOP EIR. Therefore, the project will not introduce any impacts beyond those previously analyzed in TOP EIR.

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 proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. 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, nor is there a need for any additional mitigation measures.

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

Discussion of Effects: As provided in TOP EIR, 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. Remnants of native vegetation are virtually absent. The general aesthetic character of this project area within OMC is urban and within NMC is predominantly agricultural. Because the project under consideration proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan, it will not disturb historic buildings or any scenic resources identified on or in the vicinity of the Project area. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and general plan. No impact on scenic resources would occur as a result of implementation of the Project and no mitigation measures would be required. In addition, TOP EIR provides that compliance with TOP Policy CD1-5, CD2-5 and CD4-2 in the Community Design Element will avoid significant impacts to scenic vista by making it the policy of the City to protect scenic 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

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

Discussion of Effects: As concluded in TOP EIR, implementation of The Ontario Plan would change the existing visual character but the impacts are not considered significant because The Ontario Plan policies of the Community Design Element have the common goal of improving the visual quality of the area by developing guidelines to improve future development projects. In addition, Title 9: Development Code of the City's Municipal Code, requires that individual development projects submit to site-specific review pursuant to the City of Ontario processes. These design guidelines and standards would regulate the features of buildings and streets that affect the public realm and would guide the physical development of any development project within the City's boundaries. Therefore, The Ontario Plan would not substantially degrade the visual character or quality of the City of Ontario. Implementation of the Project would not substantially degrade the existing visual character or quality of the site and its surroundings, as the Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, TOP EIR provides that compliance with TOP Policy CD1-5, CD2-5 and CD4-2 in the Community Design Element will avoid significant impacts to the existing visual character or quality of the site and its surroundings.

Mitigation: None required. 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.

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

Discussion of Effects: The proposed Project in itself will not increase the amount of light and glare within the City, since it only proposes a Development Code Amendment in order to be consistent with TOP. In addition, as concluded in TOP EIR, adherence to the design standards of the City of Ontario Development Code (Section 9-1.3325, *Light, Glare, and Heat*) and Downtown Ontario Design Guidelines would ensure that light and glare from new developments would be minimized and that significant impacts would not occur. Therefore, the Project will not result in any new, increased or substantially different 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

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 area of the City known as the NMC is in the County of San Bernardino Agricultural Preserve. Implementation of the Project in itself would not convert prime farmland to non-agricultural use other than as addressed in TOP FEIR. The entire NMC area will cause the loss of rural and agricultural landscape, to be replaced by urban landscape. However, impacts to agricultural lands have been sufficiently addressed in TOP FEIR. The TOP EIR provides that compliance with TOP Policy ER5-2 and ER5-3 in the Environmental Resources Element will avoid significant impacts to loss of farmland. No new impacts beyond those identified in TOP FEIR would result from project implementation.

Mitigation: None required.

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

Discussion of Effects: Many of the agricultural properties in the NMC area are currently under Williamson Act contracts. This impact has been addressed in TOP FEIR and the Project would not result in new or further impacts to Williamson Act lands in the project area. This impact has been addressed in the Ontario TOP FEIR (see TOP FEIR, Section 5.2-2). No new impacts beyond those identified in TOP FEIR would result from project implementation.

Mitigation: None required

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

Discussion of Effects: The City of Ontario does not have any land zoned for forest, timberland, or timberland production.

Mitigation: None required.

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

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land.

Consequently, the proposed Project would not result in the loss or conversion of forest land.

Mitigation: None required

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

Discussion of Effects: 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.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. TOP EIR provides that compliance with TOP Policy ER5-2 and ER5-3 in the Environmental Resources Element will avoid significant impacts to loss of farmland. Thus, the proposed Project would not result in conversion of forest land to non-forest use.

Mitigation Required: None required.

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

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

Discussion of Effects: The 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. The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. 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.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable air quality related policies of TOP.

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

Discussion of Effects: The City is located in a non-attainment region of SCAB and buildout of the City will contribute to air quality degradation. The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. In addition, air quality impacts from City buildout have already been evaluated and would be mitigated by Mitigation Measure 3-1 identified in TOP FEIR. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable air quality related policies of TOP.

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: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. 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: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable air quality related policies of TOP.

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 Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. 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: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable air quality related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. The Project will create no significant objectionable odors. Therefore the Project will not introduce new odors beyond those previously analyzed in TOP EIR.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable air quality related policies of TOP.

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 area is located within an area that has not been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

- 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. However, adequate mitigation (Policy ER5-1, as revised under TOP) would reduce the impacts of habitat loss to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation. 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

- 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 federally protected wetlands as defined by Section 404 of the Clean Water Act in the Project area have been identified. In any event, adequate mitigation for impacts to water bodies is set out for in 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

- 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 Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. In addition, TOP FEIR requires 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. Consequently, impacts 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will provide consistency between the established zoning ordinance and policy plan. The Project area will not conflict with any ordinances protecting biological resources.

Mitigation: None required.

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

Discussion of Effects: There is one Habitat Conservation Plan in the City: a 19-acre area near the intersection of Greystone Drive and the eastern City boundary established to protect the DSFLF. Any development project proposed for development within this HCP pursuant to the Ontario Plan would be required to consult with the USFWS regarding project impacts on DSFLF and mitigation of any such impacts. However, implementation of the Project would not conflict with the HCP, due to

the fact that the Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. The TOP EIR provides that compliance with TOP Policy ER5-1 and ER5-5 in the Environmental Resources Element will avoid significant impacts to conservation plans. Therefore, the Project will not conflict with the provisions of the adopted HCP. 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

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

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

Discussion of Effects: Implementation of the Project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, due to the fact that the Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. 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 Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable cultural resource related policies of TOP.

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

Discussion of Effects: TOP EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City. Because archaeological resources are largely a buried resource and the site is currently undisturbed, the presence of fossils on the proposed site and their individual significance cannot be determined at this time. Adequate mitigation (Mitigation Measure C-1) has already been adopted by the City that would reduce impacts to cultural resources to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable air cultural resource related policies of TOP.

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

Discussion of Effects: TOP EIR (Section 5.5) indicates that no paleontological sites or resources have been recorded in the City. Because paleontological resources are largely a buried resource and the site is currently undisturbed below ground, the presence of fossils on the proposed site and their individual significance cannot be determined at this time. Adequate mitigation (Mitigation Measure 5-2) has already been adopted by the City that would reduce impacts to cultural resources to a less-than-significant level. No new impacts to cultural resources would result due to implementation of the Project. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable cultural resource related policies of TOP.

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

Discussion of Effects: No known human burial grounds are known to exist on, or in the vicinity of, the Project area. Because burial grounds are largely a buried resource and the site is currently undisturbed below ground, the presence of human remains on the proposed site and their individual significance cannot be determined at this time. Adequate mitigation

(Mitigation Measure 5-2) has already been adopted by the City that would reduce impacts to cultural resources to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable cultural resource related policies of TOP.

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.**

(ii) **Strong seismic ground shaking?**

(iii) **Seismic-related ground failure, including liquefaction?**

(iv) **Landslides?**

Discussion of Effects: Any occupied structure or facility developed in an area of high seismic risk, such as the southern California region, could expose people and property to seismic hazards. Furthermore, several regional faults, including the San Jacinto, Chino, Whittier, North Elsinore, and Cucamonga faults, are considered to be active within the region. All of these faults are capable of producing strong seismic ground shaking on site. Concerns with geological and seismic issues in the City has led to a Technical Background Report for Geology, Seismicity, and Soils, which was used in the preparation of TOP General Plan. The technical report revealed that upon implementation of regulatory requirements and standard conditions of approval the City would reduce geologic hazards impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation. In addition, the TOP EIR provides that compliance with TOP Policy S1-1 would require that all new habitable structures be designed in accordance with the most recent Building Code adopted by the City, including provisions regarding lateral forces and grading.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable geology and soils related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the Project in itself would not result in substantial soil erosions or the loss of topsoil. Nevertheless, adequate mitigation has already been adopted by the City that would reduce soil impacts to a less-than-significant level. In addition, with implementation of regulatory requirements (CBC requirements – Chapter 18) and standard conditions of approval would reduce soil impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable geology and soils related policies of TOP.

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

Discussion of Effects: The Project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the Project is less than significant. TOP EIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The Project would not withdraw water from the existing aquifer. Further, implementation of TOP strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level. Chapter 18 of the CBC contains requirements for foundation and soils investigations; excavation, grading, and fill; load-bearing values of soils; and foundations, footings, and piles. The Project, which does not permit construction of new buildings, will not result in adverse impacts. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable geology and soils related policies of TOP.

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: Some of the soils in the Project area, particularly in the southwest corner of the NMC, are susceptible to expansion. Concerns with geological and seismic issues in the NMC planning area has led to a Technical Background Report for Geology, Seismicity, and Soils, which was used in the preparation of TOP General Plan. Adequate mitigation has already been adopted by the City that would reduce geologic hazard impacts associated with expansive soils to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable geology and soils related policies of TOP. Chapter 18 of the CBC contains requirements for foundation and soils investigations; excavation, grading, and fill; load-bearing values of soils; and foundations, footings, and piles.

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: Some of the soils in the Project area, particularly in the southwest corner of the NMC, are susceptible to expansion. Concerns with geological and seismic issues in the NMC planning area has led to a Technical Background Report for Geology, Seismicity, and Soils, which was used in the preparation of TOP General Plan. The Project does not require the use or installation of septic tanks or alternative wastewater disposal systems. Adequate mitigation has already been adopted by the City that would reduce geologic hazard impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable geology and soils related policies of TOP.

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: Implementation of the Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. As part of TOP EIR, the City conducted a greenhouse gas (GHG) emissions inventory for full buildout of the proposed land use plan. In addition, with mitigation measures 6-1, 6-2, 6-3, 6-4, 6-5, and 6-6 with regard to applicable plans, policies, or regulations for the reduction of GHG emissions would be less than significant due to TOP's achievement of AB 32's emission reduction goals. Therefore the Project will not introduce new GHG emissions beyond those previously analyzed in TOP EIR.

Mitigation Required: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable GHG emissions related policies of TOP.

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

Discussion of Effects: Implementation of the Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. As part of TOP EIR, the City conducted a greenhouse gas (GHG) emissions inventory for full buildout of the proposed land use plan. In addition, with mitigation measures 6-1, 6-2, 6-3, 6-4, 6-5, and 6-6 with regard to applicable plans, policies, or regulations for the reduction of GHG emissions would be less than significant due to TOP's achievement of AB 32's emission reduction goals. Therefore the Project will not introduce new GHG emissions beyond those previously analyzed in TOP EIR.

Mitigation Required: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable GHG emissions related policies of TOP.

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 proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Adequate mitigation has already been adopted by the City that would reduce dangers associated with hazardous materials to a less-than-significant level. In addition, current federal and state regulations, City ordinances, and TOP policies would regulate the handling of hazardous substances to reduce potential releases; exposures; and risks of transporting, storing, treating, and disposing of hazardous materials and wastes. Additional hazardous waste transport, use, and/or disposal that would occur upon the buildout of TOP would be less than significant with adherence to the existing regulations. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hazards and hazardous materials related policies of TOP.

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: Hazardous materials in the Project area are primarily associated with fuels (gasoline, diesel fuel, heating oil) and pesticides. Adequate mitigation has already been adopted by the City that would reduce dangers associated with hazardous materials to a less-than-significant level. In addition, current federal and state regulations, City ordinances, and TOP policies would regulate the handling of hazardous substances to reduce potential releases; exposures; and risks of transporting, storing, treating, and disposing of hazardous materials and wastes. Additional hazardous waste transport, use, and/or disposal that would occur upon the buildout of TOP would be less than significant with adherence to the existing regulations. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hazards and hazardous materials related policies of TOP.

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 Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Adequate mitigation has already been adopted by the City that would reduce dangers associated with hazardous materials to a less-than-significant level. Additional hazardous waste transport, use, and/or disposal that would occur upon the buildout of TOP would be less than significant with adherence to the existing regulations. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hazards and hazardous materials related policies of TOP.

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

Discussion of Effects: The proposed Project area is not listed on the hazardous materials site compiled pursuant to Government Code § 65962.5. Therefore, the Project will not result in adverse impacts. TOP contains policies and programs to ensure compliance with federal, state, and local regulations relating to hazardous waste. Policy S6-5 states that it is the policy of the City to regulate facilities that will be involved in the production, use, storage, transport, or disposal of hazardous materials, pursuant to federal, state, and local regulations so that impacts to the environment and sensitive land uses are mitigated.

Mitigation: None required.

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

Discussion of Effects: The comprehensive Development Code Amendment will establish consistency with The Ontario Plan (Policy Plan), specifically Airport Planning Goal LU5 and Policy LU5-7 (ALUCP Consistency with Land Use Regulations). The proposed Amendment includes language within Chapter 2 (Administration & Procedures), Chapter 5 (Zoning & Land Use) and Chapter 6 (Development & Subdivision Regulations & Guidelines) requiring new development to be consistent with policies and criteria of the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP). Since, the amendment is providing consistency with the ALUCP, future development located within any of the safety zones would be reviewed to incorporate safety measures for people living and residing within a safety zone. Furthermore, the amendment would not encourage levels of development in any area located within the City above those projected within The Ontario Plan, of which the environmental effects were already adequately analyzed. Therefore, there would be no impacts.

Mitigation: None required.

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

Discussion of Effects: There are no private airstrips in the City of Ontario that would result in a safety hazard for people residing or working in the Project area. Therefore, the Project will not result in adverse impacts.

Mitigation: None required.

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

Discussion of Effects: The City's Safety Element, as contained within TOP, includes policies and procedures to be administered in the event of a disaster. TOP seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. There are a number of Policy Plan policies that encourage the

establishment and incorporation of emergency plans (Policies S8-1 through S8-5). These policies are meant to help agencies plan for emergencies, to educate staff and citizens about emergency response, and to improve coordination between departments and agencies. Therefore, impacts would be less than significant and no mitigation measures would be required.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable safety related policies of TOP.

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, the project will not result in adverse impacts.

Mitigation: None required.

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 area is currently served by City water and sewer service and its use will not result in new affects to water quality standards or waste discharge requirements. The project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Implementation of the Project would conform to all local, State, and federal regulations concerning water quality and waste discharge requirements. No new impacts beyond those identified in TOP FEIR would result from Project implementation (See TOP Policies ER1-5, ER1-6, and ER1-7).

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hydrology and water quality related policies of TOP.

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

Discussion of Effects: No increases in the current amount of water flow to the project site would occur under the project, and the project will not deplete groundwater supplies, nor will it interfere with recharge. The project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Adequate Policy Measures (ER1-5, ER1-6 and ER1-7) have already been adopted by the City that would reduce impacts to groundwater to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the project will be subject to all applicable hydrology and water quality related policies of TOP.

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: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. However, Policy Measures (ER1-5, ER1-6 and ER1-7) have already been adopted by the City that would reduce impacts to existing hydrology patterns to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hydrology and water quality related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the Project in itself would not involve conversion of permeable soils to an impermeable surface, resulting in an increase in surface runoff. Policy Measures (ER1-5, ER1-6 and ER1-7) have already been adopted by the City that would reduce impacts to existing hydrology patterns to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hydrology and water quality related policies of TOP.

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?

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the Project in itself would not involve conversion of permeable soils to an impermeable surface, resulting in an increase in surface runoff. Policy Measures (ER1-5, ER1-6 and ER1-7) have already been adopted by the City that would reduce impacts to existing hydrology patterns to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hydrology and water quality related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the proposed Project in itself is not anticipated to violate any water quality standards, or cause wastewater discharges that would adversely affect human health, wildlife, or plant species. Policy Measures (ER1-5, ER1-6 and ER1-7) have already been adopted by the City that would reduce impacts to existing water quality to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable hydrology and water quality related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the proposed Project in itself is not anticipated to 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. Policy Measures (S2-1, S2-2, S2-3, S2-4, S2-5 and S2-6) have already been adopted by the City that would reduce impacts to existing flood hazards to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable flooding hazards related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the proposed Project in itself is not anticipated to place within a 100-year flood hazard area, structures that would impede or redirect flood flows. Policy Measures (S2-1, S2-2, S2-3, S2-4, S2-5 and S2-6) have already been adopted by the City that would reduce impacts to existing flood hazards to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable flooding hazards related policies of TOP.

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: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the proposed Project in itself is not anticipated to 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. Policy Measures (S2-1, S2-2, S2-3, S2-4, S2-5 and S2-6) have already been adopted by the City that would reduce impacts to existing flood hazards to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable flooding hazards related policies of TOP.

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

Discussion of Effects: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, the project will not result in adverse 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Consistent with the mitigation adopted for TOP, the project will be subject to all applicable hydrology and water quality related policies of TOP.

10. **LAND USE & PLANNING.** Would the project:

a) Physically divide an established community?

Discussion of Effects: The project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Implementation of the Project would not result in physical improvements that would divide an established community. In addition, Land Use Policies LU2-3, LU2-4, LU2-5, and LU2-6 would reduce the amount of conflict between contradicting land uses. Therefore, no impacts would result.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the project will be subject to all applicable land use policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. In addition, Land Use Policies LU2-3, LU2-4, LU2-5, and LU2-6 would reduce the amount of conflict between contradicting land uses. The proposed Project is consistent with the provisions of TOP.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable land use policies of TOP.

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. Therefore, the project will not result in adverse impacts.

Mitigation: None Required.

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: There is no known mineral resource in the Project area considered to be of value to the region and the residents of the state. Therefore, no impacts would result and no mitigation would be required.

Mitigation: None Required.

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

Discussion of Effects: There are no known mineral resources in the area. Therefore, the Project will not result in adverse impacts.

Mitigation: None Required.

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: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Adequate mitigation (Mitigation Measures 12-1, 12-2, 12-3, and 12-4) has already been adopted by the City that would reduce severe noise levels to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable noise-related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the proposed Project in itself would not expose people to or generate excessive groundborne vibration or groundborne noise levels. Appropriate mitigation (Mitigation Measures 12-1, 12-2, 12-3, and 12-4) that have been adopted by the City that would reduce severe noise levels to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable noise-related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, implementation of the Project in itself would not create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Adequate mitigation (Mitigation Measures 12-1, 12-2, 12-3, and 12-4) has already been adopted by the City that would reduce noise impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable noise-related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed

Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, implementation of the Project in itself would not create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Adequate mitigation (Mitigation Measures 12-1, 12-2, 12-3, and 12-4) has already been adopted by the City that would reduce noise impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable noise-related policies of TOP.

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: The comprehensive Development Code Amendment will establish consistency with The Ontario Plan (Policy Plan), specifically Airport Planning Goal LU5 and Policy LU5-7 (ALUCP Consistency with Land Use Regulations). The proposed Amendment includes language within Chapter 2 (Administration & Procedures), Chapter 5 (Zoning & Land Use) and Chapter 6 (Development & Subdivision Regulations & Guidelines) requiring new development to be consistent with policies and criteria of the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP). Since, the amendment is providing consistency with the ALUCP, future development located within any of the noise impact zones would be reviewed to incorporate noise measures for people living and residing within a noise impact zone. Furthermore, the amendment would not encourage levels of development in any area located within the City above those projected within The Ontario Plan, of which the environmental effects were already adequately analyzed. Therefore, there would be no impacts.

Mitigation: None required.

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

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, the project will not result in adverse impacts.

Mitigation: None required.

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: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. In October 2008, the NOP of the EIR for the City's General Plan update was circulated, thus establishing the baseline environmental conditions. At that time, the population growth for the entire City was included in the baseline conditions and analyzed in TOP EIR. Therefore the project will not induce substantial population growth directly, nor indirectly beyond those previously analyzed in TOP EIR.

Mitigation: None required.

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

Discussion of Effects: The project will not displace existing housing, and will not create any impact on residential housing beyond those that would occur under the current land use designation. Therefore, no adverse impacts are anticipated as a result of this project.

Mitigation: None required.

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

Discussion of Effects: The project will not displace existing housing, and will not create any impact on residential housing beyond those that would occur under the current land use designation. Therefore, no adverse impacts are anticipated as a result of this project.

Mitigation: None required.

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?**

(ii) **Police protection?**

(iii) **Schools?**

(iv) **Parks?**

(v) **Other public facilities?**

Discussion of Effects: Implementation of the Project would not necessitate the need for increased fire protection, police protection, schools, parks, or other public facilities because the proposed Project would not result in a direct population increase that would increase demands on these services. Nevertheless, the Governance Manual of TOP is meant to bring collaboration between City departments, programs, and other involved agencies to achieve the City's development goals in phases, working within the budget and infrastructure constraints of the City. Following this process, sufficient revenue would be available for necessary service improvements to provide for adequate public services. Therefore, no mitigation measures are 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable public services related policies of TOP.

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: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. The project does not propose the construction of new buildings. In October 2008, the NOP of the EIR for the City's General Plan update was circulated, thus establishing the baseline environmental conditions. At that time, the potential increases of use of existing neighborhood and regional parks and other recreational facilities associated with the use of the site were included in the baseline conditions. Therefore the project will not introduce new demands for other recreational facilities beyond those previously analyzed in TOP EIR.

Mitigation: None Required. 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. Consistent with the mitigation adopted for the TOP, the project will be subject to all applicable public services related policies of TOP.

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: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. The project will not introduce new demands for recreational facilities services beyond those previously analyzed in TOP EIR.

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 TOP EIR. No changes or additions to the TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Consistent with the mitigation adopted for the TOP, the project will be subject to all applicable public services related policies of TOP.

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: The project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. When TOP EIR was prepared, the impacts associated with land use were included in the baseline conditions. Here, the project is being proposed to be consistent with TOP. Therefore the project will not introduce new traffic impacts beyond those previously analyzed in TOP EIR

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the project will be subject to all applicable transportation-related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the proposed Project in itself would not 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. In addition, as shown in Table 5.16-5 (TOP FEIR), at buildout of the Proposed Land Use Plan, all intersections with the recommended future lane configurations (Mitigation Measure 16-1) are projected to operate at LOS E or better during both AM and PM peak hours. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable transportation-related policies of TOP.

- 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: Implementation of the Project would not result in a change in air traffic patterns, as the Project only proposes a Development Code Amendment in order to be consistent with TOP. The proposed Development Code Amendment will provide consistency between the established zoning ordinance and general plan. Therefore, these impacts would be considered less than significant and no mitigation measures are required.

Mitigation: None required.

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible**

uses (e.g., farm equipment)?

Discussion of Effects: The project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. In October 2008, the NOP of the EIR for the City's General Plan update was circulated, thus establishing the baseline environmental conditions. At that time, the project area was analyzed accordingly. When TOP EIR was prepared, the impacts associated with the uses of the project area were included in the baseline conditions. The project will not introduce new traffic beyond those previously analyzed in TOP EIR. Accordingly, the project will not conflict with an applicable congestion management program.

Mitigation: None Required. 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. Consistent with the mitigation adopted for TOP, the project will be subject to all applicable transportation-related policies of TOP.

e) Result in inadequate emergency access?

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the proposed Project would not result in inadequate emergency access. Future roadway construction would increase access into areas that were previously void of them. Details of road placement are given in section 5.16.3 in TOP FEIR. No new impacts beyond those identified in TOP FEIR would result from Project implementation. Therefore, no mitigation measures are 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 TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable transportation-related policies of TOP.

f) Result in inadequate parking capacity?

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, proposed Project will not result in a demand for new parking.

Mitigation: None required.

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

Discussion of Effects: There will be no adverse impacts on existing programs supporting alternative transportation such as transit services. A detailed description of existing transit services in the City is described in section 5.16.1 in TOP FEIR. The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Appropriate strategies and approaches to improvements to public transit and nonmotorized transportation have been adopted by the City through TOP. In addition, future development will encourage the placement of bus routes and turnouts throughout the area.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable transportation-related policies of TOP.

17. UTILITIES AND SERVICE SYSTEMS. Would the project:

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the project in itself will not necessitate the building or use of a sewer or septic tank, therefore no mitigation measures are necessary. Nevertheless, with implementation of TOP Mitigation 5.17-1, the impacts on water supply and demand from buildout of TOP would be less than significant.

Mitigation: None required.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore the proposed project will not 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. Nevertheless, with implementation of TOP Mitigation 5.17-1, the impacts on water supply and demand from buildout of TOP would be less than significant.

Mitigation: None required.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the Project in itself will not 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. However, future roadway construction may impact and alter existing storm water drainage systems. Nevertheless, adequate Policies (ER1-5, ER1-6 and ER1-7) have already been adopted by the City that would reduce stormwater impacts to less-than-significant levels, with no additional mitigation required.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the Project will be subject to all applicable utility and service system related policies of TOP.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. No intensification of uses would occur that could result in increased demand for water resulting in a need to prepare a water supply assessment pursuant to Water Code section 10910. Therefore, the Project in itself will not necessitate the altering of existing conditions, therefore no mitigation measures are necessary.

Mitigation: None required.

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

Discussion of Effects: The Project only proposes a Development Code Amendment in order to be consistent with TOP. The

proposed Development Code Amendment will provide consistency between the established zoning ordinance and general plan. No intensification of uses would occur that could result in increased demand for sewer facilities other than those previously considered and addressed in TOP EIR. Therefore, the Project in itself will not increase demands on wastewater. No impacts would result.

Mitigation: None required.

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. No intensification of uses would occur that could result in increased demand for waste disposal other than those previously considered and addressed in TOP EIR. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. 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. Consistent with the mitigation adopted for TOP, the project will be subject to all applicable utility and service system related policies of TOP.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: Implementation of the Project is anticipated to comply with all federal, state, and local statutes and regulations related to solid waste. No impacts are anticipated and therefore no mitigation measures are necessary.

Mitigation: None required.

18. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the Project in itself does not 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.

Mitigation: None required.

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Therefore, the Project in itself does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. The proposed Project is being pursued pursuant to TOP. Therefore, the Project will not result in adverse impacts.

Mitigation: None required.

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively

considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. When TOP EIR was prepared, the impacts associated with the project area were included in the baseline conditions. Here, the project is being proposed to be consistent with the established land use pursuant to TOP. Therefore the project will not result in any new cumulatively considerable impacts beyond what was previously analyzed in TOP EIR. Therefore, the project will not result in adverse impacts.

Mitigation: None required.

d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: As discussed in the Section 3.0 analysis above, there are no significant environmental effects as a result of the proposed Project that may result in any human health concerns, either directly or indirectly.

Mitigation: None required.

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

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

- (a) The Ontario Plan Final EIR
- (b) The Ontario Plan
- (c) The Ontario Land Use Plan
- (d) The Ontario Plan Mitigation Monitoring and Reporting Program
- (e) The Ontario Plan CEQA Findings and Statement of Overriding Consideration

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.

Most of the checklist items were analyzed in The Ontario Plan (TOP) EIR. The Project proposes a Development Code Amendment for a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9) to establish consistency with The Ontario Plan. The proposed Development Code Amendment will also provide consistency between the established zoning ordinance and policy plan. Here, the Project does not permit the introduction of any new uses that were not part of the project description in TOP EIR. Therefore the Project will not result in any new impacts beyond what was previously analyzed in TOP EIR.

OTHER REFERENCE DOCUMENTS

- Ontario International Airport Land Use Compatibility Plan
- Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

RESOLUTION NO. PC15-***

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING THE CITY COUNCIL ADOPT AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT FOR FILE NO. PDCA15-003, AN AMENDMENT TO THE CITY OF ONTARIO DEVELOPMENT CODE (ONTARIO MUNICIPAL CODE TITLE 9) FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study and approved for circulation an Addendum for Planning File No. PDCA15-003 (the "Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively "CEQA"); and

WHEREAS, Planning File No. PDCA15-003 (the "Project") analyzed under the Addendum consists of a City-Wide Development Code Amendment in order to establish consistency with The Ontario Plan (TOP). In addition, the proposed Development Code Amendment will provide consistency between the established zoning ordinance and general plan; and

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

WHEREAS, in January 2010, the City Council certified TOP Final Environmental Impact Report ("EIR") (SCH # 2008101140), adopted an update on the Ontario General Plan and the Preferred Land Use Plan, made Mitigation Findings and adopted a Statement of Overriding Considerations pursuant to CEQA; and

WHEREAS, TOP EIR contains an analysis of the environmental setting of the City at the time of its certification and also analyzes the environmental impact of build-out of the land use and associated zone changes to achieve TOP Vision and evaluates and analyses the principles, goals and polities enumerated in the Addendum that are furthered and carried out by the Project; and

WHEREAS, pursuant to CEQA section 21166 and sections 15162 and 15163 of the CEQA Guidelines, an Addendum to the TOP EIR was prepared by the City with regard to the Project ("Addendum"). The Addendum incorporates, by reference, the analysis contained in TOP EIR, and addresses only those issues specific to the Project. The Addendum concludes that the project will not result in impacts beyond what was previously analyzed in TOP EIR, because the Project does not have new environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly; and

WHEREAS, on December 1, 2015, the City Council approved Ordinance No. 3028 adopting a comprehensive Development Code update; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the recommending body for the proposed approval to construct and otherwise undertake the Project; and

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

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

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ONTARIO AS FOLLOWS:

SECTION 1. THAT THE PLANNING COMMISSION does hereby make the following findings: (1) it has independently reviewed and analyzed the Addendum/Initial Study and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Addendum prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project.

SECTION 2. THAT THE PLANNING COMMISSION does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby approve the Addendum prepared for the Project and find, pursuant to CEQA Guideline sections 15162 and 15164, that the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the TOP EIR and that no changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures (Planning File No. PDCA11-003).

SECTION 3. THAT THE PLANNING COMMISSION does hereby recommend to the City Council approval and adoption of the Addendum to TOP EIR.

SECTION 4. The documents and materials that constitute the record of proceedings on which these findings have been based upon 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.

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 22nd day of December 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 December 22, 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 PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA15-003, A DEVELOPMENT CODE AMENDMENT TO [1] ADD REFERENCE G – LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES; [2] MODIFY TABLE 5.02-1, LAND USE MATRIX, TO ALLOW “SALVAGE FACILITIES” AS A PERMITTED LAND USE WITHIN THE PROPOSED IG (GENERAL INDUSTRIAL) AND IH (HEAVY INDUSTRIAL) ZONING DISTRICTS; AND [3] MODIFY SECTION 5.03.350, SALVAGE FACILITIES, TO MODIFY THE OPERATIONAL AND PERFORMANCE STANDARDS FOR SALVAGE FACILITIES, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA15-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City recognizes that landscaping provided for a project can enhance or detract from a building's design. The City has continuously looked to strengthen and expand our design guidelines in all areas to provide better developments for the City. Furthermore, the Landscape Design and Construction Guidelines are intended as a reference to assist design professionals, landscape contractors and homeowners in their understanding of the City's goals and objectives for the preparation of landscape construction documentation plans, and the installation of landscape materials and elements; and

WHEREAS, during the City Council hearing of November 17, 2015, several property owners expressed concern about the changes in the Development Code that removed “Salvage Facilities” from the IG (General Industrial) zoning designation. To address the property owners concerns, the City Council directed staff to prepare, for their consideration, a Development Code Amendment that would permit salvage facilities with the IG zone; and

WHEREAS, on December 1, 2015, the City Council approved Ordinance No. 3028 adopting a comprehensive Development Code update; and

WHEREAS, allowing salvage facilities within the IG zone is consistent with existing provisions allowing salvage facilities in the M3 zone, thereby minimizing the number of legal, non-conforming uses being created by the Development Code. The performance standards proposed will include stricter operating conditions and provide greater separation to residential uses; 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, as the first action on the Project, on December 22, 2015, the Planning Commission approved a resolution adopting 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 December 22, 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 Development Code Amendment is consistent with the goals and policies of the General Plan. The Development Code Amendment will meet The Ontario Plan's goals of achieving a high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct and providing compatibility between land uses.

b. The proposed Development Code Amendment is reasonable and beneficial, and in the interest of good zoning practice. The Amendment will incorporate requirements and guidelines that enhance the landscape design of projects and incorporate performance standards that will provide stricter operating conditions for salvage facilities and greater separation from residential uses.

c. The proposed Development Code Amendment will not have a significant adverse impact on the environment. An addendum to The Ontario Plan EIR was prepared and found that the proposed Development Code Amendment will not create any new significant impacts.

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 22nd day of December 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 December 22, 2015 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit "A"

Reference G – Landscape Design and Construction Guidelines

Reference G—Landscape Design and Construction Guidelines

Sections:

- [G.01.001](#): Purpose
- [G.01.002](#): Applicability
- [G.01.003](#): Landscape Design Guidelines
- [G.01.004](#): Prescriptive Compliance Option

Worksheets:

- [G.01-1](#): Water Efficient Landscape Worksheet
- [G.01-2](#): Landscape Architect—Certificate of Compliance
- [G.01-3](#): Recommendations for Vegetated Swales

G.01.001: Purpose

These Landscape Design and Construction Guidelines are intended as a reference to assist design professionals, landscape contractors and homeowners in their understanding of the City's goals and objectives for the preparation of landscape construction documentation plans, and the installation of landscape materials and elements.

Furthermore, these guidelines are intended to compliment the mandatory landscape and irrigation regulations established by Development Code Division 6.5 (Landscaping), by providing examples of potential design solutions, and by providing design interpretations of the various mandatory regulations.

G.01.002: Applicability

A. The industrial design guidelines are general and may be interpreted with some flexibility in their application to specific projects. Variations may be considered for projects with special design characteristics during the City's development review process, to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Nonetheless, unless there are compelling reasons or practical difficulties, these guidelines shall be observed.

B. Determinations of compliance with the Landscape Design and Construction Guidelines shall be made by the Approving Authority.

C. These Landscape Design and Construction Guidelines are authorized by Development Code Section 6.05.045 (Landscape Design and Construction Guidelines), and are enforceable in the same manner, and to the same extent, as any other applicable requirement of the Ontario Development Code.

G.01.003: Landscape Design Guidelines

A. Water conservation is a high priority in the City of Ontario. Landscapes shall be designed to use water efficiently without waste to the lowest practical amount and comply with the State's current Model Water Efficient Landscape Ordinance. Sources for low water plants are

- B.** Landscape areas should be composed primarily of living plant materials spaced no greater than the mature diameter of each plant. Non-living ornamental features (boulders, gravel, dry stream beds, etc.) should comprise no more than 5 percent of the total landscape area, and shall be a pervious material.
- C.** Warm season turf is recommended for recreational use projects (parks, sports fields, etc. where turf provides a playing surface) and residential projects with a maximum 50 percent of the landscape area. Planter areas irrigated by spray should be no less than 8 FT in width. Low water use groundcovers should be used in traditional turf areas; parkways, etc.
- D.** Design landscape areas and irrigation systems for use with recycled water where required by the City. New multiple-family residential projects must use recycled water for homeowner association (HOA) maintained areas, such as parks, parkways, neighborhood edges, and common areas. Single-family residential projects must use potable water with a backflow for all landscape areas, even if HOA maintained.
- E.** Property irrigated with recycled water must provide a physical separation from areas irrigated with potable water, by means of a wall, fence, paving, or a center mow curb within the landscape area, located 4 FT from the area irrigated with recycled water. Irrigation lines and heads may be located no closer than 2 FT of each side of the mow curb.
- F.** Concrete mowstrips, minimum 6 inches wide by 6 inches high or 4 inches wide by 6 inches high, must be provided at turf areas located adjacent to landscape planter areas, and to provide separation between adjacent properties or maintenance responsibility areas. Redwood header boards are allowed only for use with individual single-family homes, and to define a lot line adjacent to undeveloped property.
- G.** Design landscape areas so that utilities, such as backflow preventers, are screened by minimum 4-FT wide planter areas, and massed with similar height shrubs (Note: Paint brass backflow preventers green (RAL 6009 Fir Green or equal)). Furthermore, coordinate landscape plans with utility plans, so that transformers are: **[i]** setback at least 4 FT from paved area and 5 FT from roadways, **[ii]** screened with shrubs of similar height on 3 sides; and **[iii]** planted with a maximum 18-inch high groundcover at the front.
- H.** Accent trees (single or multi-trunk specimens) are required at all nonresidential corner statements, including vehicular entries and the corners of major intersections. All accent trees should be minimum 36-inch box. Palms should have a minimum 17-FT brown trunk height (BTH), and a minimum 4-FT cubed rootball.
- I.** Foundation planting adjacent to buildings (hedgerows or shrub masses in a hierarchical pattern) must be provided at nonresidential primary exterior building elevations, and at residential front yards, to soften the break between the horizontal ground plane and the vertical building plane.
- J.** Plants at monument signs shall be made up of a hierarchy of ornamental shrubs or perennials.
- K.** Landscape areas must have a minimum inside dimension of 5 FT to accommodate tree growth, and must have a minimum inside dimension of 6 FT in if it contains a vegetated swale.
- L.** Parking areas visible from public streets or adjacent parcels should be screened with

landscaping having a height of at least 3 FT, or a combination of landscaping and maximum 3-FT high decorative walls.

M. Landscape areas adjacent to parking areas should be planted to accommodate a 2-FT overhang of vehicles, unless wheel stops are provided.

N. Parking lots should be planted with canopy shade trees having a minimum canopy diameter of 30 FT, provided at the minimum rate of one tree for each 5 parking spaces.

O. Parking lots with double rows of parking spaces are encouraged to provide a 4-FT to 5-FT wide landscaped strip containing an infiltration trench, where possible (see Infiltration Trench Example, right).

P. Parking lot landscaping shall maximize broad canopy shade tree planting to reduce heat gain on paving and buildings. Add large planters, center planter strips or diamond planters between parking rows for shade trees.

Q. Planters adjacent to parking spaces shall have a 12-inch wide curb, providing a step-out area for access to vehicles.

R. Landscape areas should be bordered by 6-inch concrete curbs, except where openings into infiltration basins or swales are provided.

S. Trash enclosures should have adjacent planters with trees, shrubs, and vines to screen (see Trash Enclosure Adjacent Planters Example, right).

T. Parkway areas within street rights-of-way must be landscaped with living plant material less than 18 inches in height, automatically irrigated, and contain street trees pursuant to the Master Street Tree Plan, spaced at 25 to 35 FT apart, and coordinated with utility locations and setbacks.

U. Undeveloped areas within a project site must be seeded with a wild flower or ornamental grass mix, and automatically irrigated to prevent soil erosion from rain and strong winds.

V. Projects with landscape areas within Caltrans rights-of-way must enter into a cooperative agreement with Caltrans San Bernardino Division, for landscape installation and maintenance.

W. Wireless telecommunications facilities must be screened with groupings (minimum 3) of approved live trees and shrubs, to blend the facility with adjacent tree or palm stands (California native trees and shrubs are preferred). Tree size should be minimum two-thirds the height of the



facility, or as approved by the Planning Director. Permanent irrigation and regular maintenance shall be provided for all landscaped areas.

X. Additional landscape requirements may be required for projects located within established specific plan areas.

Y. Plant selection and irrigation design must be appropriate with the City's regional climate (Zone 18), classified as Mediterranean, and characterized by hot, dry summers and mild winters. Winter temperatures average between 60 and 70 degrees, with occasional lows in the 20's. Summers average from 75 to 90 degrees, with highs exceeding 100 degrees. Average yearly rainfall is approximately 16 inches. Winds develop from the southwest, averaging 6 mph. Hot, dry Santa Ana winds occur between October to March, from the northeast, at 30 mph, with gusts at 60 mph or more. Air quality is considered poor due to frequent temperature inversions trapping pollutants below the inversion.

G.01.004: Prescriptive Compliance Option

A. This Section contains prescriptive requirements which may be used as a compliance option to the State Model Water Efficient Landscape Ordinance (CCR Title 23, Division 2, Chapter 2.7).

B. Compliance with the following items is mandatory and must be documented on landscape plan and irrigation plans in order to use the Prescriptive Compliance Option:

1. Submit Landscape and Irrigation Construction Documentation Plans (pursuant to Development Code Section 6.05.015.B.1, Landscape and Irrigation Construction Documentation Plans Required), which includes the following elements:

- a.** Date;
- b.** Project applicant;
- c.** Project address (if available, parcel and/or lot number(s));
- d.** Total landscape area (square feet), including a breakdown of turf and plant material;
- e.** Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed);
- f.** Water supply type (e.g., potable, recycled, well) and identify the local water purveyor;
- g.** Contact information for the project applicant and property owner; and
- h.** Applicant signature and date, with the following statement: "I agree to comply with the requirements of the prescriptive compliance option to the Model Water Efficient Landscape Ordinance".

2. Incorporate compost at a rate of at least 4 CY per 1,000 SF, to a depth of 6 inches into landscape area (unless contra-indicated by a soil test);

3. Plant material shall comply with all of the following;

a. For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75 percent of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100 percent of the plant area excluding edibles and areas using recycled water;

b. A minimum 3-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

4. Turf shall comply with all of the following:

a. Turf shall not exceed 25 percent of the landscape area within residential zoning districts, and there shall be no turf allowed within non-residential zoning districts;

b. Turf shall not be planted on sloped areas which exceed a slope of one foot vertical elevation change for every 4 FT of horizontal length;

c. Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to an off-street parking area, and is used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.

5. Irrigation systems shall comply with the following:

a. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data.

b. Irrigation controllers shall be of a type which does not lose programming date in the event the primary power source is interrupted.

c. Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.

d. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

e. All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard," All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

C. At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule, and a schedule of landscape and irrigation maintenance.

City of Ontario

Landscape Planning Division

G.01-1: Water Efficient Landscape Worksheet

Reference Evapotranspiration (ET_o):

Hydrozone # / Planting Description	Plant Factor (PF)	Irrigation Method ^b	Irrigation Efficiency (IE) ^c	ETAF (PF/IE)	Landscape Area (SF)	ETAF x Area	Estimated Total Water Use (ETWU) ^d
Regular Landscape Areas							
				Totals	(A)	(B)	
Special Landscape Areas							
				1			
				1			
				1			
				Totals	(C)	(D)	
				ETWU Total			
				Maximum Allowed Water Allowance (MAWA) ^e			

Legend:

^a Hydrozone #/Planting Description e.g.: [1] front lawn; [2] low water use plantings; and [3] medium water use planting	^b Irrigation Method overhead spray or drip	^c Irrigation Efficiency 0.75 for spray head 0.81 for drip
^d ETWU (Annual Gallons Required) = $ET_o \times 0.62 \times ETAF \times Area$ where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year	^e MAWA (Annual Gallons Allowed) = $(ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$ where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.	

ETAF Calculations:

Regular Landscape Areas

Total ETAF x Area	(B)
Total Area	(A)
Average ETAF	B ÷ A

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)
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City of Ontario

Landscape Planning Division

G.01-2: Landscape Architect—Certificate of Compliance

Senior Landscape Planner: 909/395-2237

Associate Landscape Planner: 909/395-2615

Project Name: _____

Project Address _____

Permit No.: _____

The undersigned Landscape Architect certifies that the complete landscape and irrigation installation is in compliance to approved plans. Any deviation to approved plans shall require a re-submittal to the Landscape Planning Division for review and approval prior to installation.

<i>Landscape Architect's Inspection</i>	<i>Date</i>	<i>Initial</i>
1) Hardscape construction complies with approved plan:		
2) Irrigation installation verified: trench, pipe size, pressure test, coverage test:		
3) Irrigation controller chart with landscape maintenance schedule:		
4) Soil report, compaction test and amendments verified with receipt:		
5) Verification of plant material, quantity, and quality:		
6) Verified ET sensor and controller installed and programming set up:		
7) Water Budget: Landscape: SF: _____ MAWA: _____ Gallon/year ETWU = _____ Gallon/year		

After the receipt of this Certification, the Landscape Planner will conduct the final landscape Inspection. The Owner's Representative and Landscape Contractor shall be present.

Landscape Architect (Print)

Company Name

Landscape Architect (Signature)

Address

License Number

Phone Number

**City of Ontario
Landscape Planning Division**

G.01-3: Recommendations for Vegetated Swales

Hydroseed mix for irrigated and partially irrigated sites with some standing water:

SEED	LBS/ACRE
ACHILLEA MILLEFOLIUM	1.0
ESCHSCHOLZIA CAESPITOSA	1.0
JUNCUS BUFONIUS	1.0
LEYMUS TRITICOIDES RIO	6.0
DESCHAMPSIA CESPITOSA	4.0
FESTUCA RUBRA 'MOLATE'	10.0
HORDEUM BRACHYANTHERUM	6.0
MUHLENBERGIA RIGENS	1.0
MUHLENBERGIA MICROSPERMA	3.0
HORDEUM DEPRESSUM	3.0

Hydroseeding slurry component for slopes from 3:1 to 2:1:

<u>Product</u>	<u>Application Rate</u>
Wood Fiber Mulch	2000 lbs/acre
Binder/Tackifier	200 lbs/acre

<u>Product</u>	<u>Application Rate</u>
Organic fertilizer	800 lbs/acre
Mycorrhizal inoculum	60 lbs/acre

Add to slope rolled erosion control netting product (RECP Netting) 20.6 ounce weight per yd², for landscape areas directly receiving pavement run off.

Shrubs from 1- 5 gallon containers should be approximately planted on the swale side slopes:

- FESTUCA IDAHOENSIS — Blue Fescue, 1 FT x 1 FT
- MUHLENBERGIA RIGENS — Deer Grass, 4 FT x 4 FT
- FESTUCA MAIREI — Marie’s Fescue, 2 FT x 2 FT
- CAREX PANSA — California meadow sedge, 1 FT x 1 FT
- LEYMUS CONDENSATUS — Canyon Prince, 4 FT x 3 FT
- LEYMUS TRITICOIDES — Creeping Wild Rye, 2 FT x 2 FT

Trees from containers 5 to 15 gallons should be appropriately planted on the top of side slopes:

- QUERCUS AGRIFOLIA — COAST LIVE OAK, space 35 FT apart.
- PLATANUS ACERIFOLIA — LONDON PLANE TREE, space 35 FT apart.

Soils with low infiltration rates less than one inch per hour shall:

- Excavate an additional 18 to 36 inches deep, and add engineered soil mix in the swale bottom.
- Provide soil testing to determine additional methods to increase infiltration.

Suitable Bioswale Soil:

- General. Topsoil shall be free of roots, clods, or stones larger than 1-inch in the greatest dimension, pockets of coarse sand, noxious weeds, sticks, lumber, brush and other litter. It shall not be infested with nematodes or other undesirable disease-causing organisms such as insects and plant pathogens or any hazardous materials.

1. Topsoil shall be friable and have sufficient structure in order to give good tilth and aeration to the soil.

2. Gradation limits-soil shall be a sandy loam. Gravel over ¼inch in diameter shall be less than 20 percent by weight.

3. Permeability Rate shall be not less than one inch per hour, nor more than 20 inches per hour.

- Soil Organic Matter Content. The desirable range is 3% to 5%. Sufficient soil organic matter shall be present to impart good physical soil properties but not be excessive to cause toxicity or cause excessive reduction in the volume of soil due to decomposition of organic matter.

Exhibit "B"

Table 5.02-1 Land Use Matrix

	BP	IP	IL	IG	IH	Additional Regulations
Salvage Facilities (such as automobile dismantling and metal salvage/recycling. See NAICS 562920. Material Recovery Facilities, for the recovery/processing (recycling of waste materials)						See Section 5.03.350 (Salvage Facilities)
[1] Within a Wholly Enclosed Building	---	---	---	C P	C P	
[2] With Outdoor Storage and/or Processing Activities	---	---	---	--- P	C P	

P – Permitted

C – Conditionally Permitted

--- Prohibited

Exhibit "C"
Salvage Facilities Performance Standards

5.03.350: Salvage Facilities.

The following standards shall govern the establishment and operation of salvage facilities for the purpose of reclaiming recyclable equipment, materials, and parts, from home appliances, commercial and industrial machinery, motor vehicles, and other similar recyclable items acceptable to the Approving Authority:

- A.** Salvage facilities shall be located a minimum of ~~300~~ 750 FT from any residentially zoned lot.
- B.** Loading and processing activities, and stored vehicles, materials, and equipment, shall be completely screened from public view and view from adjoining lots, by buildings and/or decorative masonry block walls with view-obstructing gates.
- C.** Loading, processing, and storage activities shall not be conducted within a required setback area.
- D.** All setbacks from a street property line shall be fully landscaped and permanently maintained, excepting those areas necessary for pedestrian or vehicular access.
- E.** All sorting, compaction, baling, shearing, shredding, grinding, crushing, and other similar processing activities, shall be conducted within a completely enclosed structure designed to minimize noise and have advanced dust control features generated by the activities that encapsulate all dust and scrap from discharging into the atmosphere.
- F.** Melting, baking, gas and non-gas torch cutting of metals shall not be allowed.
- G.** Any materials or scrap metals brought to a site for processing will be free of impurities, hazardous or radioactive chemicals.
- H.** Salvage facilities shall only receive scrap supply from reliable sources that follow the established guidelines set by industry standards (U.S. Institute of Scrap Recycling Industries, Inc., and U.S. National Association of Secondary Materials Industries, Inc.) and shall obtain material data safety sheets and labels for the scrap materials accepted.
- I.** A site plan to scale shall be required showing the location of proposed activity and equipment. Any equipment proposed specifications shall be provided to the Planning Department. Equipment information shall be submitted to include, but not be limited to, a model number, manufacturer, photographs, video demonstration (if available), equipment dimensions, equipment height, noise operating specifications, equipment dust control measures and emissions specifications.
 - 1.** All equipment shall be properly serviced and maintained to manufacturer specifications.

J. All existing salvage facilities, regardless of the zoning district in which they are located, shall conform with the requirements of this Section within one-year following notification by the Planning Director of the pending amortization of the use. The Planning Commission may abrogate the requirements of this Section because unusual circumstances exist with regard to the site or its location, which makes full compliance with the requirements of this Section impracticable.

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: December 22, 2015

FILE NO.: PHP15-008

SUBJECT: A request to designate a Tier III Historic Resource as a Local Landmark

LOCATION: 428 East Plaza Serena Street (APN: 1048-072-21)

APPLICANT: Lori Ayala

PROPERTY OWNER: Lori Ayala

I. RECOMMENDATION:

That the Historic Preservation/Planning Commission recommend that the City Council designate the John J. Voss House, located at 428 East Plaza Serena Street, Local Historic Landmark No. 96.

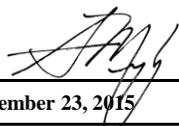
II. ARCHITECTURAL DESCRIPTION:

Historic Name: The John J. Voss House
Architectural Style: Mediterranean Revival Bungalow
Date Built: 1928 (est.)

The John J. Voss House is a single story, Mediterranean Revival Bungalow style single family residence. The 1,340 square foot house is situated on 0.103 acres of land and is U-shaped in plan. It has a cross gabled, low-pitch roof with raked eaves, small overhang and is covered with red clay s-tiles. The John J. Voss House is clad in stucco. The arcade entryway with a decorative arch that leads to a small front porch with a pony wall and smooth stucco finish.



Case Planner: Zulema Elly Antuna, Assistant Planner

Planning Director Approval: 

Submittal Date: September 23, 2015

Hearing Deadline: _____

Hearing Body	Date	Decision	Action
HPSC:	11/12/2015	Approval	Recommend
PC / HPC:	12/22/2015		Recommend
CC:			Final

The front (north) elevation features three sets of six-pane, wood frame, casement windows. A focal point on the primary façade is a Palladian window that includes a combination of fixed and casement windows. The Palladian window's bell arch shape is replicated on the arches of the arcade entryways. A majority of the windows on the resource are six-pane, wood frame, casement windows.

There is a two-car detached garage at the rear of the property, accessible from Sultana Avenue, that has a flat roof and stucco finish. Alterations to the resource include: kitchen garden windows on the east elevation, a simulated divided light grid-pattern vinyl window replacement on the south elevation, a vinyl single-hung bathroom window on the west elevation, and an addition on the west elevation of the detached garage. The alterations are minor in nature, are easily reversible, and do not detract from the historic resource. The property is landscaped with numerous shrubs, rose bushes, and palms.

III. HISTORIC CONTEXT:

Although the “bungalow” is more of a type of home than an architectural style, it is recognized to address the modest sized homes built from the late 1900s to 1940. The Bungalow style was adapted from many popular period architectural styles. The Bungalow started in California in the early 1910s, primarily as an outgrowth of the Craftsman style. Bungalows are simple houses designed to address the need for affordable housing. Bungalow floor plans are informal with open spaces. Although there are many large, two-story bungalows, most bungalows were typically single story.

The Bungalow became the first style of home to be built on a mass scale by contractor-builders, often times utilizing design drawings from various mail order catalogs. The Bungalow is one of the most common types of home in Ontario with architectural style variations such as Colonial Revival, Victorian, Craftsman, and Mediterranean Revival. However in California, a prominent variation of the Bungalow that included Craftsman and Mediterranean architectural elements was popularized. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement windows.

The Mediterranean Revival style is a mix of various elements and influences. It incorporates features and elements from the Spanish Colonial and Moorish Architecture in Spain and Portugal, Italian architecture, as well as the California Missions. Most 1920s Mediterranean Revival buildings were influenced by rural Italian villas and could be termed as a Rural Tuscan style.

The John J. Voss house is located in the potential Granada Historic District. The neighborhood consists primarily of bungalows in the Mediterranean Revival, Tudor Revival, Craftsman and Minimal Traditional architectural styles. This home contributes to a visual record and an overall historic sense of how the area was developed. Based on Sanborn

maps, building records and newspaper articles, the home appears to have been constructed in 1928. According to city directories, the first occupants of the home were John and Mary Voss who resided in the home from 1931 until the late 1970s. John J. Voss was a factory worker for Edison General Electric Company. In 2006, the current owner, Lori Ayala, purchased the property.

IV. LANDMARK DESIGNATION CRITERIA:

Eligible historic resources may be considered for Landmark designation if the property can meet one or more designation criteria for local designation as contained in the Historic Preservation Ordinance, (Sec. 9-1.2615 of the Development Code). On November 12, 2015, the Historic Preservation Subcommittee determined that the John J. Voss House, located at 428 East Plaza Serena Street, was a Tier III Historic Resource, and recommended local landmark approval finding that it met the following designation criteria:

1. It embodies distinguishing architectural characteristics of a style, type, period, or method of construction:

The John J. Voss House is a fine example of the Mediterranean Revival Bungalow style of architecture which is evidenced by the survival of the home's character-defining Features. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement and Palladian style windows. The only known alterations to the building are three window replacements and an addition on the west elevation of the detached garage which do not detract from the historic resource and are easily reversible.

V. COMPLIANCE WITH THE ONTARIO PLAN:

The proposed landmark designation 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 landmark designation are as follows:

Vision

DYNAMIC BALANCE

An appreciation for the "personality and charm" of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

City Council Priorities

Primary Goal:

Regain local Control of the Ontario International Airport.

Supporting Goals:

- Focus Resources in Ontario's Commercial and Residential Neighborhoods; and
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

Policy Plan

CD 4: *Goal:* 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.

The proposed local landmark designation supports preservation of the neighborhood streetscape and context.

CD 4-6: *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.

The proposed local landmark designation requires owner participation and recognizes and promotes preservation efforts.

RESOLUTION NO.

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PHP15-008, TO DESIGNATE THE JOHN J. VOSS HOUSE, LOCATED AT 428 EAST PLAZA SERENA STREET, AS A LOCAL HISTORIC LANDMARK (APN: 1048-072-21)

WHEREAS, Lori Ayala, property owner, (“Applicant”) has filed an application for the approval of a Local Historic Landmark Designation, File No. PHP15-008, as described in the title of this Resolution (hereinafter referred to as “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 Design element The Ontario Plan (General Plan) sets forth Goals and Policies to conserve Ontario’s historic buildings and districts; and

WHEREAS, the John J. Voss House, a Mediterranean Revival Bungalow style home constructed in 1928 (est.), located at 428 East Plaza Serena Street (APN: 1048-072-21) is worthy of preservation and designation as a Local Historic Landmark; and

WHEREAS, on November 12, 2015, the Historic Preservation Subcommittee reviewed this property and determined that it met local landmark designation criteria as a Tier III historic resource as set forth in Article 26, Historic Preservation Ordinance of the Ontario Development Code (Sec. 9-1.2615); and

WHEREAS, the Historic Preservation Commission has reviewed this property and determined that it meets the local landmark criteria as set forth in Article 26, Historic Preservation Ordinance of the Ontario Development Code (Sec. 9-1.2615).

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

SECTION 1. As the recommending 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 designation 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. FINDING: It meets the criteria for local landmark designation as contained in the Historic Preservation Ordinance (Sec. 9-1.2615 of the Development Code); *It embodies distinguishing architectural characteristics of a style, type, period, or method of construction:*
- b. FACT: The John J. Voss House is a fine example of the Mediterranean Revival Bungalow style of architecture which is evidenced by the survival of the home's Character-defining Features. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement and Palladian style windows. The only known alterations to the building are three window replacements and an addition on the west elevation of the detached garage which do not detract from the historic resource and are easily reversible.

SECTION 3. Based upon findings set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby recommends City Council approval of the landmark designation.

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 incorporate fully in the defense.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings have been raised are located at 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 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 Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of December, 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. PHP15-008
December 22, 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 December 22, 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: December 22, 2015

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF NOVEMBER 2015

Attached, you will find the Planning Department Monthly Activity Report for the month of November 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: November 2015

PCUP15-027:

Submitted by Mix Champagne Bar Lounge

A Conditional Use Permit to establish live entertainment and alcoholic beverage sales, including beer, wine, and distilled spirits for on premise consumption, in conjunction with a proposed 5,076-square foot bar/night club on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan.

PDA-15-006:

Submitted by Richland Ontario Developers LLC

A Development Agreement between Roseville NMC, LLC, and City of Ontario, for Tentative Tract 19909, to construct 118 single-family homes and a 0.95 acre park, within Subarea 25 of the Subarea 29 Specific Plan, located on the northwest corner Haven and Merrill Avenues.

PDCA15-003:

Submitted by City of Ontario

A revision to certain provisions of the comprehensive update to the City of Ontario Development Code (introduced by the City Council on 9/1/2015), as follows: [1] add Reference G — Landscape Design and Construction Guidelines; [2] modify Table 5.02-1, Land Use Matrix, to allow “salvage facilities” as a permitted land use within the proposed IG (General Industrial) and IH (Heavy Industrial) zoning districts; and [3] modify Section 5.03.350, Salvage Facilities, to modify the operational and performance standards for salvage facilities. 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.

PDEV15-036:

Submitted by S. S. Heritage Inn of Ontario, LLC

Revisions to a previously approved Development Plan (File No. PDEV07-042) for the construction of a 68,230-square foot, 161-room, Springhill Suites Hotel, including minor modifications to the approved site plan and exterior elevations, on 3.3 acres of land located at 3595 East Guasti Road, within the Entertainment District of the Ontario Gateway Specific Plan.

Monthly Activity Report—New Applications

Month of: November 2015

PDEV15-037:

Submitted by Holt Melrose LLC

A Development Plan to construct a 6,816-square foot retail building (AutoZone), a 28,432 square foot industrial warehouse building, and a 3,825-square foot future retail/restaurant pad, located at the southeast corner of Holt Boulevard and Pleasant Avenue, within the Commercial and Light Industrial land use districts of the Melrose Plaza Planned Unit Development (APNs: 1049-092-11, 12 and 13).

PHP-15-010:

Submitted by Kenneth Miller

A request for an historic plaque for Designated Local Landmark No. 94, the Charles B. Jones House, located at 227 West Sixth Street.

PHP-15-011:

Submitted by City of Ontario

A Tier determination for a historically eligible, one story, single family Mediterranean Revival Bungalow-style house, located at 428 East Plaza Serena Street (APN: 1048-072-01).

PMTT15-004:

Submitted by Holt Melrose, LLC

A Tentative Parcel Map to subdivide 4.20 acres of land into three parcels located at the southeast corner of Holt Blvd. and Pleasant Avenue, within the Commercial and Light Industrial District of the Melrose Plaza Planned Unit Development (APNs: 1049-092, 11, 12 and 13).

PSGN15-132:

Submitted by Farmer Boys

A Sign Plan for the installation of a temporary banner signs for Farmer Boys located at 1190 East Francis Street, including: 1st sign: 6' x 3' temporary banner with "Now Hiring" facing Francis Ave; 2nd sign: 8' x 4' temporary banner with "It's Back! Xtreme Bacon Boy" facing Grove Avenue.

PSGN15-133:

Submitted by Hyung Im

A Sign Plan for the installation of a new wall sign (34.5 SF) for WaBa Grill, located at 1343 East Fourth Street.

PSGN15-134:

Submitted by Sizzler

A Sign Plan for the installation of a temporary banner sign for Sizzler, advertising Thanksgiving, and Christmas, located at 2228 South Mountain Avenue.

Monthly Activity Report—New Applications

Month of: November 2015

PSGN15-135: Submitted by AKC Services, Inc

A Sign Plan for the installation of a new wall sign for ProLogis, located at 1175 East Francis Street.

PSGN15-136: Submitted by AKC Services, Inc.

A Sign Plan for the installation of a new wall sign for ProLogis, located at 1990 South Cucamonga Avenue.

PSGN15-137: Submitted by AKC Services, Inc

A Sign Plan for the installation of a new wall sign for ProLogis, located at 1851 South Cucamonga Avenue.

PSGN15-138: Submitted by YESCO Signs, LLC

A Sign Plan for the installation of two new wall signs, multiple directional signs, one menu board, and reface an existing monument sign, to read "Starbucks," located at 960 North Ontario Mills Drive.

PSGN15-139: Submitted by Sunset Signs

A Sign Plan for the installation of a new wall sign (14 SF) to read "Perera Construction," located at 2890 East Inland Empire Boulevard, Suite 102.

PSGN15-140: Submitted by Createive Sign and Display Company

A Sign Plan for the installation of a new sign (43 SF) to read "Ontario Holt Dialysis Center," located at 1310 West Holt Boulevard.

PSGN15-141: Submitted by Creative Sign and Display Company

A Sign Plan for the installation of a new sign (26.25 SF) to read "MEDICAL CENTER," located at 1304 West Holt Boulevard.

Monthly Activity Report—New Applications

Month of: November 2015

PSGN15-142:

Submitted by Alcon Signs

A Sign Plan for the installation of a new monument sign (15.75 SF) to read “QuickGas,” located at 101 North Vineyard Avenue.

PSGN15-143:

Submitted by Sara Leasure

A Sign Plan for the installation of three new canopy signs (totaling 36.7 SF) and one monument sign reface (50 SF) for Arco gas station, located at 808 North Mountain Avenue.

PSGN15-144:

Submitted by FX Signs

A Sign Plan for the installation of a new wall sign (20 SF) for "The Pho Place" (with logo), located at 2550 South Archibald Avenue, Suite A.

PSGN15-145:

Submitted by Abdul Masud

A Sign Plan for the installation of a new wall sign (21 SF) for H&R Block, located at 120 South San Antonio Avenue.

PTUP15-080:

Submitted by Ontario Police Officers Association

A Temporary Use Permit for Beer Festival fund raiser sponsored by Ontario Police Officers Association, located at Guasti Regional Park, 800 North Archibald Avenue, including live band and approximately 200 attendees (no vendors). 11/14/2015, 12:00PM to 4:00PM (APN: 110-451-01).

PTUP15-081:

Submitted by RSF

A Temporary Use Permit for a temporary new car storage lot for Chrysler dealership, located at 1405 South Hudson Avenue.

PTUP15-082:

Submitted by Superior Grocers

A Temporary Use Permit for a Christmas tree sales lot in conjunction with Superior Grocery Store, located at 815 West Holt Boulevard. 11/27/2015 through 12/26/2015.

Monthly Activity Report—New Applications

Month of: November 2015

PTUP15-083: Submitted by Ontario Elks Lodge

A Temporary Use Permit for a Toy Run for Ontario Elks Lodge, to include DJ, alcoholic beverage sales, and vendors, located at 1150 West Fourth Street. 12/6/2015, 10:00AM to 2:00PM (APN: 1008-521-07).

PTUP15-084: Submitted by Home Depot

A Temporary Use Permit for a Christmas Tree Lot in conjunction with Home Depot, located at 2980 South Euclid Avenue. 11/27/2015 through 12/24/2015, 7:00AM to 8:00PM, daily (APN: 1051-512-01).

PTUP15-085: Submitted by Boatman Development Company

A Temporary Use Permit to allow a temporary construction trailer in conjunction with an industrial development project, to be removed upon occupancy of the project, located at the southeast corner Mission Boulevard and Grove Avenue.

PVER15-076: Submitted by Shanna Berry

A Zoning Verification for property located at 2421 East Inland Empire Boulevard (APN: 0110-311-28).

PVER15-077: Submitted by Shanna Barry

A Zoning Verification for property located at 601 South Rockefeller Avenue (APN: 0238-193-20).

PVER15-078: Submitted by Pat Horton

A Zoning Verification for property located at 1051 East Fourth Street (APN: 1047-473-37).

PVER15-079: Submitted by Patrice Christy

A Zoning Verification for property located at 5005 East Philadelphia Street.

PVER15-080: Submitted by Patrice Christy

A Zoning Verification for property located at 3781 East Airport Drive (APN: 0211-222-73).

Monthly Activity Report—Actions

Month of: November 2015

Development Advisory Board — November 2, 2015

ENVIRONMENTAL ASSESSMENT FOR THE NEW MODEL COLONY EAST STORM DRAIN OUTLET STRUCTURES AT CUCAMONGA CREEK FLOOD CONTROL CHANNEL:

Initial Study/Mitigated Negative Declaration for the construction/widening of four bridge structures over the Cucamonga Flood Control Channel at Schaefer Avenue, Edison Avenue, Eucalyptus Avenue and Merrill Avenue. 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.**

Action: The Development Advisory Board approved a Decision, which APPROVED a Mitigated Negative Declaration for the construction/widening of four bridge structures over the Cucamonga Flood Control Channel at Schaefer, Edison, Eucalyptus, and Merrill Avenues.

Zoning Administrator — November 2, 2015

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP15-016: A Conditional Use Permit to establish and operate an organic materials facility (composting of green waste, manure, food materials, fats oils and grease) on a 34.76 acre portion of 37.4 acre parcel of land within the AG\SP (Agriculture Overlay) zoning district located southwest corner of Schaefer Avenue and Campus Avenue at 7435 East Schaefer Avenue. 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 Airport Land Use Compatibility Plan (ALUCP) for ONT; (APNs: 1053-101-01, -02, and 1053-091-01) **submitted by Harvest Power.** Continued from 10/19/15.

Action: Continued to a special meeting scheduled for 11/24/2015.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP15-019: A Conditional Use Permit (File No. PCUP15-019) request to allow liquor and distilled spirits for off-site consumption (Type 21 ABC License), in conjunction with an existing 3,518 square foot Valero service station with a convenience store located on 0.5 acres of land at 101 N. Vineyard Avenue within the C4 land use designation. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Sections Section 15301 (Class 1-Existing Facilities) and Section 15332 (Class 32-In-Fill Development Projects). 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; (APN 110-092-04) **submitted by Davinder S. Talwar.**

Action: The Zoning Administrator approved a Decision, which APPROVED File No. PCUP15-019 subject to departmental conditions of approval.

Monthly Activity Report—Actions

Month of: November 2015

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT FOR FILE NO. PCUP15-020: A Conditional Use Permit request to establish an approximate 9,800 square-foot vocational school for a window glazing training center, on approximately 0.63 acres of land, located at 1481 S. Balboa Avenue, within the M2 (Industrial Park) zone. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). 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; (APNs: 0113-394-12) **submitted by Southern California Glazier’s Training Center.**

Action: The Zoning Administrator approved a Decision, which APPROVED File No. PCUP15-020 subject to departmental conditions of approval.

City Council — November 3, 2015

No Planning Department Items Scheduled

Development Advisory Board — November 16, 2015

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-020: A Development Plan to construct 149 single-family homes on approximately 20.69 gross acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Edison Avenue between Haven and Turner Avenues. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act; (APNs: 0218-402-03 & 26; and 0218-392-07, 09 & 15) **submitted by Brookfield Residential.**

Action: The Development Advisory Board approved a Decision, which recommended APPROVAL File No. PDEV15-020 subject to departmental conditions of approval.

Zoning Administrator — November 16, 2015

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP15-022: A Conditional Use Permit to allow alcohol beverage sales for a Type 41 ABC license (beer and wine) for on premise consumption in conjunction with a 2,976 square foot restaurant in an existing commercial building located at 231 North Euclid Avenue, within the C2 (Central

Monthly Activity Report—Actions

Month of: November 2015

Business Commercial) Zoning District. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). 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; (APN: 1048-565-05) **submitted by Yeast N' Flour.**

Action: The Zoning Administrator approved a Decision, which APPROVED File No. PCUP15-022 subject to departmental conditions of approval.

City Council — November 17, 2015

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.** The Planning Commission recommended approval of this item on October 27, 2015, with a vote 5 to 0.

Action: The City Council APPROVED introduction and waived further reading of an ordinance approving a revision to File No. PDCA11-003.

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

Monthly Activity Report—Actions

Month of: November 2015

- 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**. The Planning Commission recommended approval of this item on October 27, 2015, with a vote 5 to 0.

Action: The City Council approved a resolution, which APPROVED File No. PGPA15-001.

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. 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; (APNs: 110-061-01, 110-071-01, 02, 06, 07, 110-072-08 to 11, 16, 25, 110-081-02, 03, 06 to 09, 110-091-05, 07 to 45, 110-101-01, 02, 05, 110-111-01 to 03, 06 to 12, 110-121-03 to 05, 08 to 10, 110-131-01, 06 to 09, 13, 19 to 21, 24, 25, 28, 113-222-01, 113-231-09, 113-251-16, 24, 113-261-17, 113-271-05, 10, 12, 22, 40, 113-371-02, 113-396-01 to 03, 113-431-03, 113-451-31, 113-463-03, 04, 07, 10, 13, 14, 19, 20, 22, 24 to 29, 34 to 36, 113-591-01 to 13, 210-061-16, 210-062-37, 38, 58, 59, 210-191-11, 210-212-02, 210-311-01 to 04, 10 to 12, 210-551-02, 03, 05, 211-242-01, 02, 211-261-01, 211-263-01, 211-272-05, 211-281-05, 211-291-01, 211-321-10, 238-021-02, 238-042-17 to 19, 23 to 25, 27, 28, 30 to 34, 238-044-22, 24, 238-052-12, 35, 49, 238-121-41, 238-152-01, 03, 05 to 07, 09, 15, 33, 34, 238-185-50, 51, 54, 238-241-12 to 17, 1011-101-07 to 10, 1011-111-04, 05, 10, 12 to 23, 1011-112-05, 07 to 10, 12 to 24, 28 to 44, 1011-121-02, 05, 07, 09 to 18, 21 to 26, 1011-122-01 to 08, 11 to 23, 1011-131-02 to 04, 13, 17 to 19, 1011-132-08 to 12, 17 to 19, 21, 1011-133-07, 20 to 23, 1011-134-01, 02, 04 to 06, 10, 12 to 15, 1011-141-06, 07, 11, 13, 14, 16, 17, 27, 30 to 39, 1011-151-01, 03 to 07, 1011-161-01 to 05, 08 to 14, 16, 17, 1011-171-01, 04, 05, 1011-181-04, 05, 09, 10, 1011-182-01,

Monthly Activity Report—Actions

Month of: November 2015

05, 09, 10, 13, 15, 17, 18, 1011-191-01 to 03, 1011-192-01, 04, 1011-193-01 to 04, 1011-201-02, 05 to 07, 10 to 12, 14 to 26, 1011-211-02, 03, 05 to 07, 09, 10, 12 to 21, 1011-221-01 to 06, 08 to 13, 15, 16, 18 to 20, 1011-231-02 to 05, 07 to 12, 1046-511-01, 02, 04, 05, 17, 18, 1047-132-02, 1047-143-01, 1049-013-01, 02, 06 to 08, 1049-031-03, 06 to 18, 1049-041-07, 10 to 12, 1049-042-02, 03, 05, 06, 1049-043-01 to 06, 1049-044-01, 04, 05, 08 to 13, 1049-059-15, 16, 18 to 20, 1049-064-06 to 08, 1049-067-03 to 09, 11, 1049-068-02 to 04, 15, 17, 18, 1049-071-01, 05, 07, 08, 1049-081-01, 02, 06 to 08, 10, 11, 13, 1049-082-04 to 06, 1049-083-01, 03, 07 to 09, 11, 13, 1049-091-05, 06, 09 to 12, 1049-093-11 to 22, 1049-095-05, 06, 1049-101-01, 02, 04 to 18, 29 to 40, 1049-102-01 to 24, 1049-111-01, 03 to 08, 1049-121-29, 1049-131-01 to 06, 08, 09, 13 to 20, 1049-141-01 to 03, 18 to 26, 28, 1049-151-01, 02, 04, 06, 07, 09 to 11, 13 to 16, 19 to 25, 38 to 40, 1049-161-10 to 20, 26, 1049-171-01, 1049-172-01 to 03, 05, 06, 1049-181-01, 04, 06 to 13, 1049-182-05 to 07, 1049-192-14, 1049-193-01, 02, 1049-201-03 to 19, 22, 23, 27, 29, 1049-202-06 to 11, 14, 15, 21 to 23, 1049-203-01 to 22, 1049-204-01 to 09, 17, 1049-205-02 to 17, 1049-211-08 to 14, 1049-212-01 to 15, 18 to 26, 1049-213-01 to 14, 20, 21, 1049-221-01 to 04, 1049-231-04 to 12, 24 to 27, 1049-232-21, 1049-233-03 to 13, 16, 1049-252-02, 03, 12, 13, 1049-254-06 to 10, 1049-256-06 to 11, 1049-258-06 to 13, 1049-262-07 to 12, 1049-264-07 to 11, 1049-266-06, 07, 1049-268-09 to 11, 1049-281-01, 02, 04, 1049-292-14 to 25, 1049-294-20, 23 to 29, 1049-301-05, 06, 1049-311-15, 1049-321-01 to 04, 06, 1049-322-01 to 11, 1049-331-01 to 10, 1049-332-01 to 08, 12, 1049-341-03 to 12, 14, 15, 1049-342-01 to 11, 1049-351-01 to 03, 1049-352-01, 1049-353-07 to 14, 1049-354-08 to 12, 1049-361-01 to 06, 1049-362-03 to 05, 07, 08, 10, 11, 1049-363-01 to 08, 1049-364-01 to 04, 1049-371-04 to 07, 1049-372-01 to 12, 1049-374-09 to 13, 1049-381-01, 02, 1049-382-01 to 05, 1049-383-01 to 05, 1049-384-17 to 35, 1049-391-01, 1049-421-01, 02, 04, 1049-431-06, 08, 10 to 17, 1049-442-18, 1049-462-10 to 13, 1049-472-03, 04, 1049-482-01 to 05, 07, 1049-501-04, 05, 10 to 15, 17 to 20, 1049-502-10, 1050-101-01, 27, 1050-111-10, 11, 14 to 24, 1050-121-10, 11, 1050-211-03, 04, 11, 15, 1050-221-06, 07, 09, 10, 1050-431-16, 18 to 25, 1050-441-04, 05, 63, 64, 66, 67, 69 to 72, 1050-451-03, 04, 07, 08, 1050-501-02 to 08, 17 to 22, 1050-511-02, 05, 08 to 10, 1050-521-01 to 08, 10, 11, 13, 15, 1083-352-01) **City initiated.** The Planning Commission recommended approval of this item on October 27, 2015, with a vote 5 to 0.

Action: The City Council **APPROVED** introduction and waived further reading of an ordinance approving File No. PZC15-002.

Planning Commission — November 24, 2015

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-020:

A Development Plan to construct 149 single-family homes on 20.69 gross acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Edison Avenue between Haven and Turner Avenues. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans

Monthly Activity Report—Actions

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(ALUCP) for ONT Airport. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act; (APN's: 0218-402-03 & 26 and 0218-392-07, 09 & 15) **submitted by Brookfield Residential.**

Action: The Planning Commission approved a resolution, which APPROVED File No. PDEV15-020 subject to the departmental conditions of approval.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE

NO. PDCA15-002: A request to amend Section 9-1.3176, Billboard Relocation Agreements, to include an exception for "Interagency Relocation Exception" to relocate billboards within the City of Ontario, provided the billboards meet certain locational criteria and findings and include the elimination of other billboards within the City. Staff has determined that the application is exempt from the requirements the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule). 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.

Action: The Planning Commission APPROVED a resolution recommending the City Council adopt a resolution approving File No. PDCA15-002.

Zoning Administrator — November 24, 2015

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP15-016: A Conditional Use Permit to establish and operate an organic materials facility (composting of green waste, manure, food materials, fats oils and grease) on a 34.76 acre portion of 37.4 acre parcel of land located at the southwest corner of Schaefer Avenue and Campus Avenue, at 7435 East Schaefer Avenue, within the AG\SP (Agriculture Overlay) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. (APNs: 1053-101-01, -02, and 1053-091-01); **submitted by Harvest Power.** Continued from 11/16/2015.

Action: The Zoning Administrator approved a Decision, which DENIED File No. PCUP15-016.