

ADOPTION

CALIFORNIA COMMERCE CENTER

FILE NUMBER: 2591-SP

City Council Resolution Number: 9778 – *Adopted May 17, 1983*

AMENDMENTS

File No. 2788-SPA

City Council Resolution NO. 9968 – *Adopted May 15, 1984*

File No. 2766-SPA

City Council Resolution No. 9969 – *Adopted May 15, 1984*

File No. 3067-SPA

City Council Resolution No. 10044 – *Adopted October 16, 1984*

File No. 3104-SPA

City Council Resolution No. 10081 – *Adopted December 18, 1984*

File No. 3155-SPA

City Council Resolution No. 85-74 – *Adopted May 21, 1985*

File No. 3272-SPA

City Council Resolution No. 85-154 – *Adopted October 15, 1985*

File No. 3386-SPA

City Council Resolution No. 86-66 – *Adopted May 20, 1986*

File No. 3466-SPA

City Council Resolution No. 86-161 – *Adopted September 16, 1986*

File No. 3616-SPA

City Council Resolution No. 87-182 – *Adopted November 17, 1987*

File No. 3936-SPA

Planning Commission resolution No. 3292 – *Adopted December 27, 1988*
(Minor Amendment, no Council action)

File No. 4103-SPA

City Council Resolution No. 89-188 – *Adopted November 21, 1989*

File No. 4322-SPA

City Council Resolution No. 90-173 – *Adopted August 21, 1990*

File No. 4267-SPA

City Council Resolution No. 90-196 – *Adopted October 16, 1990*

AMENDMENTS

File No. 4390-SPA
City Council Resolution No. 92-129 – *Adopted October 6, 1992*

File No. 4689-SPA
City Council Resolution No. 94-2 – *Adopted January 4, 1994*

File No. 4804-SPA
City Council Resolution No. 95-44 – *Adopted May 16, 1995*

File No. 4834-SPA
City Council Resolution No. 95-93 – *Adopted August 15, 1995*

File No. 4928-SPA
No City Council Resolution (PC denied/appeal 4995 – A approved)
Adopted November 19, 1996

File No. 4958-SPA
No City Council Resolution (PC denied/appeal 4996 – A approved)
Adopted November 19, 1996

File No. 5007-SPA
City Council Resolution NO. 96-115 – *Adopted December 3, 1996*

File No. 5041-SPA
City Council Resolution No. 97-012 – *Adopted March 18, 1997*

File No. 5036-SPA
City Council Resolution No. 97-021 – *Adopted April 15, 1997*

File No. 5073-SPA
City Council Resolution 97-51 – *Adopted July 1, 1997*

File No. 98-001-SPA
City Council Resolution No. 98-108 – *Adopted August 18, 1998*

File No. PSPA02-003
City Council Resolution No. 2002-074 – *Adopted July 16, 2002*

File No PSPA05-004
City Council Resolution No. 2006-067 – *Adopted August 15, 2006*

File No. PSPA06-006
City Council Resolution No. 2007-054 – *Adopted May 1, 2007*

AMENDMENTS

File No. PSPA18-002

City Council Resolution No. 2018-098 – *Adopted June 19, 2018*

File No. PSPA18-005

City Council Resolution No. 2018-126 – *Adopted August 21, 2018*

File No. **PSPA20-003**

City Council Resolution No. 2021-132 – *Adopted July 20, 2021*

File No. **PSPA21-007**

Zoning Administrator Decision No. ZA21-028 – *Adopted December 14, 2021*

File No. PSPA22-006

City Council Resolution No. R2023-152 - *Adopted November 21, 2023*

RESOLUTION NO. 9778

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, APPROVING A SPECIFIC PLAN
ENTITLED "ONTARIO INDUSTRIAL PARTNERS' DEVELOP-
MENT"

WHEREAS, the Planning Commission has reviewed the proposed Specific Plan entitled "Ontario Industrial Partners' Development" and recommended the adoption of certain conditions of approval of the Specific Plan; and

WHEREAS, the Specific Plan encompasses approximately 1,500 acres located easterly of Haven Avenue and the Ontario International Airport property, and southerly of the Southern Pacific Railroad; and

WHEREAS, the environmental issues of this project have been addressed in Environmental Impact Report No. 81-4, and the mitigation measures proposed will be implemented in the Specific Plan; and

WHEREAS, the proposed Specific Plan will comply with the City of Ontario General Plan and will ensure substantial compliance with the spirit, intent and provisions of the Ontario Municipal Code; and

WHEREAS, approval of the Specific Plan does not guarantee the availability of public services or facilities therefor; and

WHEREAS, the Specific Plan must comply with the conditions of approval recommended by the Planning Commission, Development Advisory Board and the following additional conditions as adopted by the City Council:

1. There shall be no vehicular driveway access points to parcels along Commerce Parkway. Access rights shall be dedicated to the City of Ontario. Mitigation Measure No. 49 shall be amended accordingly.
2. The required Master Plan of Drainage shall include a Water Conservation Program. The ultimate location of recharge basin(s) shall be reviewed and approved by the Planning Commission and City Council;

NOW, THEREFORE, BE IT RESOLVED, that the Specific Plan for the project entitled "Ontario Industrial Partners' Development" is hereby approved.

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I hereby certify that the above Resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 17th day of May, 1983.


City Clerk of the City of Ontario

RESOLUTION NO. 9968

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT
TO THE ONTARIO INDUSTRIAL PARTNERS (OIP) SPECIFIC
PLAN, FILE NO. 2788-SPA

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on April 24, 1984, to review an amendment to the Ontario Industrial Partners Specific Plan from Light Industrial to Rail Industrial on 27.75 acres located in the area bounded by Milliken Avenue on the west, Brickett Street on the north, Santa Ana Street on the south and Rockefeller Avenue on the east; and

WHEREAS, the Planning Commission reviewed a Negative Declaration prepared for this project and determined that environmental impacts of any development on the site were addressed in the Environmental Impact Report No. 81-4, which the City Council had certified on May 17, 1983, and that development on the site will be subject to mitigation measures contained in said EIR 81-4; and

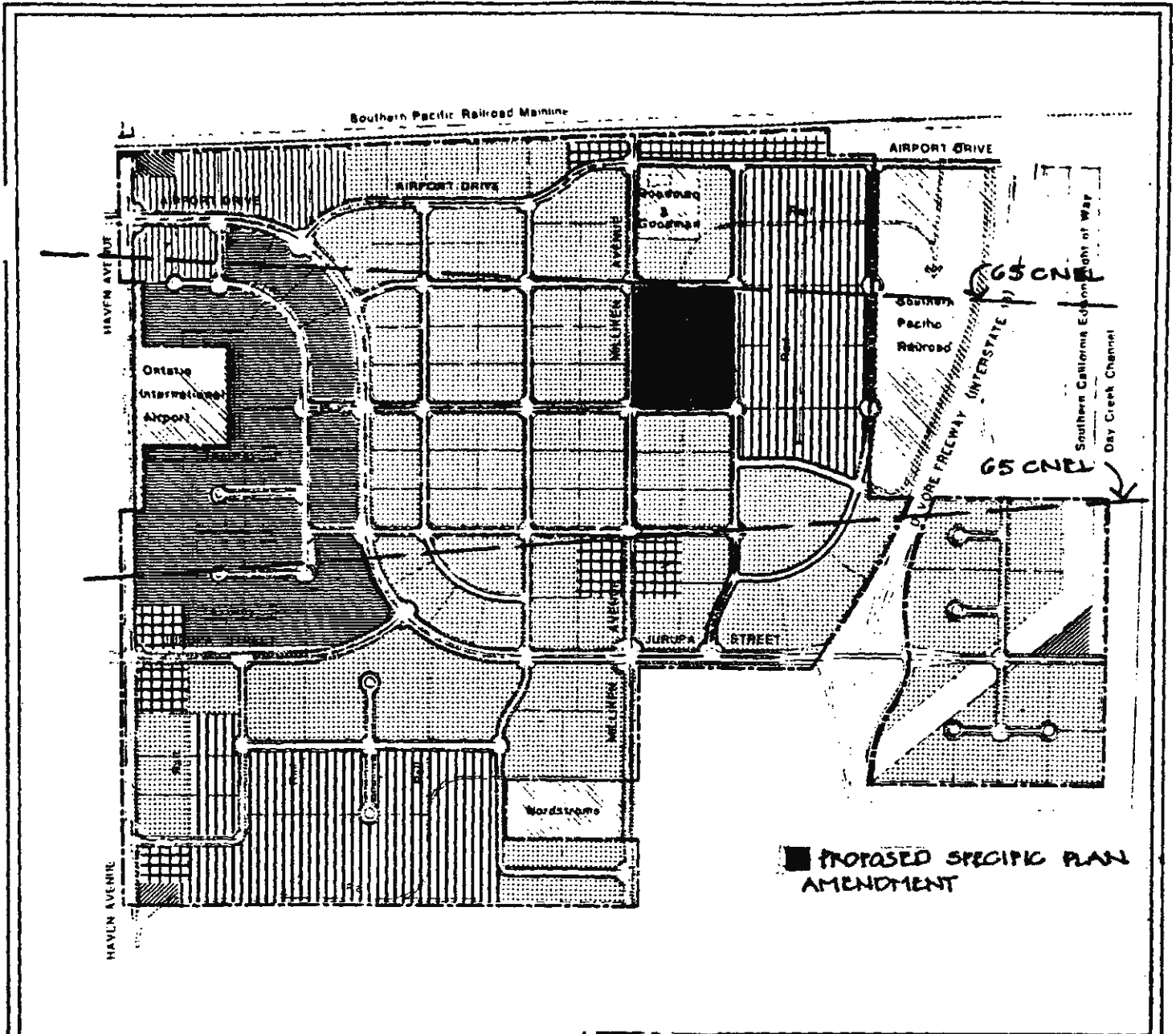
WHEREAS, the Planning Commission has recommended City Council approval of the Negative Declaration and the proposed Specific Plan amendment;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, that the amendment to the Ontario Industrial Partners Specific Plan from Light Industrial to Rail Industrial on the subject site, is approved.

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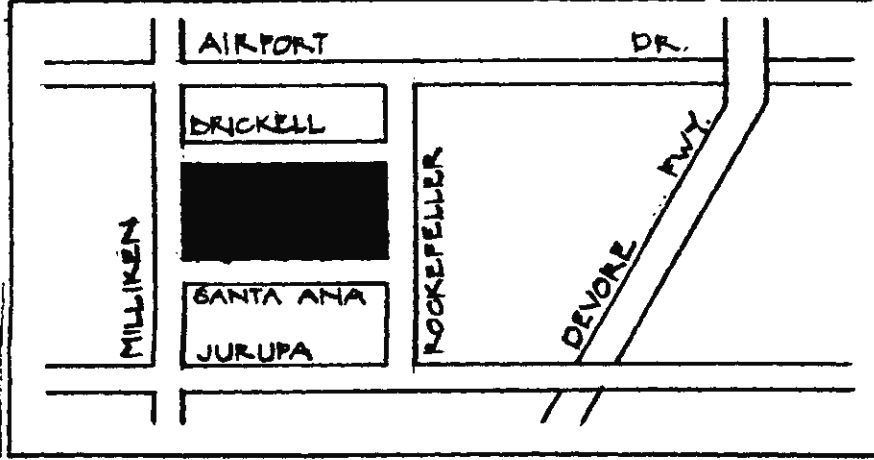
I hereby certify that the above resolution was duly and regularly passed and adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 15th day of May, 1984.


City Clerk of the City of Ontario



ONTARIO PLANNING DEPARTMENT

Vicinity Map



Legend

A specific plan amendment to change the land use category from light industrial to rail industrial for a 27.75 acre property located south of Brickell St., North of Santa Ana St., East of Milliken and West of Rockefeller Avenue. Within the Ontario Industrial Partners' (O.I.P.) Specific Plan.

File No. 2788 SPA

RESOLUTION NO. 9969

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO THE ONTARIO INDUSTRIAL PARTNERS (OIP) SPECIFIC PLAN, FILE NO. 2766-SPA

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on April 24, 1984, to review an amendment to the Ontario Industrial Partners Specific Plan from Rail Industrial to Light Industrial on 3.1 acres located at the northwest corner of Wall Street and Wanamaker Avenue; and

WHEREAS, the Planning Commission reviewed a Negative Declaration prepared for this project and determined that environmental impacts of any development on the site were addressed in Environmental Impact Report No. 81-4, which the City Council had certified on May 17, 1983, and that development on the site will be subject to mitigation measures contained in said EIR 81-4; and

WHEREAS, the Planning Commission has recommended City Council approval of the Negative Declaration and the proposed Specific Plan amendment;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, that the amendment to the Ontario Industrial Partners Specific Plan from Rail Industrial to Light Industrial on the subject site, is approved.

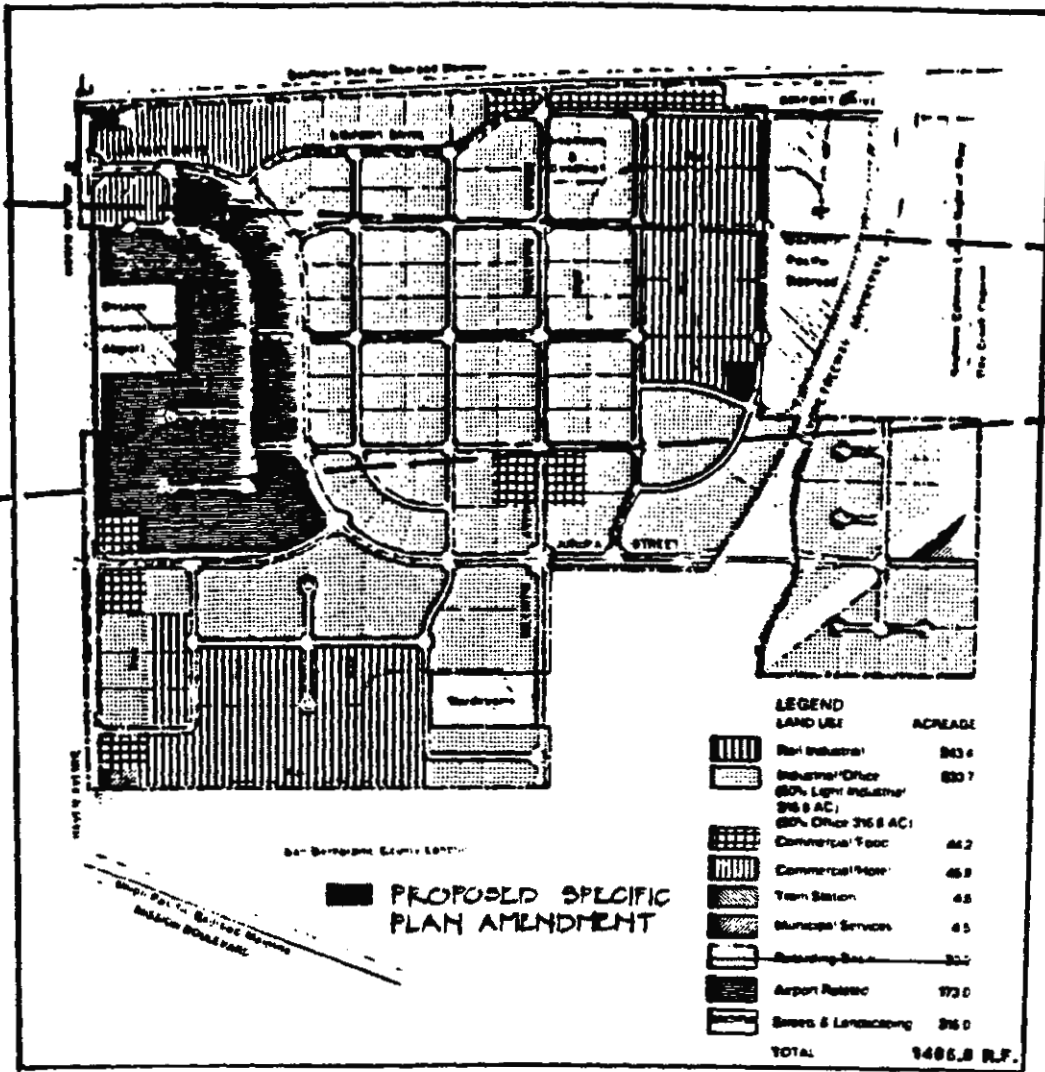
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I hereby certify that the above resolution was duly and regularly passed and adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 15th day of May, 1984.


City Clerk of the City of Ontario

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CNEL

05
CNEL



ONTARIO PLANNING DEPARTMENT

Vicinity Map



AIRPORT DR.

MILLIKEN AV.

WALL

WANA-MAKER AV.

BEVORE AV.

JURUPA ST.

Legend

A SPECIFIC PLAN AMENDMENT TO CHANGE THE LAND USE CATEGORY FROM RAIL INDUSTRIAL TO LIGHT INDUSTRIAL FOR A 3.1 ACRE PROPERTY LOCATED AT THE NORTHWEST CORNER OF WALL ST. AND WANA-MAKER AVENUE, WITHIN THE ONTARIO INDUSTRIAL PARTNERS' (O.I.P.) SPECIFIC PLAN.

File No. 2766-SPA

RESOLUTION NO. 10,044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA; APPROVING AN AMENDMENT TO THE ONTARIO INDUSTRIAL PARTNERS' (O.I.P.) SPECIFIC PLAN (FILE NO. 3067-SPA)


WHEREAS, the Planning Commission of the City of Ontario held a public hearing on September 25, 1984, to review an amendment to the O.I.P. Specific Plan from Commercial/Food to Light Industrial on 4.97 acres located at the northeast corner of Airport Drive and Milliken Avenue and recommended City Council approval; and

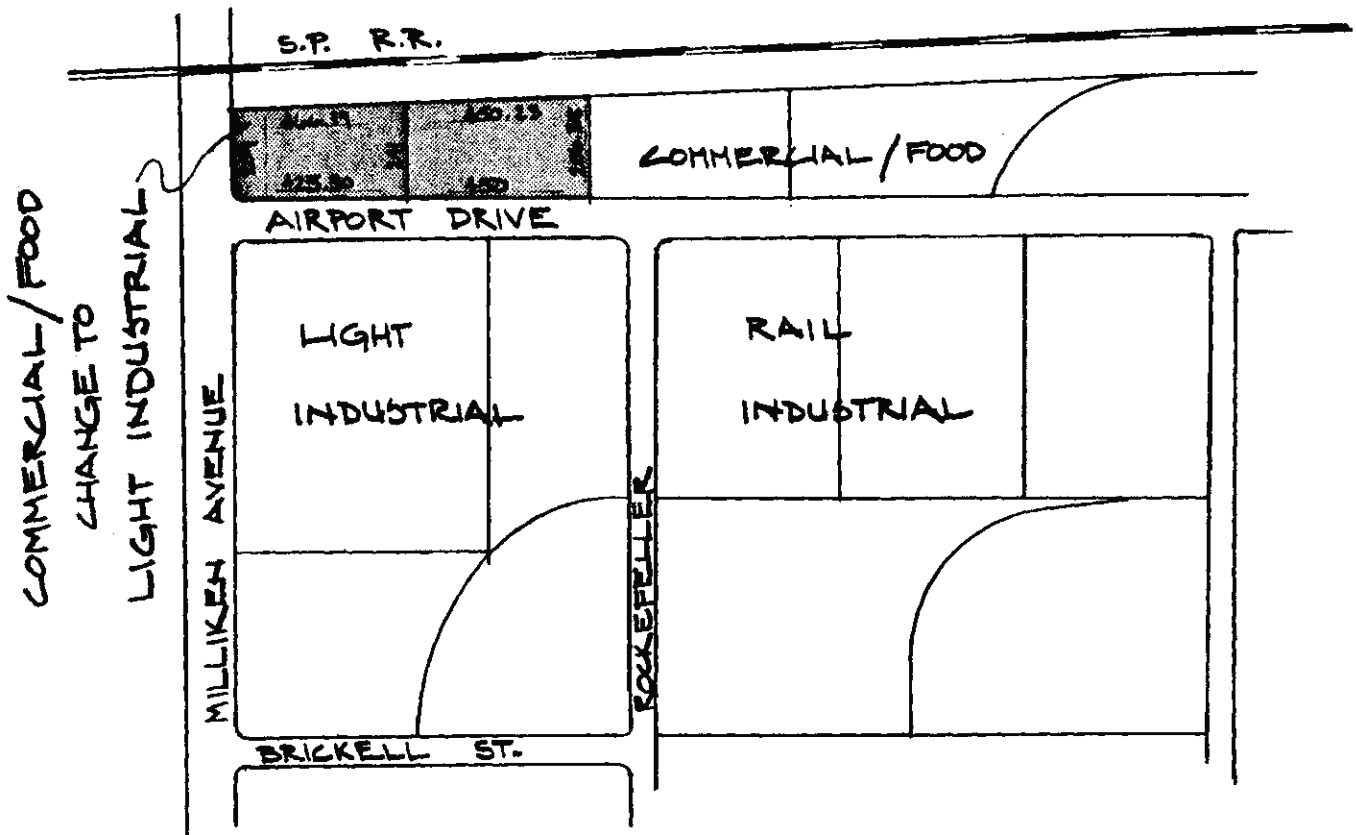
WHEREAS, the Planning Commission also reviewed a negative declaration prepared for this project and determined that environmental impacts of any development on the site were addressed in EIR 81-4 which was certified by the City Council on May 17, 1983, and that development on the site will be subject to mitigation measures contained in EIR 81-4;

NOW, THEREFORE BE IT RESOLVED, that the amendment to the Ontario Industrial Partners' Specific Plan from Commercial/Food to Light Industrial on the subject site, is hereby approved.

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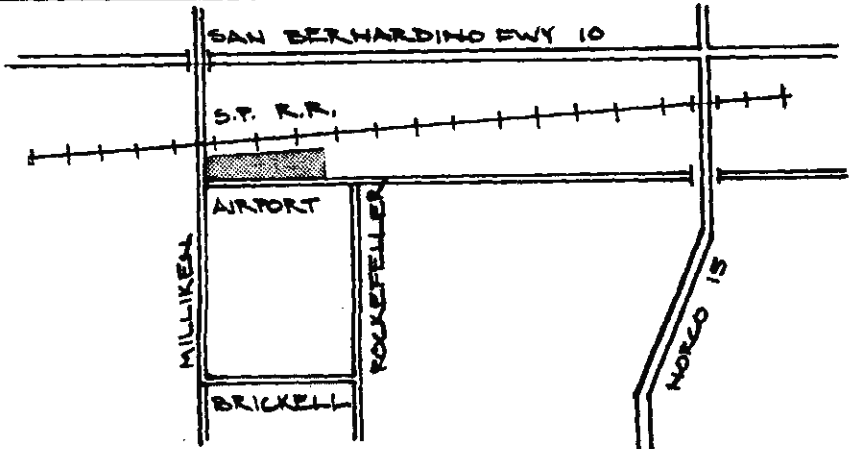
I HEREBY CERTIFY that the above resolution was duly and regularly passed and adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 16th day of October, 1984.


Deputy City Clerk of the City of Ontario, California



ONTARIO PLANNING DEPARTMENT

Vicinity Map



Legend

A SPECIFIC PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM COMMERCIAL/FOOD TO LIGHT INDUSTRIAL, LOCATED AT THE NORTHEAST CORNER OF AIRPORT DRIVE AND MILLIKEN AVENUE; SUBMITTED BY ONTARIO INDUSTRIAL PARTNERS.

File No. 5067-STA

RESOLUTION NO. 10,081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT
TO THE ONTARIO INDUSTRIAL PARTNERS (OIP) SPECIFIC
PLAN, FILE NO. 3104-SPA

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on November 27, 1984, to review an amendment to the Ontario Industrial Partners Specific Plan from Light Industrial to Rail Industrial on 26 acres located in the area bounded by Wall Street, Rockefeller and Wanamaker Avenues; and

WHEREAS, the Planning Commission reviewed a Negative Declaration prepared for this project and determined that environmental impacts of any development on the site were addressed in the Environmental Impact Report No. 81-4, which the City Council had certified on May 17, 1983, and that development on the site will be subject to mitigation measures contained in said EIR 81-4; and

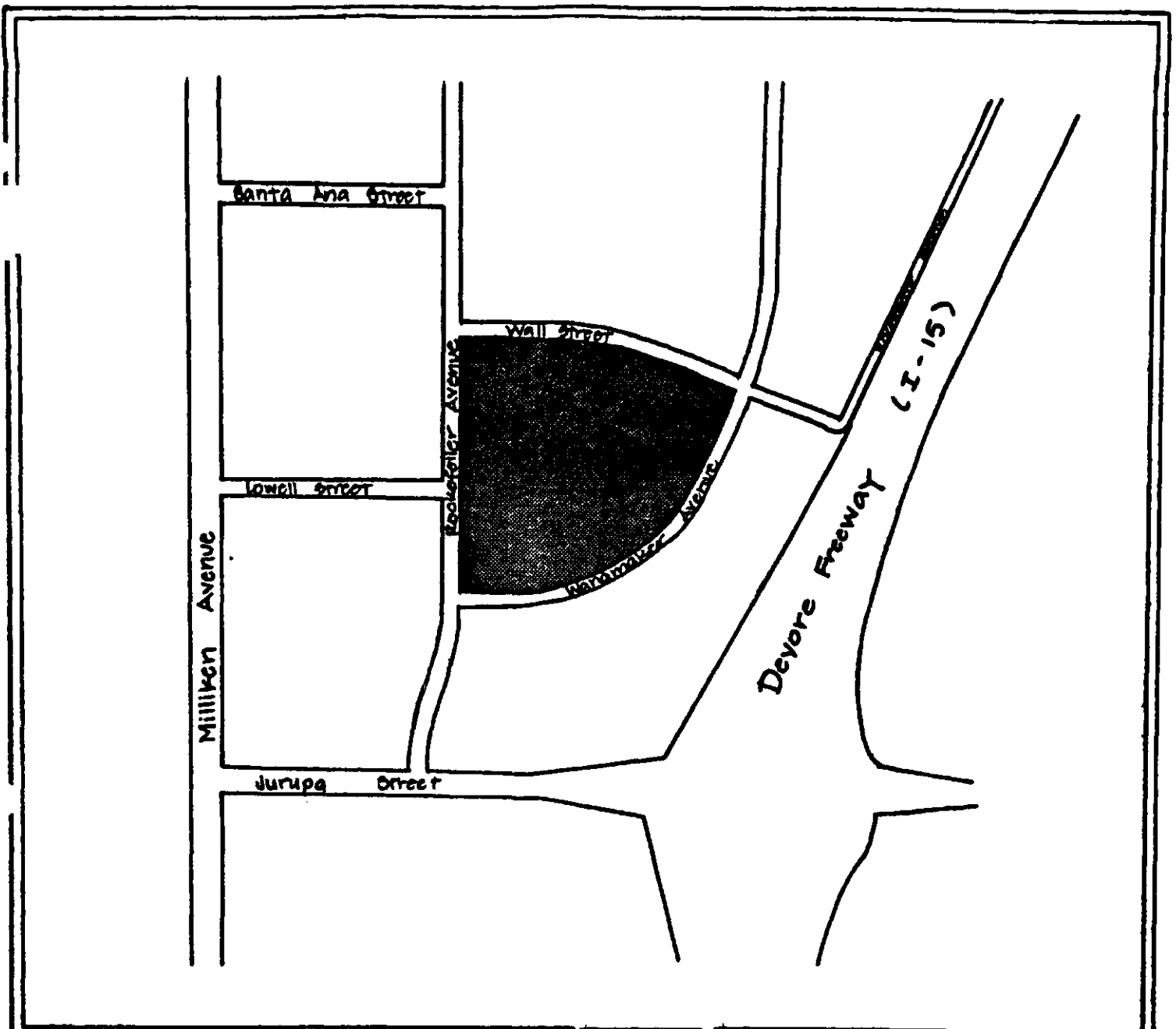
WHEREAS, the Planning Commission has recommended City Council approval of the Negative Declaration and the proposed Specific Plan amendment;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, that the amendment to the Ontario Industrial Partners Specific Plan from Light Industrial to Rail Industrial on the subject site is approved.

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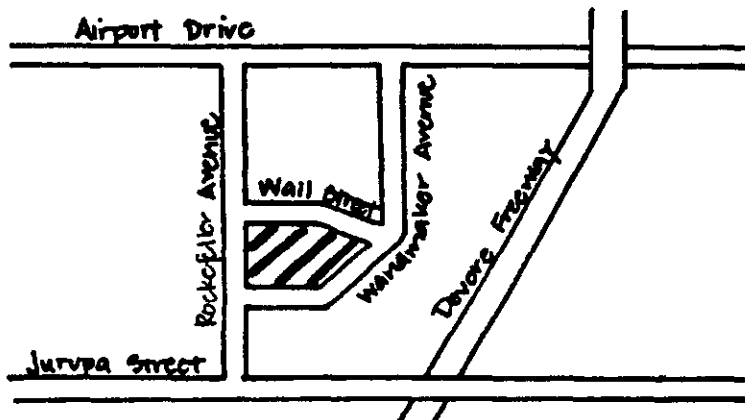
I hereby certify that the above resolution was duly and regularly passed and adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 18th day of December, 19 84.


City Clerk of the City of Ontario



ONTARIO PLANNING DEPARTMENT

Vicinity Map



Legend

A specific plan amendment to change the land use category from light industrial to rail industrial for a 26 acre parcel bounded by wall street, Rockefeller and Waramaker Avenues, within the Ontario Industrial Partners' Specific Plan.

File No. 3104 - SPA

RESOLUTION NO. 85-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A COMPREHENSIVE AMENDMENT TO THE ONTARIO INDUSTRIAL PARTNERS (CALIFORNIA COMMERCE CENTER) SPECIFIC PLAN (FILE NO. 3155-SPA)

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on April 23, 1984 to review a comprehensive amendment to the Ontario Industrial Partners (California Commerce Center) Specific Plan, including land use designations, project phasing, street realignment and deletion, location of storm drains, water and sewer lines, written text narrative and a project name change from Ontario Industrial Partners to California Commerce Center; and

WHEREAS, the Planning Commission reviewed a Negative Declaration for this project and determined that the environmental impacts of the development were addressed in Environmental Impact Report 84-1, including all mitigation measures contained therein, as well as the additional mitigation measures for methane gas migration contained in the Negative Declaration and recommended City Council approval of the Negative Declaration; and

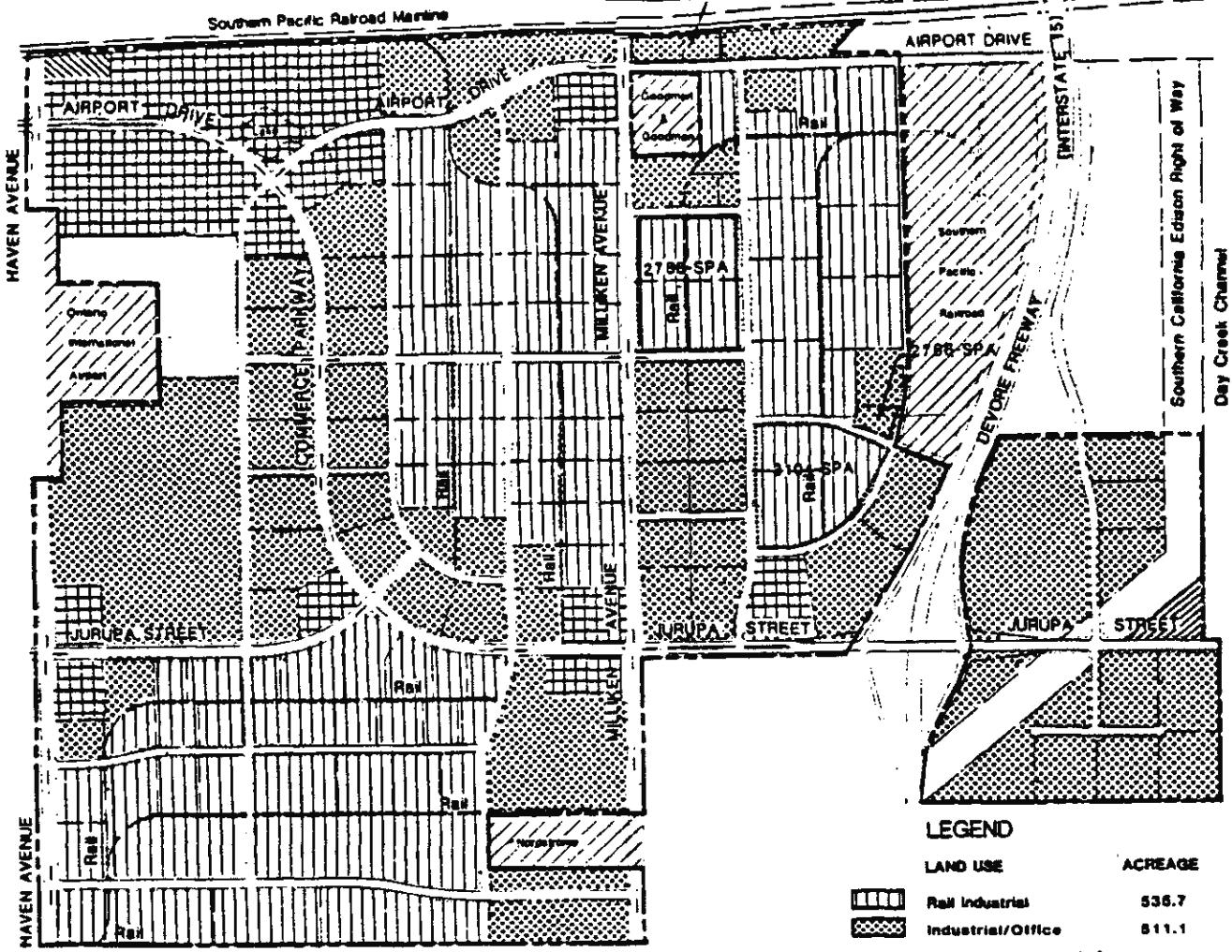
WHEREAS, the Planning Commission recommended to the City Council that the Specific Plan amendment be approved;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, that the comprehensive amendment to the Ontario Industrial Partners Specific Plan is hereby approved.

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I hereby certify that the above resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 21 day of May, 1985.


City Clerk of the City of Ontario



San Bernardino County Landfill

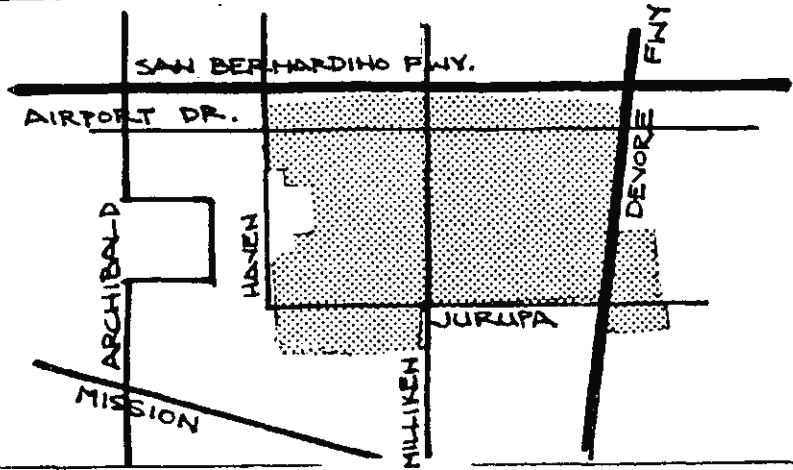
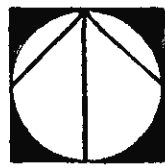
Union Pacific Railroad Mainline
MISSION BOULEVARD

LEGEND

LAND USE	ACREAGE
	Rail Industrial 536.7
	Industrial/Office 811.1 (60% Light Industrial) (60% Office)
	Commercial/Food/Hotel 148.7
	Airport Reservation 30.0
	Train Station 4.8
	Municipal Services 3.7
	Airport Related 0.0
	Streets & Landscaping 180.0
	So. Ca. Edison Esmt. 25.8
	TOTAL 1418.9

ONTARIO PLANNING DEPARTMENT

Vicinity Map



Legend

A COMPREHENSIVE
AMENDMENT TO THE
ONTARIO INDUSTRIAL
PARTNERS SPECIFIC
PLAN

File No. 3155-SPA

(File No. 3272-SPA)

RESOLUTION NO. 85-154

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO
THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on September 24, 1985 to review an amendment to the California Commerce Center Specific Plan to change the land use designation of a twenty (20) acre site from Rail Industrial to Light Industrial; and

WHEREAS, the Planning Commission also reviewed a negative declaration prepared for this project and determined that the potential environmental impacts of any development on the site were addressed in Environmental Impact Report EIR 81-4 which was certified by the City Council on May 17, 1983, and development would be subject to mitigation measures contained in EIR 81-4, and recommended City Council approval of the Negative Declaration; and

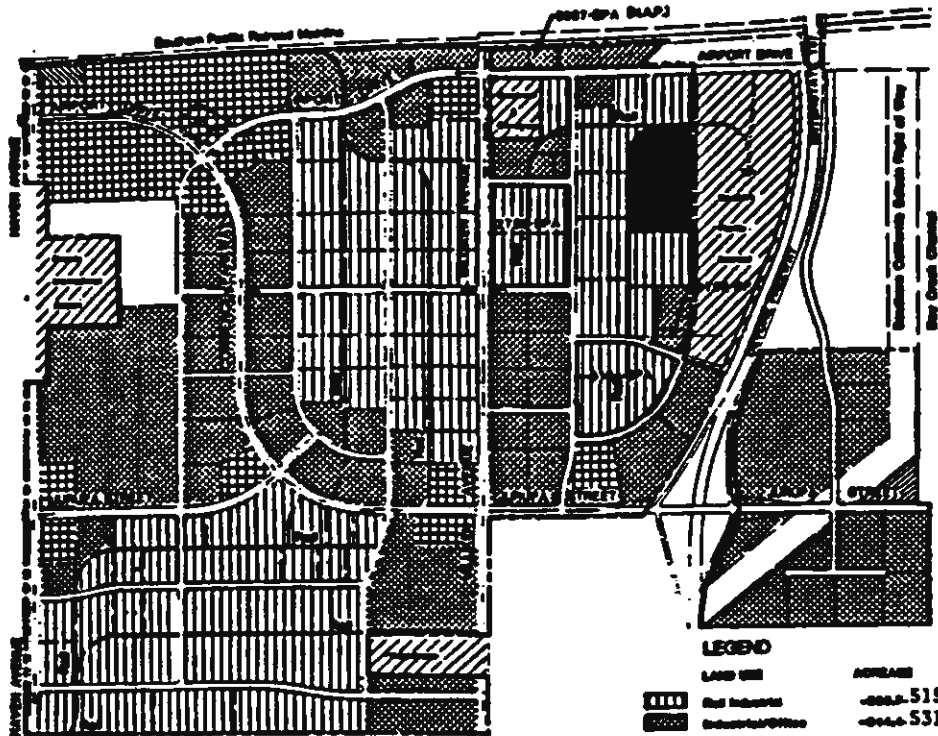
WHEREAS, the Planning Commission thereupon recommended City Council approval of said amendment to the California Commerce Center Specific Plan;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, that the amendment to the California Commerce Center Specific Plan is approved.

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I hereby certify that the above resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 15th day of October, 19 85.


City Clerk of the City of Ontario



LEGEND

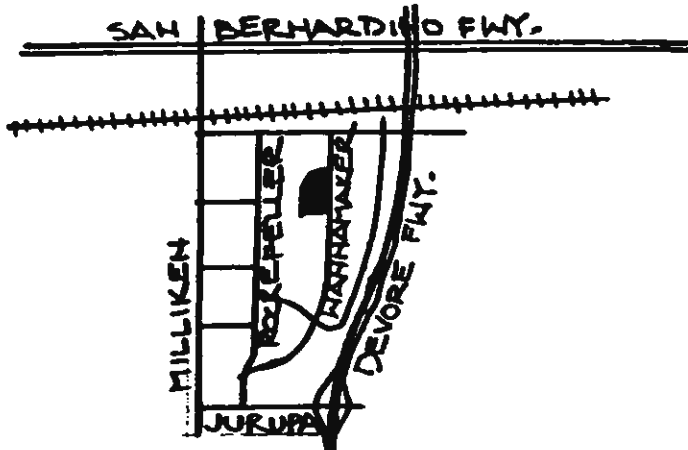
LAND USE	ACREAGE
Rail Industrial	-666.515.5
Industrial/Office	-666.531.2
60% Light Industrial	
60% Office	
Commercial/Professional	145.7
Airport Reservation	66.0
Youth Center	4.8
Municipal Services	1.7
Airport Terminal	0.0
Gravel & Landscaping	100.0
St. G. Wilson Court	66.0
TOTAL	1416.0

San Bernardino County Lands

to be changed from Rail Industrial to Industrial/Office.

ONTARIO PLANNING DEPARTMENT

Vicinity Map



Legend

A SPECIFIC PLAN AMENDMENT TO THE ONTARIO INDUSTRIAL PARTNER'S SPECIFIC PLAN FROM RAIL INDUSTRIAL TO LIGHT INDUSTRIAL, LOCATED ON THE WEST SIDE OF WANAMAKER AVENUE, 633 FEET SOUTH OF AIRPORT DRIVE. SUBMITTED BY VOGEL ENGINEERING. File No. 9272-SPA

RESOLUTION NO. 86-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO
THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN
(FILE NO. 3386-SPA)

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on April 22, 1986 to review an amendment to the California Commerce Center Specific Plan involving a) a change from rail industrial to light industrial for two areas west of Milliken Avenue totalling approximately 75 acres; b) clarification of permitted uses and development standards; c) modifications to the circulation plan; and d) addition of standards for temporary wall signs; and

WHEREAS, the Planning Commission reviewed a negative declaration for this project and determined that the environmental impacts of the development were addressed in EIR 84-1, including all mitigation measures contained therein, as well as mitigation measures associated with File No. 3155-SPA, and recommended City Council approval of a Negative Declaration; and

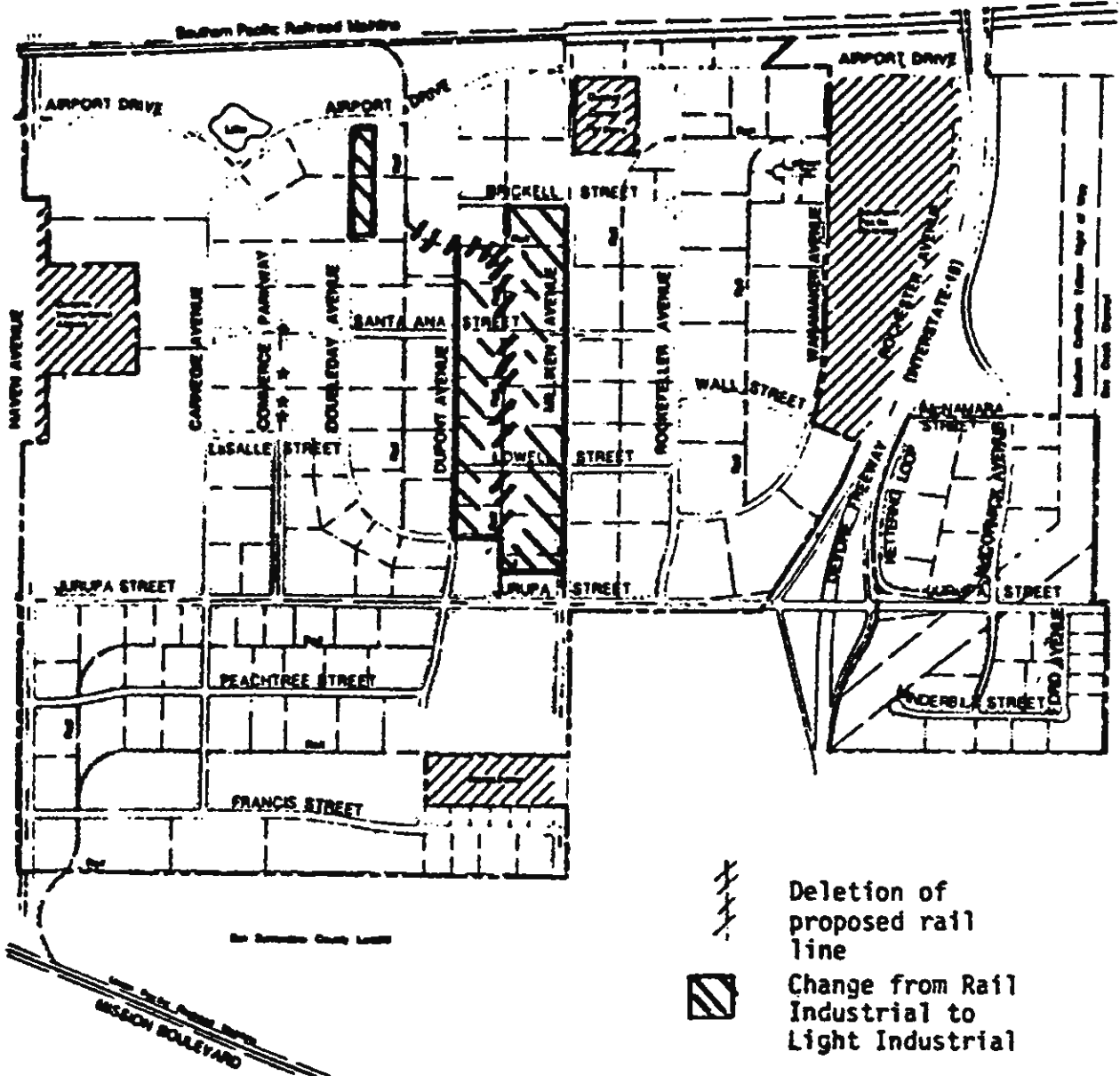
WHEREAS, the Planning Commission recommended to the City Council that the specific plan amendment be approved;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, that the amendment of the California Commerce Specific Plan is hereby approved.

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I hereby certify that the above resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 20th day of May, 1986.


City Clerk of the City of Ontario

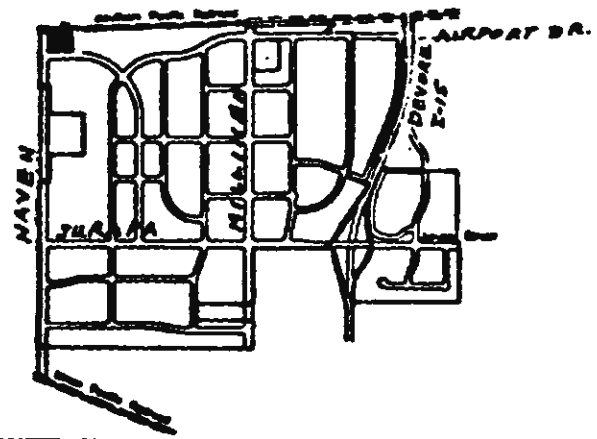


ONTARIO PLANNING DEPARTMENT
Vicinity Map



Legend

Amendment a) from rail to light industrial; b) clarification of uses and standards; c) modifications to the circulation plan; and d) addition of standards for temporary wall signs; submitted by California Commerce Center.



File No. 3386-SPA

RESOLUTION NO. 86-161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN (FILE NO. 3466-SPA).

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on August 26, 1986 to review a proposed amendment to the California Commerce Center Specific Plan to change the land use designation of a 10.9 acre site on the east side of Woodruff Way between Jurupa Street and Wanamaker Avenue from Light Industrial to Commercial/Food/Hotel; and

WHEREAS, the Planning Commission reviewed a negative declaration for this project and determined that the environmental impacts of the project were addressed in EIR 84-1, prepared in conjunction with the original Specific Plan, and recommended City Council approval of the negative declaration; and

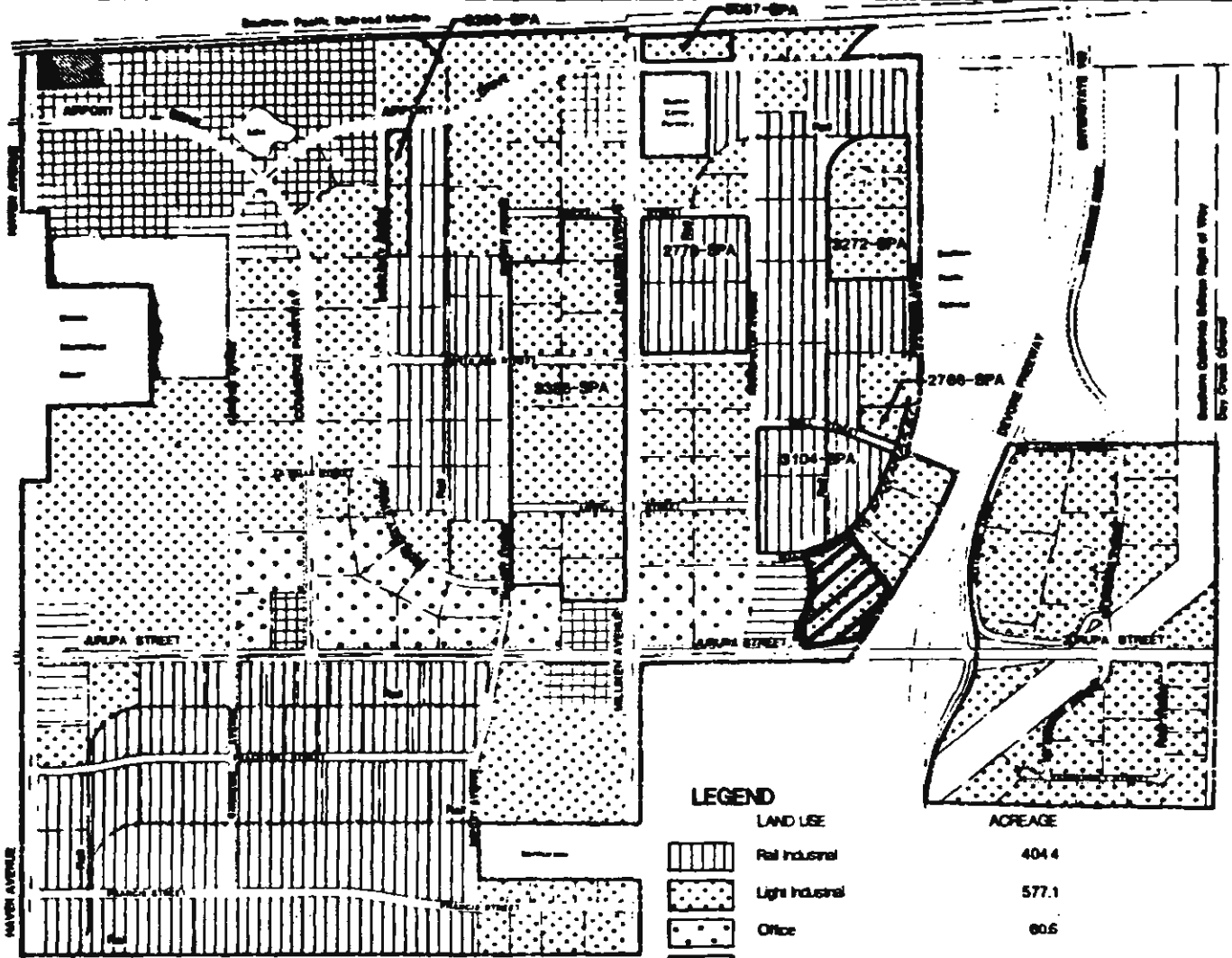
WHEREAS, the Planning Commission recommended to the City Council that the Specific Plan Amendment be approved;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario that the amendment to the California Commerce Center Specific Plan is hereby approved, subject to the following condition: an updated California Commerce Center Specific Plan document, containing all text and exhibit revisions necessitated by the project, must be submitted and approved by the Planning Department prior to occupancy of any development on the project site, or prior to submittal of any future Specific Plan Amendment application for the California Commerce Center, whichever comes first.

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I hereby certify that the above resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 16th day of September, 19 86.


City Clerk of the City of Ontario



 Light Industrial to Commercial

ONTARIO PLANNING DEPARTMENT

Vicinity Map



Legend

An amendment to the California Commerce Center to change the land use designation from Light Industrial to Commercial, located at the southeast corner of Wanamaker Avenue and Woodruff Way, submitted by Elixir Industries.

File No. 3466-SPA

(File No. 3616-SPA)

RESOLUTION NO. 87-182

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO
THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN
(FILE NO. 3616-SPA)

WHEREAS, the Planning Commission of the City held a public hearing on September 22, 1987 to review proposed amendments to the California Commerce Center Specific Plan for the following changes:

1. Airport Restrictive Overlay - Wordage describing the permitted uses in the Clear Zone: definition of number of employees, permitted uses, prohibited uses, and development standards within the Low Employee Intensity area.
2. Federal Aviation Administration Regulations on clear zones and building heights. This amendment clarifies the wording as to the disposition of the land held in Airport Reservation pending the determination of the Part 150 study.
3. Deletion of the 4.6 acres for a train station.
4. Land use change from Light Industrial to Commercial/Food/Hotel on 5.2 acres located on the southeast corner of Jurupa Street and Dupont Avenue and other related land use changes. (See Exhibit 17)
5. Deletion of La Salle Street between Carnegie Street and Doubleday Avenue. Addition of La Salle Street between Haven and Carnegie Avenues.
6. Addition of a new north-south street between Haven Avenue and Carnegie Street to be called La Fayette Street.
7. Related landscaping (tertiary) to the above new street.
8. Deletion of Carnegie Avenue from Jurupa Street and Francis Street; and the addition of Commerce Parkway between Jurupa Street and Francis Street.
9. Extension of Phase 3 line to the first tier of parcels south of Jurupa Street.

WHEREAS, the Planning Commission reviewed a negative declaration for this project and determined that the environmental impacts of the project were addressed in EIR 84-1, prepared in conjunction with the original Specific Plan, and recommended City Council approval of the negative declaration; and

WHEREAS, the Planning Commission recommended to the City Council that the Specific Plan Amendment be approved;

NOW, THEREFORE, BE IT RESOLVED, by the City Council that the amendment to the California Commerce Center Specific Plan is hereby approved, subject to the Conditions of the Development Advisory Board.

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I hereby certify that the above resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 17th day of November, 1987.



Larry C. Carterham
City Clerk of the City of Ontario

ONTARIO PLANNING COMMISSION

RESOLUTION NO. 3292

**A RESOLUTION APPROVING A MINOR AMENDMENT TO THE CALIFORNIA
COMMERCE CENTER SPECIFIC PLAN, FILE NO. 3936-SPA**

WHEREAS, On December 27, 1988, the Planning Commission of the City of Ontario considered a proposed Minor Amendment to the California Commerce Center Specific Plan to change the land use designation from Rail Industrial to Light Industrial for property located east of Milliken Avenue between Brickell Street and Santa Ana Street; and

WHEREAS, the environmental impacts of this project were addressed in Environmental Impact Report 81-4 which was certified by the City Council on May 17, 1983;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Ontario that the proposed Minor Amendment to the California Commerce Center Specific Plan be approved as follows:

1. Approval of a change in land use classification in the California Commerce Center Specific Plan from Rail Industrial to Light Industrial for property located in Area A only, as indicated in the attached exhibit with the following condition:

Consistent with the need to avoid large concentrations of people near the extended runway centerline of Ontario International Airport, support office uses shall be limited to individual units within "Building A", totalling a maximum of 18,750 square feet. Support office space within manufacturing, distribution, and other permitted industrial uses shall comply with the regulations and requirements of the City of Ontario.

2. Approval of a revision to the text of the California Commerce Center Specific Plan to increase the permitted sign and letter size for certain types of signs.

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I hereby certify that the above resolution was duly passed at a regular meeting of the Ontario Planning Commission on **December 27, 1988**.

Rhonda Boughtwell
Secretary pro Tempore

(File No. 4103-SPA)

RESOLUTION NO. 89-188

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN (FILE NO. 4103-SPA)

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on October 31, 1989, to review a proposed amendment to the California Commerce Center Specific Plan from Light Industrial to Rail Industrial, generally located on the west side of Wanamaker Avenue, approximately 1300 feet south of Airport Drive; and

WHEREAS, the Planning Commission approved a negative declaration for this project which determined that there will be no significant environmental impacts associated with this project, and recommended City Council approval of the Negative Declaration; and

WHEREAS, the Planning Commission recommended that the Specific Plan Amendment be approved;

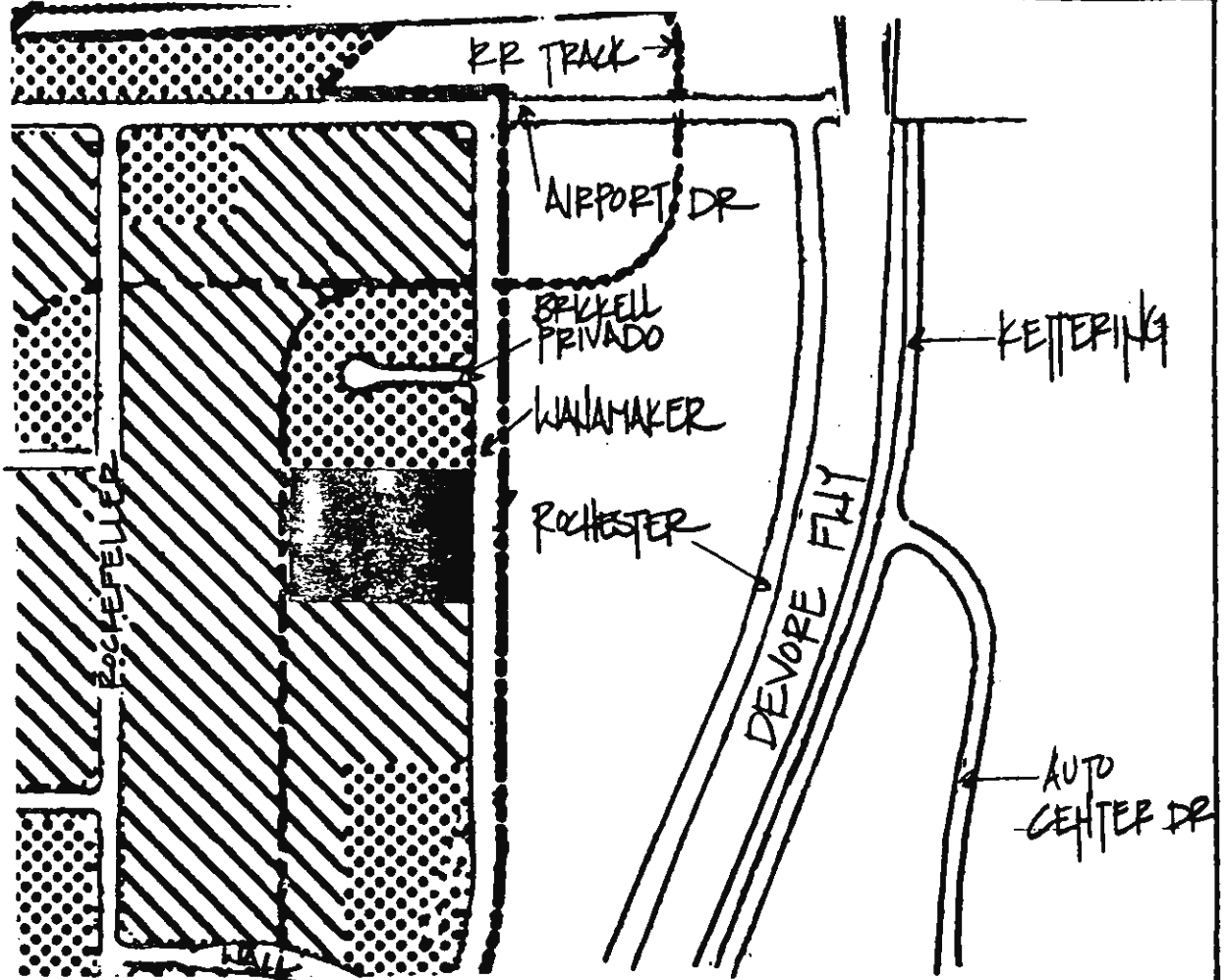
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario that the amendment to the California Commerce Center is hereby approved, subject to the Development Advisory Board conditions.

I hereby certify that the above Resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 21st day of November, 1989.



DeLore E. Anteburn
City Clerk of the City of Ontario

ONTARIO PLANNING DEPARTMENT



LEGEND:

■ LIGHT IND. TO RAIL IND.



RAIL INDUSTRIAL

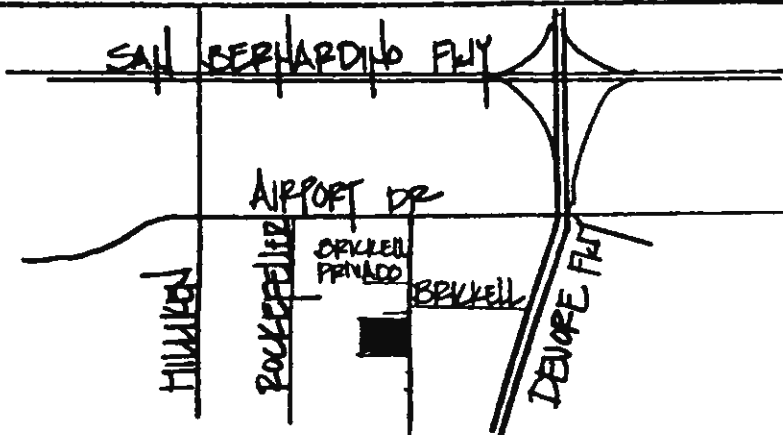


LIGHT INDUSTRIAL

VICINITY MAP



LEGEND



An amendment to the California Commerce Center Specific Plan changing the land use designation of an 11.01 acre parcel located on the west side of Wanamaker Avenue, 1,300 feet south of Airport Drive from Light Industrial to Rail Industrial; submitted by Bay Development Corporation (Related to File Nos. 4102-S/PM 1256)

FILE # 4103-SPA

(File No. 4322-SPA)

RESOLUTION NO. 90-173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN (FILE NO. 4322-SPA)

WHEREAS, the Planning Commission of the City of Ontario on July 24, 1990, considered a proposal to amend the California Commerce Center Specific Plan to change the classification of a parcel of land located at the northeast corner of Jurupa Street and Woodruff Way from Commercial/Food/Hotel to Light Industrial with automobile sales permitted; and

WHEREAS, the Planning Commission approved a negative declaration for this project which determined that there will be no significant environmental impacts associated with this project, and recommends City Council approval of the Negative Declaration; and

WHEREAS, the Planning Commission recommended that the Specific Plan Amendment be approved;

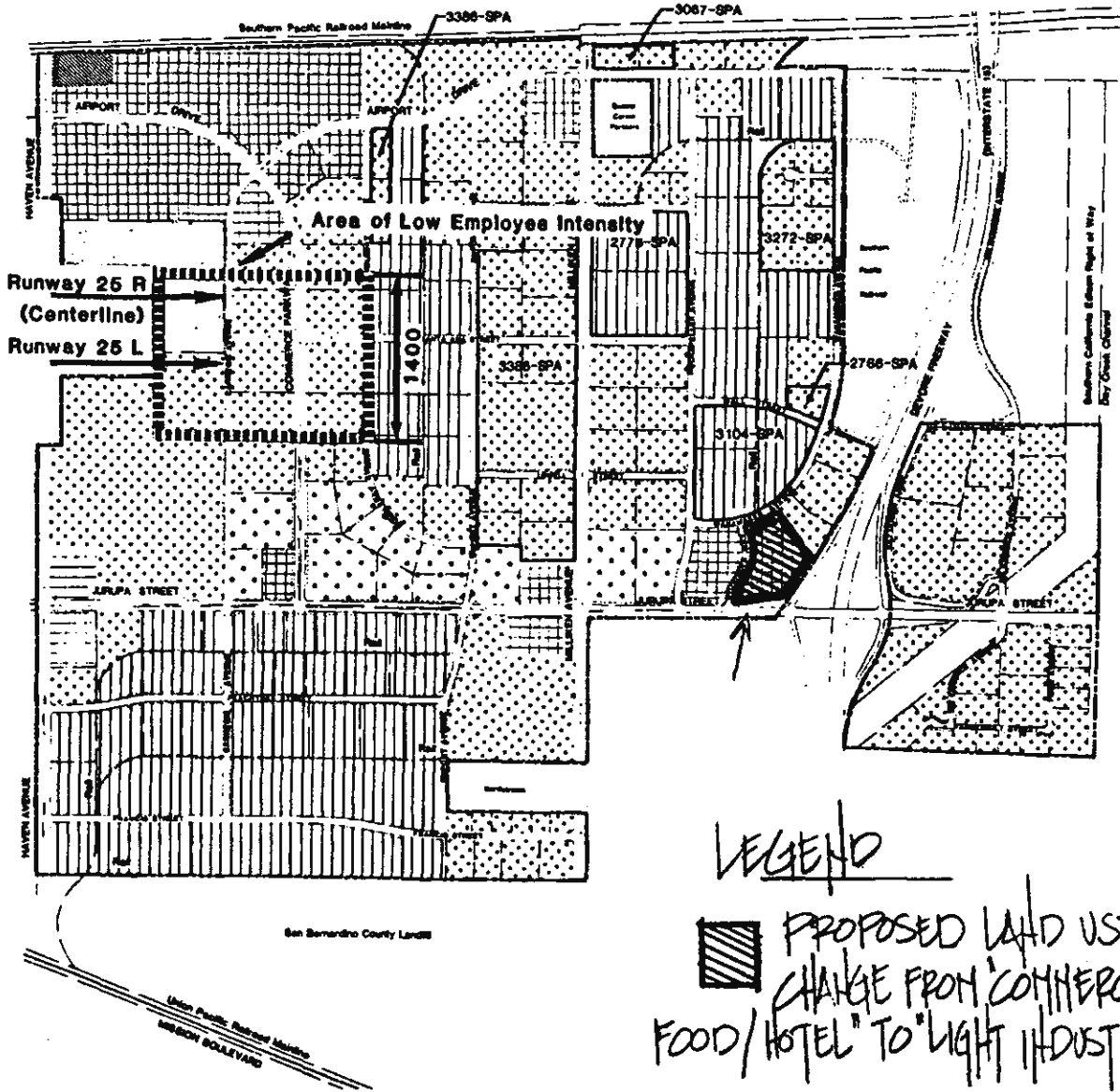
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario that the amendment to the California Commerce Center is hereby approved.

I hereby certify that the above Resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 21st day of August, 1990.




Larry E. Ceterburn
City Clerk of the City of Ontario

ONTARIO PLANNING DEPARTMENT



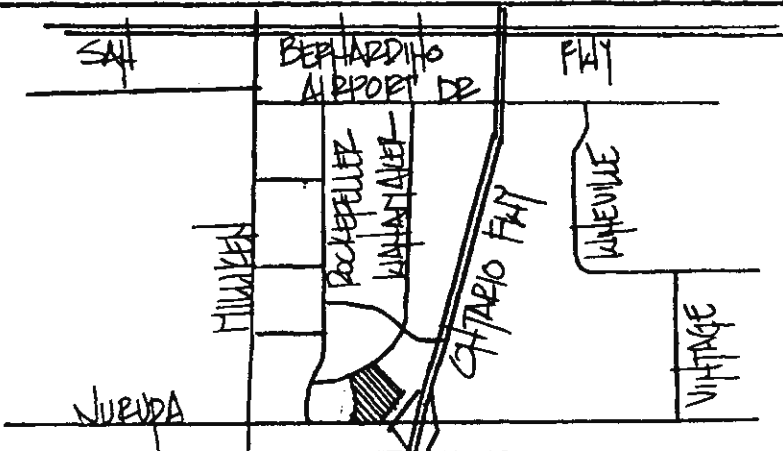
LEGEND

 PROPOSED LAND USE CHANGE FROM "COMMERCIAL/FOOD/HOTEL" TO "LIGHT INDUSTRIAL"

VICINITY MAP



LEGEND



A minor amendment to the California Commerce Center Specific Plan to change the land use designation for one parcel from "Commercial/Food/Hotel" to "Light Industrial" with automobile sales permitted located at the northeast corner of Jurupa Street and Woodruff way in the California Commerce Center Specific Plan.

FILE # 4322-SPA

(File No. 4267-SPA)

RESOLUTION NO. 90-196

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, (FILE NO. 4267-SPA)

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on September 25, 1990 to review a proposed amendment to the California Commerce Center Specific Plan; and

WHEREAS, this amendment would change the land use designation for a 6.8 acre parcel located at the northeast corner of Milliken Avenue and Santa Ana Street from Rail Industrial to Light Industrial; and

WHEREAS, the Planning Commission approved a Negative Declaration for this project, and recommended City Council approval of the Negative Declaration; and

WHEREAS, the Planning Commission recommended that the Specific Plan Amendment be approved;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario that the amendment to the California Commerce Center Specific Plan is approved, subject to the following conditions:

1. "Limited Use" shall be limited to office uses within Unit A of 855 Milliken Avenue and Unit A of 865 Milliken Avenue. Within Unit A of 855 Milliken Avenue, the limited office use may continue only as long as Unit A is occupied by the existing tenant (Booth-Good Architects). After the existing tenant of Unit A, 855 Milliken Avenue leaves the unit, it shall be converted to industrial use. Except as provided above, individual units within buildings E-1, E-2 and E-3 may have a maximum of twenty-five (25%) percent of their gross floor area devoted to support office use.
2. The conditions of the Airport Land Use Commission Report, dated June 15, 1990, shall apply.

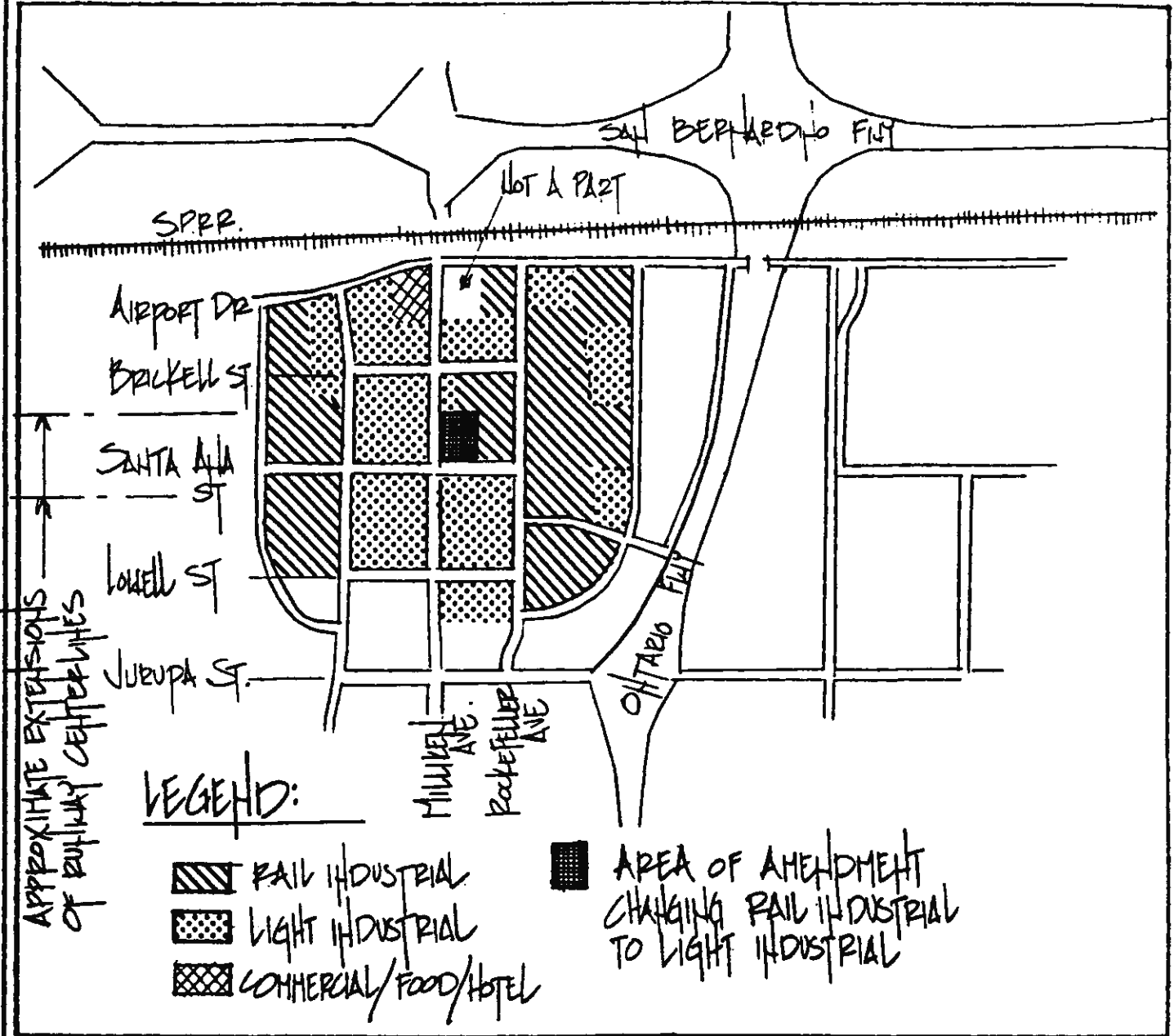
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I hereby certify that the above Resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 16th day of October, 1990.



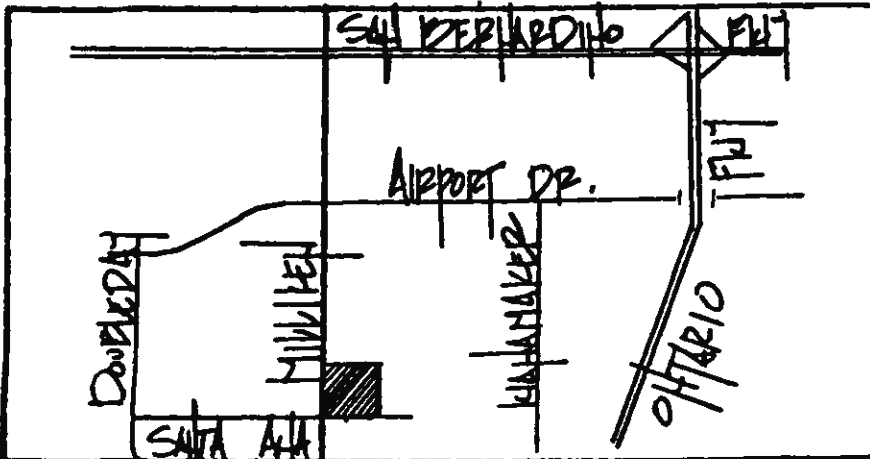
Loretta C. Arthur
City Clerk of the City of Ontario

ONTARIO PLANNING DEPARTMENT



VICINITY MAP

LEGEND



A Specific Plan Amendment to the California Commerce Center Specific Plan to change the land use designation from Rail Industrial to Light Industrial for property located at the northeast corner of Milliken Avenue and Santa Ana Street.

FILE # 4267-SPA

(File No. 4390-SPA)

RESOLUTION NO. 92-129

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ONTARIO, CALIFORNIA,
APPROVING AN AMENDMENT TO THE
CALIFORNIA COMMERCE CENTER SPECIFIC
PLAN

WHEREAS, the City of Ontario Planning Commission held a public hearing on August 25th, 1992, to review an amendment to the California Commerce Center Specific Plan to redesignate certain properties located in the California Commerce Center Specific Plan area from "Commercial/Food/Hotel" and "Light Industrial" to "Rail Industrial" and "Light Industrial"; to redesignate and reduce certain street right-of-way widths, and to realign proposed railroad lines; and

WHEREAS, this amendment affects 227 acres within Phase IV of California Commerce Center Specific Plan generally bounded on the north of Jurupa Street, Francis Street to the south; DuPont Street to the east, and Haven Avenue to the west; as well as the southwest corner of Airport Drive and Milliken Avenue; and

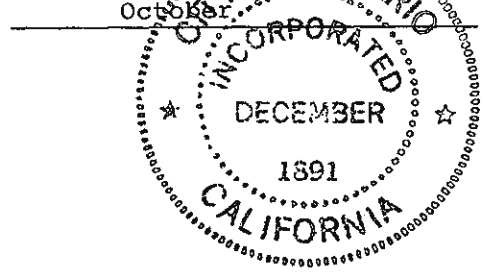
WHEREAS, a mitigated negative declaration was prepared to address the potential environmental impacts associated with this project; and

WHEREAS, the Specific Plan Amendment must comply with the conditions of approval recommended by the Planning Commission and Development Advisory Board.

NOW, THEREFORE, BE IT RESOLVED that Specific Plan Amendment 4390-SPA is hereby approved.

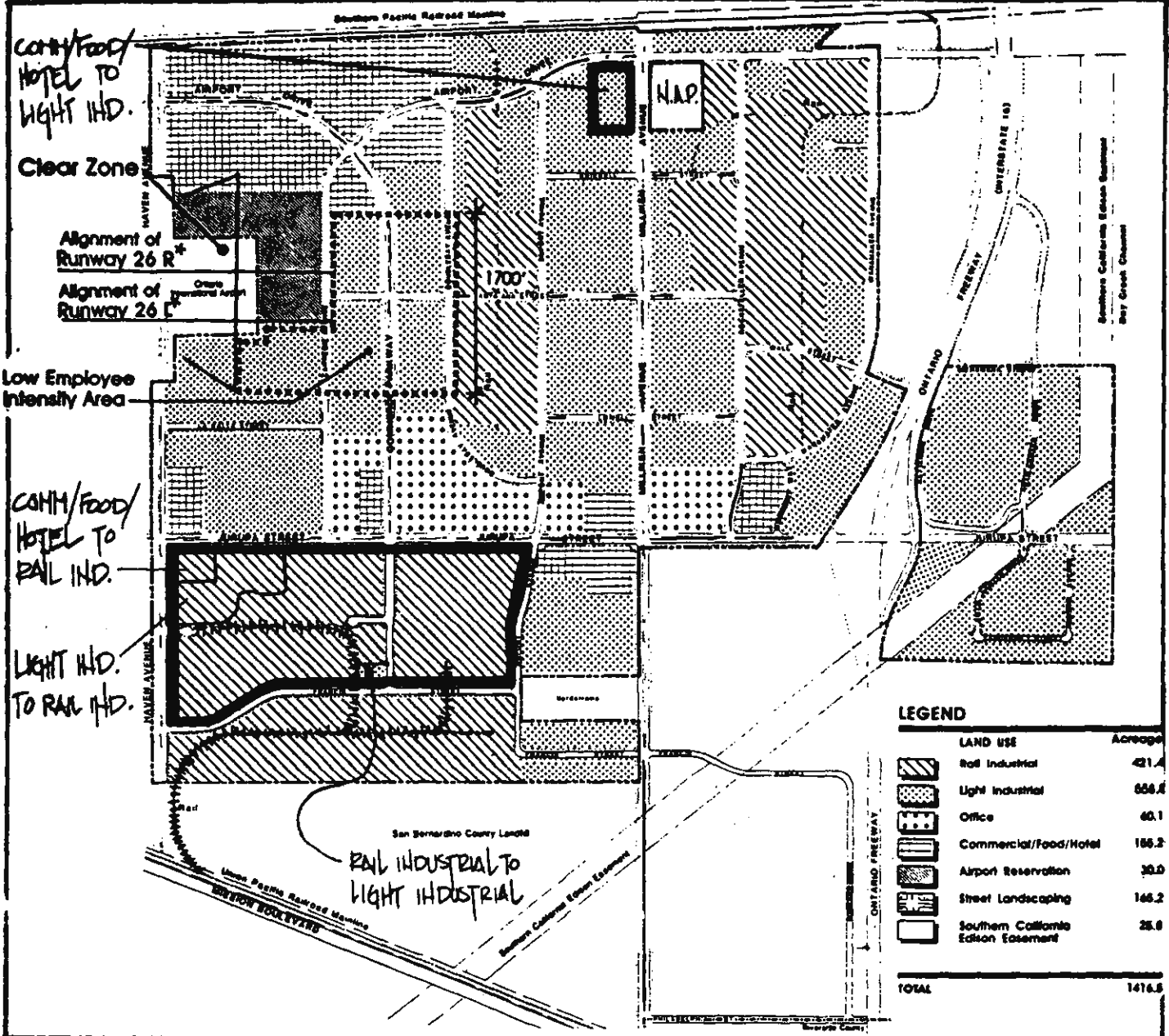
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I hereby certify that the above Resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting held on the 6th day of October, 1992.



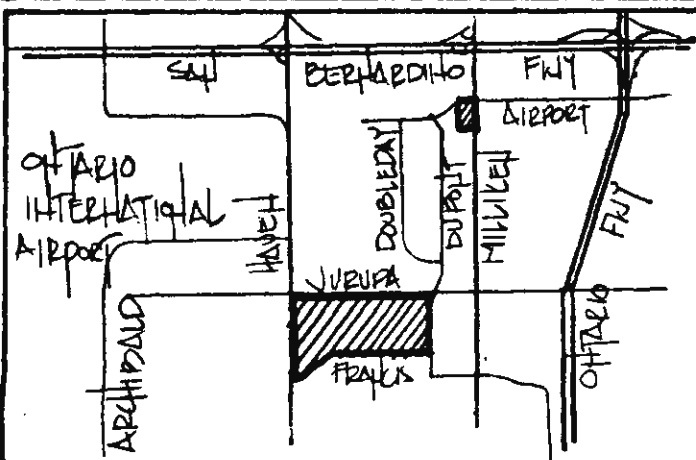
L. L. L. L.
City Clerk of the City of Ontario

ONTARIO PLANNING DEPARTMENT



VICINITY MAP

LEGEND



A Specific Plan Amendment to redesignate the southwest corners of Airport Drive and Milliken Avenue as well as the south corner of Jurupa and Haven Avenues from "Commercial/Food/Hotel" to "Rail Industrial"; redesignation of property surrounding the Commercial/Food/Hotel area at the southeast corner of Jurupa and Haven Avenues from "Light Industrial" to "Rail Industrial"; redesignating the northwest corner of Francis Street and Commerce Parkway from "Rail Industrial" to "Light Industrial"; redesignation of Commerce Parkway from a Divided Arterial with a 104' right-of-way to a "Local Divided Industrial Street" with a 78' right-of-way between Jurupa Street and Peachtree Street, between Peachtree and Francis Streets to a "Local Industrial Street" with a 66' right-of-way; delete Peachtree Street between Commerce Parkway and DuPont Avenue, designating that portion of Peachtree Street to "Rail Industrial"; realignment of the rail lines serving the area affected by the proposed land use changes; submitted by California Commerce Center.

FILE # 4390-SPA

RESOLUTION NO. 94-2

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ONTARIO, CALIFORNIA,
APPROVING AN AMENDMENT TO THE
CALIFORNIA COMMERCE CENTER
SPECIFIC PLAN**

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on November 23, 1993, to review a proposed amendment to the California Commerce Center Specific Plan; and

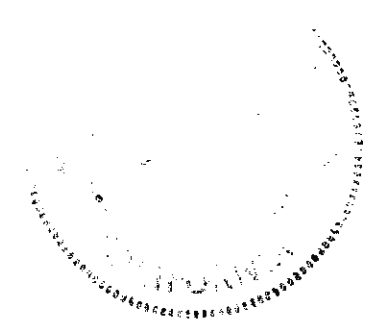
WHEREAS, this amendment would change the land use designation for a 4 acre site located at the southwest corner of Milliken Avenue and Airport Drive from Light Industrial to Commercial/Food/Hotel; and

WHEREAS, The Planning Commission recommended City Council approval of a Negative Declaration which was prepared to address the environmental issues of the project; and

WHEREAS, the Specific Plan Amendment must comply with the conditions of approval recommended by the Planning Commission and Development Advisory Board.

NOW, THEREFORE, BE IT RESOLVED that Specific Plan Amendment 4689-SPA is hereby approved.

I hereby certify that the above Resolution was duly and regularly adopted by the city Council of the City of Ontario at a regular meeting thereof held on the 4th day of January, 1994.




City Clerk of the City of Ontario

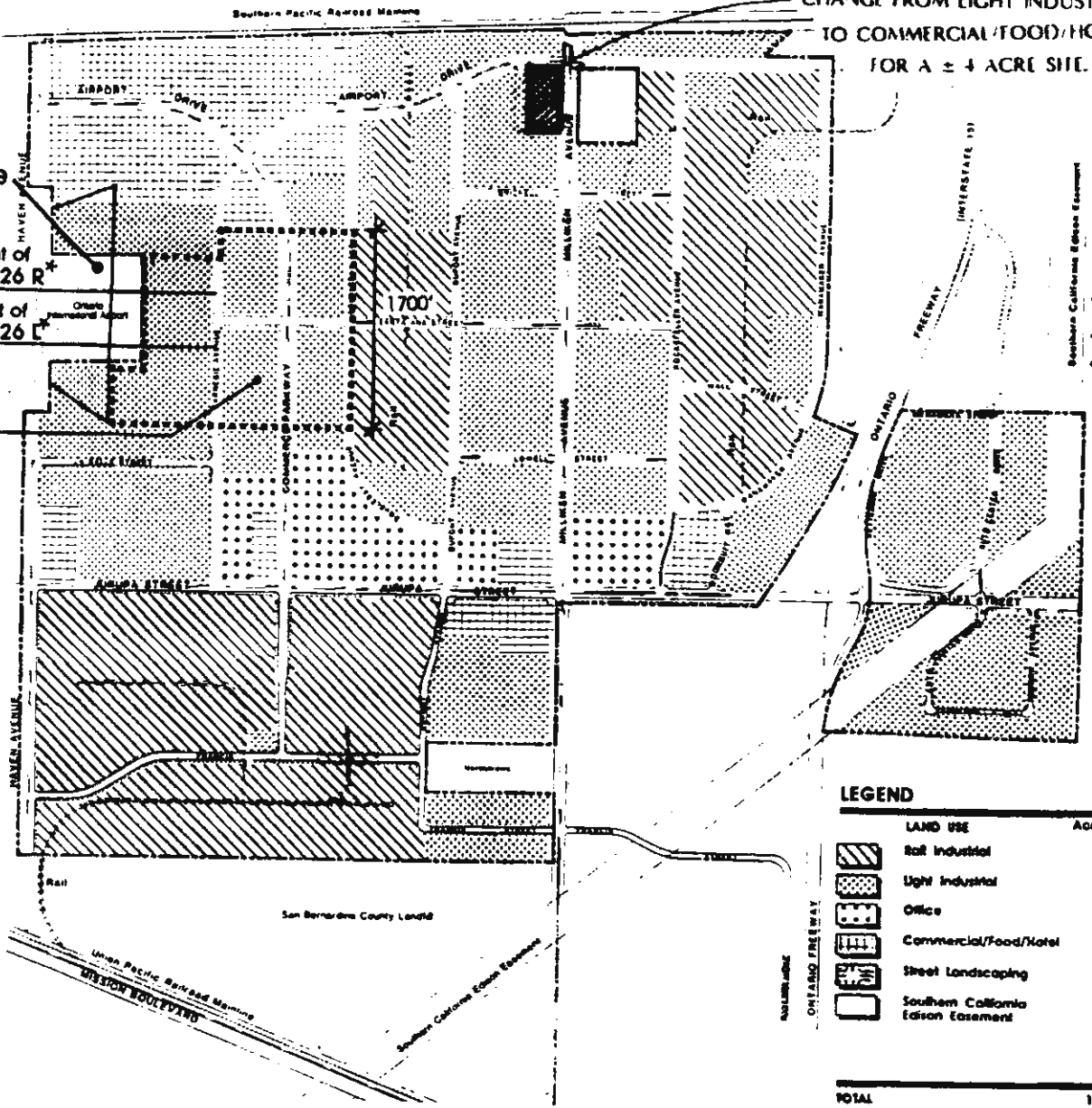
ONTARIO PLANNING DEPARTMENT

CHANGE FROM LIGHT INDUSTRIAL
TO COMMERCIAL/FOOD/HOTEL
FOR A ± 4 ACRE SITE.

Clear Zone

Alignment of
Runway 26 R*
Alignment of
Runway 26 L*

Low
Employee
Intensity
Area



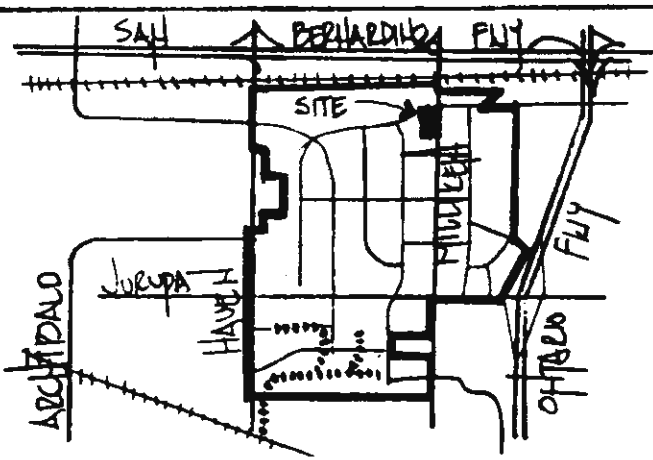
LEGEND

LAND USE	Acres
Light Industrial	417.7
Light Industrial	568.5
Office	60.1
Commercial/Food/Hotel	133.2
Street Landscaping	169.2
Southern California Easement	25.8

TOTAL 1416.5

VICINITY MAP

LEGEND

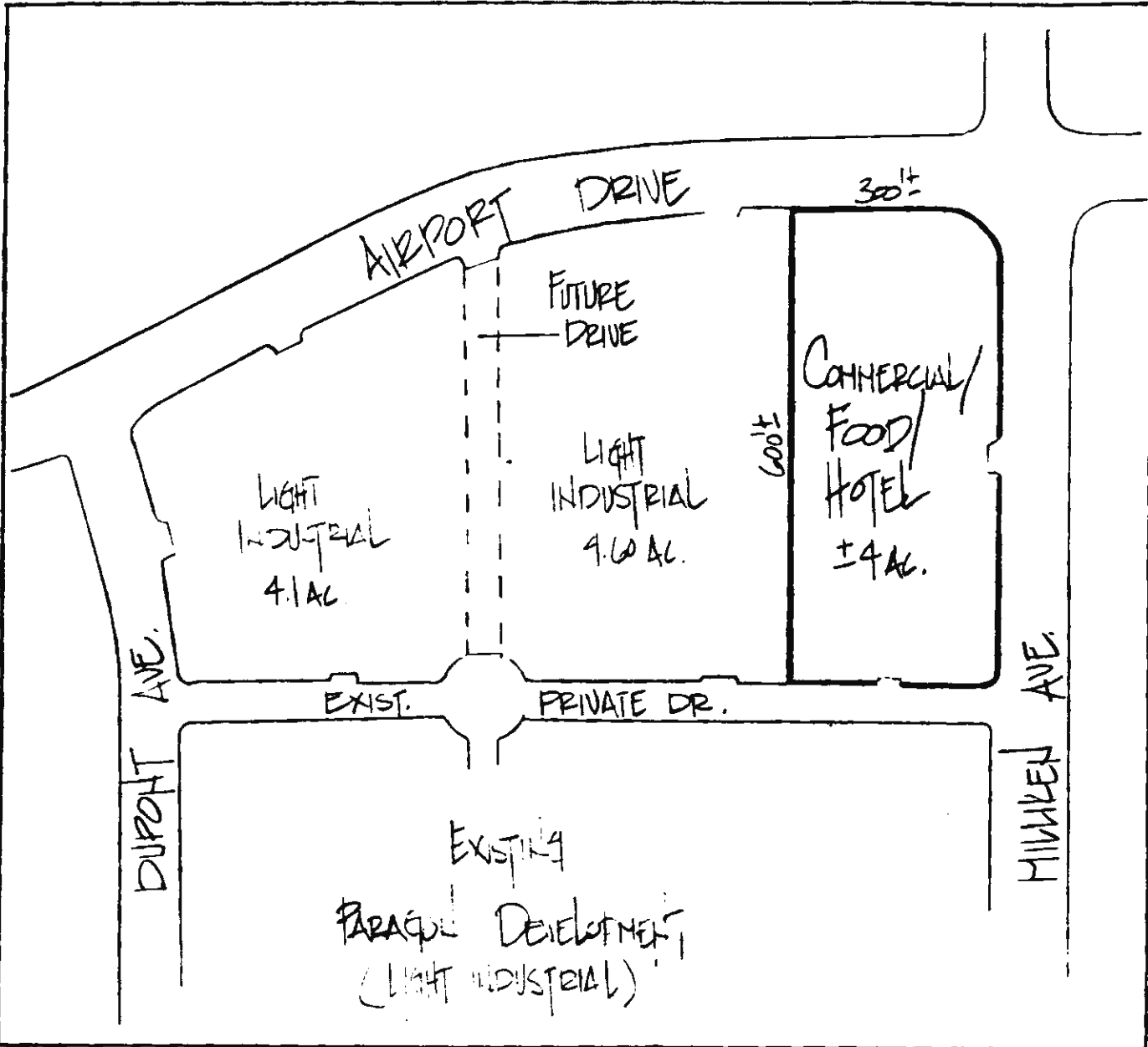


A Specific Plan Amendment to change the land use designation from Light Industrial to Commercial/Food/Hotel on a 4 acre site located at the southwest corner of Airport Drive and Milliken Avenue in the California Commerce Center; submitted by Missin CAP.

FILE #

4689-SPA

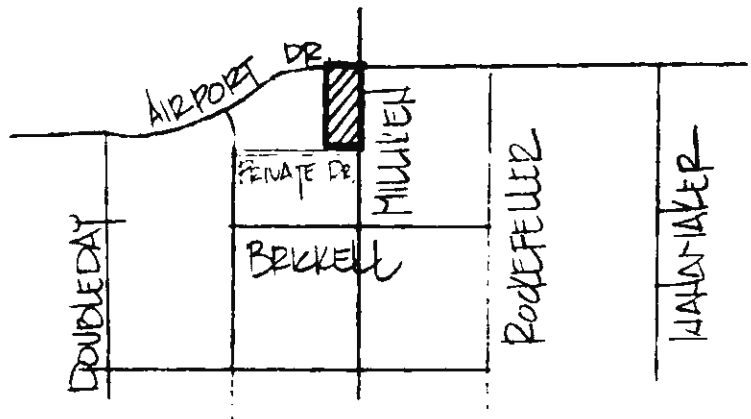
ONTARIO PLANNING DEPARTMENT



VICINITY MAP

N

LEGEND



A Specific Plan Amendment to change the land use designation from Light Industrial to Commercial/Food/Hotel on a 4 acre site located at the southwest corner of Airport Drive and Milliken Avenue in the California Commerce Center; submitted by Nissin CAP.

FILE #

4689-SPA

(File No. 4804-SPA)

RESOLUTION NO. 95-44

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ONTARIO, CALIFORNIA, APPROVING AN
AMENDMENT TO THE CALIFORNIA COMMERCE
CENTER SPECIFIC PLAN**

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on April 18, 1995, to review a proposed amendment to the California Commerce Center Specific Plan; and

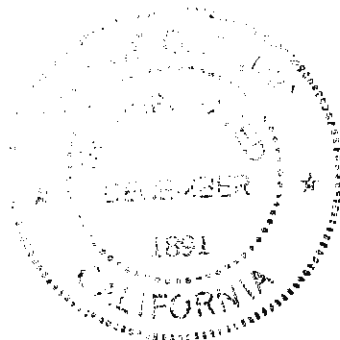
WHEREAS, this amendment would change the land use designation for a 32.5 acre site located on the north side of Airport Drive between Haven Avenue and Dupont Avenue from Commercial/Food/Hotel and Light Industrial to Rail Industrial; and

WHEREAS, the Planning Commission recommended City Council approval of a Negative Declaration which was prepared to address the environmental issues of the project; and

WHEREAS, the Specific Plan Amendment must comply with the conditions of approval recommended by the Planning Commission and Development Advisory Board.

NOW, THEREFORE, BE IT RESOLVED that Specific Plan Amendment 4804-SPA is hereby approved.

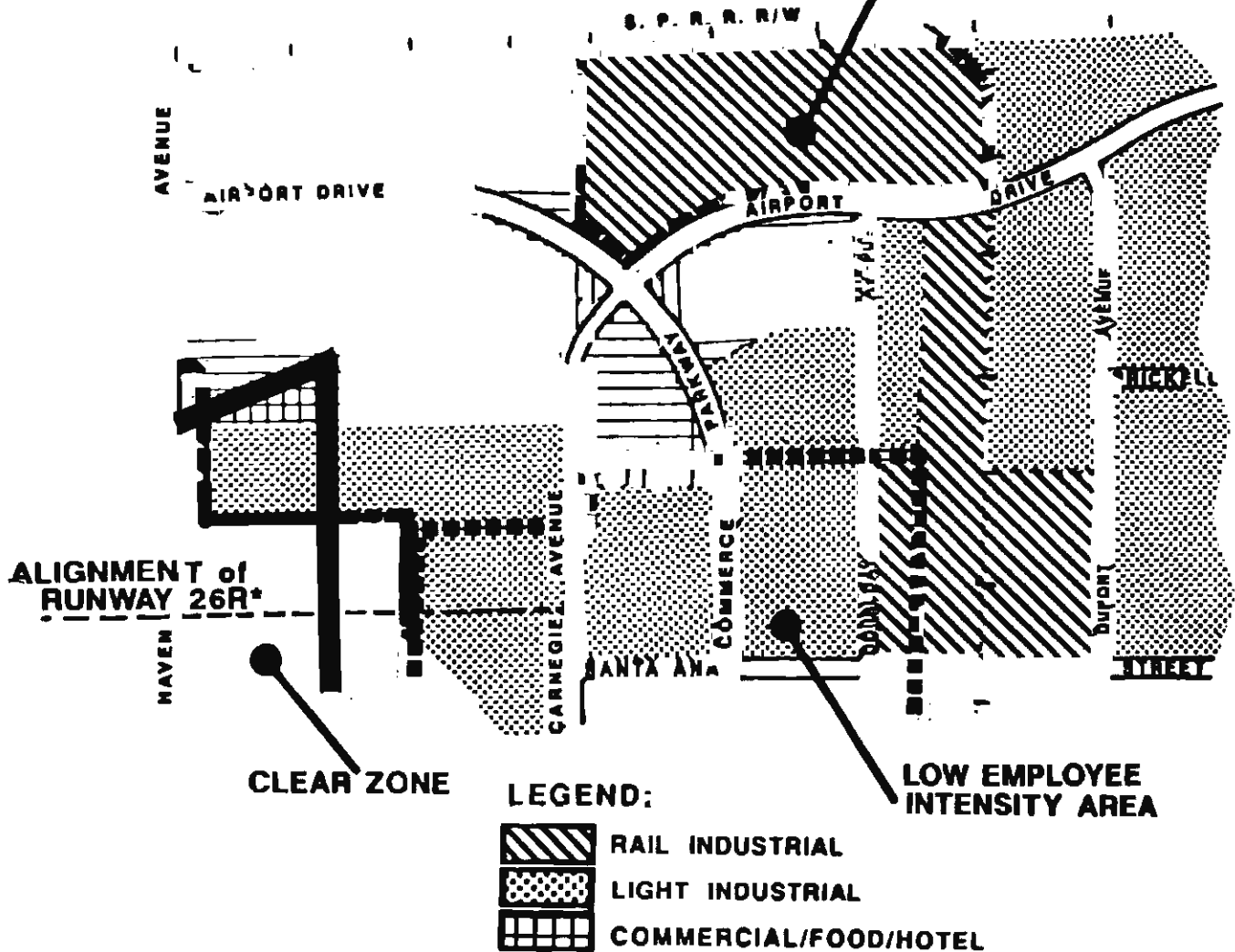
I hereby certify that the above Resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the ~~20th~~ day of **May, 1995**.
16th



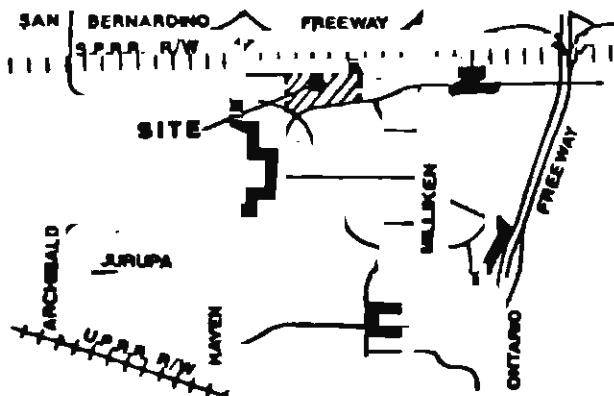
Debra E. Custer
City Clerk of the City of Ontario

ONTARIO PLANNING DEPARTMENT

PROPOSED RAIL INDUSTRIAL (± 32.5 AC)



VICINITY MAP



LEGEND

A Specific Plan Amendment to change the land use designation from Commercial/Food/Hotel and Light Industrial to Rail Industrial on a 32.5 acre parcel located on the north side of Airport Drive between Haven Avenue and Dupont Avenue in the California Commerce Center; submitted by: I.D.I., Inc.

FILE# 4804-SPA

RESOLUTION NO. 95-93

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ONTARIO, CALIFORNIA,
APPROVING AN AMENDMENT TO THE
CALIFORNIA COMMERCE CENTER
SPECIFIC PLAN**

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on June 27, 1995, to review a proposed amendment to the California Commerce Center Specific Plan; and

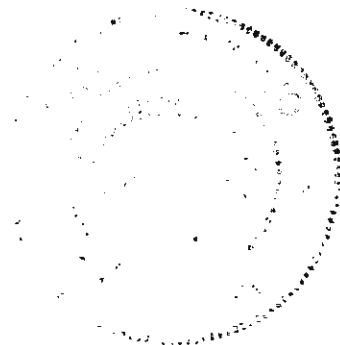
WHEREAS, this amendment would change the land use designation for a 15.4 acre site located on the north side of Jurupa Street, between Carnegie Avenue and Commerce Parkway from Commercial/Food/Hotel and Office to Light Industrial; and

WHEREAS, the Planning Commission recommended City Council approval of a Negative Declaration which was prepared to address the environmental issues of the project; and

WHEREAS, the Specific Plan Amendment must comply with the conditions of approval recommended by the Planning Commission and Development Advisory Board.

NOW, THEREFORE, BE IT RESOLVED that Specific Plan Amendment 4834-SPA is hereby approved.

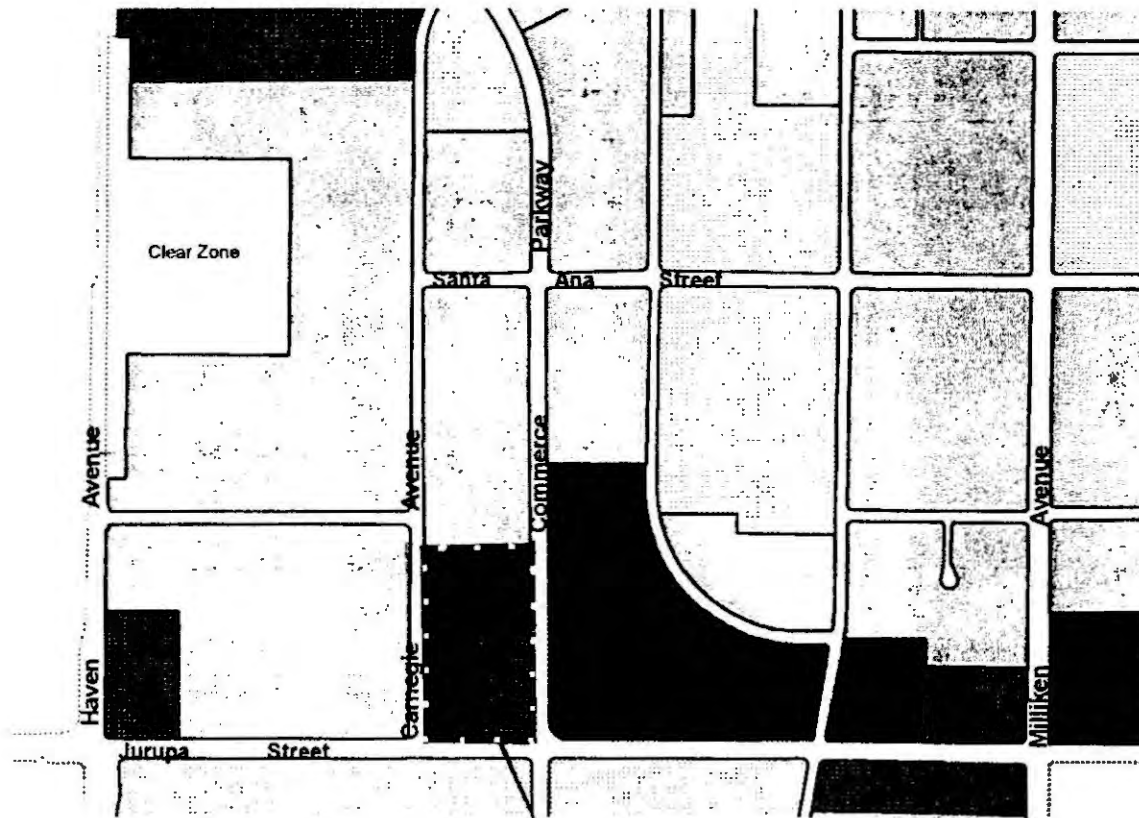
I hereby certify that the above resolution was duly and regularly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 15th day of August, 1995.




Cheryl Carter
City Clerk of the City of Ontario

ONTARIO PLANNING DEPARTMENT

California Commerce Center Land Use Map



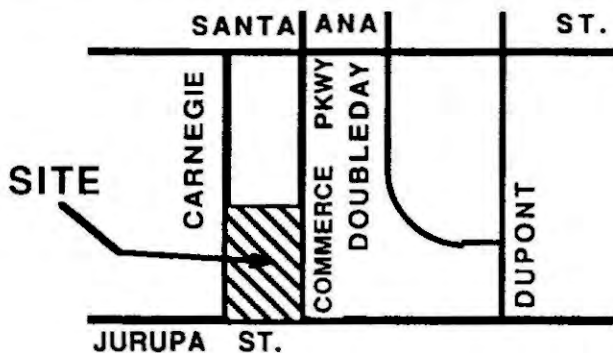
Land use change from
Commercial/Food/Hotel
and Office to Light Industrial.

LEGEND:

Land Uses

-  RAIL INDUSTRIAL
-  LIGHT INDUSTRIAL
-  COMMERCIAL/FOOD/HOTEL
-  OFFICE

VICINITY MAP



LEGEND

A specific plan amendment to the California Commerce Center Specific Plan to change the land use designation for a 15.4 acre site from Commercial/Food/Hotel and Office to Light Industrial, and a site plan for a 312,000 sq. ft. warehouse/distribution facility for Toyo Tires for property located on the north side of Jurupa Street, between Carnegie Avenue and Commerce Parkway, submitted by Obayashi Corporation.

FILE# 4833-S/4834-SPA

November 19, 1996

PC 4995-A, CALIFORNIA COMMERCE CENTER (LH147.3)

A public hearing to consider an *appeal (PC 4995-A)* from the Planning Commission's decision to deny a specific plan amendment application (*PC 4928-SPA*) to change the land use designation from Office to Light Industrial for a site located on the north side of Jurupa Street between Milliken Avenue and Rockefeller Avenue submitted by *EJM Development Company*.

PC 4996-A, CALIFORNIA COMMERCE CENTER (LH147.3)

A public hearing to consider an *appeal (PC 4996-A)* from the Planning Commission's decision to deny a specific plan amendment application (*PC 4958-SPA*) to change the land use designation from Commercial/Food/Hotel and Office to Light Industrial for a site located on the north side of Jurupa Street between Milliken Avenue and Dupont Street submitted by *WCB 19 Limited Partnership and Bank of America*.

Both public hearings were continued from the regular meeting of October 15, 1996.

There were no written communications.

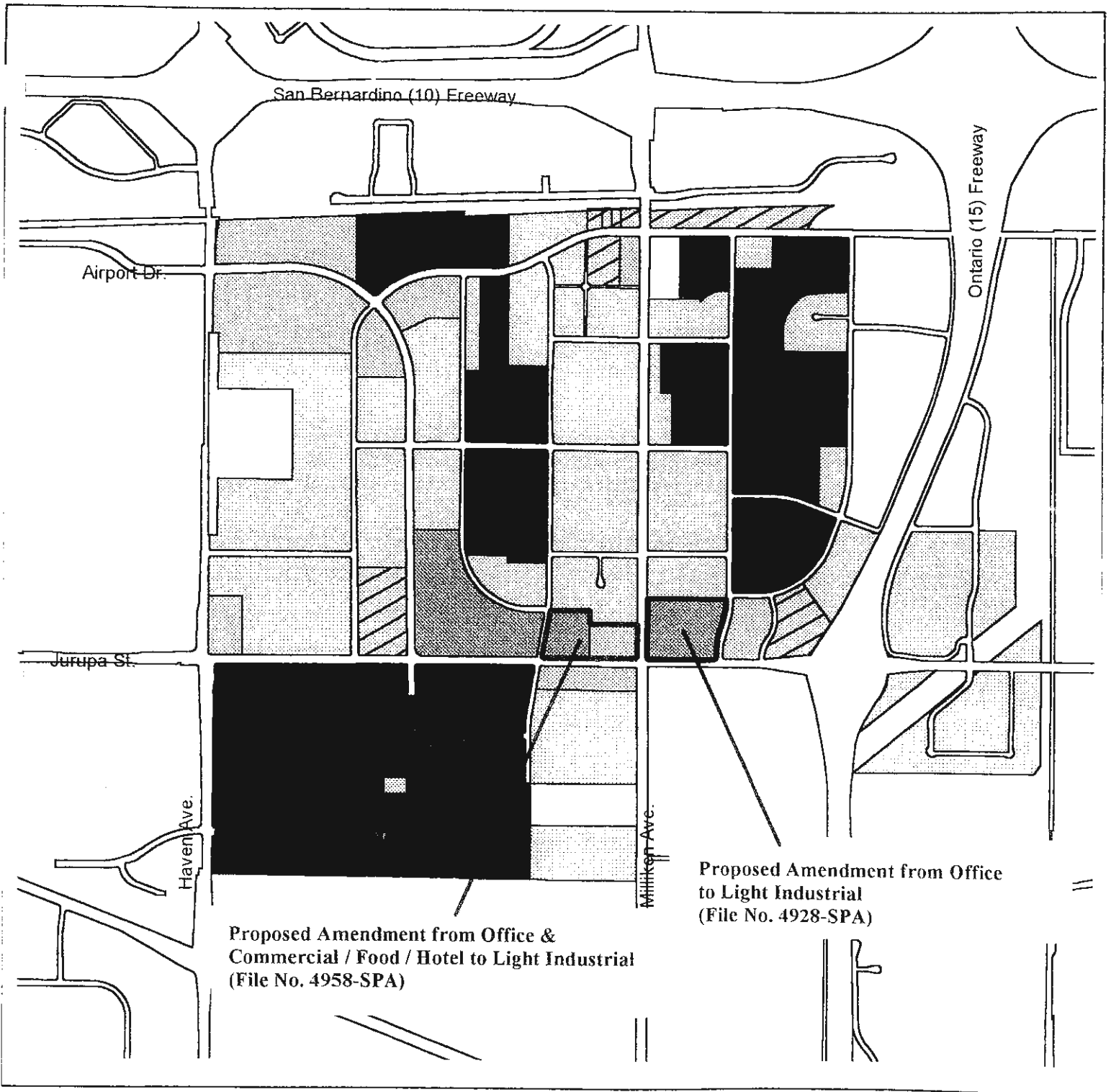
Dave Ariss, California Commerce Center, said the original zoning for these properties was not appropriate and supported the appellants because the proposed facilities can be adapted to other uses at a later time. He submitted a letter from Toyota dated November 15, 1996, supporting the applicant in the matter of P. C. File 4928-SPA.

No one else requesting to be heard, the Mayor closed the public hearings.

Council Members discussed the appeals at length including the amount of industrial property available in the City, the expansion of the airport and Ontario Mills, a recent workshop with the Planning Commission, existing infrastructure, the economics of interim use, current development standards, and existing zoning at the southeast and southwest corners of the intersection at Jurupa and Milliken Avenues.


Motion: Moved by *Bowman*, seconded by *Ovitt*, and carried to uphold the appeal of both applicants and overturn the decision of the Planning Commission contingent upon no change in the existing zoning at the two southern corners of the intersection at Jurupa and Milliken Avenues. Mr. Favila abstained and Councilman Wapner voted "no."

ONTARIO PLANNING DEPARTMENT



Legend

	Properties previously changed from Office & Commercial uses, to an Industrial Classification
	Blocks
	Land Use
	COMMERCIAL FOOD/HOTEL
	LIGHT INDUSTRIAL
	OFFICE
	RAIL INDUSTRIAL
	Streets


 N

May 13, 1996

Specific Plans Land Use

California Commerce
Center

ONTARIO CITY COUNCIL

RESOLUTION NO. 96-115

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO
THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN (FILE
NO. 5007-SPA)**

WHEREAS, an application was submitted by Bombay Partners to approve a Specific Plan Amendment for the property generally located at the southeast corner of Rockefeller Avenue and Wanamaker Street, consisting of approximately 5.56 acres of land, located in the California Commerce Center Specific Plan; and

WHEREAS, the proposed Specific Plan Amendment proposes to allow auto and truck sales as a limited use under the land use designation of Commercial/Food/Hotel, but not the construction of automobile storage lots; and

WHEREAS, the Planning Commission recommended City Council approval of a Negative Declaration for this project. The Commission determined that there will be no significant environmental impacts associated with this project; and

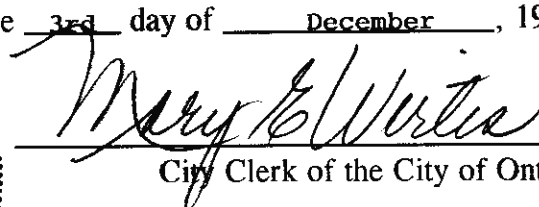
WHEREAS, the Planning Commission held a public hearing on the proposed Specific Plan Amendment on October 22, 1996, for the purpose of reviewing and considering all public testimony; and

WHEREAS, the Planning Commission considered all public comments, the presentation by the Planning Department staff, the staff report, and all other pertinent documents regarding the proposed Specific Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED, that the City Council finds that the proposed Specific Plan Amendment, File No. 5007-SPA is consistent with the Ontario General Plan and California Commerce Center Specific Plan and, therefore, approves the Specific Plan Amendment to allow auto and truck sales as a limited use under the land use designation of Commercial/Food/Hotel.

I hereby certify that the above resolution was duly adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 3rd day of December, 1996.





City Clerk of the City of Ontario

WANAMAKER AVENUE



1"=100'

ROCKEFELLER AVENUE

5.566 ACRES

WOODRUFF WAY

ARCO GAS STATION

PROPOSED CARLS JR.

JURUPA STREET

EXHIBIT "A"

11-0004-01

WILLIAMSON & SCHMID
HUITT-ZOLIARS

1101 S. MILLIKEN AVE., STE. G • ONTARIO, CALIFORNIA 91761 • (909) 380-8400

(File No. 5041-SPA)

RESOLUTION NO. 97-012

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA APPROVING AN AMENDMENT
TO THE CALIFORNIA COMMERCE CENTER SPECIFIC
PLAN**

WHEREAS, the Planning Commission of the City of Ontario held a special public hearing on February 11, 1997, to review a proposed amendment to the California Commerce Center Specific Plan; and

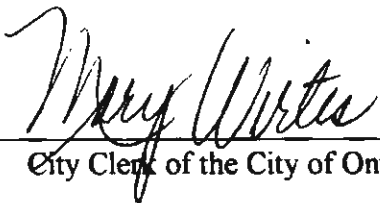
WHEREAS, this amendment would delete Commerce Parkway from Jurupa Street to Francis Street; and

WHEREAS, the Planning Commission recommended City Council approval of a Negative Declaration which was prepared to address the environmental issues of the project; and

WHEREAS, the Specific Plan Amendment must comply with the conditions of approval recommended by the Planning Commission and Development Advisory Board.

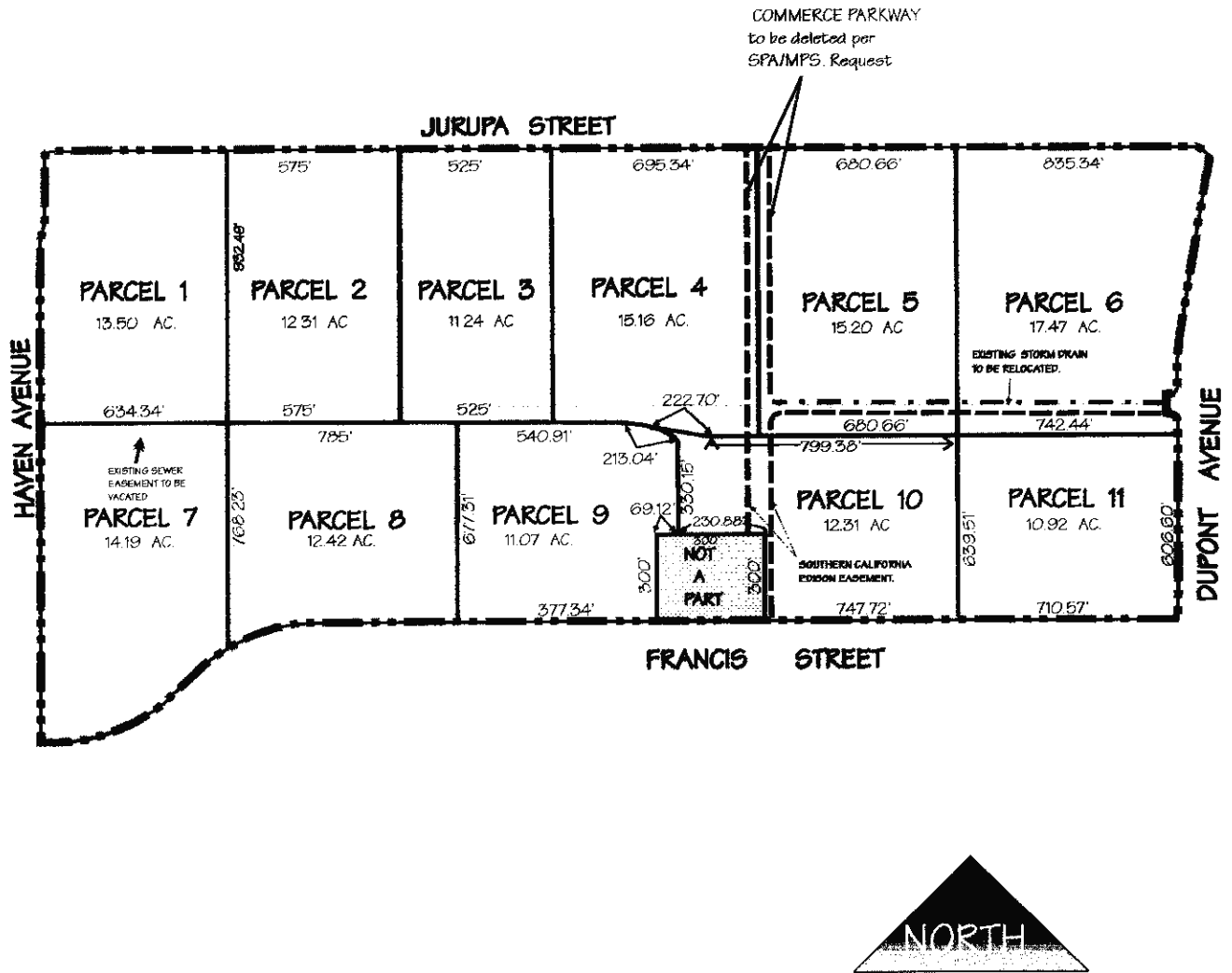
NOW, THEREFORE, BE IT RESOLVED that Specific Plan Amendment 5041-SPA is hereby approved. on 3-12-97



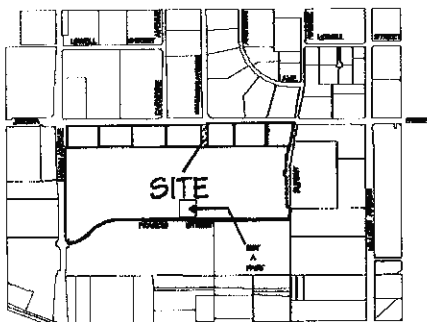


City Clerk of the City of Ontario

ONTARIO PLANNING DEPARTMENT



VICINITY MAP



DESCRIPTION

A Specific Plan Amendment to the California Commerce Center Specific Plan and Master Plan of Street Change to allow deletion of Commerce Parkway from Jurupa Street to Francis Street for property generally located at the southeast corner of Haven Avenue and Jurupa Street; submitted by A.T.C. Realty Sixteen File #'s 5041-SPA and MPS-304

(File No. 5036-SPA)

ONTARIO CITY COUNCIL

RESOLUTION NO. 97-021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA APPROVING AN AMENDMENT
TO THE CALIFORNIA COMMERCE CENTER SPECIFIC
PLAN**

WHEREAS, the Planning Commission of the City of Ontario held a public hearing on February 25, 1997, to review a proposed amendment to the California Commerce Center Specific Plan; and

WHEREAS, this amendment provides for a master sign program providing criteria for permanent signs and temporary signs for the Ontario Auto Center, located on the east side of the Ontario (I-15) Freeway between Jurupa Street and McNamara Street, including Penske Honda on the south side of Jurupa Street and Citrus Ford on the west side of the Ontario (I-15) Freeway, north of Jurupa Street; and

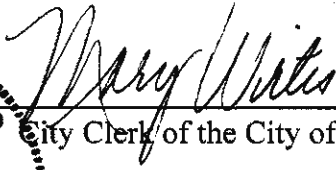
WHEREAS, the Specific Plan Amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 (Existing Facilities) of CEQA; and

NOW, THEREFORE, BE IT RESOLVED, that Specific Plan Amendment 5036-SPA is hereby approved, subject to the following conditions:


1. Exhibit "F" of the Conditions, Covenants and Restrictions (CC&R's) for the Ontario Auto Center shall be amended to include the revised sign program for the Ontario Auto Center as contained within the California Commerce Center Specific Plan, and recorded within 90 days of final adoption of the Specific Plan Amendment (File No. 5036-SPA).
2. Permits shall be obtained for any nonconforming signage or for any illegal signs installed without permits on any dealership site within the Ontario Auto Center, or these signs shall be removed.
3. The sign provisions for the Ontario Auto Center as contained in the California Commerce Center Specific Plan shall apply only to the auto dealers who are members of the Ontario Auto Center Dealers Association.
4. A formal ruling from the Federal Aviation Administration (FAA) shall be received on the use of helium filled balloons in the Ontario Auto Center; all dealers in the Ontario Auto Center shall comply with all applicable requirements of the FAA relative to helium filled balloons.

5. The Ontario Auto Center shall be reviewed by the Planning Commission within one year (February 26, 1998) for compliance with all applicable sign regulations.

I hereby certify that the above resolution was duly adopted by the City Council of the City of Ontario at a regular meeting thereof, held on the 15 day of April, 1997.

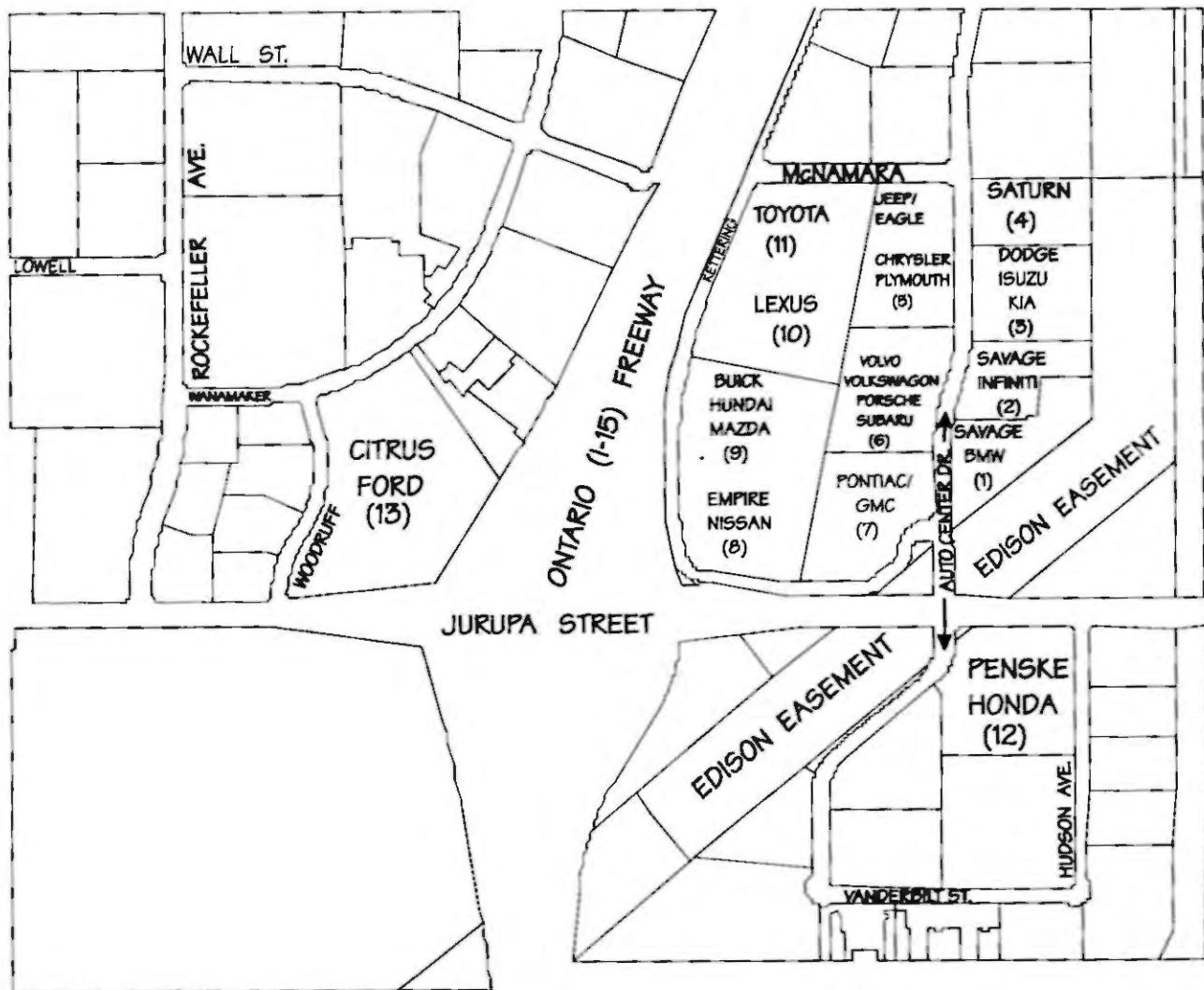


City Clerk of the City of Ontario



CITY OF ONTARIO
INCORPORATED
DECEMBER
1891
CALIFORNIA

ONTARIO PLANNING DEPARTMENT



NOTE: Number of Dealership Facilities = 13
Number of Auto Makes = 24



DESCRIPTION

A Specific Plan Amendment to the California Commerce Center Specific Plan, to include a sign program for the Ontario Auto Center; submitted by Ontario Auto Center Dealers Association.

File # 5036-SPA

(File No. 5073-SPA)

ONTARIO CITY COUNCIL

RESOLUTION NO. 97-051

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA RECOMMENDING APPROVAL
OF FILE NO. 5073-SPA, AN AMENDMENT TO THE
CALIFORNIA COMMERCE CENTER (CCC) SPECIFIC
PLAN.**

WHEREAS, on the 27th day of May, 1997, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date; and

WHEREAS, this amendment applies to two (2) parcels of land for a total of approximately 10.1 acres, located on the south side of Airport Drive between Commerce Parkway and Doubleday Avenue (APNs 21122250-51); and

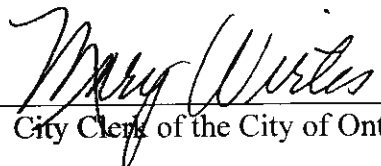
WHEREAS, the Planning Commission recommended City Council approval of a Negative Declaration, which has been prepared in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Specific Plan Amendment must comply with the conditions of approval recommended by the Planning Commission and Development Advisory Board.

NOW, THEREFORE, BE IT RESOLVED, that the Specific Plan Amendment (File No. 5073-SPA) is hereby approved.

I hereby certify that the above resolution was duly adopted by the City Council of the City of Ontario at a regular meeting thereof, held on the 1st day of July, 1997.

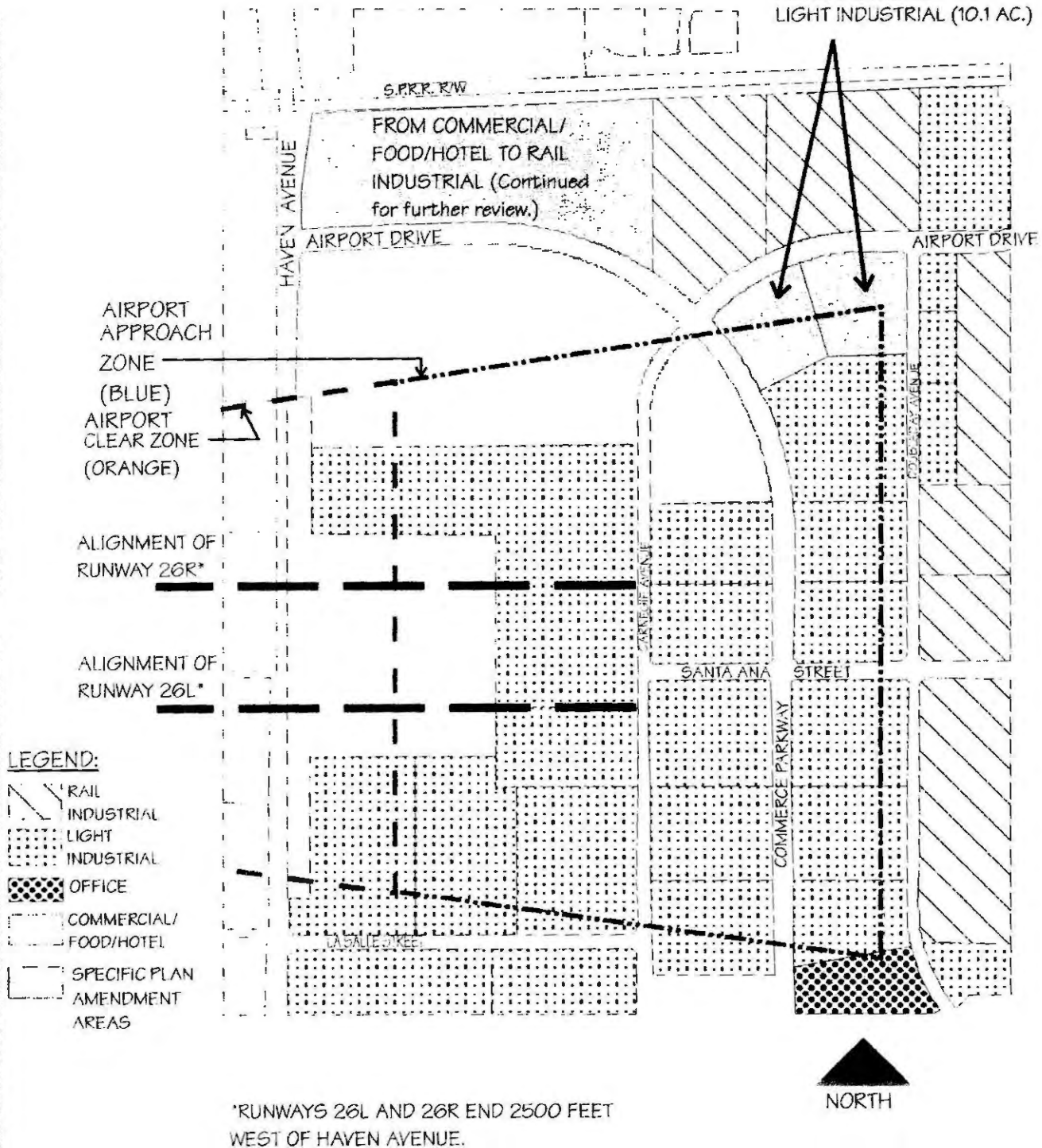




City Clerk of the City of Ontario

File# 5073-SPA

FROM COMMERCIAL/
FOOD/HOTEL TO
LIGHT INDUSTRIAL (10.1 AC.)



An amendment to the California Commerce Center Specific Plan to change 10.1 acres of Commercial/Food/Hotel designated land to Light Industrial. Generally located south of Airport Drive between Commerce Parkway and Doubleday Avenue; Submitted by A.T.C. Realty Sixteen, Inc.

RESOLUTION NO. 98-108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. 98-001-SPA, A REQUEST TO CHANGE THE LAND USE DESIGNATION FROM "COMMERCIAL/FOOD/HOTEL" TO "RAIL INDUSTRIAL", FOR A 13.78-ACRE SITE IN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, LOCATED ON THE NORTH SIDE OF AIRPORT DRIVE, EAST OF HAVEN AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 211-222-59.

A. Recitals.

1. Vogel Properties has filed an application for a Specific Plan Amendment, File No. 98-001-SPA, as described in the title of this Resolution. Hereinafter, the subject Specific Plan Amendment request shall be referred to as "the application."

2. On the 23rd day of June, 1998, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date. After considering all public testimony, the Planning Commission approved its Resolution No. 98-096 recommending approval of the application to the City Council.

3. On the 18th day of August, 1998, the City Council of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing prior to the adoption of this ordinance.

4. All legal prerequisites to the adoption of this Ordinance have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the City Council of the City of Ontario as follows:

1. This Council hereby specifically finds that all facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Council during the above-referenced public hearing on August 18, 1998, including written and oral staff reports, together with public testimony, this Council hereby specifically finds as follows:

a. The application applies to approximately 13.78 acres of land, basically a rectangular configuration, located on the north side of Airport Drive, east of Haven Avenue and is presently vacant. Said property is currently designated as Commercial/Food/Hotel; and

b. The property to the north of the subject site is zoned for and is developed with railroad uses. The properties to the south and west are zoned for commercial uses and are vacant. The property to the east is zoned for and is developed with an industrial building; and

c. This Specific Plan Amendment does not conflict with the Land Use Policies of the General Plan and will provide for development, within the district, in a manner consistent with the General Plan and with related development; and

d. This Specific Plan Amendment does promote the goals and objectives of the Land Use Element of the General Plan; and

e. The application is consistent with the Planned Industrial General Plan designation; and

f. The application would allow industrial development adjacent to existing industrial uses; and

g. The application will not effect the commercial land use designation of the property to the west, which provides a transition to the proposed industrial land use from Haven Avenue, a major arterial; and

h. An environmental assessment has been prepared for the site which indicates that the application will not have a significant impact on the environment or on surrounding properties.

3. Based upon the substantial evidence presented to this Council during the above-referenced public hearing and upon the specific findings set forth in paragraphs 1 and 2 above, this Council hereby concludes as follows:

a. That the subject property is suitable for the uses permitted in the proposed district in terms of access, size, and compatibility with existing land use in the surrounding area; and

b. That the proposed Specific Plan Amendment would not have significant impacts on the environment nor the surrounding properties; and

c. That the proposed Specific Plan Amendment is in conformance with the General Plan.

4. Based upon the facts and information contained in the proposed Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Negative Declaration based upon the findings as follows:

a. That the Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the State CEQA guidelines promulgated thereunder; that said Negative Declaration and the Initial Study prepared therefore reflect the independent judgment of the City Council; and, further, this Council has reviewed and considered the information contained in said Negative Declaration with regard to the application.

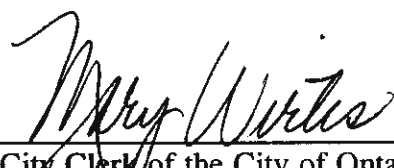
b. That, based upon the changes and alterations which have been incorporated into the proposed project, no significant adverse environmental effects will occur.

c. Pursuant to the provisions of Section 753.5(c) of Title 14 of the California Code of Regulations, the City Council finds as follows: In considering the record as a whole, the Initial Study and Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Further, based upon substantial evidence contained in the Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearing, the City Council hereby rebuts the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.

5. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, and 4 above, this Council hereby approves the Specific Plan Amendment, File No. 98-001-SPA.

I certify that this Resolution was duly passed and adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 18th day of August, 1998.





City Clerk of the City of Ontario

RESOLUTION NO. 2002-074

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA02-003, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION ON 3.84 ACRES LOCATED AT THE SOUTHWEST CORNER OF MILLIKEN AVENUE AND AIRPORT DRIVE, FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0211-222-10.

A. Recitals.

1. Panattoni Development Company, LLC has filed an application for a Specific Plan Amendment, File No. PSPA02-003, as described in the title of this Resolution. Hereinafter, the subject Specific Plan Amendment request shall be referred to as "the application."

2. On the 25th day of June 2002, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the application, concluded said hearing on that date and voted unanimously to recommend that the City Council approve the application

3. On the 16th day of July 2002, the City Council of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the City Council of the City of Ontario as follows:

1. This City council hereby specifically finds that all facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this City Council during the above-referenced public hearing on July 16, 2002, including written and oral staff reports, together with public testimony, this City Council hereby specifically finds as follows:

a. The application applies to a rectangular shaped parcel, 3.84 acres in size, located at the southwest corner of Milliken Avenue and Airport Drive, and is presently vacant. Said property is currently designated as Commercial/Food/Hotel; and

b. The property to the north, east, south and west of the subject site is zoned for light industrial land uses. The property to the north is developed with a fast food restaurant, the properties to the east and south are developed with industrial buildings, and the property to the west is vacant; and

c. This Specific Plan Amendment does not conflict with the Land Use Policies of the General Plan and will provide for development, within the district, in a manner consistent with the General Plan and with related development; and

d. This Specific Plan Amendment does promote the goals and objectives of the Land Use Element of the General Plan; and

e. This Specific Plan Amendment would not be materially injurious or detrimental to the adjacent properties and would not have a significant impact on the environment nor the surrounding properties.

3. Based upon the substantial evidence presented to this City Council during the above-referenced public hearing and upon the specific findings set forth in paragraphs 1 and 2 above, this City Council hereby concludes as follows:

a. That the subject property is suitable for the uses permitted in the proposed district in terms of access, size and compatibility with existing land use in the surrounding area. Surround properties are zoned and developed with industrial land uses and commercial uses that support the industrial base. The proposed land use change from Commercial/Food/Hotel to Light Industrial is consistent with this established land use pattern in the surrounding area; and

b. That the proposed Specific Plan Amendment would not have significant impacts on the environment nor the surrounding properties, as City staff has completed a thorough review and analysis of the proposed use and its potential to adversely impact the area surrounding the subject site. As a result of this review, certain impacts, and measures to mitigate those impacts to an acceptable level, were identified and incorporated into the project; and

c. That the proposed Specific Plan Amendment is in conformance with the General Plan, which designates the subject site for Planned Industrial land uses and development.

4. Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration based upon the findings as follows:

a. That the Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act, as amended, and the State CEQA guidelines promulgated thereunder; that said Mitigated Negative Declaration and the Initial Study prepared therefore reflect the independent judgment of the City Council; and, further, this City Council has reviewed and considered the information contained in said Mitigated Negative Declaration with regard to the application.


b. That based upon the changes and alterations that have been incorporated into the proposed project, no significant adverse environmental effects will occur.

c. Pursuant to the provisions of Section 753.5(c) of Title 14 of the California Code of Regulations, the City Council finds as follows: In considering the record as a whole, the Initial Study and Mitigated Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Further, based upon substantial evidence contained in the Mitigated Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearing, the City Council hereby rebuts the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.

5. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, and 4 above, this City Council hereby approves the Specific Plan Amendment, File No. PSPA02-003.

6. The City Clerk shall certify to the adoption of the Resolution.

APPROVED AND ADOPTED by the members of the City Council of Ontario this 16th day of July 2002.



City Clerk of the City of Ontario

RESOLUTION NO. 2006-067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING A SPECIFIC PLAN AMENDMENT, FILE NO. PSPA05-004, CHANGING THE LAND USE DESIGNATION ON 11.5 ACRES WITHIN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF JURUPA STREET AND AUTO CENTER DRIVE, FROM SOUTHERN CALIFORNIA EDISON CORRIDOR TO LIGHT INDUSTRIAL, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 238-121-15 & 19

A. Recitals.

1. Borchard Jurupa, LLC, ("Applicant") has filed an application for a Specific Plan Amendment, File No. PSPA05-004, as described in the title of this Resolution. Hereinafter, the subject Specific Plan Amendment shall be referred to as the "Application."

2. On July 17, 2006, the Development Advisory Board of the City of Ontario reviewed the subject Application and recommended the Planning Commission approve the application.

3. On July 25, 2006, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued Resolution No. PC06-059, recommending the City Council approve the Application.

4. On August 15, 2006, the City Council of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date.

5. All legal prerequisites to the adoption of this Resolution have occurred.

6. Upon reviewing the Application, the Planning Department expanded the boundary of the general plan amendment to include an approximate 2-acre portion of the Southern California Edison corridor, generally located at the northwesterly corner of Jurupa Street and Auto Center Drive, as the site is outside of the dripline of the existing overhead utility lines and would, therefore, be considered developable property.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the City Council of the City of Ontario, as follows:

1. The City Council hereby specifically finds that all facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to the City Council during the above-referenced hearing on August 15, 2006, including written and oral staff reports, together with public testimony, the City Council hereby specifically finds as follows:

a. The Application, as submitted by Borchard Jurupa, LLC, applies to property totaling approximately 11.5 acres, generally located on the southwest corner of Jurupa Street and Auto Center Drive (Exhibit "A"), which is presently improved with 500 kV overhead utility lines, owned and operated by Southern California Edison; and

b. The property to the north of the subject site is within the Light Industrial land use district of the California Commerce Center ("CCC") Specific Plan and includes of vacant properties and properties developed with automobile sales lots. The property to the south is within the Light Industrial land use district of the CCC Specific Plan and is developed with industrial land uses. The property to the east is within the Light Industrial land use district of the CCC Specific Plan and is developed with industrial land uses. The property to the west is within the Light Industrial land use district of the CCC Specific Plan and is developed with the I-15 Freeway; and

c. This Specific Plan Amendment does not conflict with the Land Use Policies of the General Plan and will provide for development, within the district, in a manner consistent with the General Plan and with related development; and

d. This Specific Plan Amendment will promote the goals and objectives of the Land Use Element of the General Plan; and

e. This Specific Plan Amendment will not be materially injurious or detrimental to the adjacent properties and will not have a significant impact on the environment or the surrounding properties.

3. Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in paragraphs 1 and 2 above, the City Council hereby concludes as follows:

a. The subject 11.5-acre property located at the southwesterly corner of Jurupa Street and Auto Center Drive, is suitable for the uses permitted in the proposed district in terms of access, size, and compatibility with existing land use in the surrounding area, as successfully demonstrated in two alternate conceptual site plans submitted in conjunction with the Application; and

b. No plans have been submitted for the 2-acre property located at the northwesterly corner of Jurupa Street and Auto Center Drive and it is not suitable for the uses permitted in the proposed district in terms of access, size, and compatibility with existing land use in the surrounding area, and

c. The proposed Specific Plan Amendment would not have significant impacts on the environment nor the surrounding properties; and

d. The proposed Specific Plan Amendment is in conformance with the General Plan.

4. Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Negative Declaration based upon the findings as follows:

a. The Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act and the State CEQA guidelines promulgated thereunder; that said Mitigated Negative Declaration and the Initial Study prepared therefore reflect the independent judgment of the City Council; and, further, this City Council has reviewed and considered the information contained in said Negative Declaration with regard to the application.

b. Based upon the changes and alterations that have been incorporated into the proposed project, no significant adverse environmental effects will occur.

c. Pursuant to the provisions of Section 753.5(c) of Title 14 of the California Code of Regulations, the Planning Commission finds that in considering the record as a whole, including the Initial Study and Mitigated Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Furthermore, based upon substantial evidence contained in the Mitigated Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearing, the City Council hereby rebuts the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.

5. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3 and 4 above, the City Council hereby takes the following actions:

a. The City Council approves and adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Application; and

b. The City Council approves a change in the Specific Plan land use designation on approximately 11.5 acres generally located at the southwest corner of Jurupa Street and Auto Center Drive (as depicted on Exhibit A, attached), from Southern California Edison Corridor to Light Industrial, , subject to the following land use restriction: "Allowed land uses on the project site shall be restricted to Retail Auto Center and its ancillary uses, such as repair facilities, except that the project site may be developed with

those other uses allowed within the Light Industrial land use district upon demonstration to the City by the developer that there has not been any interest from motor vehicle dealerships to locate on the property;" and

c. The City Council does not approve a change in the Specific Plan land use designation on approximately 2 acres generally located at the southwest corner of Jurupa Street and Auto Center Drive.

d. The City Council directs staff to make the appropriate changes to the Commerce Center Specific Plan text and maps to effect the herein described Specific Plan Amendment.

6. 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.

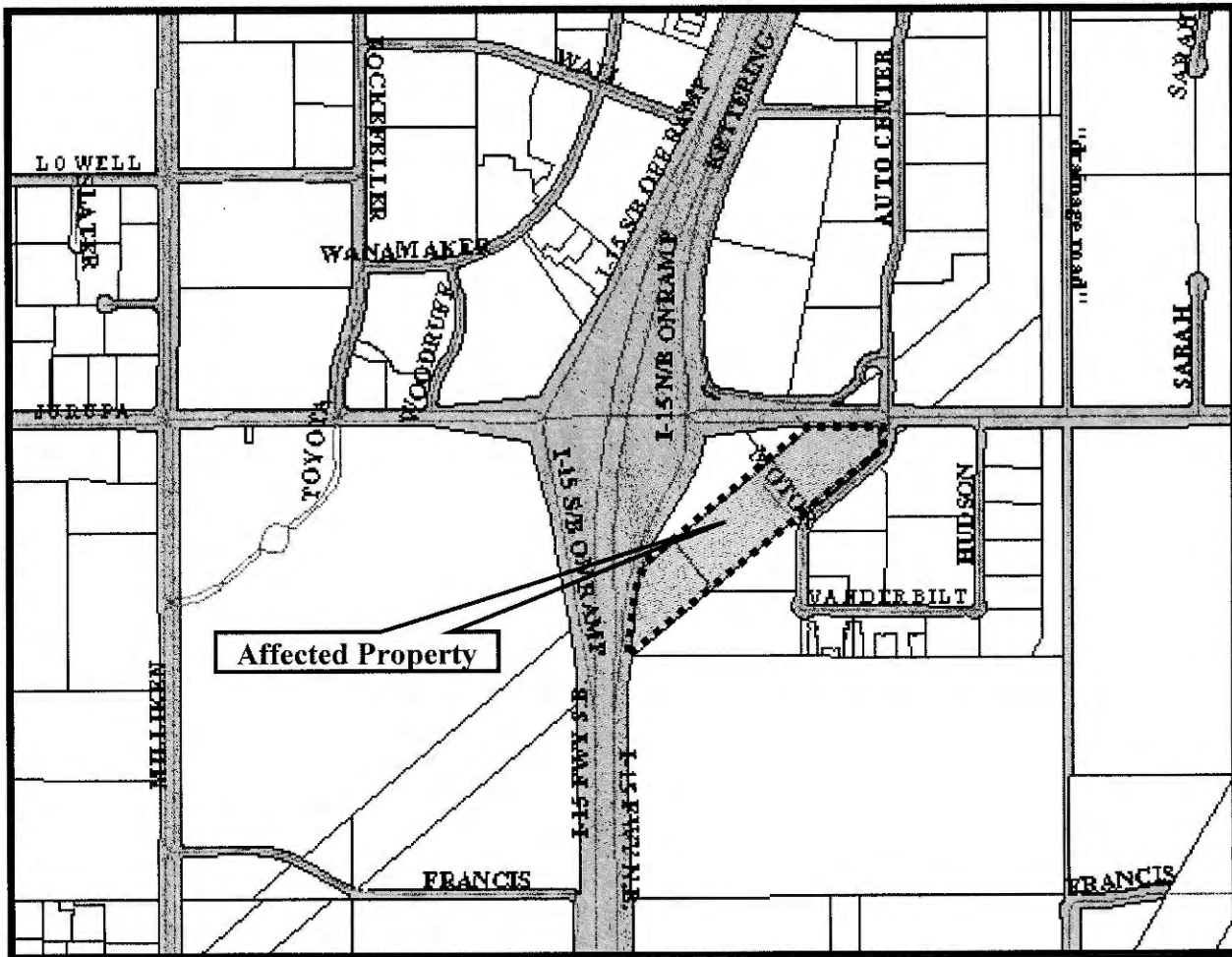
7. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 E. B Street, Ontario, California 92264. The custodian for these records is the City Clerk of the City of Ontario.

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Ontario, California, at a regular meeting thereof held on the 15th day of August, 2006.



City Clerk of the City of Ontario

EXHIBIT "A"—Project Site



RESOLUTION NO. 2007-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA06-006, A SPECIFIC PLAN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN TO MODIFY THE LAND USE DESIGNATION ON APPROXIMATELY 2 ACRES FROM RAIL INDUSTRIAL TO COMMERCIAL/FOOD/HOTEL LOCATED AT THE SOUTHEAST CORNER OF FRANCIS STREET AND HAVEN AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 211-281-23

WHEREAS, Ontario Industrial LLC ("Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA06-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to property located at the southeast corner of Francis Street and Haven Avenue with a street frontage of 428.2 feet along Francis Street and a street frontage of 236.57 feet along Haven Avenue and has a roughly triangular shape and is presently unimproved; and

WHEREAS, the property to the north of the Project site is within the Rail Industrial land use district of the California Commerce Center Specific Plan and is developed with industrial. The property to the south is within the Public Facilities zoning district and is developed with a Landfill. The property to the east is within the Rail industrial land use district of the California Commerce Center Specific Plan and is undeveloped. The property to the west is within the Business Park land use district of the Acco Airport Specific Plan and is developed with office buildings; and

WHEREAS, the current land use designation of the subject property is Rail Industrial within the California Commerce Center Specific Plan; and

WHEREAS, the Applicant is requesting to modify the land use designation of the subject site to Commercial/Food/Hotel; and

WHEREAS, the proposed amendment will facilitate the development of an office building on the subject site; and

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

WHEREAS, the environmental impacts of this project were reviewed in conjunction with a Supplement to Environmental Impact Report 81-4; and

WHEREAS, on April 16, 2007, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project and recommended the Planning Commission approve the Application; and

WHEREAS, on April 24, 2007, the Planning Commission of the City of Ontario conducted a duly noticed hearing and issued Resolution No. PC07-036, recommending the City Council approve the application; and

WHEREAS, on May 1, 2007, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Supplement to Environmental Impact Report 81-4 and supporting documentation. Based upon the facts and information contained in the Supplement to Environmental Impact Report 81-4 and supporting documentation, the City Council finds as follows:

a. Based on the entire record before the City Council, all written and oral evidence presented, the City Council of the City of Ontario certifies the Supplemental EIR, adopts a Statement of Overriding Considerations, and approves the associated Mitigation Monitoring Program.

b. Based on the entire record before the City Council and all written and oral evidence presented, the City Council finds the Supplemental EIR complies with CEQA for the following reasons:

The Supplemental EIR analyzes the environmental effects of implementing the development of the California Commerce Center Specific Plan Amendment, and finds that, if the Specific Plan Amendment is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable: impacts of both short-term and long-term air quality, and traffic.

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

a. The proposed specific plan amendment is consistent with the General Plan.

b. The subject property is physically suitable, including, but not limited to parcel size, shape, access, availability of utilities and compatibility with adjoining land uses, for the requested land use designation and anticipated development.

c. The proposed specific plan amendment will not be detrimental to the public interest, health, safety, convenience or welfare.

d. The proposed specific plan amendment will maintain the appropriate balance of land uses within the City.

e. The specific plan amendment would not have significant impacts on the environment nor the surrounding properties.

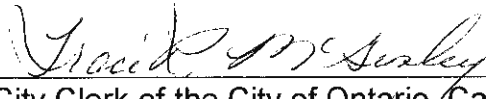
SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council approves the Project subject to each and every condition set forth in the Department reports, attached hereto and incorporated herein by this reference.

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

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

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

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Ontario, California, at a regular meeting thereof held on the 1st day of May, 2007.



City Clerk of the City of Ontario, California

RESOLUTION NO. 2018-098

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA18-002, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION ON 2.05 ACRES OF LAND FROM COMMERCIAL/ FOOD/HOTEL TO RAIL INDUSTRIAL, LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-281-56.

WHEREAS, SRG Archibald, LLC ("Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA18-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies one 2.05 acre undeveloped parcel located at the southeast corner of Haven Avenue and Francis Street; and

WHEREAS, the properties to the north, south, and of the Project site are within the Rail Industrial land use designation of the California Commerce Center Specific Plan and are within the General Plan land use designation of Industrial and are developed with industrial uses. The property to the west is within the Business Park land use designation of the ACCO Business Center Specific Plan and is within the General Plan land use designation of Office Commercial, and is developed with Office Buildings; and

WHEREAS, the Specific Plan Amendment proposes to change the California Commerce Center Specific Plan land use designation from Commercial/Food/Hotel to Rail Industrial for the subject parcel; and

WHEREAS, a related General Plan Amendment (File No. PGPA18-001) is being processed concurrently with this application to change the General Plan land use designation from Office Commercial to Industrial for the parcel; and

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

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

WHEREAS, the 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, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

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

WHEREAS, on April 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to The Ontario Plan (TOP) Environmental Impact Report, the initial study, and the Project, and concluded said hearing on that date; and

WHEREAS, the Planning Commission unanimously adopted Resolution No. PC18-052 recommending City Council approval of the Project as presented; and

WHEREAS, on June 19, 2018, the City Council of the City of Ontario conducted a hearing on the project and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on June 19, 2018, the City Council adopted an Addendum to a previous Environmental Impact Report 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 less than significant; and

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

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

SECTION 1. *Environmental Determination and Findings.* As the decision making body for the Project, the City Council has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to City Council, the City Council finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010 in conjunction with File No. PGPA06-001.

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

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

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the approving body; and

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the City Council hereby concludes as follows:

(1) The proposed Specific Plan amendment, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan as follows:

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 and Specific Plan Amendment coordinates with the existing industrial uses of the properties to the north, south and east of the subject site and the future development of the project site will be analyzed for quality that is comparable with the surrounding area, which will not increase adverse impacts on the office development to the west.

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.

The proposed General Plan and Specific Plan Amendments are consistent with the adopted Airport Land Use Compatibility Plan for Ontario 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 area and the proposed industrial land use designation is compatible with the Noise Impact area.

(2) The proposed Specific Plan amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because the proposed land use is compatible with the land uses in the area.

(3) The proposed Specific Plan amendment will not adversely affect the harmonious relationship with adjacent properties and land uses because the surrounding properties to the north south and east have the same land use designation and the allowed use of the property will be similar to other properties in the area.

(4) The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the requested land use change to Rail Industrial and to the anticipated future development with industrial uses.

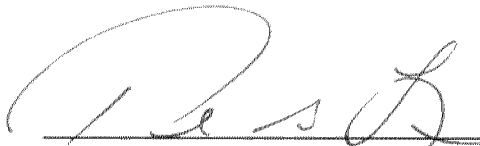
SECTION 6. City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, City Council hereby APPROVES the herein described Application, as detailed in "Exhibit A" attached hereto, and incorporated herein by this reference.

SECTION 7. Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9. Certification to Adoption. The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of June 2018.



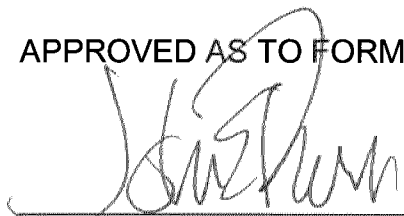
PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018-098 was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 19, 2018, by the following roll call vote, to wit:

AYES: MAYOR/COUNCIL MEMBERS: LEON, WAPNER, BOWMAN,
DORST-PORADA AND VALENCIA
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE


SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018-098 duly passed and adopted by the Ontario City Council at their regular meeting held June 19, 2018.

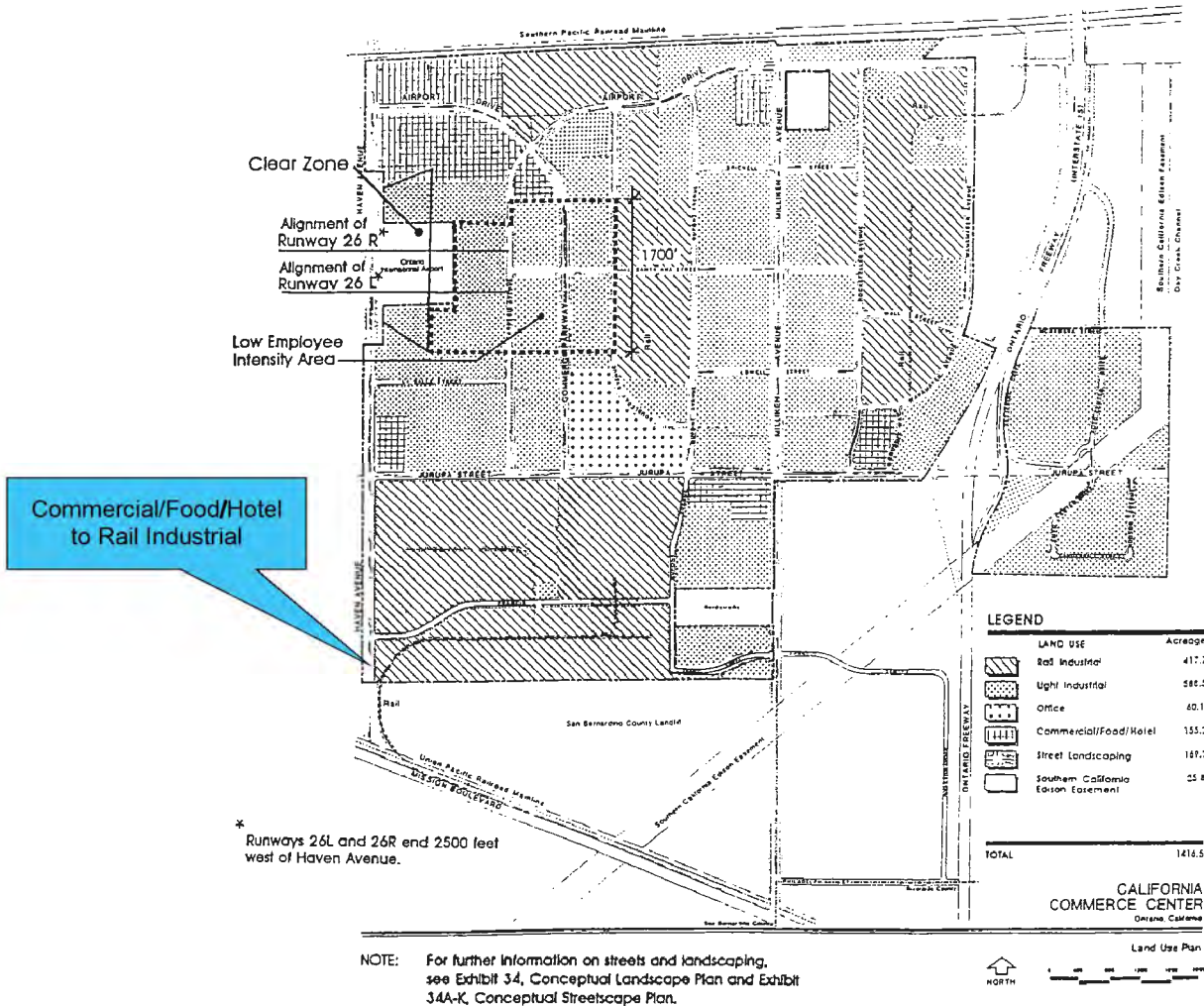

SHEILA MAUTZ, CITY CLERK

(SEAL)

**Exhibit A
PSPA18-002
California Commerce Center Specific Plan Amendment**

EXHIBIT 17

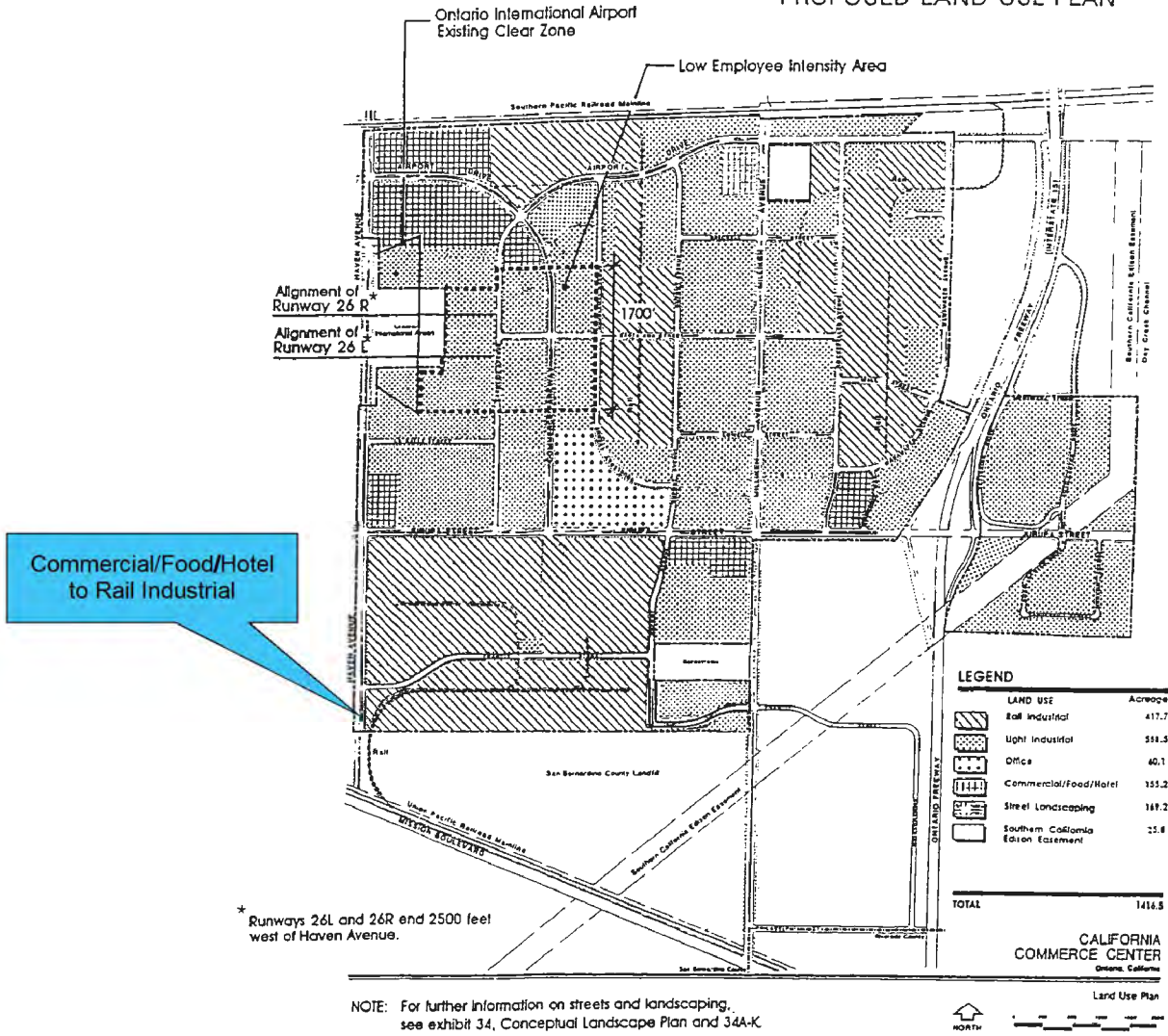
LAND USE PLAN



**Exhibit A (cont.)
PSPA18-002
California Commerce Center Specific Plan Amendment**

EXHIBIT 17A

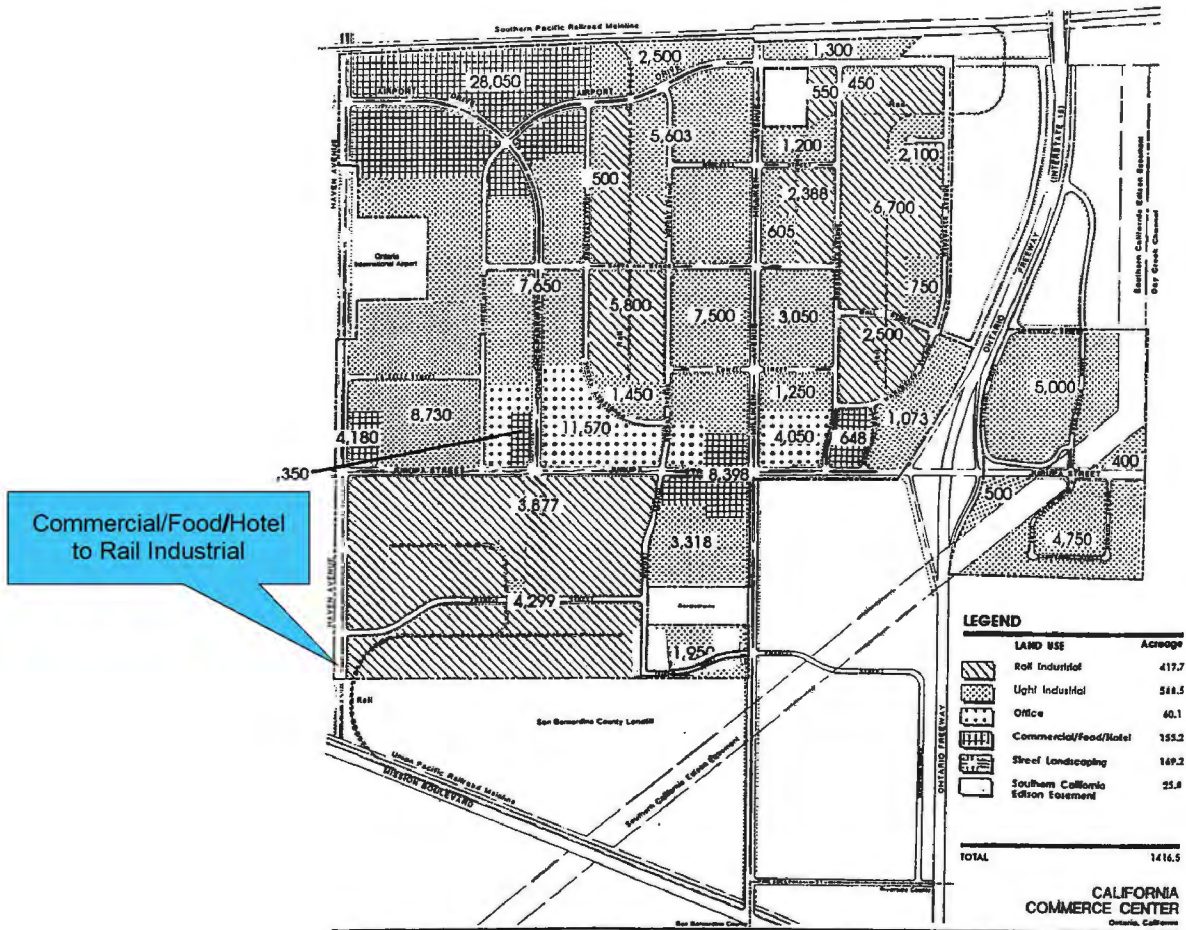
**AIRPORT RELATED ALTERNATIVE
PROPOSED LAND USE PLAN**



**Exhibit A (cont.)
PSPA18-002
California Commerce Center Specific Plan Amendment**

EXHIBIT 20

**DAILY TRIP GENERATION
(By Project Site Sub Area)**



SOURCE: Updated January, 1991, based on trip generation factors provided by Donald Fischer and Associates.

NOTE: For further information on streets and landscaping, see Exhibit 34, Conceptual Landscape Plan and 34A-K.

For current land use, see exhibit 17.

Exhibit A (cont.)
PSPA18-002
California Commerce Center Specific Plan Amendment



RESOLUTION NO. 2018-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA18-005, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN (FILE NO. PSPA18-005), CHANGING THE LAND USE DESIGNATION ON 3 PARCELS TOTALING 81.41 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF AIRPORT DRIVE AND HAVEN AVENUE (38.09 ACRES), THE NORTHEAST CORNER OF HAVEN AVENUE AND JURUPA STREET (6.83 ACRES), AND THE NORTHEAST CORNER OF COMMERCE PARKWAY AND JURUPA STREET (36.49 ACRES), FROM "COMMERCIAL/FOOD/HOTEL" AND "OFFICE," TO "LIGHT INDUSTRIAL," IN CONFORMANCE WITH EACH PROPERTY'S UNDERLYING POLICY PLAN LAND USE DESIGNATION OF "INDUSTRIAL," AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0211-222-55, 0211-232-45, 0211-232-46, 0211-232-16, 0211-232-17, 0211-232-18, 0211-232-19, AND 0211-232-20.

WHEREAS, Ontario International Airport Authority ("Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA18-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Project is comprised of three areas of vacant land within the California Commerce Center Specific Plan (CCCSP), totaling 81.41 acres, including (Area 1) 38.09 acres of land generally located at the southeast corner of Airport Drive and Haven Avenue; (Area 2) 6.83 acres of land generally located at the northeast corner of Haven Avenue and Jurupa Street, and (Area 3) 36.4 acres of land generally located at the northeast corner of Commerce Parkway and Jurupa Street. Each affected property is presently unimproved; and

WHEREAS, properties surrounding Area 1 are characterized by industrial development to the north and are within the Commercial/Food/Hotel and Rail Industrial land use districts of the CCCSP. The property to the east is vacant and is within the Light Industrial land use district of the CCCSP. The property to the south is vacant and is within the Light Industrial land use district of the CCCSP. The property to the west is developed with airport-related commercial uses (automobile rental services and airport parking facilities), and is within the ONT (Ontario International Airport) zoning district; and

WHEREAS, properties surrounding Area 2 are characterized by vacant property to the north, which lies in the Light Industrial land use district of the CCCSP. The property to the east is characterized by industrial development and is within the Light Industrial land use district of the CCCSP. The property to the south is developed with industrial land uses and is within the Rail Industrial land use district of the CCCSP. The property to the west is developed with air shipping services (United Parcel Service) and is within the Airport Related land use district of the United Parcel Service Specific Plan; and

WHEREAS, properties surrounding Area 3 are characterized by vacant property to the north, which lies in the Light Industrial land use district of the CCCSP. The property to the east is characterized by industrial development and is within the Light Industrial and Rail Industrial land use districts of the CCCSP. The property to the south is developed with industrial land uses and is within the Rail Industrial land use district of the CCCSP. The property to the west is developed with industrial land uses and is within the Light Industrial land use district of the CCCSP; and

WHEREAS, in January 2010, the City Council approved The Ontario Plan (TOP), establishing long term goals and policies intended to guide the City 20 or more years into the future. TOP consists of a six part component framework: 1) Vision, 2) Governance Manual, 3) Policy Plan (General Plan), 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The Policy Plan component of TOP serves as the City's General Plan which, in part, establishes the land use pattern for the City to achieve its Vision. Following adoption of TOP, staff embarked on an effort to ensure that the zoning and Policy Plan land use designations are consistent for all properties throughout the City. This application continues the City's on-going TOP Consistency effort; and

WHEREAS, the Applicant, Ontario International Airport Authority (OIAA), is requesting approval of an Amendment to the California Commerce Center Specific Plan (CCCSP), which will amend the CCCSP Land Use Plan, changing the land use designation on a number of OIAA-owned properties located generally east of the Ontario International Airport proper, across Haven Avenue, within an area affected by Airport Safety Zones 2 and 3, and is within the 70 to 75 dB CNEL Airport Noise Contour (as established by the Ontario International Airport Land Use Compatibility Plan). The proposed land use changes are as follows:

- Area 1: From Commercial/Food/Hotel to Light Industrial;
- Area 2: From Commercial/Food/Hotel to Light Industrial;
- Area 3: From Office to Light Industrial; and

WHEREAS, the proposed Amendment will further The Ontario Plan's Vision by bringing the CCCSP land use designation on the affected properties into consistency with the Policy Plan Land Use Map; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PGPA06-001, a General Plan Amendment for which The Ontario Plan Environmental Impact Report (SCH# 2008101140) ("Certified EIR") was adopted by the City Council on January 27, 2010, and this Application introduces no new significant environmental impacts; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

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

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

WHEREAS, on July 24, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Resolution No. PC18-078 recommending the City Council approve the Application; and

WHEREAS, on August 21, 2018, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1. ***Environmental Determination and Findings.*** As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the City Council finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan Environmental Impact Report, certified by the City Council on January 27, 2018, in conjunction with File No. PGPA06-01.

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

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

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

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

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

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

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

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

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

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

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

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

SECTION 3. Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport

("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the City Council hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Specific Plan Amendment is consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, in that the Specific Plan Amendment contributes toward the legislative framework for the implementation of The Ontario Plan's allowed land uses, guiding growth and development within the Light Industrial and Rail Industrial and use districts, and achieving optimum results from the City's physical, economic, environmental, and human resources.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed land uses and corresponding land use standards established by the Specific Plan have been created with the intent to safeguard and further the public interest, health, safety, convenience, and general welfare, and to ensure that the purposes of The Ontario Plan are maintained.

(3) ***The proposed Specific Plan Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The locations of the proposed Specific Plan Amendment, and the conditions under which it will be implemented and maintained, is consistent with the Policy Plan component of The Ontario Plan and the City's Development Plan, and, therefore, will not adversely affect the harmonious relationship with adjacent properties and land uses.

(4) ***The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The proposed Specific Plan Amendment has been thoroughly evaluated by City agencies and departments, which have established that the affected properties are physically suitable for the proposed land use changes in terms of parcel size, shape, access, and availability of utilities.

SECTION 5. City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the herein described Application, as shown on "ATTACHMENT A: California Commerce Center Specific Plan Land Use Plan Revision" of this resolution.

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

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

SECTION 8. Certification to Adoption. The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 21st day of August 2018.



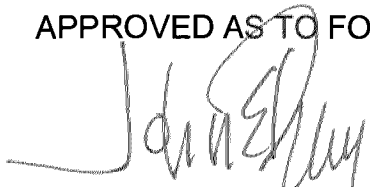
PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

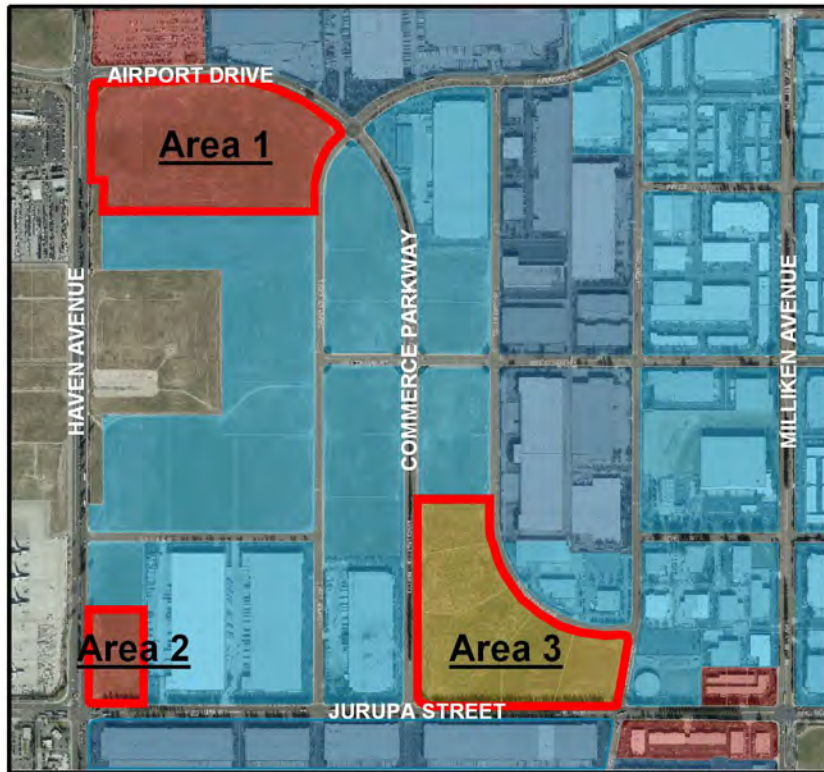
APPROVED AS TO FORM:



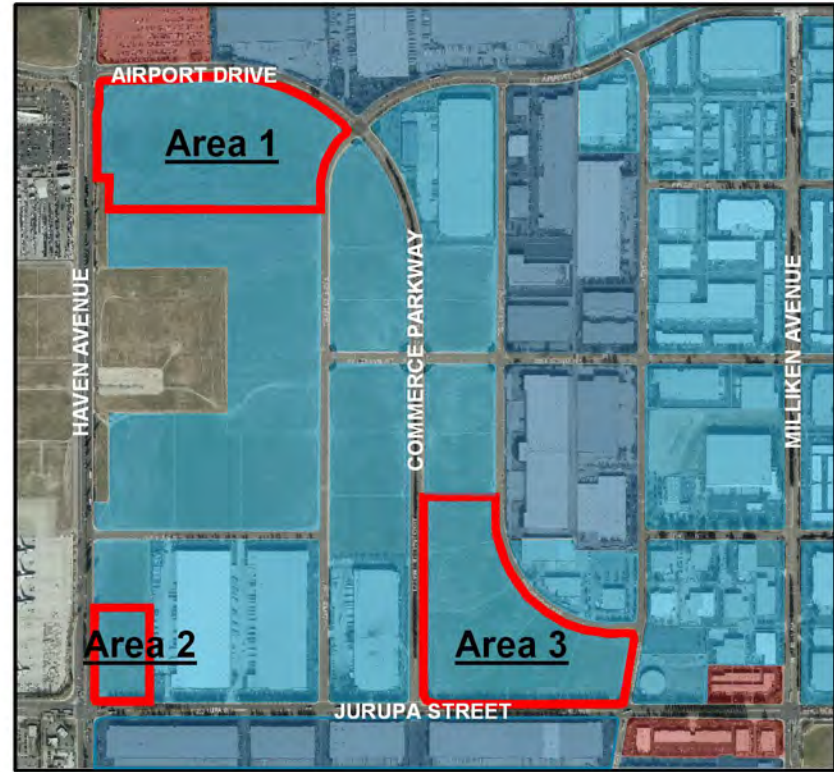
BEST BEST & KRIEGER LLP
CITY ATTORNEY

ATTACHMENT A: California Commerce Center Specific Plan Land Use Plan Revision

Existing Land Uses



Proposed Land Uses



Assessor Parcel Nos. Involved:

0211-222-55, 0211-232-45, 0211-232-46, 0211-232-16, 0211-232-17, 0211-232-18, 0211-232-19, and 0211-232-20

Legend:

	Commercial/Food/Hotel		Office
	Light Industrial		Rail Industrial

RESOLUTION NO. 2021-132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA20-003, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION ON 10.64 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL, TO BE CONSISTENT WITH THE ONTARIO PLAN POLICY PLAN (GENERAL PLAN) INDUSTRIAL (0.55 FAR) LAND USE DESIGNATION, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE, WITHIN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF— APN: 0211-222-66.

WHEREAS, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA20-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.64 acres of land generally located on the southeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use designation of the California Commerce Center Specific Plan and is developed as a parking lot; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use designation of the Ontario Gateway Specific Plan and is developed with a retail land uses (Costco and Starbucks). The property to the east is within the Rail Industrial land use designation of the California Commerce Center Specific Plan and is developed with industrial land uses. The property to the south is within the Light Industrial land use designation of the California Commerce Center Specific Plan and is currently vacant. The property to the west is within the ONT (Ontario International Airport) zoning district and is currently vacant; and

WHEREAS, the Specific Plan Amendment will change the land use designation on the subject site from Commercial/Food/Hotel to Light Industrial within the California Commerce Center Specific Plan, to be consistent with The Ontario Plan Policy Plan (General Plan), which designates the subject site for Industrial (maximum 0.55 FAR) land uses; and

WHEREAS, a focused Traffic Impact Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), which compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers ("ITE") Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound,

produced by each land use. The Traffic Impact Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer a.m. peak hour trips, and 719 fewer p.m. peak hour trips; and

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

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

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

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San

Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on May 17, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Addendum and the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-022, recommending that the Planning Commission recommend the City Council approve the Addendum and Decision No. DAB21-023, recommending the Planning Commission approve the Project (File No. PDEV20-008); and

WHEREAS, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and continued the Project to the June 22, 2021 hearing date; and

WHEREAS, on June 22, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the EIR Addendum and the Project, and concluded said hearing on that date, voting to issue Resolution Nos. PC21-044, recommending the City Council adopt the EIR Addendum, and voting to issue Resolution No. PC21-045, recommending the City Council approve the Application; and

WHEREAS, as the first action on the Project, on July 20, 2021, the City Council issued a Resolution adopting the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on July 20, 2021, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 4, above, the City Council hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed California Commerce Center Specific Plan amendment will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan Light Industrial land use designation. The proposed amendment will accommodate the construction of industrial land uses within the Specific Plan which is consistent with goals, policies, plans and City Council priorities of The Ontario Plan.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed amendment to the California Commerce Center Specific Plan will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan proposed Light Industrial land use designation. The proposed Specific Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The land use change will provide Light Industrial uses within the California Commerce Center Specific Plan, which is consistent with the type and intensity of development specified in The Ontario Plan and evaluated by The Ontario Plan Environmental Impact Report.

(3) ***In the case of an application affecting specific property, the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The proposed amendment will accommodate the construction of industrial land uses. Furthermore, the properties surrounding the project site (immediately to east and south) are currently assigned the Industrial (0.55 FAR) land use designation, providing further land use consistency within the immediate vicinity of the project site which will establish a harmonious relationship between the existing surrounding land uses and planned uses within the specific plan.

(4) ***In the case of an application affecting specific property, the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The subject site is physically suitable to accommodate the proposed light industrial land use. The California Commerce Center Specific Plan amendment includes development standards to facilitate the proposed industrial land use, which will be developed with an adequate lot size, access, and utilities to serve the project site.

SECTION 6. City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the City Council hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7. Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify

the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

PASSED, APPROVED, AND ADOPTED this 20th day of July 2021.



PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP
CITY ATTORNEY

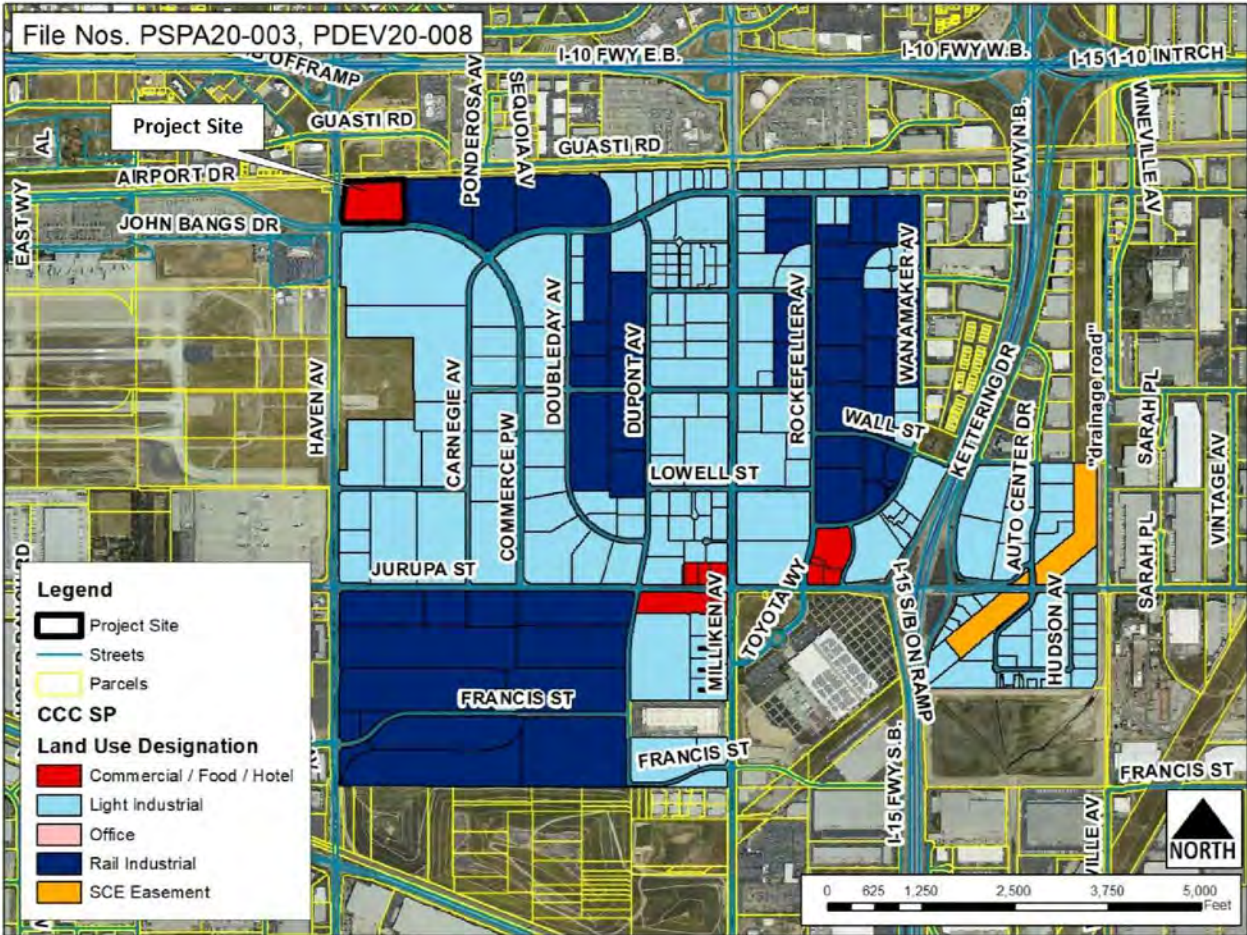
ATTACHMENT A:

**File No. PSPA20-003;
California Commerce Center Specific Plan Land Use
Plan**

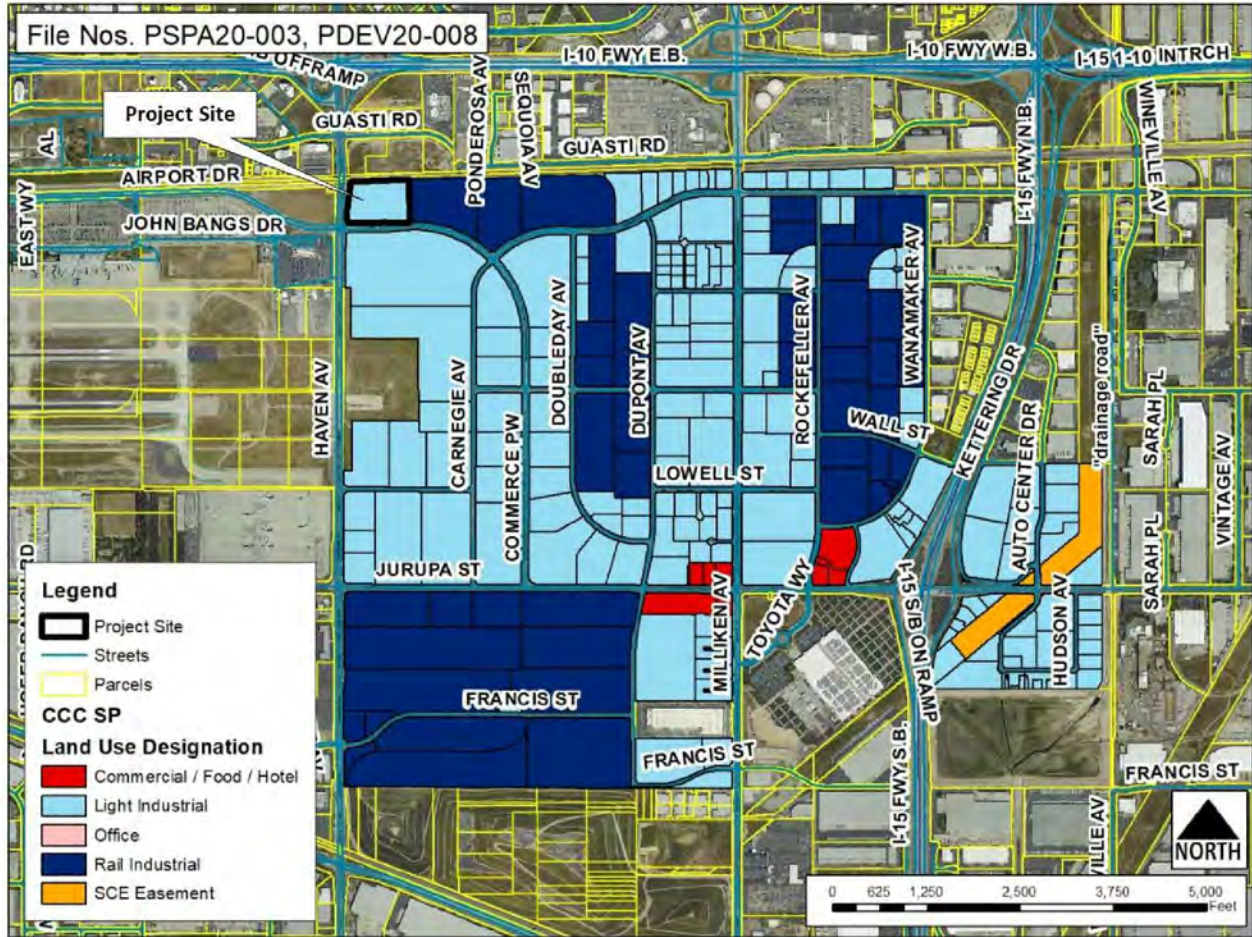
(Document follows this page)

ATTACHMENT A

EXISTING - CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN



PROPOSED - CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN





PLANNING DIRECTOR DECISION; SPECIFIC PLAN MINOR AMENDMENT

DECEMBER 14, 2021

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

DECISION NO.: ZA21-028

FILE NO.: PSPA21-007

DESCRIPTION: An Amendment to the California Commerce Center Specific Plan, revising the Development Standards within the Light Industrial land use district to facilitate the future development of vacant land; **City Initiated.**

PART 1: BACKGROUND & ANALYSIS

The City of Ontario has initiated a Specific Plan Minor Amendment, File No. PSPA21-007, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

DESCRIPTION: A Specific Plan Minor Amendment request to modify the California Commerce Center Specific Plan to accommodate text and exhibit updates to the Light Industrial development standards so as to be consistent with the City of Ontario Development Code (Title 9, Ontario Municipal Code).

ANALYSIS:

(1) Background – The California Commerce Center Specific Plan (CCCSP) (File No. 2591-SP) was approved by the City Council on May 17, 1983. The Specific Plan established the land use designations, development standards, and design guidelines for the approximate 1,400-acre Specific Plan area, which would allow for industrial developments and limited commercial land uses. In January 2010, the City Council approved The Ontario Plan ("TOP") Policy Plan (general plan), establishing long term goals and policies intended to guide the City 20 or more years into the future, including re-envisioning the California Commerce Center Specific Plan area to allow for more light industrial development.

On August 21, 2018, the City Council approved File No. PSPA18-005, an Amendment to the California Commerce Center Specific Plan to change land use designations from Commercial/Food/Hotel or Office to Light Industrial, in conformance with TOP Policy Plan.

(2) Specific Plan Minor Modification Authority – Pursuant to the Ontario Development Code Section 4.02.080.B.e., the proposed modifications are deemed minor by the Planning Director and in keeping with the purpose and intent of the affected specific plan and are in conformance with TOP Policy Plan.

Furthermore, pursuant to Section XI.A (Amendment Process: Minor Revisions) of the California Commerce Center Specific Plan and Table 2.02-1 (Land Use Matrix) of the Ontario Development Code, the Development Advisory Board and Planning Director are authorized to review and consider Specific Plan Minor Amendments.

(3) Project Description – The City has initiated a Specific Plan Minor Amendment to allow for certain modifications to the California Commerce Center Specific Plan development standards for the Light Industrial land use district, to establish uniformity with the Ontario Development Code. The California Commerce Center Specific Plan and Development Code allow for the Planning Director to implement minor changes to Specific Plan development standards, provided the design is consistent with the intent of the guidelines. The development standards for building setback, parking setback, wall heights, and building heights are being revised to be consistent with the requirements for light industrial land use districts in other parts of the City. In summary, the proposed minor amendments involve the following items:

- Require minimum 5 feet parking setback for interior side property line.
- Allow loading areas within building setbacks.
- Allow maximum 14 feet high screen walls for loading areas.
- Allow zero building setbacks on interior side property lines.
- Omit building setback standards based on building height.

The items listed above are consistent with the current development standards for Light Industrial (IL) zoning districts, allowing for light industrial development within the California Commerce Center Specific Plan to be built similar to other light industrial developments in the City. The proposed text changes and exhibit modifications are shown on Exhibit A (Proposed Light Industrial Development Standards), attached.

PART 2: RECITALS

WHEREAS, the City of Ontario has initiated a Specific Plan Minor Amendment, as described in Part I, above; and

WHEREAS, the California Commerce Center Specific Plan Section IX.A (Amendment Process – Minor Revisions) and Development Code Table 2.02-1 establishes that the Development Advisory Board and Planning Director, respectively, has the responsibility and authority to review and act upon Specific Plan Minor Amendments; and

WHEREAS, it has been recognized that every conceivable design scenario could not be identified by the California Commerce Center Specific Plan at the time of approval and anticipating that new uses and needs will evolve over time. As such, the California Commerce Center Specific Plan and Development Code Table 2.02-1 establishes that the Development Advisory Board and Planning Director have authority

to review and act upon a Specific Plan Minor Amendment, comparing and measuring a development standard against those listed in the California Commerce Center Specific Plan and the Ontario Development Code, which have similar impacts, functions, and characteristics; and

WHEREAS, in comparing and measuring the allowed land uses and related development standards against those listed in the California Commerce Center Specific Plan and Development Code, the Development Advisory Board and Planning Director has fully considered each of the following aspects of the use, including:

(1) Type, size, and nature of buildings and structures supporting the allowed uses; and

(2) Relationship of the allowed uses and development standards to the surrounding land use districts; and

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

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

WHEREAS, the Development Advisory Board considered and discussed the Specific Plan Minor Amendment on December 13, 2021, and had no concerns related to the proposed revisions, and recommended that the Planning Director proceed with the approval of the proposed Specific Plan Minor Amendment; and

WHEREAS, all legal prerequisites to the adoption of this Specific Plan Minor Amendment have occurred.

PART 3: THE DECISION

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Director of the City of Ontario as follows:

SECTION 1: *Environmental Determination and Findings.* As the decision-making body for the Project, the Planning Director 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 and the previous and supporting documentation, including all written and oral evidence presented to the Development Advisory Board and Planning Director, the Development Advisory Board and Planning Director find as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PGPA06-001, The Ontario Plan, for which an Environmental Impact Report (State Clearinghouse No. 2008104410) was certified by the City Council on January 27, 2010 (hereafter referred to as "Certified EIR"); and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Zones (ALUCP Map 2-5). As a result, the Planning Director, therefore, finds and determines that the Project will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the Planning Director hereby concludes as follows:

(1) **The proposed Specific Plan Minor Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Specific Plan Minor Amendment ("SPA") is consistent with TOP Goals and Policies that encourages compatibility between a wide range of uses flexible response to conditions and circumstances in order to achieve the Vision (Policies LU2 and LU3). The subsequent Development Plans will be required to comply with all provisions of the proposed Light Industrial development standards of the California Commerce Center Specific Plan. The proposed development standards and conditions under which future projects will be constructed and maintained is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed project will be in conformance with The Ontario Plan ("TOP") Policy Plan Land Use Plan and will comply with the Policy Plan goals and policies applicable to the Specific Plan.

(2) **The proposed Specific Plan Minor Amendment is reasonable and beneficial, and in the interest of good planning practice.** The proposed Specific Plan Minor Amendment to the California Commerce Center Specific Plan is reasonable, beneficial, and in the interest of good planning practice because it will accommodate the appropriate development intensity and standards for the Light Industrial land use districts, which will allow for the orderly and economically feasible development of currently vacant properties. The proposed Minor Amendment will be consistent with the Policy Plan (general plan) Land Use Plan and will comply with the Policy Plan goals and policies. The proposed Specific Plan Minor Amendment will be consistent with the following Policy Plan goals and policies:

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

(3) **The proposed Specific Plan Minor Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses.** The Planning Director has required certain safeguards, which have been established to ensure that: (a) the purposes of the California Commerce Center Specific Plan Minor Amendment are

maintained; (b) the project will not endanger the public health, safety or general welfare; (c) the project will not result in any significant environmental impacts; (d) the project will be in harmony with the adjacent properties and land uses in which it is located; and (e) the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the California Commerce Center Specific Plan.

SECTION 6: *Planning Director Action.* Based upon the findings and conclusions set forth in Sections 1 through 5, above, the PLANNING DIRECTOR HEREBY APPROVES the herein described Specific Plan Minor Amendment.

SECTION 7: *Indemnification.* The Applicant shall agree to defend, indemnify, and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers, or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request

APPROVED AND ADOPTED this 22nd day of December 2021.



Rudy Zeledon
Planning Director

Exhibit A—PROPOSED LIGHT INDUSTRIAL DEVELOPMENT STANDARDS

B. EXHIBIT 41 (Continued)

LIGHT INDUSTRIAL

LANDSCAPE

MINIMUM LANDSCAPE REQUIREMENTS

- Minimum landscape coverage Not applicable
- Building front and exterior side setbacks 100%
- Parking front and exterior side setbacks 100%
- Front and exterior side building elevations softened by minimum landscaped area 10'
- Interior side parking setback (in front of concrete screenwall) ~~5'-10'~~ (see exhibits 42 and 43)
- All parking visible from any public street must be shielded by bermed mounding planted with trees, shrubs, and grass per Master Streetscape Plan Front and exterior setbacks
- Maximum 10 cars between finger type planters, minimum 6' wide from parking areas 100%
- All landscaped areas to be delineated with minimum 6" concrete curb

LOADING AREAS

1. Loading areas shall be designed to provide for backing and maneuvering on-site and not from a public street.
2. ~~Loading areas shall not encroach into building setbacks. Repealed.~~
3. All loading areas shall be screened from adjacent parcels and streets.
4. Buildings shall be designed per the conceptual site plans shown in Exhibits 39, 40, 42, 43 which show loading areas primarily located to the side and rear of the building.
5. Where loading doors front a public street, roll-up doors and openings in the screen wall shall be positioned such that the doors are not visible from the street.
6. All loading areas fronting a public street shall be screened by a combination of screen walls, ornamental landscaping, and/or portions of the building such that the roll-up doors are not visible from the street.
7. Loading areas and doors not fronting a public street shall be screened from view of the public street by concrete wing walls with redwood slatted gate, or equal.
8. Loading doors fronting a public street shall not be closer than 70' from property line.
9. All screenwalls and wing walls shall be a maximum of ~~12' in height~~ 14' in height.
10. A sight-line analysis shall be required with all development applications, and shall show that all roll-up doors are screened from view from adjoining parcels and public streets (see diagram in Exhibit 40A).

OUTDOOR STORAGE

- No outdoor storage shall be permitted unless adequately screened by an opaque material approved by California Commerce Center's Approving Agent.
- All storage screening shall be a minimum of 8' in height and no material shall be stored higher than 8'.
- All storage areas fronting a public street shall be screened by a concrete screen wall and ornamental landscaping.
- Location of outdoor storage areas shall be shown on the development site plan, and shall be subject to approval by California Commerce Center's Approving Agent and the City of Ontario Development Advisory Board.

EXTERIOR BUILDING MATERIALS

- All building improvements, with the exception of trim and minor architectural features, shall be constructed of masonry, concrete, glass, or other material approved by California Commerce Center's Approving Agent (no precision block).
- All exterior walls shall be painted or suitably treated.

Exhibit B—PROPOSED SAMPLE CONCEPTUAL SITE PLAN

B.

EXHIBIT 43

LIGHT INDUSTRIAL
 (Interior Parcel)

Conceptual Site Plan

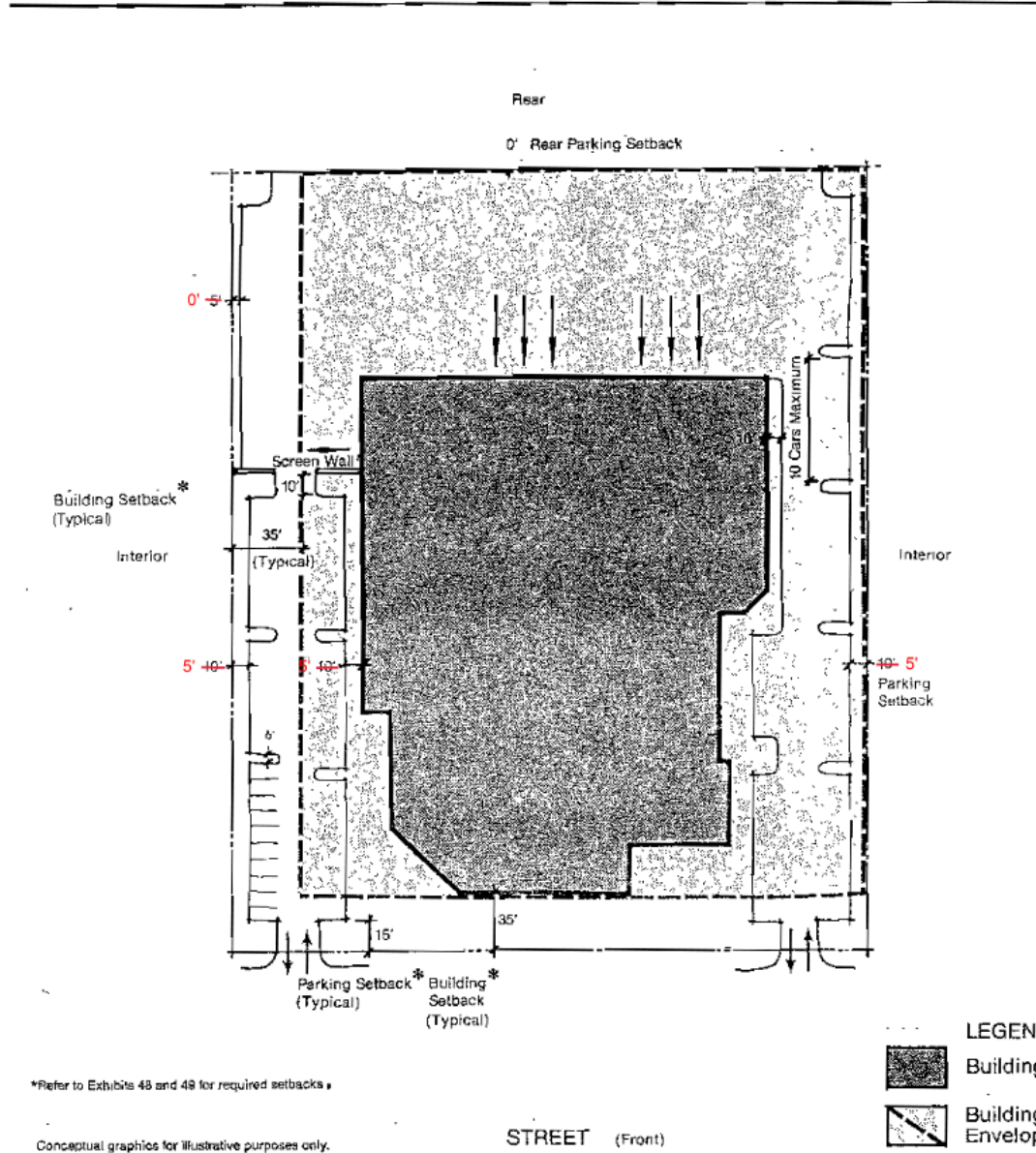


Exhibit C—PROPOSED BUILDING SETBACKS

F.

EXHIBIT 48

BUILDING SETBACK SUMMARY

	RAIL INDUSTRIAL	LIGHT INDUSTRIAL	OFFICE	COMMERCIAL/ EQD/HOTEL
<u>Jurupa Street, Commerce Parkway</u> (from Airport Drive extending approx. 700' south of Jurupa) <u>and Airport Drive</u> (west of Milliken)				
Front	40'	40'	40'	40'
Exterior Side (Corner parcels)	40'	40'	40'	40'
Interior Side (One side only)	-0-	-0-	35'	35'
Interior Side (Other side)	35'	10' -0-	35'	35'
Rear	-0-	-0-	35'	35'
<u>Milliken Avenue, Haven Avenue</u>				
Front	45'	45'	45'	45'
Exterior Side (Corner parcels)	32'	32'	32'	32'
Interior Side (One side only)	-0-	-0-	35'	35'
Interior Side (Other side)	35'	10' -0-	35'	35'
Rear	-0-	-0-	35'	35'
<u>Airport Drive</u> (east of Milliken Avenue)				
Front	23'	23'	23'	23'
Exterior Side (Corner parcels)	40'	40'	40'	40'
Interior Side (One side only)	-0-	-0-	35'	35'
Interior Side (Other side)	35'	10' -0-	35'	35'
Rear	-0-	-0-	35'	35'
<u>All Other Streets</u>				
Front	35'	35'	35'	35'
Exterior Side (Corner parcels)	35'	35'	35'	35'
Interior Side (One side only)	-0-	-0-	25'	25'
Interior Side (Other side)	35'	10' -0-	25'	25'
Rear	-0-	-0-	25'	25'
All Buildings Over 35' in Height 1' Front Setback per 1' of Height above 25' to Maximum 70'				
All Buildings Over 150' in Length 1' Front Setback per 10' of Length over 150' to Maximum 50'				

Notes:

1. All setbacks are measured from the property line.
2. All rear setbacks for reserved parcels shall be subject to final approval of California Commerce Center's Approving Agent based upon the final design standards and guidelines of the CC&R's.
3. Rear and interior side building setbacks shall be subject to the following requirements pursuant to section 506(b) of the California Uniform Building Code:
 - (a)
 - (i) Either maintain a minimum of 60 feet building setback when adjacent parcels are undeveloped; or
 - (ii) Maintain an overall 60 feet building separation between the proposed building and existing buildings on adjacent parcels; or
 - (iii) Maintain a minimum of 30 feet building setback when buildings on adjacent parcels are setback a minimum of 30 feet.
 - (b) Any other Rear and interior side setbacks may be as indicated in the Specific Plan Standards so long as proposed buildings meet all other Uniform Building Code Standards.

Exhibit D—PROPOSED PARKING SETBACKS

F.

EXHIBIT 49

PARKING SETBACK SUMMARY

	RAIL INDUSTRIAL	LIGHT INDUSTRIAL	OFFICE	COMMERCIAL/ FOOD HOTEL
<u>Jurupa Street, Commerce Parkway</u> (between Airport Drive and Peashtree Street) and <u>Airport Drive</u> (west of Milliken Avenue)				
Front	20'	20'	20'	20'
Exterior Side (Corner Parcels)	20'	20'	20'	20'
Interior Sides	5'	10' 5'	10'	10'
Rear	-0-	-0-	10'	10'
<u>Milliken Avenue</u> <u>Haven Avenue</u>				
Front	12'	12'	12'	12'
Exterior Side (Corner Parcels)	12'	12'	12'	12'
Interior Sides	5'	10' 5'	10'	10'
Rear	-0-	-0-	10'	10'
<u>Airport Drive</u> (east of Milliken Avenue)				
Front	3'	3'	3'	3'
Exterior Side (Corner Parcels)	3'	3'	3'	3'
Interior Sides	5'	10' 5'	10'	10'
Rear	-0-	-0-	10'	10'
<u>All Other Streets</u>				
Front	15'	15'	15'	15'
Exterior Side (Corner Parcels)	15'	15'	15'	15'
Interior Sides	5'	10' 5'	10'	10'
Rear	-0-	-0-	10'	10'

Note: All setbacks are measured from the property line.

RESOLUTION NO. 2023-152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA22-006, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL, UPDATE EXHIBITS AND TEXT TO SUPPORT THE CHANGE, AND BRING THE SPECIFIC PLAN INTO COMPLIANCE WITH THE ONTARIO PLAN 2050 (GENERAL PLAN), ON 16.65 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ROCKEFELLER AVENUE AND WANAMAKER AVENUE, AT 1350 AND 1375 S. WOODRUFF WAY, WITHIN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-201-41 AND 0238-221-22.

WHEREAS, LINK LOGISTICS REAL ESTATE MANAGEMENT, LLC (hereinafter referred to as Applicant) has filed an Application for the approval of an amendment to the California Commerce Center Specific Plan, File No. PSPA22-006, as described in the title of this Resolution (hereinafter referred to as Application or Project); and

WHEREAS, the Application applies to 16.65 acres of land generally located at the southeast corner of Rockefeller and Wanamaker Avenues, at 1350 and 1375 South Woodruff Way within the proposed Light Industrial land use designation of the California Commerce Center Specific Plan, and is presently improved with two commercial buildings (Citrus Motors); and

WHEREAS, the properties to the north and west of the Project site are located within the Light Industrial land use district of the California Commerce Center Specific Plan, and are developed with industrial buildings. The property to the east of the project site is the Interstate-15 Freeway (I-15). The properties to the south of the project site are located within the Commercial / Food / Hotel land use district of the California Commerce Center Specific Plan and are developed with a gas station and fast-food drive-thru restaurant; and

WHEREAS, the Application has been submitted in conjunction with Tentative Parcel Map No. 20559 (File No. PMTT22-025) to consolidate two existing parcels into one and facilitate the vacation of a portion of Woodruff Way, and a Development Plan (File No. PDEV22-034) to demolish the existing commercial buildings (approximately 161,320 square feet) and construct one 343,110 square-foot industrial building; and

WHEREAS, the Applicant submitted an amendment to the California Commerce Center Specific Plan to modify the land use designation on the Project site from Commercial / Food / Hotel to Light Industrial to support the Project and bring the property into compliance with TOP 2050's Land Use Plan, which designates the property as Industrial (0.55 Floor Area Ratio [FAR]); and

WHEREAS, the amendment includes graphic and textual modifications throughout to support the proposed Project, and the document has been appended to this Resolution as Attachment A; and

WHEREAS, The Ontario Plan 2050 Supplemental Environmental Impact Report (State Clearinghouse No. 2021070364) was certified on August 16, 2022, (hereinafter referred to as Certified SEIR), in which development and use of the Project site was discussed; and

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

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

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

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as CEQA) and an SEIR Addendum has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan 2050, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as ALUCP), which applies only to jurisdictions within San

Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, at the September 26, 2023, hearing, the Planning Commission voted to continue the item to the October 24, 2023, hearing date; and

WHEREAS, on October 24, 2023, the Planning Commission of the City of Ontario conducted a hearing to consider the SEIR Addendum and the Project, and concluded said hearing on that date, voting to issue Resolution No. PC23-078, recommending the City Council adopt the SEIR Addendum, and voting to issue Resolution No. PC23-079, recommending the City Council approve the Application; and

WHEREAS, as the first action on the Project, on November 21, 2023, the City Council issued a Resolution adopting the SEIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on November 21, 2023, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario as follows:

SECTION 1. *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Housing Element Sites Inventory contained in Tables B-1 and B-2 of the Housing Element Technical Report.

SECTION 2. *Airport Land Use Compatibility Plan (ALUCP) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP; and

SECTION 3. Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 and 2, above, the City Council hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project site's current zoning (Commercial / Food / Hotel land use designation of the California Commerce Center Specific Plan) is inconsistent with the Policy Plan Land Use Designation of Industrial (0.55 FAR). With the Project's conditions of approval, implementation of the proposed Specific Plan Amendment to change the land use designation to Light Industrial would make the Project site consistent with the Policy Plan, as well as the Vision and City Council Priorities components of The Ontario Plan 2050, as it would facilitate the development of a well-designed industrial building in keeping with, and complementary to, the existing industrial neighborhood surrounding the Project site.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed modifications established by the Specific Plan Amendment have been created with the intent to safeguard and further the public interest, health, safety, convenience, and/or general welfare, and to ensure that the purposes of The Ontario Plan 2050 and the proposed Specific Plan Amendment, are maintained. The Project site is located within an existing industrial neighborhood; as such, an industrial development is an appropriate land use for the site.

(3) ***In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The location of the proposed Specific Plan Amendment, and the proposed conditions under which future developments will be constructed and maintained, is consistent with the Policy Plan component of The Ontario Plan 2050 and the City's Development Plan, and, therefore,

will not adversely affect the harmonious relationship with adjacent properties and land uses. The Project site is located within an existing industrial neighborhood; as such, an industrial development is an appropriate land use for the site.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The proposed Specific Plan Amendment has been reviewed by all City departments, which have established that the project site is physically suitable for the anticipated development in terms of parcel size, shape, and availability of utilities. Development of the Project site is subject to Planning Commission review and approval of the related development entitlements (File Nos. PMTT22-025 and PDEV22-034), which have also been reviewed by all City departments and conditioned to ensure that the proposed development is appropriate for the Project site. Lastly, the Project site exceeds the Specific Plan and Development Code minimum requirements for lot size and dimensions and proposed development does not exceed the maximum FAR as prescribed by The Ontario Plan 2050.

SECTION 4. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the herein described Specific Plan Amendment, attached hereto as Attachment A, and incorporated herein by this reference.

SECTION 5. ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6. ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East B Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 21st day of November 2023.


PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2023-152 was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held November 21, 2023 by the following roll call vote, to wit:

AYES: MAYOR/COUNCIL MEMBERS: LEON, DORST-PORADA, WAPNER,
BOWMAN AND VALENCIA

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE


SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2023-152 duly passed and adopted by the Ontario City Council at their regular meeting held November 21, 2023.

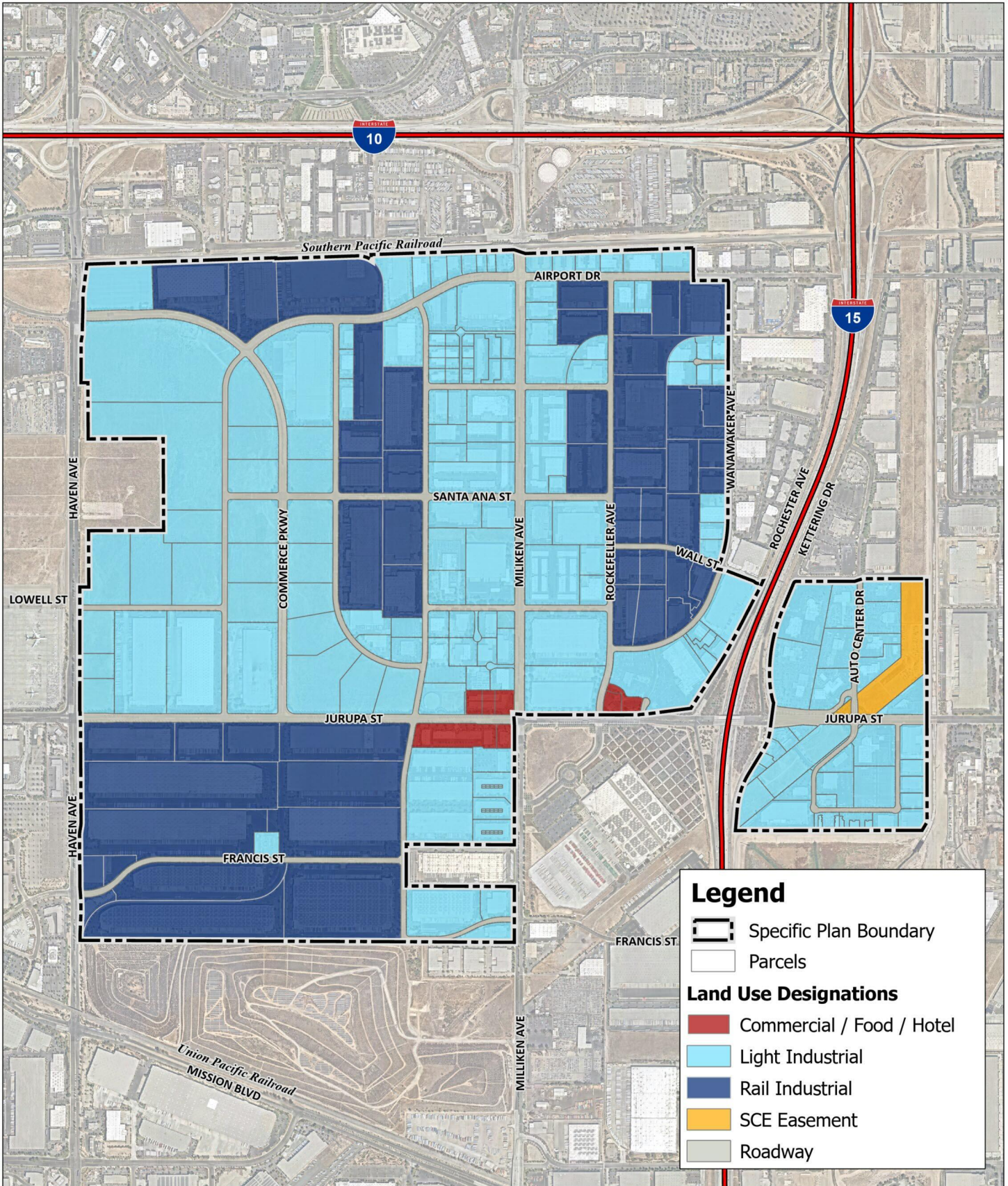

SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

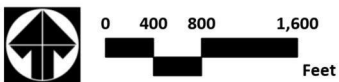
**Amended California Commerce Center Specific Plan,
for File No. PSPA22-006**

(Document follows this page)



Source(s): Esri, Nearmap Imagery (September 2022)

Exhibit 17



Land Use Plan