

CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
MARCH 3, 2020

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Ruben Valencia
Council Member



Scott Ochoa
City Manager

Scott E. Huber
City Attorney

Sheila Mautz
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

- All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ORDER OF BUSINESS The regular City Council and Housing Authority meeting begins with Closed Session and Closed Session Comment at 6:00 p.m., Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

(EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER (*OPEN SESSION*)

6:00 p.m.

ROLL CALL

Dorst-Porada, Wapner, Bowman, Valencia, Mayor/Chairman Leon

CLOSED SESSION PUBLIC COMMENT The Closed Session Public Comment portion of the Council/Housing Authority meeting is limited to a maximum of 3 minutes for each speaker and comments will be limited to matters appearing on the Closed Session. Additional opportunities for further Public Comment will be given during and at the end of the meeting.

CLOSED SESSION

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 0210-204-12 through 0210-204-15; 0210-204-20 through 0210-204-23; and 0210-204-38; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: PPP Brickyard, LLC; Under negotiation: Price and terms of payment.
- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION: *City Attorney*

In attendance: Dorst-Porada, Wapner, Bowman, Valencia, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Council Member Wapner

INVOCATION

Pastor Donald Rucker, Ontario First Church of the Nazarene

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS

6:30 p.m.

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS The City Manager will go over all updated materials and correspondence received after the Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of February 4, 2020, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills January 31, 2020 through February 13, 2020 and **Payroll** January 19, 2020 through February 1, 2020, when audited by the Finance Committee.

3. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19827 LOCATED AT THE SOUTHWEST CORNER OF MOUNTAIN ACCESS ROAD AND STATE STREET

That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19827 located at the southwest corner of Mountain Access Road and State Street.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19827 LOCATED AT THE SOUTHWEST CORNER OF MOUNTAIN ACCESS ROAD AND STATE STREET.

4. ADOPTION OF AN ORDINANCE AMENDING CHAPTER 19 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATING TO PROCEDURES FOR THE SETTING OF ADMINISTRATIVE FEES FOR ROTATIONAL TOWING SERVICES

That the City Council adopt an ordinance amending Chapter 19 of Title 4 of the Ontario Municipal Code regarding procedures for the setting of administrative fees for the regulation of rotational towing services.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 4-19.13 AND 4-19.14 OF THE ONTARIO MUNICIPAL CODE, RELATING TO PROCEDURES FOR THE SETTING OF ADMINISTRATIVE FEES FOR ROTATIONAL TOWING SERVICES.

5. AUTHORIZE THE PURCHASE OF FLEET VEHICLES

That the City Council take the following actions:

- (A) Authorize the cooperative purchase and delivery of one Toro Highway Mower in the amount of \$133,593 for the Parks and Maintenance Department from Turf Star Western of Brea, California, consistent with the terms and conditions of the City of Meza, Arizona, Cooperative Contract # 2017025;
- (B) Authorize the cooperative purchase and delivery of one F350 Bin Truck in the amount of \$71,659 for the Integrated Waste Department from PB Loader Corporation of Fresno, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract # 052417-PBL; and

- (C) Authorize the cooperative purchase and delivery of four Chevrolet Silverado pick-up trucks in the amount of \$116,656 for the Parks and Maintenance Department, two Ford Escape SUVs in the amount of \$51,204 for the Fire Department, two Chevrolet Colorado pick-up trucks in the amount of \$53,110 one for the Parks and Maintenance Department and one for the Utilities Department, one F350 Utility Body Truck in the amount of \$57,059 for the Parks and Maintenance Department, and one Chevrolet Express Van in the amount of \$34,962 for the Recreation Department all from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract # 120716-NAF.

6. A DESIGN SERVICES AGREEMENT FOR WELL NOS. 37 & 39 TREATMENT FACILITY AND WELL NO. 50 TREATMENT FACILITY

That the City Council approve and authorize the City Manager to execute a Design Services Agreement (on file in the Records Management Department) with GHD Inc. of Irvine, California, for Well Nos. 37 & 39 Treatment Facility and Well No. 50 Treatment Facility Preliminary Design Report (PDR) in the amount of \$905,864, plus a 15% contingency of \$135,880, for a total amount of \$1,041,744.

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City's zoning, planning or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the public hearing.

7. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA20-001) TO AMEND ONTARIO DEVELOPMENT CODE SECTION 4.02.010.D.2.F, BILLBOARD RELOCATION AGREEMENTS, INTERAGENCY RELOCATION EXCEPTION, TO REVISE THE LOCATIONAL CRITERIA AND THE NUMBER OF BILLBOARDS TO BE ELIMINATED WITHIN THE CITY

That the City Council introduce and waive further reading of an ordinance approving a Development Code Amendment (PDCA20-001) amending Ontario Development Code Section 4.02.010.D.2.f, Billboard Relocation Agreements, Interagency Relocation Exception, to revise the locational criteria and the number of billboards to be eliminated within the City.

Notice of public hearing has been duly given and affidavits of compliance are on file in the Records Management Department.

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. _____

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA20-001, A REQUEST TO AMEND ONTARIO DEVELOPMENT CODE SECTION 4.02.010.D.2.F, BILLBOARD RELOCATION AGREEMENTS, INTERAGENCY RELOCATION EXCEPTION, TO REVISE THE LOCATIONAL CRITERIA AND THE NUMBER OF BILLBOARDS TO BE ELIMINATED WITHIN THE CITY.

8. A PUBLIC HEARING TO CONSIDER A RESOLUTION ADOPTING A GENERAL PLAN AMENDMENT (FILE NO. PGPA20-001) TO MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE FOR THE APPROVED AMENDMENT TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN (FILE NO. PSPA19-002) THAT ESTABLISHED A MIXED-USE OVERLAY DISTRICT ON 22.39 ACRES OF LAND WITHIN A PORTION OF PLANNING AREA 2 (URBAN COMMERCIAL LAND USE DESIGNATION). THE PROPOSED MODIFICATION WILL UPDATE THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO REFLECT AN ADDITIONAL 925 MULTI-FAMILY UNITS AND DECREASE THE NON-RESIDENTIAL SQUARE FEET FROM 1,172,788 TO 832,497 SQUARE FEET (APNS: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55)

That City Council consider and adopt a resolution approving General Plan Amendment (File No. PGPA20-001) to modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change for the approved Amendment (File No. PSPA19-002) to the Meredith International Centre Specific Plan that established a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial land use district).

Notice of public hearing has been duly given and affidavits of compliance are on file in the Records Management Department.

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA20-001, A REQUEST TO MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE FOR THE APPROVED AMENDMENT TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN (FILE NO. PSPA19-002) THAT ESTABLISHED A MIXED-USE OVERLAY DISTRICT ON 22.39 ACRES OF LAND WITHIN A PORTION OF PLANNING AREA 2 (URBAN COMMERCIAL LAND USE DESIGNATION), LOCATED AT THE SOUTHEAST CORNER OF VINEYARD AVENUE AND INLAND EMPIRE BOULEVARD, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55.

STAFF MATTERS

City Manager Ochoa

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Dorst-Porada
Council Member Wapner
Council Member Bowman
Council Member Valencia

ADJOURNMENT

**CITY OF ONTARIO
CLOSED SESSION REPORT**
City Council // Housing Authority // Other // (GC 54957.1)
March 3, 2020

ROLL CALL: Dorst-Porada __, Wapner __, Bowman __, Valencia __, Mayor / Chairman Leon __.

STAFF: City Manager / Executive Director __, City Attorney __

In attendance: Dorst-Porada __, Wapner __, Bowman __, Valencia __, Mayor / Chairman Leon __.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 0210-204-12 through 0210-204-15; 0210-204-20 through 0210-204-23;
and 0210-204-38; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating
parties: PPP Brickyard, LLC; Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

In attendance: Dorst-Porada __, Wapner __, Bowman __, Valencia __, Mayor / Chairman Leon __.

- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION: *City Attorney*

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by:

City Attorney / City Manager / Executive Director

CITY OF ONTARIO

Agenda Report
March 3, 2020

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19827 LOCATED AT THE SOUTHWEST CORNER OF MOUNTAIN ACCESS ROAD AND STATE STREET

RECOMMENDATION: That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19827 located at the southwest corner of Mountain Access Road and State Street.

COUNCIL GOALS: Invest in the Growth and Evolution of the City's Economy
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: None. All public infrastructure improvements required for this subdivision will be constructed by the developer at its sole cost.

BACKGROUND: Final Parcel Map No. 19827, consisting of two (2) industrial lots on 3.98 acres, as shown on Exhibit "A", has been submitted by S. Mountain Ave., LLC, a limited liability company (Mr. Chris Evans, Manager).

Tentative Parcel Map No. 19827 was approved by the Planning Commission (6-0) on February 27, 2018.

Improvements will include AC pavement, curb, gutter, sidewalk, landscaped parkways, fiber optic conduits, fire hydrants, sewer mains, sewer laterals, water laterals, and streetlights. The improvements in parkway landscaping will be consistent with current City approved drought measures.

The developer has entered into an improvement agreement with the City for Final Parcel Map No. 19827 and has posted adequate security to ensure construction of the required public improvements.

STAFF MEMBER PRESENTING: Scott Murphy, AICP, Executive Director Development Agency

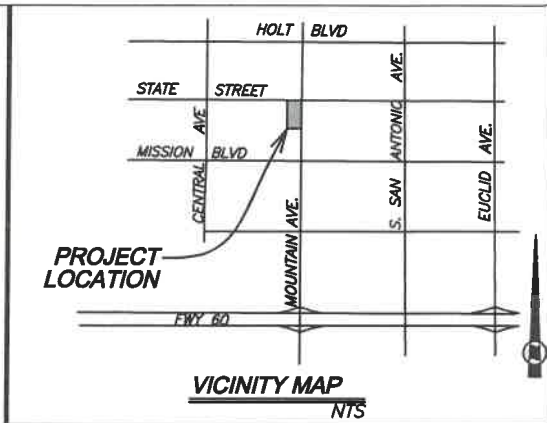
Prepared by: Antonio Alejos
Department: Engineering
City Manager Approval: 

Submitted to Council/O.H.A. 03/03/2020
Approved: _____
Continued to: _____
Denied: _____

3

The map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer.

EXHIBIT A



**EXHIBIT A
PARCEL MAP
NO. 19827**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19827 LOCATED AT THE SOUTHWEST CORNER OF MOUNTAIN ACCESS ROAD AND STATE STREET.

WHEREAS, Tentative Parcel Map No. 19827, submitted for approval by S. Mountain Ave. LLC, a limited liability company (Mr. Chris Evans, Manager) was approved by the Planning Commission of the City of Ontario on February 27, 2018; and

WHEREAS, Tentative Parcel Map No. 19827 consists of two (2) industrial lots on 3.98 acres; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Final Parcel Map No. 19827, said developer has offered an improvement agreement, together with good and sufficient improvement security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

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

1. That said Improvement Agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and
2. That said Improvement Security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and
3. That Final Parcel Map No. 19827 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

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

PASSED, APPROVED, AND ADOPTED this 3rd day of March 2020.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

COLE HUBER, 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. 2020- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 3, 2020 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2020- duly passed and adopted by the Ontario City Council at their regular meeting held March 3, 2020.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
March 3, 2020

SECTION:
CONSENT CALENDAR

SUBJECT: ADOPTION OF AN ORDINANCE AMENDING CHAPTER 19 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATING TO PROCEDURES FOR THE SETTING OF ADMINISTRATIVE FEES FOR ROTATIONAL TOWING SERVICES


RECOMMENDATION: That the City Council adopt an ordinance amending Chapter 19 of Title 4 of the Ontario Municipal Code regarding procedures for the setting of administrative fees for the regulation of rotational towing services.

COUNCIL GOALS: Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: None. This recommended action removes the adoption of the revenue fee structure from Chapter 19 of Title 4 of the Ontario Municipal Code and provides for the revenue fee structure to instead be updated and approved through the City Fee Schedule periodically adopted by resolution of the City Council.

BACKGROUND: On February 18, 2020, the City Council held a public hearing to introduce and waive further reading of the subject ordinance. In January 2020, the City Council adopted a resolution approving a citywide fee schedule. The citywide fee schedule sets both the tow rates and the administrative fee. This update to the Ontario Municipal Code will amend Sections 13 and 14 of Chapter 19 of Title 4 to remove references regarding the setting of annual tow rate and administrative fee changes by ordinance and include language directing the adoption of such fees through the citywide fee schedule, which may be revised from time to time by resolution of the City Council.

STAFF MEMBER PRESENTING: Derek Williams, Chief of Police

Prepared by: Douglas Sorel
Department: Police Department
City Manager Approval: 

Submitted to Council/O.H.A. 03/03/2020
Approved: _____
Continued to: _____
Denied: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 4-19.13 AND 4-19.14 OF THE ONTARIO MUNICIPAL CODE, RELATING TO PROCEDURES FOR THE SETTING OF ADMINISTRATIVE FEES FOR ROTATIONAL TOWING SERVICES.

WHEREAS, in December 2014, the City Council of the City of Ontario adopted Ordinance No. 3008 amending Chapter 19 to Title 4 of the City of Ontario Municipal Code pertaining to rotational towing services including procedures for the setting of administrative fees; and

WHEREAS, Section 4-19.13 of the Municipal Code currently states that tow rates shall be set annually by the City Council following a tow rate survey and recommendation by the Chief of Police; and

WHEREAS, Section 4-19.14 of the Municipal Code currently states that the towing carrier administrative fee shall be adjusted annually by resolution of the City Council to reflect the City and Police Department costs for operating the towing program; and

WHEREAS, the City now wishes to amend Chapter 19 to Title 4 of the Ontario Municipal Code to reflect the procedures for the setting of administrative fees; and

WHEREAS, on February 18, 2020, the City Council conducted a public hearing to introduce and waive further reading of an ordinance relating to rotational towing services.

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

SECTION 1. Findings. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Section 13, Chapter 19 of Title 4 of the Ontario Municipal Code is hereby amended to read as follows:

Sec. 4-19.13 Tow rates.

The tow rates set forth in this section shall be specified in the City Fee Schedule, which may only be revised by a duly-adopted resolution of the City Council. For purposes of this subsection, "rates" and "fees" include any type or class of fee and includes late charges.

SECTION 3. Section 14, Chapter 19 of Title 4 of the Ontario Municipal Code is hereby amended to read as follows:

Sec. 4-19.14 Payment of administrative fees to the City.

(a) The towing carrier shall pay an administrative fee per vehicle towed to the City in connection with the award of this permit, and according to the terms of the towing services agreement, in an amount specified in the City Fee Schedule. These administrative fees shall be paid on a monthly basis to the City's Financial Services Agency on or before the 15th day following the end of each month. The towing carrier shall not be responsible for payment of an administrative fee to the City for the towing of vehicles in certain specified circumstances as more fully set forth in its towing services agreement.

(b) The administrative fee shall be adjusted by resolution of the City Council to reflect the City and the Police Department's current costs for operating the towing program and such adjustment shall be applicable to the towing carrier upon ten (10) days' written notice of the adoption of such resolution.

(c) Late charges on delinquent accounts shall be subject to penalties outlined in § 1-2.07, or as it may hereinafter be amended.

(d) The City shall retain the right to impose alternative forms of taxes and/or fees, to the extent permitted by law, in the event that the fees provided for in the towing services agreements are no longer assessable due to a subsequent change in federal, state or local law.

(e) The towing carrier must make available to the Police Department, the City or their designated representative(s), upon three (3) days' written notice, its accounting records and books for inspection and audit. The Police Department, the City or their designated representative(s) agree to maintain the confidentiality of such accounting records and books. The towing carrier shall submit monthly documentation detailing its operations on behalf of the City in a format that is acceptable to the Traffic Division of the Department. Such documentation shall include the following information: the date, time, location, case number (if any), vehicle description (including make, model and vehicle license number) and a brief description of the circumstances surrounding the tow (traffic collision, Department impound, and the like). Towing carriers shall maintain these records for a period of three (3) years. If the results of the audit show an administrative fee underpayment of greater than two percent (2%), the towing carrier will pay the cost of the audit plus fifty percent (50%) of the total error as a penalty in addition to any amount owed as shown by the audit. If the results of the audit show an underpayment of less than two percent (2%) or an overpayment, the City shall pay its own costs associated with the audit. Any underpayment and resulting penalty shall accrue interest at the rate of ten percent (10%) per annum, compounded daily from the date the underpayment should have been paid pursuant to subsection (a) above.

(f) In the event the results of the audit are disputed, the City may, at its sole discretion, elect to arbitrate the dispute. In the event the City elects to arbitrate, the City and the towing carrier shall each select an independent auditor at their own cost. The two (2) auditors shall agree upon the results of the audit. If the two (2) independent auditors cannot agree upon the results of the audit, a third auditor will be selected by the two (2) independent auditors to make a final determination. The determination of the third independent auditor shall be final.

(g) By accepting any towing carrier permit granted pursuant to this chapter, the towing carrier irrevocably waives the defenses of any statute of limitation, laches, waiver or other equitable doctrine of similar import or effect in any action brought by the City to recover any fees, interest or penalties due under this section.

SECTION 4. CEQA. This Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of San Bernardino in accordance with CEQA Guidelines.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings and this Ordinance are based are located at the City Clerk's office located at 303 East "B" Street, Ontario, CA 91764. The custodian of these records is the City Clerk.

SECTION 6. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall become effective thirty (30) days following its adoption.

SECTION 8. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 3rd day of March 2020.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

COLE HUBER 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 Ordinance No. 3157 was duly introduced at a regular meeting of the City Council of the City of Ontario held February 18, 2020 and adopted at the regular meeting held March 3, 2020 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3157 duly passed and adopted by the Ontario City Council at their regular meeting held March 3, 2020 and that Summaries of the Ordinance were published on February 25, 2020 and March 10, 2020, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
March 3, 2020

SECTION:
CONSENT CALENDAR

SUBJECT: AUTHORIZE THE PURCHASE OF FLEET VEHICLES

RECOMMENDATION: That the City Council take the following actions:

- (A) Authorize the cooperative purchase and delivery of one Toro Highway Mower in the amount of \$133,593 for the Parks and Maintenance Department from Turf Star Western of Brea, California, consistent with the terms and conditions of the City of Meza, Arizona, Cooperative Contract # 2017025;
- (B) Authorize the cooperative purchase and delivery of one F350 Bin Truck in the amount of \$71,659 for the Integrated Waste Department from PB Loader Corporation of Fresno, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract # 052417-PBL; and
- (C) Authorize the cooperative purchase and delivery of four Chevrolet Silverado pick-up trucks in the amount of \$116,656 for the Parks and Maintenance Department, two Ford Escape SUVs in the amount of \$51,204 for the Fire Department, two Chevrolet Colorado pick-up trucks in the amount of \$53,110 one for the Parks and Maintenance Department and one for the Utilities Department, one F350 Utility Body Truck in the amount of \$57,059 for the Parks and Maintenance Department, and one Chevrolet Express Van in the amount of \$34,962 for the Recreation Department all from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract # 120716-NAF.

COUNCIL GOALS: Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2019-20 Adopted Operating Budget includes appropriations in the Equipment Services Fund in the amount of \$440,484 for the purchase of replacement vehicles, \$51,204

STAFF MEMBER PRESENTING: Tito Haes, Executive Director Public Works

Prepared by: Michael Johnson
Department: Municipal Services
City Manager Approval: 

Submitted to Council/O.H.A. 03/03/2020
Approved: _____
Continued to: _____
Denied: _____

5

in the General Fund for two additional vehicles, and \$26,555 from the Water Operations Fund for one additional vehicle. The total cost of the vehicles recommended for purchase is \$518,243.

BACKGROUND: The vehicles recommended for replacement in this action have outlived their useful lives, and it is no longer cost effective to maintain them. They are scheduled for replacement pursuant to ongoing efforts to reduce expenses, maximize useful life expectancies and extend replacement cycles of fleet equipment, while ensuring safe and reliable operations. This procurement action will result in the replaced vehicles being available to surplus, with any auction sale proceeds returning to the Equipment Services Fund.

In general conformance with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2-6.29, allows for the purchase of supplies and equipment through cooperative purchasing programs (also known as “piggybacking”) pursuant to California Government Code Section 6502 and City of Ontario Resolution No. 91-141. Cooperative purchasing allows the City to pool its procurement power with other public agencies to obtain pricing lower than otherwise might be possible.

- (A) Staff recommends the cooperative purchase and delivery of one Toro Highway Mower in the amount of \$133,593 for the Parks and Maintenance Department from Turf Star Western of Brea, California, consistent with the terms and conditions of the City of Meza, Arizona, Cooperative Contract # 2017025.
- (B) Staff recommends the cooperative purchase and delivery of one F350 Bin Truck in the amount of \$71,659 for the Integrated Waste Department from PB Loader Corporation of Fresno, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract # 052417-PBL.
- (C) Staff recommends the cooperative purchase and delivery of four Chevrolet Silverado pick-up trucks in the amount of \$116,656 for the Parks and Maintenance Department, two Ford Escape SUVs in the amount of \$51,204 for the Fire Department, two Chevrolet Colorado pick-up trucks in the amount of \$53,110 one for the Parks and Maintenance Department and one for the Utilities Department, one F350 Utility Body Truck in the amount of \$57,059 for the Parks and Maintenance Department, and one Chevrolet Express Van in the amount of \$34,962 for the Recreation Department all from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract # 120716-NAF.

CITY OF ONTARIO

Agenda Report
March 3, 2020

SECTION:
CONSENT CALENDAR

SUBJECT: A DESIGN SERVICES AGREEMENT FOR WELL NOS. 37 & 39 TREATMENT FACILITY AND WELL NO. 50 TREATMENT FACILITY

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a Design Services Agreement (on file in the Records Management Department) with GHD Inc. of Irvine, California, for Well Nos. 37 & 39 Treatment Facility and Well No. 50 Treatment Facility Preliminary Design Report (PDR) in the amount of \$905,864, plus a 15% contingency of \$135,880, for a total amount of \$1,041,744.

COUNCIL GOALS: Invest in the Growth and Development of the City's Economy
Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The Fiscal Year 2019-20 Adopted Operating Budget includes appropriations in the amount of \$946,236 from the Water Capital Fund and \$95,508 from the New Model Colony (NMC) Local Adjacent Development Impact Fees to pay for this project. Pursuant to subsequent agreements with the NMC Builders, LLC under the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve an Easterly Portion of the NMC, the NMC Builders have paid sufficient development impact fees to cover the City's costs of \$95,508 for Well 50 preliminary design report. There is no impact to the General Fund.

BACKGROUND: The City's water system presently includes 14 active wells that provide about 60% of the City's potable water supply. The Water Master Plan has identified wellhead treatment as a viable long term solution to maximize the use of Ontario's local ground water resources and address water quality changes over time.

Well Nos. 37 & 39 are active wells with perchlorate concentrations approaching the maximum contaminant level (MCL) set by the State Division of Drinking Water. In anticipation that the perchlorate MCL may be exceeded in the near future, staff is recommending construction of an on-site wellhead treatment facility to concurrently treat water from both Well Nos. 37 & 39. Improvements at this site will

STAFF MEMBER PRESENTING: Scott Burton, P.E., Utilities General Manager

Prepared by: Omar Gonzalez
Department: MU/Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 03/03/2020
Approved: _____
Continued to: _____
Denied: _____

6

consist of ion exchange treatment with vessels, an above ground masonry building, on-site sodium hypochlorite generation system, mechanical piping, electrical, HVAC, instrumentation, backup emergency power, and landscaping.

Well No. 50 has a perchlorate concentration approaching the MCL. Capacity from Well No. 50 will be needed in the future to continue providing safe and reliable potable water to Ontario Ranch. The development of a preliminary design report for a future wellhead treatment facility will allow OMUC to plan for the future construction of the facility.

The scope of the design services for Well Nos. 37 & 39 includes a preliminary design report, an evaluation of an emergency standby backup power generator, CEQA documents, biological resources assessments, a complete bid package set of plans and specifications for construction and bid support services. The scope of the design services for Well No. 50 includes the development of a preliminary design report for a future wellhead treatment facility.

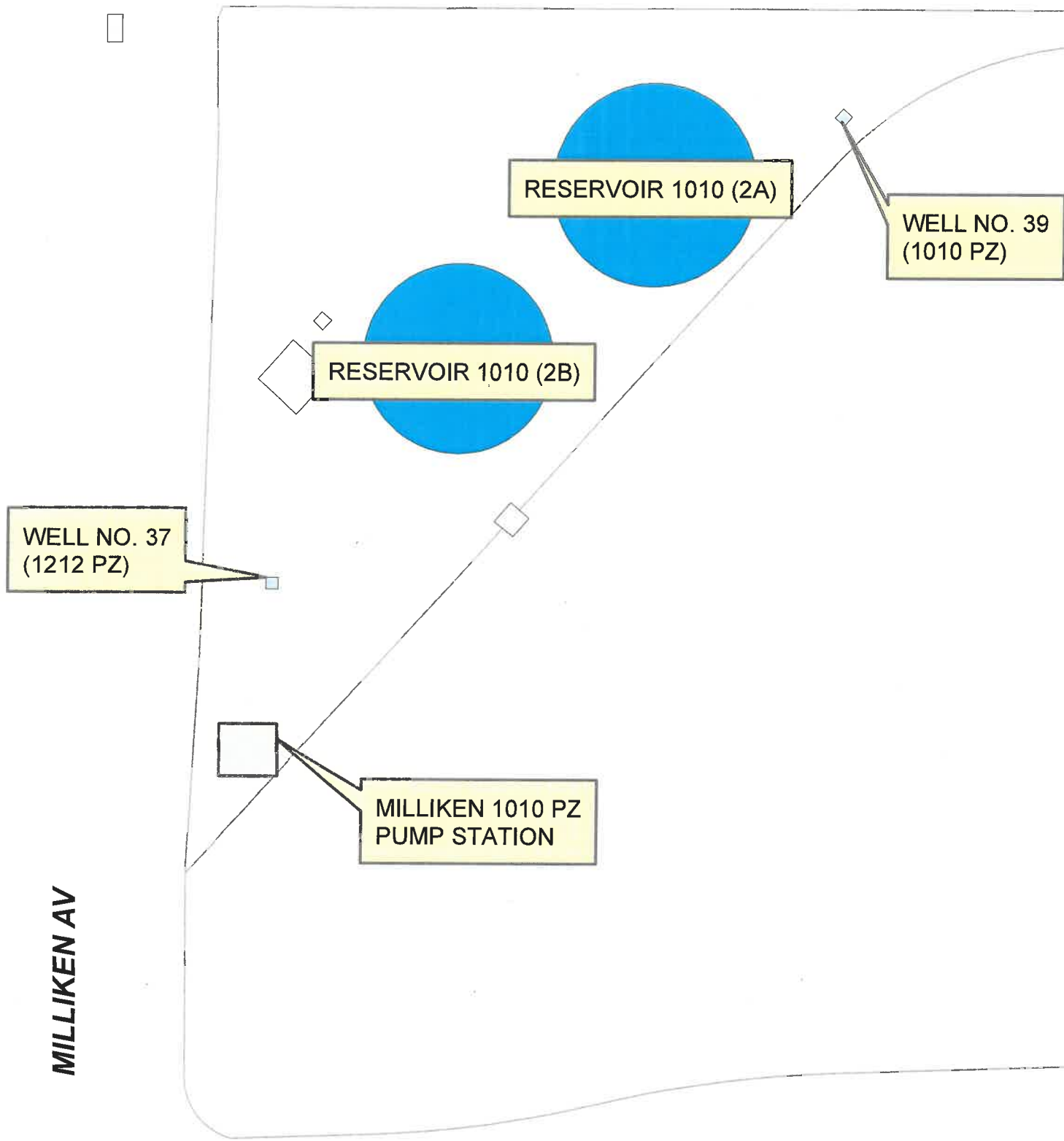
On November 19, 2019, the City received the following four qualified proposals in response to the Request for Proposals (RFP) for Well Nos. 37 & 39 Treatment Facility, OMUC Contract No. UT1029 and Well No. 50 Treatment facility (PDR), OMUC Contract No. UT1019:

<u>Bidder</u>	<u>Locations</u>
AKM Consulting Engineers	Irvine, CA
Hazen and Sawyer, Inc.	Irvine, CA
Civiltec Engineering, Inc.	Monrovia, CA
GHD Inc.	Irvine, CA

A review team consisting of staff from OMUC reviewed the proposals and made their recommendations based upon qualifications, understanding of the City's needs, history of completing similar projects, and criteria specified in the RFP. After careful evaluation, GHD Inc. of Irvine, California, was selected as best overall qualified respondent.

I-10 E/B ONRAMP

I-10 FWY E.B.



WELL NO. 37
(1212 PZ)

RESERVOIR 1010 (2A)

WELL NO. 39
(1010 PZ)

RESERVOIR 1010 (2B)

MILLIKEN 1010 PZ
PUMP STATION

MILLIKEN AV

GUASTI RD

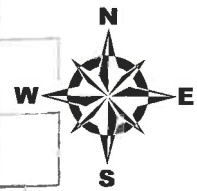


FIGURE 1

SAN LORENZO RIVER RD

RIVERSIDE DR

WELL NO. 50
(925 PZ)

AUBURN WY

EDENGLLEN AV

CALLAWAY DR

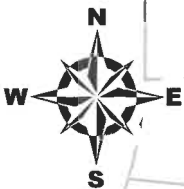


FIGURE 2

CITY OF ONTARIO

Agenda Report
March 3, 2020

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA20-001) TO AMEND ONTARIO DEVELOPMENT CODE SECTION 4.02.010.D.2.F, BILLBOARD RELOCATION AGREEMENTS, INTERAGENCY RELOCATION EXCEPTION, TO REVISE THE LOCATIONAL CRITERIA AND THE NUMBER OF BILLBOARDS TO BE ELIMINATED WITHIN THE CITY

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance approving a Development Code Amendment (PDCA20-001) amending Ontario Development Code Section 4.02.010.D.2.f, Billboard Relocation Agreements, Interagency Relocation Exception, to revise the locational criteria and the number of billboards to be eliminated within the City.

COUNCIL GOALS: Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: None.

BACKGROUND: Going back several decades, the City began prohibiting the construction of new billboard signs. In 2003, the City approved an amendment to the Development Code Sign Section that would allow for the construction of a new billboard as part of a billboard relocation agreement. The intent of the billboard relocation agreement was "to reduce the overall number of legal nonconforming billboards within the city by allowing relocated billboards in more suitable locations and provide more attractive, aesthetically pleasing billboard designs through a Billboard Relocation Agreement." A further purpose is to reduce or eliminate the City's obligation to pay compensation for the removal of legal nonconforming billboards. Billboard Relocation Agreements are part of the demonstrated commitment of the City of Ontario to improve the aesthetic appearance of the City. The consideration and execution of Billboard Relocation Agreements shall be at the sole discretion of the City of Ontario. The provisions require the removal of at least six existing billboards for every new, relocated billboard sign.

STAFF MEMBER PRESENTING: Scott Murphy, AICP, Executive Director Development Agency

Prepared by: Scott Murphy
Department: Development
City Manager Approval: 

Submitted to Council/O.H.A. 03/03/2020
Approved: _____
Continued to: _____
Denied: _____

7

In 2015, the City was involved in several discussions with San Bernardino County Transportation Authority (“SBCTA”), the regional transportation planning agency of which the City is a part, regarding the relocation of billboards necessary to complete freeway improvement projects. Because most cities in the region prohibit new billboards, the ability to relocate billboards is minimal. In cases where billboards cannot be relocated, SBCTA was placed in a position of having to purchase the billboard and compensate the billboard companies for lost revenue potential – these costs can be substantial.

To assist SBCTA and other public agencies in relocating billboards, the City Council approved an amendment to the billboard relocation agreement that would allow billboards to be relocated within the City, under very specific criteria, through an “Interagency Relocation Exception.” The exception reads as follows:

- f) Notwithstanding the foregoing, a billboard may be relocated from outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:
- 1) A minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City;
 - 2) The billboard’s relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard; and
 - 3) The public health, safety, and welfare are not impaired by the relocation.

That amendment provided for a billboard to be relocated to the Mountain/Interstate 10 intersection and the removal of five billboards within the City along Holt Boulevard, Vineyard Avenue, and Mountain Avenue.

Recently, the City has been reviewing the plans of the Interstate 10 express lanes project. As part of the freeway widening, a billboard located on the north side of Interstate 10, between the Vineyard Avenue and Fourth Street interchanges, is within the future freeway right-of-way. As part of the freeway widening, SBCTA would be required to relocate the same billboard to the north, outside the future right-of-way or purchase the billboard rights outright at a very high cost. Staff has had discussions with the billboard owner about the potential to relocate the billboard on the same site with a more pleasing design and obtain the removal of additional billboards within the City.

The current language only provides for relocation of billboards located outside of the City to be relocated within the City. However, the Development Code is silent on billboards within the City, relocation of existing billboards within the City would be prohibited. As a result, the language must be revised to address existing billboards within the City. Additionally, staff has determined that the number of older billboards in less desirable areas in the interior of the City (e.g. Holt Boulevard, Mountain Avenue, Mission Boulevard, etc.) has been dramatically reduced, thereby making the six billboard removals unattainable. Therefore, the number of billboards proposed for removal is being reduced to three (3) signs for existing billboards within the City to be relocated. The Interagency Relocation Exception (Development Code Section 4.02.010.D.2.f) would read as follows:

(f) Interagency Relocation Exception. Notwithstanding the foregoing, a billboard may be relocated from **inside or** outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:

- 1) **For a billboard that is to be relocated from within the City, a minimum of three (3) existing, legal nonconforming billboards currently located within the City shall be removed.**
- 2) **For a billboard that is to be relocated from outside the City, a minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City.**
- 3) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard.
- 4) The public health, safety, and welfare are not impaired by the relocation.

On January 28, 2020, the Planning Commission conducted a public hearing to consider the Development Code Amendment. After receiving all public testimony, the Planning Commission voted unanimously to approve its Resolution No. PC20-002, recommending approval to the City Council.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15601(b)(3) (General Rule) of the CEQA Guidelines based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be.



PLANNING COMMISSION STAFF REPORT

January 28, 2020

FILE NO.: PDCA20-001

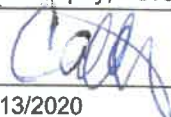
SUBJECT: A Development Code Amendment request to amend Ontario Development Code Section 4.02.010.D.2.f, Billboard Relocation Agreements, Interagency Relocation Exception, to revise the locational criteria and the number of billboards to be eliminated within the City; **City Initiated. City Council action is required.**

RECOMMENDED ACTION: That the Planning Commission consider and recommend approval of File No. PDCA20-001 to the City Council, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS:

[1] Background — Going back several decades, the City began prohibiting the construction of new billboard signs. In 2003, the City approved an amendment to the Development Code Sign Section that would allow for the construction of a new billboard as part of a billboard relocation agreement. The intent of the billboard relocation agreement was “to reduce the overall number of legal nonconforming billboards within the city by allowing relocated billboards in more suitable locations and provide more attractive, aesthetically pleasing billboard designs through a Billboard Relocation Agreement.” A further purpose is to reduce or eliminate the City's obligation to pay compensation for the removal of legal nonconforming billboards. Billboard Relocation Agreements are part of the demonstrated commitment of the City of Ontario to improve the aesthetic appearance of the City. The consideration and execution of Billboard Relocation Agreements shall be at the sole discretion of the City of Ontario. The provisions require the removal of at least six existing billboards for every new, relocated billboard sign.

In 2015, the City was involved in several discussions with San Bernardino County Transportation Authority (“SBCTA”), the regional transportation planning agency of which the City is a part, regarding the relocation of billboards necessary to complete freeway improvement projects. Because most cities in the region prohibit new billboards, the ability to relocate billboards is minimal. In cases where billboards cannot be relocated, SBCTA was placed in a position of having to purchase the billboard and compensate the billboard companies for lost revenue potential – these costs can be substantial.

Case Planner:	Scott Murphy, Development Director
Planning Director Approval:	
Submittal Date:	01/13/2020

Hearing Body	Date	Decision	Action
DAB			
PC	01/28/2020	Approval	Recommend
CC			Final

To assist SBCTA and other public agencies in relocating billboards, the City Council approved an amendment to the billboard relocation agreement that would allow billboards to be relocated within the City, under very specific criteria, through an “Interagency Relocation Exception.” The exception reads as follows:

Notwithstanding the foregoing, a billboard may be relocated from outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:

- a) A minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City; and
- b) The billboard’s relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard; and
- c) The public health, safety, and welfare are not impaired by the relocation.

That amendment provided for a billboard to be relocated to the Mountain/Interstate 10 intersection and the removal of five billboards within the City along Holt Boulevard, Vineyard Avenue, and Mountain Avenue.

[2] Analysis — Recently, the City has been reviewing the plans of the Interstate 10 express lanes project. As part of the freeway widening, a billboard located on the north side of Interstate 10, between the Vineyard Avenue and Fourth Street interchanges, is within the future freeway right-of-way. As part of the freeway widening, SBCTA would be required to relocate the same billboard to the north, outside the future right-of-way or purchase the billboard rights outright at a very high cost. Staff has had discussions with the billboard owner about the potential to relocate the billboard on the same site with a more pleasing design and obtain the removal of additional billboards within the City.

The current language only provides for relocation of billboards located outside of the City to be relocated within the City. However, the Development Code is silent on billboards within the City, relocation of existing billboards within the City would be prohibited. As a result, the language must be revised to address existing billboards within the City. Additionally, staff has determined that the number of older billboards in less desirable areas in the interior of the City (e.g. Holt Boulevard, Mountain Avenue, Mission Boulevard, etc.) has been dramatically reduced, thereby making the six billboard removals unattainable. Therefore, the number of billboards proposed for removal is being reduced to three (3) signs. The Interagency Relocation Exception (Development Code Section 4.02.010.D.2.f) would read as follows:

- (f) Interagency Relocation Exception. Notwithstanding the foregoing, a billboard may be relocated from **inside or** outside the City to any location within the

City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:

(1) A minimum of ~~six (6)~~ **three (3)** existing, legal nonconforming billboards ~~within the City~~ shall be removed, ~~at least five (5) of which must be currently located within the City;~~

(2) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard; and

(3) The public health, safety, and welfare are not impaired by the relocation.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies

[2] Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.
 - LU2-5 *Regulation of Uses.* We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.
 - LU2-7 *Inter-jurisdictional Coordination.* We maintain an ongoing liaison with IEUA, LAWA, Caltrans, Public Utilities Commission, the railroads and other agencies to help minimize impacts and improve the operations and aesthetics of their facilities.
- Goal LU3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

HOUSING ELEMENT COMPLIANCE: 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.

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15601(b)(3) (General Rule) of the CEQA Guidelines based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be.

RESOLUTION NO. PC20-002

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING APPROVAL OF FILE NO. PDCA20-001, A REQUEST TO AMEND ONTARIO DEVELOPMENT CODE SECTION 4.02.010.D.2.F, BILLBOARD RELOCATION AGREEMENTS, INTERAGENCY RELOCATION EXCEPTION, TO REVISE THE LOCATIONAL CRITERIA AND THE NUMBER OF BILLBOARDS TO BE ELIMINATED WITHIN THE CITY.

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a revision to Development Code, File No. PDCA20-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in 2003, the City recognized the benefit of allowing billboard relocations as a method of achieving an overall reduction in the number of billboards within the City; and

WHEREAS, public agencies occasionally encounter the need to remove a billboard in order to complete necessary public infrastructure; and

WHEREAS, the removal of billboards in order to install necessary infrastructure improvements can be very costly when considering the anticipated future revenue of a billboard; and

WHEREAS, the City understands the public benefit in reducing the costs of public infrastructure; and

WHEREAS, the City recognizes an opportunity to reduce public infrastructure costs while, at the same time, reducing the overall number of billboards located within the City; and

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

WHEREAS, the Application is exempt from the requirements of CEQA pursuant to Section 15601(b)(3) (General Rule) based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendations to the City Council 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 (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 January 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

- a. The Project is exempt from environmental review pursuant to Section 15601(b)(3) (General Rule) of the CEQA Guidelines; and
- b. The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- c. The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing,

and upon the specific findings set forth in Section 1, above, the Planning Commission hereby concludes as follows:

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

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

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

SECTION 3. *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 2, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, modifying Section 4.02.010(D)(2)(f) of the Development Code to read as follows:

(f) Interagency Relocation Exception. Notwithstanding the foregoing, a billboard may be relocated from inside or outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:

(1) For a billboard that is to be relocated from within the City, a minimum of three (3) existing, legal nonconforming billboards currently located within the City shall be removed.

(2) For a billboard that is to be relocated from outside the City, a minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City.

(3) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard.

(4) The public health, safety, and welfare are not impaired by the relocation.


SECTION 4: *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 5: 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 6: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of January, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.



Jim Willoughby
Planning Commission Chairman

ATTEST:



Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC20-002, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 28, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Downs, Gage, Gregorek, Reyes, Ricci, and Willoughby

NOES: None

ABSENT: None

ABSTAIN: None


Gwen Berendsen
Secretary Pro Tempore

ORDINANCE NO. _____

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA20-001, A REQUEST TO AMEND ONTARIO DEVELOPMENT CODE SECTION 4.02.010.D.2.F, BILLBOARD RELOCATION AGREEMENTS, INTERAGENCY RELOCATION EXCEPTION, TO REVISE THE LOCATIONAL CRITERIA AND THE NUMBER OF BILLBOARDS TO BE ELIMINATED WITHIN THE CITY.

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a revision to Development Code, File No. PDCA20-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in 2003, the City recognized the benefit of allowing billboard relocations as a method of achieving an overall reduction in the number of billboards within the City; and

WHEREAS, public agencies occasionally encounter the need to remove a billboard in order to complete necessary public infrastructure; and

WHEREAS, the removal of billboards in order to install necessary infrastructure improvements can be very costly when considering the anticipated future revenue of a billboard; and

WHEREAS, the City understands the public benefit in reducing the costs of public infrastructure; and

WHEREAS, the City recognizes an opportunity to reduce public infrastructure costs while, at the same time, reducing the overall number of billboards located within the City; and

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

WHEREAS, the Application is exempt from the requirements of CEQA pursuant to Section 15601(b)(3) (General Rule) based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and approve 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 (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 January 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date. After considering all public testimony, the Planning Commission voted unanimously to adopt its Resolution No. PC20-002, recommending approval of the application to the City Council; and

WHEREAS, on March 3, 2020, 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 Ordinance have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED 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 administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

a. The Project is exempt from environmental review pursuant to Section 15601(b)(3) (General Rule) of the CEQA Guidelines; and

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

c. The determination of CEQA exemption reflects the independent judgment of the City Council.

SECTION 2. 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, above, the City Council hereby concludes as follows:

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

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

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

SECTION 3. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 through 2, above, the City Council hereby APPROVES the herein described Application, modifying Section 4.02.010(D)(2)(f) of the Development Code to read as follows:

(f) Interagency Relocation Exception. Notwithstanding the foregoing, a billboard may be relocated from inside or outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:

(1) For a billboard that is to be relocated from within the City, a minimum of three (3) existing, legal nonconforming billboards currently located within the City shall be removed.

(2) For a billboard that is to be relocated from outside the City, a minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City.

(3) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard.

(4) The public health, safety, and welfare are not impaired by the relocation.

SECTION 4. *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 5. *Severability.* If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 6. **Effective Date.** This Ordinance shall become effective 30 days following its adoption.

SECTION 7. **Publication and Posting.** The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this ____ day of February 2020.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

COLE HUBER 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 Urgency Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____, 2020, and adopted at the regular meeting held _____ by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. ____ duly passed and adopted by the Ontario City Council at their regular meeting held _____ and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
March 3, 2020

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A RESOLUTION ADOPTING A GENERAL PLAN AMENDMENT (FILE NO. PGPA20-001) TO MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE FOR THE APPROVED AMENDMENT TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN (FILE NO. PSPA19-002) THAT ESTABLISHED A MIXED-USE OVERLAY DISTRICT ON 22.39 ACRES OF LAND WITHIN A PORTION OF PLANNING AREA 2 (URBAN COMMERCIAL LAND USE DESIGNATION). THE PROPOSED MODIFICATION WILL UPDATE THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO REFLECT AN ADDITIONAL 925 MULTI-FAMILY UNITS AND DECREASE THE NON-RESIDENTIAL SQUARE FEET FROM 1,172,788 TO 832,497 SQUARE FEET (APNS: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55)


RECOMMENDATION: That City Council consider and adopt a resolution approving General Plan Amendment (File No. PGPA20-001) to modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change for the approved Amendment (File No. PSPA19-002) to the Meredith International Centre Specific Plan that established a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial land use district).

COUNCIL GOALS: Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: None.

BACKGROUND: On December 17, 2019, the City Council approved the Amendment to the Meredith International Centre Specific Plan. The Specific Plan Amendment ("SPA") established a Mixed-Use Overlay district that will accommodate up to 925 multiple-family dwellings and 5,000 square feet of retail commercial space within the westerly portion of Planning Area 2 of the Specific Plan.

STAFF MEMBER PRESENTING: Scott Murphy, AICP, Executive Director Development Agency

Prepared by: Rudy Zeledon
Department: Planning
City Manager Approval: 

Submitted to Council/O.H.A. 03/03/2020
Approved: _____
Continued to: _____
Denied: _____

8

The approval of the Specific Plan Amendment resulted in a change to the Policy Plan (General Plan) Future Buildout Table (Exhibit LU-03) density/intensity assumptions to the Mixed-Use Meredith land use designation (total of 93 acres).

The proposed General Plan Amendment will update The Ontario Plan (“TOP”) Policy Plan Future Buildout Table (Exhibit LU-03) to reflect the changes to the assumed density and intensity for the Mixed-Use/Meredith section of the Buildout Table. With the addition of the 925 residential units, the total number of residential units for the Mixed-Use/Meredith land use designation will increase from 800 to 1,725 residential units and decrease the non-residential square feet from 1,172,788 to 832,497 square feet (see Exhibit “A” attached to the resolution). In addition, the Policy Plan Buildout Methodology will be revised to indicate the changes to the assumed density and intensity (Exhibit “B”, attached to the resolution).

On January 28, 2020, the Planning Commission conducted a public hearing to consider the General Plan Amendment (File No. PGPA20-001) and concluded the hearing on that date. After considering all public testimony on the application, the Planning Commission voted unanimously (7-0) to approve a resolution recommending that the City Council approve the General Plan Amendment.

AIRPORT LAND USE COMPATIBILITY: The project site is located within the Airport Influence Area of the Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”). The environmental impacts of this project were previously reviewed in conjunction with an Addendum, to Meredith International Centre Specific Plan Amendment (File No. PSPA19-002) Environmental Impact Report (SCH# 2014051020), approved by City Council on December 17, 2019. This Application introduces no new significant environmental impacts.



PLANNING COMMISSION STAFF REPORT

January 28, 2020

FILE NO.: PGPA20-001

SUBJECT: A General Plan Amendment (File No. PGPA20-001) to modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change for the approved Amendment (File No. PSPA19-002) to the Meredith International Centre Specific Plan that established a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district. The proposed modification will update the Future Buildout Table (Exhibit LU-03) to reflect an additional 925 multi-family units and decrease the non-residential square feet from 1,172,788 to 832,497 square feet; (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55) **City initiated. City Council action is required.**

PROPERTY OWNER: Craig Development Corporation

RECOMMENDED ACTION: That the Planning Commission consider and recommend City Council approval of File No. PGPA20-001, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT ANALYSIS:

[1] Background — On June 27, 2019, the Planning Commission recommended City Council approval of an Amendment to the Meredith International Centre Specific Plan to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard (depicted in Figure 1: Project Location). Subsequently on December 17, 2019, the City Council approved the Amendment to the Meredith International Centre Specific Plan.

[2] Analysis — The Ontario Plan (TOP) Future Buildout Table (Exhibit LU-



Figure 1: Project Location

Case Planner:	Rudy Zeledon
Planning Director Approval:	
Submittal Date:	01/14/2020

Hearing Body	Date	Decision	Action
DAB	NA	NA	
PC	01/28/2020	Approval	Recommend
CC	02/25/2020		Final

03) and its projections are estimates of the future buildout of the Policy Plan (General Plan) in terms of dwelling units, population, non-residential building square footage, and jobs. A key assumption in understanding these projections is that they reflect a theoretical buildout assumption for each general plan land use designation and for the buildout of the entire City rather than reflecting maximum density or intensity. The TOP EIR and Policy Plan Land Use Plan serve as the basis for the Future Buildout Table projections.

The Specific Plan Amendment (“SPA”) to the Meredith International Centre Specific Plan established a Mixed-Use Overlay district that will accommodate up to 925 multiple-family dwellings and 5,000 square feet of retail commercial space within the westerly portion of Planning Area 2 of the Specific Plan. With the approval of the SPA to Meredith International Centre Specific Plan, the Policy Plan Mixed-Use Meredith land use designation density assumptions for residential development increased with the addition of 925 units and the intensity for non-residential decreased (Commercial square feet). The proposed General Plan Amendment will update TOP Policy Plan Future Buildout Table (Exhibit LU-03) to reflect the changes to the assumed density and intensity for the Mixed-Use Meredith section of the Buildout Table. With the addition of the 925 units, the total units for the Mixed-Use Meredith land use designation will increase from 800 to 1,725 residential units and decrease the non-residential square feet from 1,172,788 to 832,497 square feet (Exhibit A, attached to the resolution). In addition, the Policy Plan Buildout Methodology will be revised to indicate the changes to the assumed density and Intensity (Exhibit B, attached to the resolution).

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City’s Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario’s Commercial and Residential Neighborhoods
- Invest in the City’s Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

[2] Vision.

Distinctive Development:

- Commercial and Residential Development

➤ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

▪ Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➤ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

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

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

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

▪ Goal LU2: Compatibility between a wide range of uses.

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

Housing Element:

▪ Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H2-4 Ontario Airport Metro Center We foster a vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.

Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

➤ H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

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

➤ CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (925) and density (47 du/ac) specified in the Available Land Inventory.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with an Addendum, to Meredith International Centre Specific Plan Amendment (File No. PSPA 19-002) Environmental Impact Report (SCH# 2014051020), approved by City Council on December 17, 2019. This Application introduces no new significant environmental impacts.

RESOLUTION NO. PC20-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PGPA20-001, A REQUEST TO MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE FOR THE APPROVED AMENDMENT (FILE NO. PSPA19-002) TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN THAT ESTABLISHED A MIXED-USE OVERLAY DISTRICT, ON 22.39 ACRES OF LAND WITHIN A PORTION OF PLANNING AREA 2 (URBAN COMMERCIAL) LAND USE DISTRICT, LOCATED AT THE SOUTHEAST CORNER OF VINEYARD AVENUE AND INLAND EMPIRE BOULEVARD, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55.

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA20-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 22.39 acres of land generally located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard, within the Planning Area 2 (Urban Commercial) land use district, and is currently vacant; and

WHEREAS, the properties to the north of the project site are within the Planning Area 1 (Industrial) land use district of the Meredith International Centre Specific Plan and are improved with industrial development. The properties to the east are within the Urban Commercial land use district of the Meredith International Centre Specific Plan and are developed with an automobile dealership (Infiniti). The properties to the west are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district and are developed with single-family residences. Additionally, Interstate 10 borders the project site on the south side; and

WHEREAS, on December 17, 2019, the City Council approved the Amendment (File No. PSPA19-002) to the Meredith International Centre Specific Plan that established a Mixed-Use Overlay district, on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district of the Meredith International Centre Specific Plan. The approved Mixed-Use Overlay District will accommodate up to 925 multi-family dwellings and 5,000 square feet of retail commercial on the westerly 22.4 acres of Planning Area 2 or approximately 51.2 percent of Planning Area 2; and

WHEREAS, Figure LU-03 Future Buildout specifies the likely buildout for Ontario with the adopted land use designations. The proposed changes to Figure LU-01 Official Land Use Plan assumed density/intensity for Meredith Mixed-Use area will require Figure

LU-03 Future Buildout to be modified, as shown in Exhibit A (attached), to be consistent with LU-01 Official Land Use Plan. In addition, the Policy Plan the Buildout Methodology table will be revised to indicate the changes to the assumed density and intensity as shown in Exhibit B (attached); and

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

WHEREAS, the 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, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to City Council 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 December 17, 2019, the City Council approved the Amendment (File No. PSPA19-002) to the Meredith International Centre Specific Plan that established a Mixed-Use Overlay district, on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district of the Meredith International Centre Specific Plan. The approved Mixed-Use Overlay District will accommodate up to 925 multi-family dwellings and 5,000 square feet of retail commercial on the westerly 22.4 acres of Planning Area 2 or approximately 51.2 percent of Planning Area 2; and

WHEREAS, as the first action on the Project, on December 17, 2019, 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, on January 28, 2020, 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, all legal prerequisites to the adoption of this Resolution have occurred.

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission 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 Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with an Addendum (File No. PSPA19-002) to the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020), certified by the City Council on April 7, 2015, in conjunction with File Nos. PGPA13-005 and PSPA14-003; and

(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; and

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; 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 the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission 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 v 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

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.* **SECTION 3: *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission 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. The project site is one of the properties listed in the

Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (925) and density (47 DU/AC) specified in the Available Land Inventory.

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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “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 recommending body for the Project, the Planning Commission 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 PLANNING COMMISSION, 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 Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby recommends the City Council conclude as follows:

a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

H2-4 Ontario Airport Metro Center We foster a vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.

Compliance: The approved Specific Plan Amendment (File No PSPA19-002) to the Meredith International Centre Specific Plan established a Mixed-Use Overlay district that will accommodate up to 925 multiple-family dwellings and 5,000 square feet of retail commercial space within the westerly portion of Planning Area 2 of the Specific Plan. The proposed General Plan Amendment (File No. PGPA20-001) is an administrative clean up item, that will add an additional 925 multiple-family

dwellings established by the Specific Plan Amendment to the Meredith International Centre Specific Plan are now proposed to be added to The Ontario Plan Policy Plan (General Plan) Future Buildout Table (Exhibit LU-03) to reflect the additional residential units to the Mixed-Use Meredith section of the Buildout Table (Exhibit B, attached to the resolution). The Meredith International Centre Specific Plan is located within Policy Plan Ontario Airport Metro Center (Policy Plan Figure LU-4). The addition of 925 multiple-family dwellings and reduction of the non-residential square feet from 1,172,788 to 832,497 square feet of retail commercial space within the westerly portion of Planning Area 2 of the Meredith International Centre Specific Plan, will implement the intent of the growth area by providing the opportunity for vibrant, urban, intense and highly amenitized community through a mix of residential, entertainment, retail and office-oriented uses.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE 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.

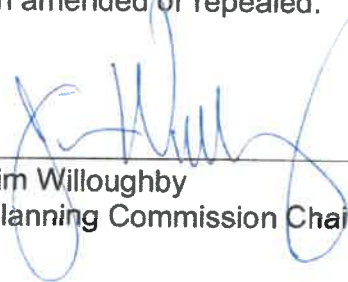
SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval.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

SECTION 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of January 2020 and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.



Jim Willoughby
Planning Commission Chairman

ATTEST:



Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution
File No. PGPA20-001
January 28, 2020
Page 8

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC20-001, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 28, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Downs, Gage, Gregorek, Reyes, Ricci, and Willoughby

NOES: None

ABSENT: None

ABSTAIN: None



Gwen Berendsen
Secretary Pro Tempore

EXHIBIT A:

**File No. PGPA20-001
General Plan Amendment to Future Buildout Table
(Exhibit LU-03)**

(Proposed changes to TOP Exhibit LU-03 follow this page)

LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	1,000	8.5 du/ac	8,500	33,976		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,865		84,758	315,713		
Mixed Use						
• Downtown	113	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 23% 47% of the area at 37.4 <u>39.46</u> du/ac 72% 48% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800 <u>1725</u>	1,600 <u>3,450</u>	1,172,788 <u>832,497</u>	1,462 <u>975</u>
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area t 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at .70 FAR office 	465	929	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.5 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,668		15,129 <u>16,054</u>	30,257 <u>32,107</u>	34,922,836 <u>34,582,545</u>	72,383 <u>71,896</u>

LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	519	0.30 FAR			6,788,695	6,307
Office/Commercial	514	0.75 FAR			16,805,775	37,269
Hospitality	142	1.00 FAR			6,177,679	7,082
<i>Subtotal</i>	1,457				33,443,735	59,542
Employment						
Business Park	1,507	0.40 FAR			26,261,610	46,075
Industrial	6,384	0.55 FAR			152,947,800	134,383
<i>Subtotal</i>	7,891				179,209,410	180,459
Other						
Open Space-Non-Recreation	1,232	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
<i>Subtotal</i>	9,906					
<i>Total</i>	31,786		99,887	345,971	247,575,980	312,383
			100,812	347,821	247,235,690	311,896

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

LU-03 Future Buildout¹

Revisions to LU-03 Table:

PGPA No.	City Council Approval Date	Description
09-001	5-15-2012	Tuscana Village – add residential to 41 acre Mixed Use site (18% at 25 du/ac)
12-001	12-18-2012	Soccer Complex Sign - .41 acres from Open Space - Parkland to Industrial
11-002	6-18-2013	TOP Clean-up – 443 properties
13-002	12-17-2013	Borba Village – Change 14.6 acres from MDR to LMDR
13-004	6-16-2014	Edison & Haven – Change 4 acres from Neighborhood Commercial to Medium Density Residential
13-006	6-16-2014	SR60 & Euclid – Change 5.1 acres from General Commercial to Medium Density Residential
14-002	11-18-2014	2014 East Fourth St. – Change 6.11 acres from General Commercial to Low Medium Density Residential
13-007	12-16-2014	SWC Archibald & Eucalyptus – Change 83.88 acres of Office Commercial, Business Park and Industrial to Low Density Residential
14-001	12-16-2014	Northside of Guasti Road near Haven and Milliken – Change 52.36 acres from Industrial to Business Park
13-005	4-7-2015	Southwest corner of Vineyard and Fourth Street (Meredith) – Change 148 acres from Mixed Use to Industrial and to modify the development assumptions for the remaining 93 acres of Mixed Use.
15-001	11-17-15	Twelve industrial related parcels located on Brooks, Sunkist, Park and Philadelphia in order to be consistent with current use (related file PZC15-002)
15-002	2-2-2016	Sixteen industrial parcels located between 260 and 625 feet north of Mission Blvd. and between Benson and Magnolia Avenues to change from Business Park to Industrial.
16-001	5-17-2016	TOP Cleanup - 83 properties
16-006	3-7-2017	TOP Cleanup – 545 properties, eliminate SoCalf (LU-02 and Environmental Resources Element) and modify commercial transitional overlay language
17-001	3-6-18	TOP Cleanup-Approx. 450 properties, Downtown, N of the I-10 Freeway, and throughout the City

LU-03 Future Buildout¹ (Cont.)

16-005	3-6-18	NWC Grove & Mission, IND to BP, IND to ROW, ROW to BP, and BP to ROW, related to PDEV16-009 & PMTT16-007(PM 19721) (related PZC16-003)
18-001	6-19-18	SEC Haven & Francis OC to IND related to PSPA18-002
16-002	6-19-18	SEC Eucalyptus & Carpenter BP to IND
18-005	12-4-18	Establish GP of IND for Loop Rd.
18-009	7-16-19	G St. 1.02 ac GC to LMDR & .46 GC to Hospitality
19-002	9-17-2019	NEC & SEC Wall & Wannamaker – Change 11.9 acres from General Commercial to Industrial
<u>20-001</u>	<u>February 2020 est</u>	<u>Change Assumed Density/Intensity to the Meredith Mixed Use:</u> <ul style="list-style-type: none"> • <u>from 23% to 47% of the area at 39.46 du/ac. and</u> • <u>from 72% to 48% at 0.35 FAR for office and retail uses</u>

EXHIBIT B:

**File No. PGPA20-001
General Plan Amendment to the
Buildout Methodology Table**

(Proposed changes to Buildout Methodology Table to follow this page)

This section provides a description of the assumptions and methods used to project future population, housing, and employment levels for the City of Ontario. The projections themselves are presented on the Future Buildout Projections table (Exhibit LU-03).

Background and Baseline Assumptions

The Future Buildout Projections are estimates of the future buildout of the Policy Plan in terms of dwelling units, population, non-residential building square footage, and jobs. A key assumption in understanding these projections is that they reflect a theoretical buildout of the entire City, rather than what is likely to appear on the ground on an individual parcel. The land use plan serves as the basis for these projections. In the portions of the city which have an overlay designation of Business Park, Industrial or Commercial but the underlying designation is some other designation, the future buildout assumes the properties will be developed under their overlay designation.

Assumed Density/Intensity: Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan because the development of individual parcels or groups of parcels must account for factors such as physical site constraints, more detailed zoning requirements that further limit development potential, and other regulatory constraints. As such, assumed densities and intensities used to calculate buildout are based on this fact; they represent an average level of density/intensity that will likely be achieved at buildout of each land use category.

Acres: Acres are derived from GIS-based calculations for each land use category. The acres are depicted as adjusted gross acres, meaning that the right-of-way for public roads, railroads, and flood control facilities are not included in each land use designation and instead accounted for separately.

Residential Assumptions

Estimations for the buildout of the residential land use designations were calculated using the following assumptions/methods:

Assumed Density/Intensity: The average number of units that will likely be achieved per acre at buildout of the land use designation.

Units: Dwelling unit projections are estimated by multiplying the Acres of each land use designation by the corresponding Assumed Density/Intensity factor. In the Mixed Use land use designation, the percentage of acres assumed to be devoted to residential uses varies by location and is described separately for each mixed use area on the Future Buildout Projections table.

Persons per Household: This factor is used to estimate population at buildout and is based upon the Development Impact Fee report (link to the DIF) that has been adjusted for the 2000 Census. The persons per household factor varies by:

Buildout Methodology (Cont.)

- Land Use Designation and Unit Type: lower density land use designations typically accommodate larger units and a greater number of occupants than higher density designations, which typically accommodate smaller units and fewer occupants. The Medium Density land use designation accommodates a mixture of multi-family attached and single-family detached and attached units. It has been assumed that the Mixed-Use land use designation will accommodate fewer occupants per unit because this type of unit typically attracts singles, retirees, and young couples.
- Area: The Old Model Colony (OMC), which was developed earlier, accommodates a different size and type of medium density unit than the New Model Colony (NMC), which was developed later, and the persons per household factor has been adjusted accordingly.

The following persons per household factors were utilized to estimate future population:

Land Use Category	Assumed Unit Type(s) (% of Mixture)	Persons Per Household (area)
Rural, Low Density, and Low-Medium Density	Single-family detached (100% of units)	3.997 (citywide)
Medium Density	Single-family attached (75% of units in OMC)	3.997 (OMC)
	Single-family detached (25% of units in OMC)	3.278 (OMC)
	Multi-family attached (100% of units in NMC)	3.347 (NMC)
High Density	Multi-family attached	3.347 (citywide)
Mixed Use	Multi-family and Single-family attached	2.0 (citywide)
Notes: OMC = Old Model Colony NMC = New Model Colony		

Buildout Methodology (Cont.)

Population: Population is determined by multiplying the projected number of dwelling units by the persons per household factor.

	Population/Acre
Rural Residential	7.994
Low Density Residential	15.99 OMC 17.99 NMC
Low Medium Density Residential	33.97
Medium Density Residential	68.71 OMC 73.63 NMC
High Density Residential	117.15
Mixed Use	Varies - 2 person/unit

Non-Residential Assumptions

Estimations for the buildout of the Retail/Service and Employment related land use designations were calculated using the following assumptions/methods:

Assumed Density/Intensity: The average Floor Area Ratio (FAR) that will likely be achieved at buildout of the land use designation. In the Mixed Use land use designation, the FAR assumed to be devoted to non-residential uses varies by location and is described for each mixed use area on the Future Buildout Projections table (link to Future Buildout Secondary Page - 01c_BuildoutSecondaryPage.doc).

Floor Area Ratio (FAR): Indicates the total building square footage on a given lot divided by the lot area of the same lot. Building square footage includes all habitable structures on the lot and does not include garages. Click here (link to FAR definition and example page) for an example. In the Mixed Use land use designation, the FAR assumed to be devoted to non-residential uses varies by location and is described in each mixed use area.

Non-Residential Square Footage: Non-residential square footage projections are calculated by multiplying the acres of each non-residential land use designation by the corresponding FAR and by 43,560 (square feet in an acre).

Employees/1000 SF Factor: This factor indicates the number of employees per 1,000 square feet and is used to estimate the number of jobs in each land use category. These factors were derived from the Employment Density Study, Summary Report October 31, 2001, prepared for the Southern California Association of Governments by Natelson and Associates.

The Employees/1000 SF Factor varies by business type with offices accommodating a greater number of employees per square foot than industrial uses. In addition, the Neighborhood Commercial land use category is typically less intensive and accommodates fewer employees per square foot than other retail and service uses. The

Buildout Methodology (Cont.)

following Employees/1000 SF Factors were utilized to estimate future jobs and are divided into non-mixed use and mixed use land use categories:

Non-Mixed Use Land Use Categories

Land Use Category	Assumed Job Type (% of Mixture)	Employees/1,000 Sq. Ft.	Employees per Acre
Neighborhood General	Non-Office (80%)	2.310	24.15
	Office (20%)	2.860	7.47
General Commercial	Non-Office (90%)	0.718	8.44
	Office (10%)	2.860	3.74
Office/Commercial	Non-Office (30%)	0.718	7.04
	Office (70%)	2.860	65.41
Hospitality	Non-Office (80%)	0.718	25.02
	Office (20%)	2.860	24.92
Business Park	Non-Office (50%)	0.650	5.66
	Office (50%)	2.860	24.92
Industrial	Non-Office (90%)	0.650	14.02
	Office (10%)	2.860	6.85

Mixed Use Land Use Category

Mixed Use Area	Assumed Job Type (% of Mixture)	Employees/1000 SF	Employees per Acre
Downtown	Non-Office (20%)	0.718	5.00
	Office (20%)	2.860	19.33
Euclid/Francis	Non-Office (50%)	2.310	40.25
East Holt	Non-Office (25%)	0.718	7.82
	Office (50%)	2.860	62.29
Meredith	Non-Office (53% 37%)	0.718	6.26
	Office (24% 16%)	2.860	62.29

Buildout Methodology (Cont.)

Transit Center (Multi-Modal)	Non-Office (45%)	0.718	14.07
	Office (45%)	2.860	56.06
Inland Empire Corridor	Non-Office (20%)	0.718	2.19
	Office (30%)	2.860	18.69
Guasti	Non-Office (30%)	0.718	9.38
	Office (50%)	2.860	43.60
Ontario Center	Non-Office (20%)	0.718	3.13
	Office (50%)	2.860	62.29
Ontario Mills	Non-Office (75%)	0.718	11.73
	Office (20%)	2.860	18.69
SR 60/Hammer	Non-Office (57%)	0.718	5.35
	Office (25%)	2.860	15.57
NMC West	Non-Office (10%)	0.718	2.19
	Office (60%)	2.860	52.32
NMC East	Non-Office (40%)	0.718	3.75
	Office (30%)	2.860	13.08
Note: Mixed use areas assume a mixture of residential and non-residential uses. Accordingly, the total office and non-office percentages will typically not total 100% to account for the areas devoted to residential uses.			

Jobs: On a citywide basis, each land use category produces both office and non-office types of employment, for example, a shopping center may have a market, video rental store, medical office, and realtor office. We have based our estimations for future jobs on this fact and have adjusted our calculations accordingly. Jobs are calculated by dividing the total square footage of both non-office and office job type by 1,000 and multiplying that result by the appropriate Employee/1000 SF factor.

Buildout Methodology (Cont.)

Synopsis of Future Buildout Assumptions

Designation	Residential Uses	Non-Residential Uses						
	Dwelling Units per Acre	Floor Area Ratio	Office	Commercial	Lodging	Industrial	Mfg.	Warehouse
Rural Residential	2 du/ac	NA						
Low Density Residential	OMC – 4.0 NMC - 4.5	NA						
Low Medium Density Residential	8.5	NA						
Medium Density Residential	OMC - 18 NMC - 22							
High Density Residential	35							
Neighborhood Commercial		0.30	20%	80%				
General Commercial		0.30	10%	90%				
Office-Commercial		0.75	70%	25%	5%			
Hospitality		1.0	20%	30%	50%			
Business Park		0.40	50%			50%		
Industrial		0.55	10%			45%	35%	10%

Mixed Use Buildout Assumptions

Mixed Use Area	Residential Uses		Non-Residential Uses			
	Dwelling Units per Acre	Residential %	Floor Area Ratio	Office	Commercial	Lodging
Downtown	35	60%	0.80	20%	20%	
East Holt	30	25%	1.0	50%		
			0.80		25%	
Euclid/Francis	30	50%	0.80		50%	
Guasti	30	20%	0.70	50%		
			1.0		30%	
Inland Empire	20	50%	0.50	30%		
			0.35		20%	
Meredith	37.4	23%	0.35	24%	48%	
	39.46	47%	0.75	16%	32%	5%
Multi-Modal	60	10%	1.0	45%	45%	
NMC East	25	30%	0.35	30%		
			0.30		40%	
NMC West	35	30%	0.70	60%	10%	
Ontario Center	40	30%	1.0	50%		
			0.50		20%	
Ontario Mills	40	5%	0.75	20%		
			0.50		75%	
SR60/Hamner	25	18%	0.50	25%		
			0.30		57%	

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA20-001, A REQUEST TO MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE FOR THE APPROVED AMENDMENT TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN (FILE NO. PSPA19-002) THAT ESTABLISHED A MIXED-USE OVERLAY DISTRICT ON 22.39 ACRES OF LAND WITHIN A PORTION OF PLANNING AREA 2 (URBAN COMMERCIAL LAND USE DESIGNATION), LOCATED AT THE SOUTHEAST CORNER OF VINEYARD AVENUE AND INLAND EMPIRE BOULEVARD, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55.

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA20-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 22.39 acres of land generally located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard, within the Planning Area 2 (Urban Commercial) land use district, and is currently vacant; and

WHEREAS, the properties to the north of the project site are within Planning Area 1 (Industrial land use Designation) of the Meredith International Centre Specific Plan and are improved with industrial development. The properties to the east are within the Urban Commercial land use designation of the Meredith International Centre Specific Plan and are developed with an automobile dealership (Infiniti). The properties to the west are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district and are developed with single-family residences. Interstate 10 borders the project site on the south side; and

WHEREAS, on December 17, 2019, the City Council approved the Amendment (File No. PSPA19-002) to the Meredith International Centre Specific Plan that established a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial land use designation of the Meredith International Centre Specific Plan. The approved Mixed-Use Overlay District will accommodate up to 925 multi-family dwellings and 5,000 square feet of retail commercial on the westerly 22.4 acres or approximately 51.2 percent of Planning Area 2; and

WHEREAS, Figure LU-03 Future Buildout specifies the likely buildout for Ontario with the adopted land use designations. The proposed changes to Figure LU-01 Official Land Use Plan assumed density/intensity for Meredith Mixed-Use area will require Figure LU-03 Future Buildout to be modified, as shown in Exhibit A (attached), to be consistent with LU-01 Official Land Use Plan. In addition, the Policy Plan Buildout Methodology table will be revised to indicate the changes to the assumed density and intensity as shown in Exhibit B (attached); and

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

WHEREAS, the 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, 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, as the first action on the Project, on December 17, 2019, 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, on January 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the General Plan Amendment and concluded said hearing on that date, voting to issue Resolution No. PC20-001 recommending the City Council approve the Application; and

WHEREAS, on March 3, 2020, the City Council of the City of Ontario conducted a hearing to consider the General Plan Amendment 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 an Addendum (File No. PSPA19-002) to the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020), certified by the City Council on April 7, 2015, in conjunction with File Nos. PGPA13-005 and PSPA14-003; and

(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; and

(4) The 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

(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 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 v 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

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. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (925) and density (47 DU/AC) specified in the Available Land Inventory.

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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “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 Section 1 through 4, above, the City Council hereby concludes as follows:

a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

H2-4 Ontario Airport Metro Center We foster a vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.

Compliance: The approved Specific Plan Amendment (File No PSPA19-002) to the Meredith International Centre Specific Plan established a Mixed-Use Overlay district that will accommodate up to 925 multiple-family dwellings and 5,000 square feet of retail commercial space within the westerly portion of Planning Area 2 of the Specific Plan. The proposed General Plan Amendment (File No. PGPA20-001) is an administrative clean up item, that will add an additional 925 multiple-family dwellings established by the Specific Plan Amendment to the Meredith International Centre Specific Plan are now proposed to be added to The Ontario Plan Policy Plan (General Plan) Future Buildout Table (Exhibit LU-03) to reflect the additional residential units to the Mixed-Use Meredith section of the Buildout Table (Exhibit B, attached to the resolution). The Meredith International Centre Specific Plan is located within Policy Plan Ontario Airport Metro Center (Policy Plan Figure LU-4). The addition of 925 multiple-family dwellings and reduction of the non-residential square feet from 1,172,788 to 832,497 square feet of retail commercial space within the westerly portion of Planning Area 2 of the Meredith International Centre Specific Plan, will implement the intent of the growth area by providing the opportunity for vibrant, urban, intense and highly amenitized community through a mix of residential, entertainment, retail and office-oriented uses.

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.

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 3rd day of March 2020.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

COLE HUBER 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. 2020-____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 3, 2020, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2020-____ duly passed and adopted by the Ontario City Council at their regular meeting held March 3, 2020.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A:

**File No. PGPA20-001
General Plan Amendment to Future Buildout Table
(Exhibit LU-03)**

(Proposed changes to TOP Exhibit LU-03 follow this page)

LU-03 Future Buildout¹



Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	1,000	8.5 du/ac	8,500	33,976		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,865		84,758	315,713		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% - 47% of the area at 37.4 39.46 du/ac • 72% - 48% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800 <u>1725</u>	1,600 <u>3,450</u>	1,172,788 <u>832,497</u>	1,462 <u>975</u>
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area t 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5. FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.5 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.7 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscan Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
Subtotal	1,668		15,129 <u>16,054</u>	30,257 <u>32,107</u>	34,922,836 <u>34,582,545</u>	72,383 <u>71,896</u>

LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	519	0.30 FAR			6,788,695	6,307
Office/Commercial	514	0.75 FAR			16,805,775	37,269
Hospitality	142	1.00 FAR			6,177,679	7,082
<i>Subtotal</i>	1,457				33,443,735	59,542
Employment						
Business Park	1,507	0.40 FAR			26,261,610	46,075
Industrial	6,384	0.55 FAR			152,947,800	134,383
<i>Subtotal</i>	7,891				179,209,410	180,459
Other						
Open Space-Non-Recreation	1,232	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
<i>Subtotal</i>	9,906					
<i>Total</i>	31,786		99,887	345,971	247,575,980	312,383
			100,812	347,821	247,235,690	311,896

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

LU-03 Future Buildout¹

Revisions to LU-03 Table:

PGPA No.	City Council Approval Date	Description
09-001	5-15-2012	Tuscana Village – add residential to 41 acre Mixed Use site (18% at 25 du/ac)
12-001	12-18-2012	Soccer Complex Sign - .41 acres from Open Space - Parkland to Industrial
11-002	6-18-2013	TOP Clean-up – 443 properties
13-002	12-17-2013	Borba Village – Change 14.6 acres from MDR to LMDR
13-004	6-16-2014	Edison & Haven – Change 4 acres from Neighborhood Commercial to Medium Density Residential
13-006	6-16-2014	SR60 & Euclid – Change 5.1 acres from General Commercial to Medium Density Residential
14-002	11-18-2014	2014 East Fourth St. – Change 6.11 acres from General Commercial to Low Medium Density Residential
13-007	12-16-2014	SWC Archibald & Eucalyptus – Change 83.88 acres of Office Commercial, Business Park and Industrial to Low Density Residential
14-001	12-16-2014	Northside of Guasti Road near Haven and Milliken – Change 52.36 acres from Industrial to Business Park
13-005	4-7-2015	Southwest corner of Vineyard and Fourth Street (Meredith) – Change 148 acres from Mixed Use to Industrial and to modify the development assumptions for the remaining 93 acres of Mixed Use.
15-001	11-17-15	Twelve industrial related parcels located on Brooks, Sunkist, Park and Philadelphia in order to be consistent with current use (related file PZC15-002)
15-002	2-2-2016	Sixteen industrial parcels located between 260 and 625 feet north of Mission Blvd. and between Benson and Magnolia Avenues to change from Business Park to Industrial.
16-001	5-17-2016	TOP Cleanup - 83 properties
16-006	3-7-2017	TOP Cleanup – 545 properties, eliminate SoCalf (LU-02 and Environmental Resources Element) and modify commercial transitional overlay language
17-001	3-6-18	TOP Cleanup-Approx. 450 properties, Downtown, N of the I-10 Freeway, and throughout the City

LU-03 Future Buildout¹ (Cont.)

16-005	3-6-18	NWC Grove & Mission, IND to BP, IND to ROW, ROW to BP, and BP to ROW, related to PDEV16-009 & PMTT16-007(PM 19721) (related PZC16-003)
18-001	6-19-18	SEC Haven & Francis OC to IND related to PSPA18-002
16-002	6-19-18	SEC Eucalyptus & Carpenter BP to IND
18-005	12-4-18	Establish GP of IND for Loop Rd.
18-009	7-16-19	G St. 1.02 ac GC to LMDR & .46 GC to Hospitality
19-002	9-17-2019	NEC & SEC Wall & Wannamaker – Change 11.9 acres from General Commercial to Industrial
<u>20-001</u>	<u>March 2020 est</u>	<p><u>Change Assumed Density/Intensity to the Meredith Mixed Use:</u></p> <ul style="list-style-type: none"> • <u>from 23% to 47% of the area at 39.46 du/ac, and</u> • <u>from 72% to 48% at 0.35 FAR for office and retail uses</u>

EXHIBIT B:

**File No. PGPA20-001
General Plan Amendment to the
Buildout Methodology Table**

(Proposed changes to Buildout Methodology Table to follow this page)

This section provides a description of the assumptions and methods used to project future population, housing, and employment levels for the City of Ontario. The projections themselves are presented on the Future Buildout Projections table (Exhibit LU-03).

Background and Baseline Assumptions

The Future Buildout Projections are estimates of the future buildout of the Policy Plan in terms of dwelling units, population, non-residential building square footage, and jobs. A key assumption in understanding these projections is that they reflect a theoretical buildout of the entire City, rather than what is likely to appear on the ground on an individual parcel. The land use plan serves as the basis for these projections. In the portions of the city which have an overlay designation of Business Park, Industrial or Commercial but the underlying designation is some other designation, the future buildout assumes the properties will be developed under their overlay designation.

Assumed Density/Intensity: Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan because the development of individual parcels or groups of parcels must account for factors such as physical site constraints, more detailed zoning requirements that further limit development potential, and other regulatory constraints. As such, assumed densities and intensities used to calculate buildout are based on this fact; they represent an average level of density/intensity that will likely be achieved at buildout of each land use category.

Acres: Acres are derived from GIS-based calculations for each land use category. The acres are depicted as adjusted gross acres, meaning that the right-of-way for public roads, railroads, and flood control facilities are not included in each land use designation and instead accounted for separately.

Residential Assumptions

Estimations for the buildout of the residential land use designations were calculated using the following assumptions/methods:

Assumed Density/Intensity: The average number of units that will likely be achieved per acre at buildout of the land use designation.

Units: Dwelling unit projections are estimated by multiplying the Acres of each land use designation by the corresponding Assumed Density/Intensity factor. In the Mixed Use land use designation, the percentage of acres assumed to be devoted to residential uses varies by location and is described separately for each mixed use area on the Future Buildout Projections table.

Persons per Household: This factor is used to estimate population at buildout and is based upon the Development Impact Fee report (link to the DIF) that has been adjusted for the 2000 Census. The persons per household factor varies by:

Buildout Methodology (Cont.)

- Land Use Designation and Unit Type: lower density land use designations typically accommodate larger units and a greater number of occupants than higher density designations, which typically accommodate smaller units and fewer occupants. The Medium Density land use designation accommodates a mixture of multi-family attached and single-family detached and attached units. It has been assumed that the Mixed-Use land use designation will accommodate fewer occupants per unit because this type of unit typically attracts singles, retirees, and young couples.
- Area: The Old Model Colony (OMC), which was developed earlier, accommodates a different size and type of medium density unit than the New Model Colony (NMC), which was developed later, and the persons per household factor has been adjusted accordingly.

The following persons per household factors were utilized to estimate future population:

Land Use Category	Assumed Unit Type(s) (% of Mixture)	Persons Per Household (area)
Rural, Low Density, and Low-Medium Density	Single-family detached (100% of units)	3.997 (citywide)
Medium Density	Single-family attached (75% of units in OMC)	3.997 (OMC)
	Single-family detached (25% of units in OMC)	3.278 (OMC)
	Multi-family attached (100% of units in NMC)	3.347 (NMC)
High Density	Multi-family attached	3.347 (citywide)
Mixed Use	Multi-family and Single-family attached	2.0 (citywide)
Notes: OMC = Old Model Colony NMC = New Model Colony		

Population: Population is determined by multiplying the projected number of dwelling units by the persons per household factor.

	Population/Acre
Rural Residential	7.994
Low Density Residential	15.99 OMC 17.99 NMC
Low Medium Density Residential	33.97
Medium Density Residential	68.71 OMC 73.63 NMC
High Density Residential	117.15
Mixed Use	Varies - 2 person/unit

Non-Residential Assumptions

Estimations for the buildout of the Retail/Service and Employment related land use designations were calculated using the following assumptions/methods:

Assumed Density/Intensity: The average Floor Area Ratio (FAR) that will likely be achieved at buildout of the land use designation. In the Mixed Use land use designation, the FAR assumed to be devoted to non-residential uses varies by location and is described for each mixed use area on the Future Buildout Projections table (link to Future Buildout Secondary Page - 01c_BuildoutSecondaryPage.doc).

Floor Area Ratio (FAR): Indicates the total building square footage on a given lot divided by the lot area of the same lot. Building square footage includes all habitable structures on the lot and does not include garages. Click here (link to FAR definition and example page) for an example. In the Mixed Use land use designation, the FAR assumed to be devoted to non-residential uses varies by location and is described in each mixed use area.

Non-Residential Square Footage: Non-residential square footage projections are calculated by multiplying the acres of each non-residential land use designation by the corresponding FAR and by 43,560 (square feet in an acre).

Employees/1000 SF Factor: This factor indicates the number of employees per 1,000 square feet and is used to estimate the number of jobs in each land use category. These factors were derived from the Employment Density Study, Summary Report October 31, 2001, prepared for the Southern California Association of Governments by Natelson and Associates.

The Employees/1000 SF Factor varies by business type with offices accommodating a greater number of employees per square foot than industrial uses. In addition, the Neighborhood Commercial land use category is typically less intensive and accommodates fewer employees per square foot than other retail and service uses. The

Buildout Methodology (Cont.)

following Employees/1000 SF Factors were utilized to estimate future jobs and are divided into non-mixed use and mixed use land use categories:

Non-Mixed Use Land Use Categories

Land Use Category	Assumed Job Type (% of Mixture)	Employees/1,000 Sq. Ft.	Employees per Acre
Neighborhood General	Non-Office (80%)	2.310	24.15
	Office (20%)	2.860	7.47
General Commercial	Non-Office (90%)	0.718	8.44
	Office (10%)	2.860	3.74
Office/Commercial	Non-Office (30%)	0.718	7.04
	Office (70%)	2.860	65.41
Hospitality	Non-Office (80%)	0.718	25.02
	Office (20%)	2.860	24.92
Business Park	Non-Office (50%)	0.650	5.66
	Office (50%)	2.860	24.92
Industrial	Non-Office (90%)	0.650	14.02
	Office (10%)	2.860	6.85

Mixed Use Land Use Category

Mixed Use Area	Assumed Job Type (% of Mixture)	Employees/1000 SF	Employees per Acre
Downtown	Non-Office (20%)	0.718	5.00
	Office (20%)	2.860	19.33
Euclid/Francis	Non-Office (50%)	2.310	40.25
East Holt	Non-Office (25%)	0.718	7.82
	Office (50%)	2.860	62.29
Meredith	Non-Office (53% 37%)	0.718	6.26
	Office (24% 16%)	2.860	62.29

Buildout Methodology (Cont.)

Transit Center (Multi-Modal)	Non-Office (45%)	0.718	14.07
	Office (45%)	2.860	56.06
Inland Empire Corridor	Non-Office (20%)	0.718	2.19
	Office (30%)	2.860	18.69
Guasti	Non-Office (30%)	0.718	9.38
	Office (50%)	2.860	43.60
Ontario Center	Non-Office (20%)	0.718	3.13
	Office (50%)	2.860	62.29
Ontario Mills	Non-Office (75%)	0.718	11.73
	Office (20%)	2.860	18.69
SR 60/Hamner	Non-Office (57%)	0.718	5.35
	Office (25%)	2.860	15.57
NMC West	Non-Office (10%)	0.718	2.19
	Office (60%)	2.860	52.32
NMC East	Non-Office (40%)	0.718	3.75
	Office (30%)	2.860	13.08
Note: Mixed use areas assume a mixture of residential and non-residential uses. Accordingly, the total office and non-office percentages will typically not total 100% to account for the areas devoted to residential uses.			

Jobs: On a citywide basis, each land use category produces both office and non-office types of employment, for example, a shopping center may have a market, video rental store, medical office, and realtor office. We have based our estimations for future jobs on this fact and have adjusted our calculations accordingly. Jobs are calculated by dividing the total square footage of both non-office and office job type by 1,000 and multiplying that result by the appropriate Employee/1000 SF factor.

Synopsis of Future Buildout Assumptions

Designation	Residential Uses	Non-Residential Uses						
	Dwelling Units per Acre	Floor Area Ratio	Office	Commercial	Lodging	Industrial	Mfg.	Warehouse
Rural Residential	2 du/ac	NA						
Low Density Residential	OMC – 4.0 NMC - 4.5	NA						
Low Medium Density Residential	8.5	NA						
Medium Density Residential	OMC - 18 NMC - 22							
High Density Residential	35							
Neighborhood Commercial		0.30	20%	80%				
General Commercial		0.30	10%	90%				
Office-Commercial		0.75	70%	25%	5%			
Hospitality		1.0	20%	30%	50%			
Business Park		0.40	50%			50%		
Industrial		0.55	10%			45%	35%	10%

Mixed Use Buildout Assumptions

Mixed Use Area	Residential Uses		Non-Residential Uses			
	Dwelling Units per Acre	Residential %	Floor Area Ratio	Office	Commercial	Lodging
Downtown	35	60%	0.80	20%	20%	
East Holt	30	25%	1.0	50%		
			0.80		25%	
Euclid/Francis	30	50%	0.80		50%	
Guasti	30	20%	0.70	50%		
			1.0		30%	
Inland Empire	20	50%	0.50	30%		
			0.35		20%	
Meredith	37.4	23%	0.35	24%	48%	
	<u>39.46</u>	<u>47%</u>	0.75	<u>16%</u>	<u>32%</u>	5%
Multi-Modal	60	10%	1.0	45%	45%	
NMC East	25	30%	0.35	30%		
			0.30		40%	
NMC West	35	30%	0.70	60%	10%	
Ontario Center	40	30%	1.0	50%		
			0.50		20%	
Ontario Mills	40	5%	0.75	20%		
			0.50		75%	
SR60/Hamner	25	18%	0.50	25%		
			0.30		57%	