



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

July 15, 2019

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764.**

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

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Development Agency
John P. Andrews, Executive Director, Economic Development
Kevin Shear, Building Official
Cathy Wahlstrom, Planning Director
Khoi Do, City Engineer
Chief Derek Williams, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Julie Bjork, Executive Director, Housing and Neighborhood Preservation

PUBLIC COMMENTS

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

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

AGENDA ITEMS

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of June 17, 2019, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR

FILE NO. PDEV18-038: A Development Plan (File No. PDEV18-038) to construct a 956 square foot addition to an existing 3,892 square foot fast food restaurant (McDonald's) on 0.9 acre of land, located at 2455 South Archibald Avenue within the CC (Community Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 1011-401-07) **submitted by Design UA, Inc.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines § 15301

2. File No. PDEV18-038 (Development Plan)

Motion to Approve / Deny

C. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS. PMTT17-004, PDEV17-015 AND PVAR17-004:

A request for certain entitlements that include: 1) A Tentative Tract Map (File No. PMTT17-004/TT18373) to subdivide 1.42 acres of land into a single parcel for condominium purposes; 2) a Development Plan (File No. PDEV17-015) to construct 17 multi-family residential units; and 3) a Variance (File No. PVAR17-004) to reduce the required building side yard setback from 10 feet to 5 feet, reduce the building separation requirements for garage to garage from 30 feet to 26 feet, and dwelling front to front from 30 feet to 23 feet. The property is located at 920 South Cypress Avenue within the MDR18 zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use) and Section 15332 (Class 32, Infill

Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines § 15305 and § 15332

2. File No. PVAR17-004 (Variance Review)

Motion to recommend Approval/Denial

3. File No. PMTT17-007 (TT18373)

Motion to recommend Approval/Denial

4. File No. PDEV17-015 (Development Plan)

Motion to recommend Approval/Denial

D. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT18-010: A Tentative Parcel Map (PM 20087) to subdivide 17.92 acres of land into two parcels located at 4900 East Fourth Street, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties (Ontario Mills) Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15: Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-014-05) submitted by Retail Properties of America Inc. **Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15315

2. File No. PMTT18-010 (PM 20087)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT & DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-039: A Development Plan to construct a 136,342-square foot single-story retail building (Costco Business Center) on 10.9 acres of land located on the south side of Guasti Road, approximately 500 feet east of Haven Avenue, within the Mixed Use land use district of the Ontario Gateway Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact

Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN's: 210-212-56 & 210-212-57) **submitted by Prime A Investments, LLC. Planning Commission action is required.**

1. CEQA Determination

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

2. File No. PDEV18-039 (Development Plan)

Motion to recommend Approval/Denial

- F. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-040 & PCUP18-041:** A Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, in conjunction with a Conditional Use Permit (File No. PCUP18-041) to establish drive-thru facilities on two buildings (Building A & Building C), on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with (Specific Plan Amendment: File No. PSPA17-001), for which an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) was prepared, and was adopted by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) (APN: 210-212-57) **submitted by Prime A Investments, LLC. Planning Commission action is required.**

1. CEQA Determination

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

2. File No. PCUP18-041 (Conditional Use Permit)

Motion to recommend Approval/Denial

3. File No. PDEV18-040 (Development Plan)

Motion to recommend Approval/Denial

G. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-041:** A Development Plan (File No. PDEV18-041) to construct one industrial building totaling 178,462 square feet on 7.85 acres of land, located on the southeast corner of Wall Street and Wanamaker Avenue at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-221-36) **submitted by Bridge Acquisition, LLC. Planning Commission action is required.**

1. **CEQA Determination**

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

2. **File No. PDEV18-041 (Development Plan)**

Motion to recommend Approval/Denial

H. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-042:** A Development Plan (File No. PDEV18-042) to construct one industrial building totaling 90,291 square feet on 4.05 acres of land, located on the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-221-23) **submitted by Bridge Acquisition LLC. Planning Commission action is required.**

1. **CEQA Determination**

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

2. **File No. PDEV18-042 (Development Plan)**

Motion to recommend Approval/Denial

If you wish to appeal a decision of the **Development Advisory Board**, you must do so within ten (10) days of the **Development Advisory Board** action. Please contact the **Planning Department** for information regarding the appeal process.

If you challenge any action of the **Development Advisory Board** in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the **Development Advisory Board** at, or prior to, the public hearing.

The next **Development Advisory Board** meets on **August 5, 2019**.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **July 11, 2019**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

June 17, 2019

BOARD MEMBERS PRESENT

Rudy Zeledon, acting Chairman, Planning Department
Kevin Shear, Building Department
Charity Hernandez, Economic Development Agency
Michelle Starkey, Fire Department
Joe De Sousa, Housing and Neighborhood Preservation
Ahmed Aly, Municipal Utilities Company
Emily Hernandez, Police Department
Jesus Plasencia, Engineering Department

BOARD MEMBERS ABSENT

Khoi Do, Engineering Department
Paul Ehrman, Fire Department

STAFF MEMBERS PRESENT

Jeanie Aguilo, Planning Department
Gwen Berendsen, Planning Department
Lorena Mejia, Planning Department
Mai Thao, Planning Department
Dean Williams, Engineering Department
Derrick Womble, Development Administrative Officer

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the May 20, 2019, meeting of the Development Advisory Board was made by Mr. De Sousa; seconded by Mr. Shear; and approved unanimously by those present (4-0). Mr. Zeledon, Ms. C. Hernandez, Ms. Starkey, and Ms. E. Hernandez recused themselves.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND VARIANCE REVIEW FOR FILE NO. PVAR19-003:** A Variance to deviate from the minimum front building setback, from 30 feet to 25 feet, and from the interior side setback, from 10 feet to 5 feet, in conjunction with the construction of an attached duplex on 0.141 acres of land located at 519 North Grove Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1048-451-09) **submitted by GMK Construction. Planning Commission action is required.**

Mike Kent, President of GMK Construction, was present and explained the history of the project. He stated the owner had purchased the previously approved, permitted project and then the lot's depth was not indicated correctly, so they were unable to build what had previously been approved. He explained that the variance is needed in order to build two units on the property.

Mr. Zeledon asked if he agreed to the conditions of approval. Mr. Kent stated he did. There was no further discussion.

Motion recommending approval of **File No. PVAR19-003** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. De Souza; approved unanimously by those present (8-0).

- C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT18-001:** A Tentative Parcel Map (TPM 19936) to subdivide 51.9 acres of land into two parcels, located at 5100 East Jurupa Avenue and 5171 East Francis Street, within the (IH) Heavy Industrial and (UC) Utilities Corridor zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 238-132-24) **submitted by New-Indy Ontario, LLC. Planning Commission action is required.**

Naveen Gali of Thienes Engineering, Inc., was present and stated the project was a simple subdivision and he agreed to the conditions of approval. There was no further discussion.

Motion recommending approval of **File No. PMTT18-001** subject to conditions to the Planning Commission was made by Mr. Plasencia; seconded by Mr. De Souza; approved unanimously by those present (8-0).

- D. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-001 (PM 19993) AND PDEV19-004:** A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, in conjunction with a Development Plan (File No. PDEV19-004) to construct one multitenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-204-27) **submitted by Ontario Covenant Group, LLC. Planning Commission action is required.**

Julie Margetich, of Covenant Real Estate Group, was present and agreed to the conditions of approval.

There was no further discussion.

Motion recommending approval of **File Nos. PMTT19-001 & PDEV19-004** subject to conditions to the Planning Commission was made by Mr. Plasencia; seconded by Mr. De Souza; approved unanimously by those present (8-0).

- E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-019 AND PCUP19-007:** A Development Plan (File No. PDEV19-019) and Conditional Use Permit (File No. PCUP19-007) to establish and construct a nonstealth wireless telecommunications facility (Verizon Wireless) on an existing SCE transmission tower and related equipment enclosure on 4.7 acres of land located at 3210 East Merrill Avenue, within the SCE Corridor land use district of the Subarea 29 Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-052-20) **submitted by Verizon Wireless. Planning Commission action is required.**

Chris Colten of Spectrum, was present and agreed to the conditions of approval.

There was no further discussion.

Motion recommending approval of **File Nos. PCUP19-007 & PDEV19-019** subject to conditions to the Planning Commission was made by Mr. De Souza; seconded by Mr. Aly; approved unanimously by those present (8-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-038

DESCRIPTION: A Development Plan (File No. PDEV18-038) to construct a 952 square foot addition to an existing 3,892 square foot fast food restaurant (McDonald's) on 0.9 acre of land, located at 2455 South Archibald Avenue within the CC (Community Commercial) zoning district. (APNs: 1011-401-07); **submitted by Design UA, Inc.**

Part I—BACKGROUND & ANALYSIS

DESIGN UA, INC., (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV18-038, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 0.905 acre of land located at 2455 South Archibald Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Fast Food Restaurant (McDonald's)	GC (General Commercial)	CC (Community Commercial)	N/A
<i>North:</i>	Hotel (Americas Best Value Inn)	GC (General Commercial)	CC (Community Commercial)	N/A
<i>South:</i>	Gas Station and Convenience Store (76 and Circle K)	GC (General Commercial)	CC (Community Commercial)	N/A
<i>East:</i>	Single Family Residential	LDR (Low Density Residential)	LDR-5 (Low Density Residential)	N/A
<i>West:</i>	Fast Food Restaurant (KFC)	GC (General Commercial)	CC (Community Commercial)	N/A

(2) **Background:** The site was developed in the mid-1990s with a 3,892 square-foot McDonald's restaurant, indoor play area (Playplace) and a drive-thru facility. In 2011, the exterior facade was improved and the drive-thru facility and adjacent eastern parking lot were reconfigured to accommodate additional on-site vehicle stacking by constructing two queue lanes and menu boards. On December 17, 2018, the applicant submitted a Development Plan application for a 952 square foot addition that includes additional improvements to the drive-thru lanes and eastern parking lot to accommodate the proposed addition.

(3) **Site Plan/Circulation:** The 0.905 acre parcel is a narrow rectangular lot and the existing McDonald's restaurant is situated on northwest corner of the site. Parking is presently provided along the southern portion of the building and on the eastern half of the site. The existing building is setback

approximately 40 feet from the eastern (street facing) property line, 14 feet from the northern property line, 50 feet from the southern property line and approximately 228 feet from eastern property line. The entrance to the restaurant is located on south side of the building and access to the site is taken from Archibald Avenue via a 40-foot wide shared driveway located on the southwest corner of the site. The existing drive-thru lane entrance is located east of the existing building and circulates from east to west, along the northern property line, and turns south toward the southern drive aisle before exiting onto Archibald Avenue.

The proposed addition will extend the rear portion of the building further east by approximately 27 feet and will provide the restaurant with additional storage rooms, a break room, and include the relocated cashier window that will increase the building size to 4,844 square feet. The drive-thru will continue to circulate from east to west however the entrance will be relocated further east of its present location and include the reconfiguration of the adjacent southern parking area and eastern parking lot, trash enclosure area, landscape planters and the double queue drive-thru lanes to accommodate the proposed addition.

(4) **Parking:** The project is required to provide a minimum of 39 off-street parking spaces pursuant to the parking standards specified in the Development Code, as demonstrated by the parking summary table below. The project is proposing 40 off-street parking spaces which exceeds the minimum parking standards.

Parking Table Summary				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Fast Food Restaurants	3,892 SF 288 LF of drive-thru lane	13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet of drive-thru lane behind the pickup window	38	39
Storage	932 SF	1 space per 1,000 SF of GFA	1	1
TOTAL			39	40

(5) **Architecture:** The proposed addition will match the existing buildings contemporary architectural style features, color scheme and materials. The southern elevation will be the most visible portion of the addition and will include a secondary entrance for employee use that will be treated with a white tile and aluminum color canopy that projects over the new employee entrances similar to the main southern entrance. The addition will also carry over the existing aluminum horizontal banding accent and tan color scheme on all three proposed elevations.

(6) **Landscaping:** The overall existing landscaping will remain in place except for the areas affected by the proposed addition and relocated drive-thru facility. The existing landscape coverage is 13.5% and the proposed addition will reduce the landscape coverage to 11.8% which is consistent with the Development Code that only requires 10% landscape coverage for interior lots.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of additions to existing structures that do not result in an increase of more than 50 percent of the existing floor area before the addition or 2,500 square feet.

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

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

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

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the GC (General Commercial) land use district of the Policy Plan Land Use Map, and the CC (Community Commercial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Community Commercial zoning district, including standards relative to the particular land use proposed (fast food restaurant), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

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

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences

and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (fast food restaurant). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

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

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

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

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

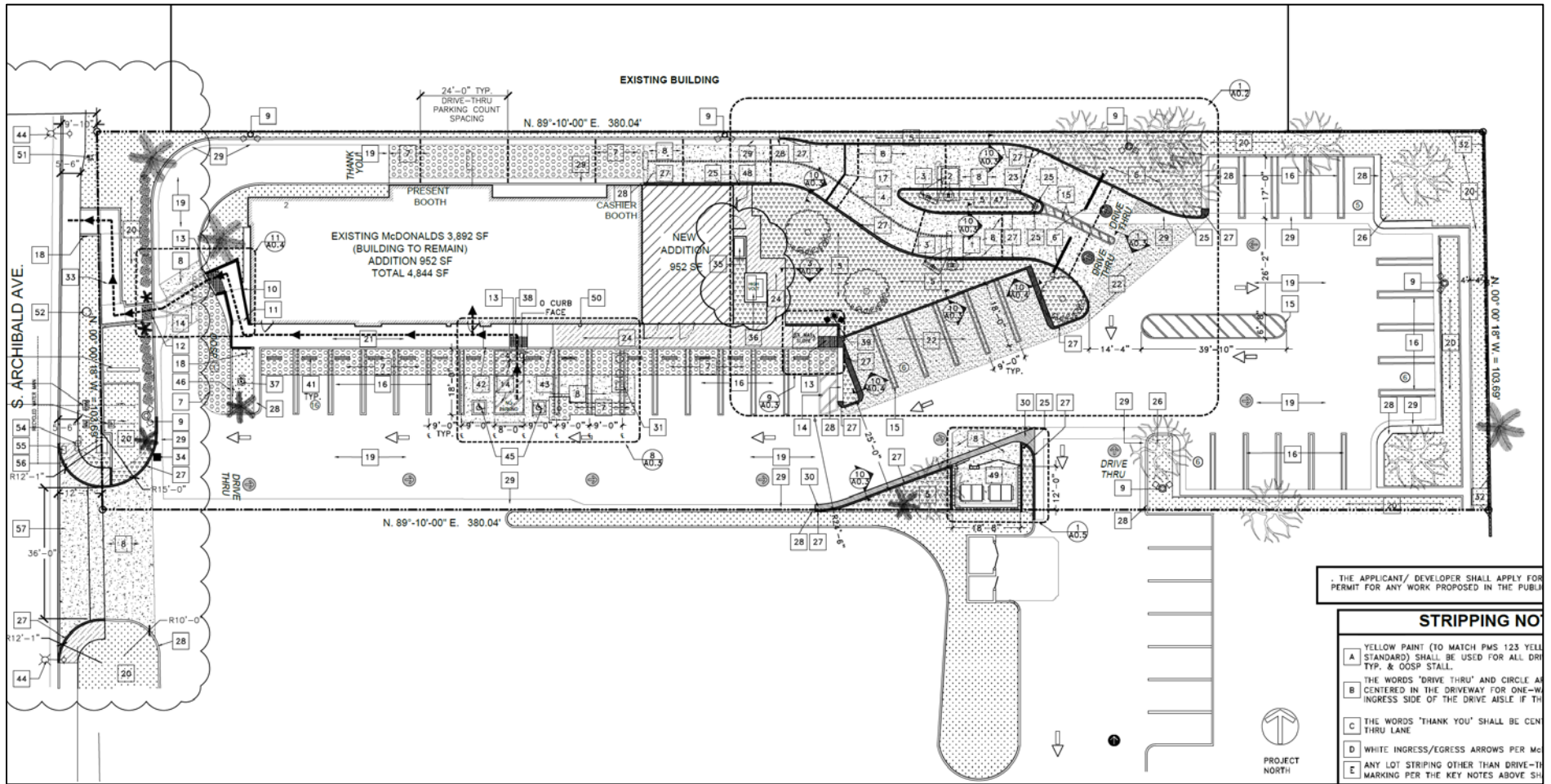
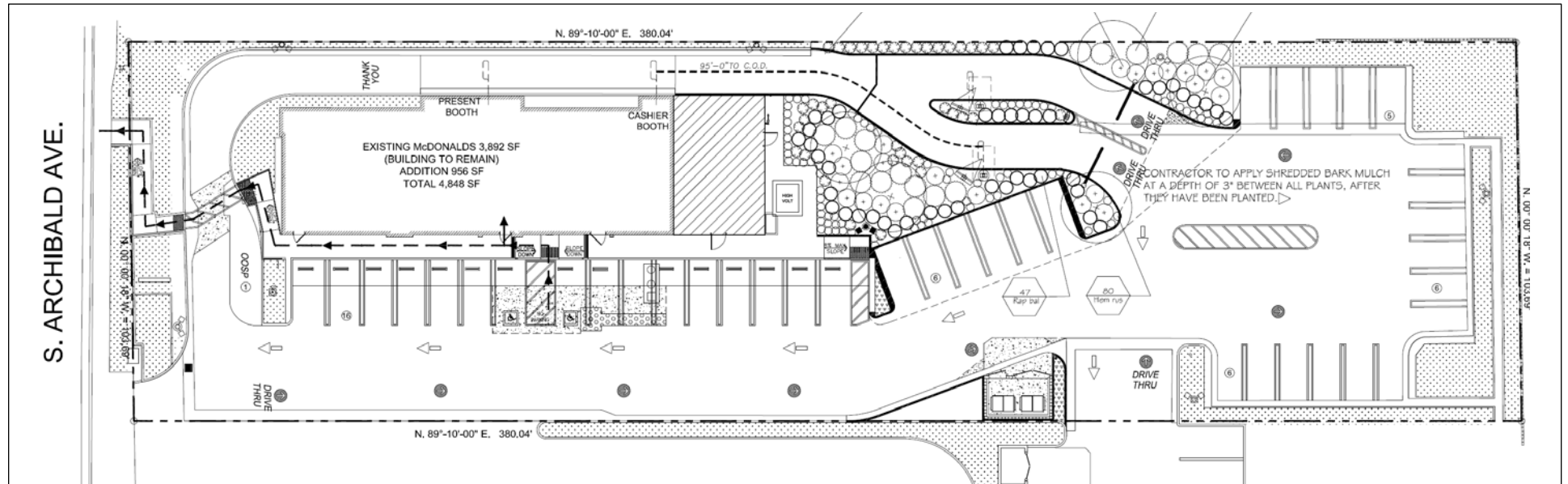


Exhibit C—ELEVATIONS



Exhibit D—LANDSCAPE PLAN



PLANT LEGEND

TREES

Quantity	Symbol	Scientific Name	Common Name	Code Name	Planting Size	WUCOLS
5	○	Chitalpa tashkentensis	Chitalpa	Chi tas	24" Box	LOW

SHRUBS

Quantity	Symbol	Scientific Name	Common Name	Code Name	Planting Size	WUCOLS
80	○	Memecalis Russian Rhapsody	Russian Rhapsody Daylily	Hem rus	5-Gal	LOW
38	○	Lantana camara "Monke"	Teeme Geeme Lantana	Lan gee	5-Gal	LOW
23	○	Leucophyllum frutescens "Compacta"	Compact Texas Ranger	Leu com	5-Gal	LOW
47	○	Raphiolepis indica "Ballenna"	Ballenna India Hawthorne	Rap bal	5-Gal	LOW
17	○	Thevetia peruviana	Yellow Oleander	The per	5-Gal	LOW



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 15, 2019

File No: PDEV18-038

Related Files:

Project Description: A Development Plan (File No. PDEV18-038) to construct a 952 square foot addition to an existing 3,892 square foot fast food restaurant (McDonald's) on 0.9 acre of land, located at 2455 South Archibald Avenue within the CC (Community Commercial) zoning district. (APN: 1011-401-07); **submitted by Design UA, Inc.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

2.4 Parking, Circulation and Access.

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

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

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

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

2.5 Site Lighting.

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

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

2.6 Mechanical and Rooftop Equipment.

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

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

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

2.8 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.9 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of additions to existing structures that do not result in an increase of more than 50 percent of the existing floor area before the addition or 2,500 square feet.

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

2.11 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-038

Address: 2455 South Archibald Avenue

APN: 1083-071-10

Existing Land Use: McDonalds Fast Food Restaurant with drive-thru

Proposed Land Use: 956 SF addition to an existing fast food restaurant (McDonalds)

Site Acreage: 0.90 AC Proposed Structure Height: 23 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 3/25/2019

CD No.: 2018-085

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 FT +</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

DAB MEETING DATE: July 15th, 2019

PROJECT: PDEV18-038, a Development Plan to construct a 956 square foot addition and reconfigure the drive thru lane and parking layout at an existing McDonald's restaurant on 0.9 acres.

APN: 1083-071-10

LOCATION: 2455 S Archibald Avenue

PROJECT ENGINEER: Antonio Alejos, Assistant Engineer *A.A.* (909) 395-2384

PROJECT PLANNER: Lorena Mejia, Senior Planner (909) 395-2276

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

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The Applicant/Developer shall remove and replace the existing driveway approach with a new commercial type driveway approach per City Standard Drawing Number 1204.
3. The Applicant/Developer shall equip to the existing fire hydrant a break-off check valve per City Standard Drawing Number 4101.
4. The Applicant/Developer shall equip to the existing domestic water service a back-flow preventer device per the latest City Standard Drawings.
5. The Applicant/Developer shall install a separate water service (for irrigation purposes only) to the existing IEUA recycled water main per the latest City Standard Drawings.
6. The Applicant/Developer shall upgrade the existing public street light pole located on the properties frontage by replacing the luminaire with an LED cobra head in accordance with the City of Ontario Traffic and Transportation Design Guidelines.

7. The Applicant/Developer shall construct a new two (2) bin trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.
8. The Applicant/Developer shall apply for an Encroachment Permit for any work proposed in the public right-of-way.
9. The Applicant/Developer shall remove the existing power pole along the property frontage and underground overhead utilities, starting at the existing power pole to be removed and ending at the existing power pole located approximately 150-ft south.
10. The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department.

for Ray Lirley
Bryan Lirley, P.E.
Principal Engineer

7/3/19
Date

Raymond Lee
Raymond Lee, P.E.
Assistant City Engineer

7/3/19
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: December 20, 2018
SUBJECT: PDEV18-038

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

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: January 10, 2019

SUBJECT: PDEV18-038 - A Development Plan to construct a 956 square foot addition and reconfigure the drive thru lane and parking layout at an existing McDonalds restaurant on 0.9 acres within the CC, Community Commercial zone located at 2455 S. Archibald Avenue.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
-



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 10, 2019

SUBJECT: PDEV18-038 – A DEVELOPMENT PLAN TO CONSTRUCT AN ADDITION AND RECONFIGURE THE DRIVE THRU LANES AND PARKING LAYER AT THE MCDONALDS LOCATED AT 2455 SOUTH ARCHIBALD AVENUE

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

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

The Applicant is invited to call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.

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

**PRELIMINARY PLAN
CORRECTIONS**

Sign Off

Carolyn Bell

Carolyn Bell, Sr. Landscape Architect

1/22/19

Date

Reviewer's Name:

Carolyn Bell, Sr Landscape Architect

Phone:

(909) 395-2237

D.A.B. File No.:

PDEV18-038

Case Planner:

Lorena Mejia

Project Name and Location:

McDonalds Restaurant Addition
2455 S Archibald

Applicant/Representative:

Robert Preece- Design USA
12832 Valley View St suite C
Garden Grove, CA 92845



A Preliminary Landscape Plan (dated 12/18/18) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Show storm water infiltration areas and show basins and swales to be no greater than 50% of the landscape area width to allow for ornamental landscape.
2. Show transformers located in planter areas, set back 5' from paving all sides.
3. Show backflow devices shall be located in planter areas, set back 4' from water meters, sidewalk and paving all sides. Locate on level grade.
4. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension.
7. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
8. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
9. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be

present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

10. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" box to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario General Fund for city tree planting or city approved combination of the above items.
11. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening.
12. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
13. Show landscaping in all planters. Replace turf grass, declining plants with water efficient landscape
14. Show parkway landscape and street trees spaced 30' apart.
15. Show parking lot island planters 1 for every 10 parking spaces and at each row end.
16. Show appropriate parking lot shade trees with min 30' canopy at maturity.
17. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
18. Show plant legend or hydrozones with low water plants; moderate water plants may be used for north and east facing locations.
19. Existing irrigation systems must meet current standards for existing systems.
20. Provide shade trees with min 30' canopy such as; Pistache, Ulmus, Quercus, instead of Chitalpa.
21. Replace short lived, high maintenance or poor performing plants: Hemerocallis, Lantana, Thevia.
22. Street trees for this project are: Platanus acerifolia 'Bloodgood'.
23. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
24. Provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
25. Call out all fences and walls, materials proposed and heights.
26. Show concrete mowstrips to identify property lines, or separate maintenance areas.
27. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
28. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
29. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
30. Provide phasing map for multi-phase projects.
31. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase)	<u>\$278.00</u>

Total.....\$1,579.00



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PVAR17-004

DESCRIPTION: A Variance (File No. PVAR17-004) to reduce the required building side yard setback from 10 feet to 5 feet, reduce the building separation requirements for garage to garage from 30 feet to 26 feet, and dwelling front to front from 30 feet to 23 feet, for a property located at 920 South Cypress Avenue within the MDR18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district; (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

Part I—BACKGROUND & ANALYSIS

SKG PACIFIC ENTERPRISES, INC., (herein after referred to as “Applicant”) has filed an application requesting Variance approval, File No. PVAR17-004, as described in the subject of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The project site is comprised of 1.42 acres of land located at 920 South Cypress Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. The project site is currently developed with a single-story, 1,127-square foot single-family dwelling that will be demolished to accommodate the proposed project. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Single Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>North:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>South:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>East:</i>	Single Family Residential	LMDR (Low Medium Density Residential)	MDR-11 (Low-Medium Density Residential)	N/A
<i>West:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A

(2) **Project Description:** On November 27, 2007, the applicant received approval of a Development Plan (File No. PDEV06-067) to construct 17 multiple-family units, and a Tentative Tract Map (File No. PMTT06-064, TT 18373) to create one lot for condominium purposes, which have both expired. The applicant is seeking approval of the same project and submitted a Tentative Tract Map (File No. PMTT17-004/TT18373), Development Plan (File No. PDEV17-015), and a Variance (File No. PVAR17-004) on March 13, 2017, for review and approval.

In 2015 and 2016, the City Council approved comprehensive updates to the City’s Official Zoning Map and Development Code to bring the Zoning Map and Development Code into consistency with the Policy Plan Component of The Ontario Plan. The Comprehensive Zoning Update included the project site and

surrounding properties, and reclassified zones throughout the City. Additionally, the R2 zone was eliminated and replaced with the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zone, and development standards were revised, affecting the previously approved plans as follows:

- In the MDR-18 zoning district, buildings are now required to have a 10-foot side yard setback, as opposed to a 5-foot side yard setback previously allowed on the property by the R2 zone;
- Open Space requirements were modified to provide 500 square feet of open space per unit, as opposed to the previously required 400 square feet per unit; and
- New development standards were introduced within the Development Code for minimum separations between buildings, based upon the building use, including garage to garage (30 foot separation) and dwelling front to front (30 foot separation).

The Applicant is now requesting Variance (File No. PVAR17-004) approval to reduce the required building side yard setback from 10 feet to 5 feet, reduce the building separation requirements for garage to garage from 30 feet to 26 feet, and dwelling front to front building separation from 30 feet to 23 feet. The Variance is being processed in conjunction with a Development Plan (File No. PDEV17-015) to facilitate the construction of 17 multiple-family residential units and a Tentative Tract Map (File No. PMTT17-004/TT18373) to subdivide the 1.42-acre project site into a single parcel for condominium purposes.

The existing narrow lot is 97 feet wide by 638 feet deep, and there are seven buildings proposed, which will be located primarily along southern half of the site, except for Building No. 1. To avoid the visual impact of a straight driveway along the entire length of the lot from Cypress Avenue Building 1 has been located at the northeast corner of the site, blocking the view. Building 1 consists of two units with main entries fronting Cypress Avenue. The driveway entrance is located at the southeast corner of the site and curves north and behind Building 1, before aligning west along the northern property line, with the main common drive that provides access to the remaining buildings.

For Buildings 1, 2, 3, 4, 5 and 7, a reduced side yard building setback is proposed, from 10 feet to 5 feet. For Buildings 2, 3, 4 and 5, a reduction in the building separation requirement for garage to garage is proposed, from 30 feet to 26 feet. For Buildings 3 and 4, a reduction in the building separation requirement for front to front is proposed, from 30 feet to 23 feet. The three Variance requests will allow the project to accommodate the required 26-foot wide drive aisle for emergency vehicle access and hammer head turnaround, as-well-as an adequately sized common open space area and a five-foot landscape planter located along the northern property line. The applicant has attempted to apply the Development Code requirements to the project site but when applied to the narrow lot, the resulting building envelope is limited. Additionally, the strict application of current development standards to the site would result in the elimination of the five-foot landscape planter along the northern property line, the reduction in common and private open space, and the loss of units that would make it difficult to meet the minimum required density for the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district.

Staff believes that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision. For these reasons, staff supports granting the variance request.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

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

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

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and

supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) **The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.** The neighborhood surrounding the project site is fully developed with a mix of multiple-family and single-family dwellings. The existing narrow lot is 97 feet wide by 638 feet deep. Buildings 1, 2, 3, 4, 5 and 7 are proposed for a reduced side yard building setback, from 10 feet to 5 feet. Buildings 2, 3, 4 and 5 are proposed for a reduction in the minimum building separation requirement for garage to garage, from 30 feet to 26 feet. Buildings 3 and 4 are proposed for a reduction in the minimum building separation for dwelling front to front, from 30 feet to 23 feet. The three Variance requests will allow the project to accommodate the required 26-foot wide drive aisle for emergency vehicle access and hammer head turnaround, an adequately sized common open space area, and a five-foot wide landscaped planter located along the northern property line. The applicant has attempted to apply the Development Code requirements to the project site but when strictly applied to the narrow lot, the resulting building envelope is limited. Additionally, strictly applying current development standards to the site would result in: [a] the elimination of the five-foot landscape planter along the northern property line, [b] a reduction in common and private open space, and [c] the loss of units would make it difficult to meet the required minimum density for the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. However, approval of the three requested Variances would allow the development to meet the minimum density requirements and develop the narrow shaped lot. In addition, TOP Policy Plan Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision. Strict interpretation and enforcement of the side yard setback and building separation requirements would result in practical difficulty, inconsistent with the objectives of the development regulations contained in the Development Code and TOP; and

(2) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.** The existing parcel is the last underutilized parcel within the immediate vicinity that can be developed to meet the intensity requirements envisioned by

TOP and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. The neighborhood surrounding the project site is fully developed with a mix of multiple-family and single-family dwellings. The majority of the properties in the neighborhood were developed with the previous R-2 zone Development Code standards, which allowed for a five-foot side yard building setback, a minimum open space requirement of 400 square feet per unit and building separations were not required. Furthermore, the granting of the side yard setback and building separation reductions will allow the site to maintain adequate access for emergency vehicles, meet common and private open space requirements, and result in an overall site plan that is aesthetically pleasing for residents by providing the 5-foot wide landscape planter located along the northern property line of the project site; and

(3) ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief of a reduced side yard setback and building separation requirements will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same zoning district, located within the area of the project site; and

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

(5) ***The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.*** The proposed Project is located with the MDR (Medium Density Residential – 11.1 to 18.0 DU/Acre) land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

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

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

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

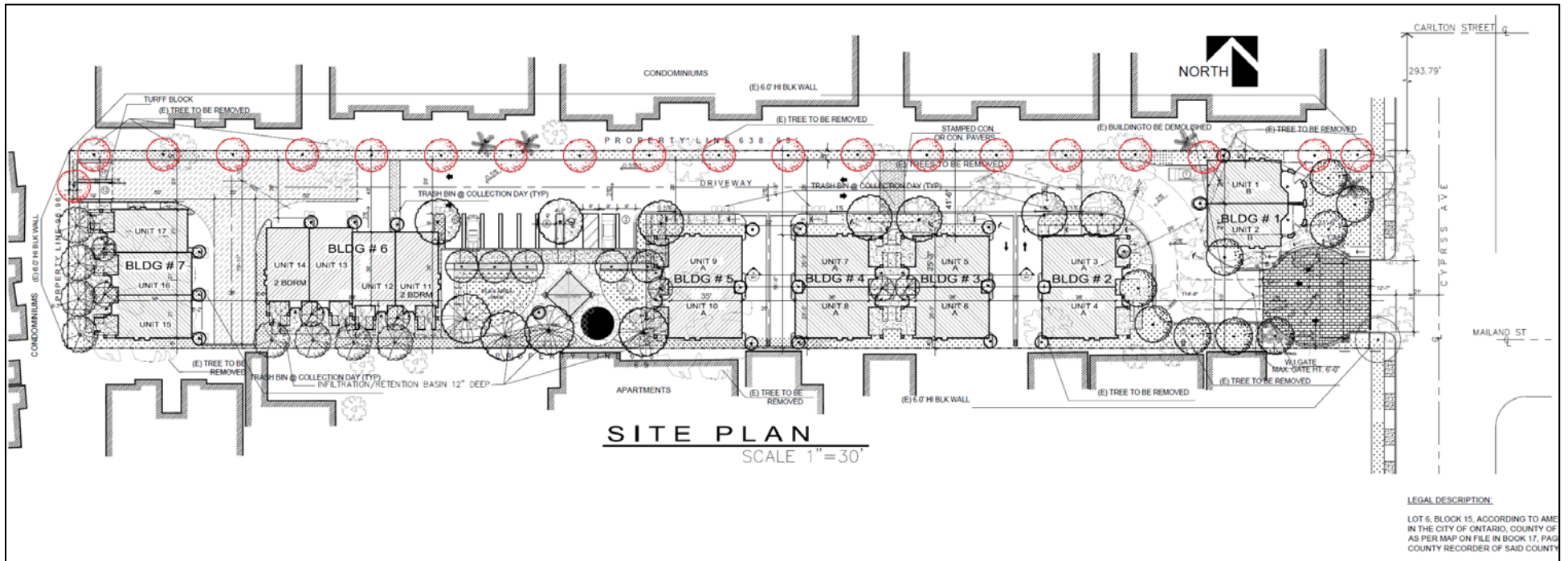
APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—Site Plan



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 15, 2019
File No: PVAR17-004
Related Files: PMTT17-004 & PDEV17-015

Project Description: A Variance (File No. PVAR17-004) to reduce the required building side yard setback from 10 feet to 5 feet, reduce the building separation requirements for garage to garage from 30 feet to 26 feet and dwelling front to front building separation from 30 feet to 23 feet for a property located at 920 South Cypress Avenue within the MDR18 zoning district. (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

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

2.2 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

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

2.4 Additional Requirement. Variance approval shall not be final and complete until related File Nos. PMTT17-004 and PDEV17-015 have been approved by the Planning Commission.



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PMTT17-004

DESCRIPTION: A Tentative Tract Map (File No. PMTT17-004/TT18373) to subdivide 1.42 acres of land into a single parcel for condominium purposes for a property located at 920 South Cypress Avenue within the MDR18 zoning district. (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

Part I—BACKGROUND & ANALYSIS

SKG PACIFIC ENTERPRISES, INC., (herein after referred to as “Applicant”) has filed an application requesting Tentative Tract Map approval, File No. PMTT17-004, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 1.42 acres of land located at 920 South Cypress Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. The project site is currently developed with a single-story 1,127 square foot single-family dwelling that will be demolished to accommodate the proposed project. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Single Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>North:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>South:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>East:</i>	Single Family Residential	LMDR (Low Medium Density Residential)	MDR-11 (Low-Medium Density Residential)	N/A
<i>West:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A

(2) **Project Description:** On November 27, 2007, the applicant received approval of a Development Plan (File No. PDEV06-067) to construct 17 multi-family units, and a Tentative Tract Map (File No. PMTT06-064 (TT 18373)) to create one lot for condominium purposes, which have both expired. The applicant is seeking approval of the same project and submitted a Tentative Tract Map (File No. PMTT17-004/TT 18373), Development Plan (File No. PDEV17-015), and a Variance (File No. PVAR17-004) on March 13, 2017 for review and approval.

The Applicant is now requesting Tentative Tract Map (TT 18373) approval to subdivide the 1.42-acre project site into a single lot for condominium purposes. The project meets the minimum one acre project size requirement of the Development Code. The proposed map will include Covenants, Conditions and Restrictions (CC&R's) which will establish rules and regulations for the property owners association. In addition, the CC&R's will be recorded with the final map to ensure access and common maintenance of

landscaped areas, common open space area, parking facilities, and utility and drainage easements. Furthermore, prior to recordation of the final map, the Engineering Department is requiring the Applicant to vacate two existing street easements (33 feet wide) that are located along the western edge of the property.

The Tentative Tract Map is being processed in conjunction with a Development Plan (File No. PDEV17-015) to construct 17 multiple-family residential units and a Variance (File No. PVAR17-004) to reduce the required building side yard setback and building separation requirements for garage to garage and dwelling front to front.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.42 acres, less than the maximum five-acre threshold, and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

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

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

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

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

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

(1) ***The proposed Tentative Tract Map 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 applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the MDR (Medium Density Residential) land use district of the

Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “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” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to 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” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract 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 applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is located within the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is physically suitable for the type of multiple-family residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for multiple-family residential development at a density of 12 DUs/acre. The project site meets the minimum lot area and dimensions of the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is physically suitable for this proposed density/intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) **The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.** The design of the proposed subdivision, 17-unit multiple-family residential development and proposed right-of-way improvements on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

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

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

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

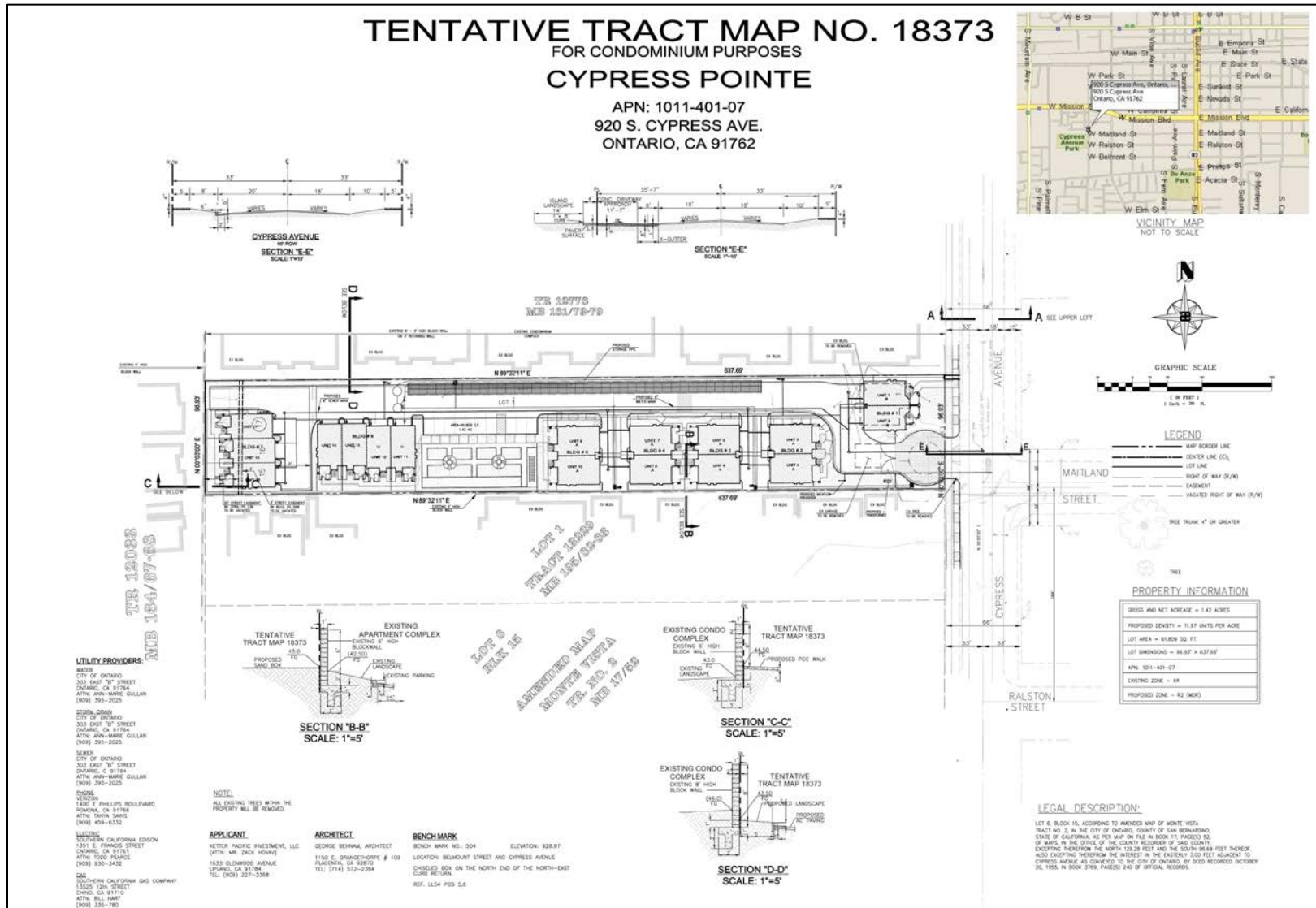
APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—Tentative Tract Map



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 15, 2019

File No: PMTT17-004

Related Files: PDEV17-015 & PVAR17-004

Project Description: A Tentative Tract Map (File No. PMTT17-004/TT18373) to subdivide 1.42 acres of land into a single parcel for condominium purposes for a property located at 920 South Cypress Avenue within the MDR18 zoning district. (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Tentative Parcel/Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations from the approved Tentative Tract Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) The subject Tentative Tract Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Tract and CC&Rs.

(d) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

2.4 Disclosure Statements.

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

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

2.5 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.42 acres, less than the maximum five-acre threshold, and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

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

2.7 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

2.8 Additional Requirement. Tentative Tract Map Approval shall not be final and complete until related File Nos. PDEV17-015 and PVAR17-004 have been approved by the Planning Commission.



HOUSING ELEMENT CONSISTENCY DETERMINATION



File No.: PDEV17-015, PVAR17-004 & PMTT17-004

Prepared By: Clarice Burden

Location: 920 South Cypress Avenue

Date: 4/13/17

Project Description:

Signature: *Clarice Burden*

A Development Plan to construct 17 condominium units on 1.34 acres of land located at 920 South Cypress Avenue, within the MDR-18 zone, a Variance to reduce private open space from 200 SF per unit to 150 SF per unit and A Tentative Tract Map to subdivide the property for condominium purposes (APN: 1011-404-07).

This project has been reviewed for consistency with the adopted Housing Element. The following was found:

- The proposed project is consistent with the adopted Housing Element. The site is not one of the properties listed in the Available Land Inventory in the Housing Element.
- The proposed project is consistent with the adopted Housing Element. The site is listed as one of the sites in the Available Land Inventory in the Housing Element. The number of units proposed by the project of _____ and density of _____ du/ac is consistent with the minimum number of units specified in the Available Land Inventory in the Housing Element. The Available Land Inventory specifies that this site has a minimum number of _____ units at a minimum density of _____ du/ac.
- The proposed project is not consistent with the adopted Housing Element. The site is one of the properties listed in the Available Land Inventory in the Housing Element. The proposed project is not consistent with the number of dwelling units of _____ and/or the minimum density of _____ specified in the Available Land Inventory in the Housing Element. The Available Land Inventory specifies that this site has a minimum number of _____ units at a minimum density of _____ du/ac. One of the following will be needed:
 - A General Plan Amendment to remove the subject property from the Available Land Inventory in the Housing Element will need to be approved prior to the approval of this project. Removing the subject property from the Available Land Inventory will not impact the City's Regional Housing Needs Allocation obligations since there are an adequate number of sites in the inventory to meet the RHNA obligation without finding replacement sites; or
 - A General Plan Amendment to remove the subject property from the Available Land Inventory in the Housing Element will need to be approved prior to the approval of this project. Removing the subject property from the Available Land Inventory will impact the City's Regional Housing Needs Allocation obligations since there are not an adequate number of sites in the inventory to meet the RHNA obligation. Replacement sites that meet the HCD criteria will need to be found and included in the General Plan Amendment (listed by APN, number of units and density). Appropriate replacement sites will need to be reviewed by Advance Planning staff prior to including them in the Available Site Inventory.
 - There are not adequate replacement sites to meet the City's RHNA obligation. The proposed project will either need to be revised to comply with the Housing Element or denied since it is not consistent with The Ontario Plan.

Additional Comments:
 The zoning for the property is MDR-18 and the land use designation for the property per TOP is Medium Density Residential which are consistent with each other. The proposed dwelling units per acre falls within the Medium Density Residential density range.

Findings should be included in the approving resolutions stating how/if the proposed project is consistent with the adopted Housing Element.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director
Diane Ayala, Advanced Planning Division
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Steve Wilson, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Lorena Mejia, Senior Planner

DATE: June 11, 2018

SUBJECT: **FILE #: PMTT17-004**

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, June 25, 2018**.

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide approximately 1.34 acres of land for condominium purposes, located at located at 920 South Cypress Avenue, within the MDR18 (Medium Density Residential - 11.1 to 18.0 DU/Acre) zoning district (APN: 1011-404-07). Related Files: PVAR17-004 & PDEV17-015.

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

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

The plan does not adequately address the departmental concerns.

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

Department: Landscape Planning Signature: Carolyn Bell Sr Title: Landscape Architect Date: 7/11/18



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP	<input checked="" type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-18373</u> RELATED FILE NO(S). <u>PMTT17-004, PDEV17-015 & PVAR17-004</u>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>		

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos *A.A.* (909) 395-2384

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: July 15th, 2019

PROJECT NAME / DESCRIPTION: TM-18373, a Tentative Tract Map to subdivide approximately 1.34 acres of land for condominium purposes.

LOCATION: 920 South Cypress Avenue

APPLICANT: SKG Pacific Enterprises, Inc.

REVIEWED BY: *[Signature]* 7/3/19
Bryan Lirley, P.E. Date

APPROVED BY: *[Signature]* 7/3/19
Raymond Lee, P.E. Date
Assistant City Engineer



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 **Vacate the following street(s) and/or easement(s):**
1.) 33-ft street easement along the westerly property line.
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
 (1) _____
 (2) _____
- 1.09 **Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.**



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Tract Map No. 18373 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4th, 1972.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

2.08 **Submit a soils/geology report.**

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

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

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

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

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

2.12 New Model Colony (NMC) Developments:

- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
- 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
- 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

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



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



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

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

Improvement	Cypress Av	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> Remove and replace damaged panels	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New w/ Break-Off Check Valve <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> New Lateral w/ Clean-out	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Water (see Sec. 2.D)	<input checked="" type="checkbox"/> New Service for Domestic Use w/ Back-flow Device <input checked="" type="checkbox"/> New Service for Irrigation Use w/ Back-flow Device <input checked="" type="checkbox"/> New Service for Fire Use w/ DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New "No Parking Anytime" Signs	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Relocate the existing Street Light if there is a conflict with the proposed driveway approach	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Under Sidewalk Drain	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	<input checked="" type="checkbox"/> Overhead utility services shall be removed and replaced with underground utility services	_____ _____ _____	_____ _____ _____	_____ _____ _____



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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 12-inch sewer main is available for connection by this project in Cypress Avenue. (Ref: Sewer plan bar code: S11321)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: _____

D. WATER

- 2.27 **A 16-inch water main is available for connection by this project in Cypress Avenue. (Ref: Water plan bar code: W10353)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.



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

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

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
- 1.) **The Applicant/Developer shall design the gated entry system such that residents can operate the gates via remote-control devices or transponder. A call box with keypad (or similar system) shall be provided to allow for visitor access and be placed 30 feet from back of ROW. The call box shall be placed so as to be accessible from within the vehicle. An entry median shall be designed to allow for vehicles to make an escape maneuver.**

G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County



Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located _____, see Fiber Optic Exhibit herein.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 Other conditions: _____



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV17-015 and Tract Map No. 18373

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

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



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



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV17-015

DESCRIPTION: A Development Plan (File No. PDEV17-015) to construct 17 multiple-family residential units on a property located at 920 South Cypress Avenue, within the MDR18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district; (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

Part I—BACKGROUND & ANALYSIS

SKG PACIFIC ENTERPRISES, INC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV17-015, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 1.42 acres of land located at 920 South Cypress Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. The project site is currently developed with a single-story, 1,127 square foot single-family dwelling that will be demolished to accommodate the proposed project. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Single Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>North:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>South:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
<i>East:</i>	Single Family Residential	LMDR (Low Medium Density Residential)	MDR-11 (Low-Medium Density Residential)	N/A
<i>West:</i>	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A

(2) **Project Description:**

(a) **Background** — On November 27, 2007, the Applicant received approval of a Development Plan (File No. PDEV06-067) to construct 17 multiple-family units, and a Tentative Tract Map (File No. PMTT06-064 (TT 18373)) to create one lot for condominium purposes, which have both expired. The applicant is seeking approval of the same project and submitted a Tentative Tract Map (File No. PMTT17-004/TT 18373), Development Plan (File No. PDEV17-015), and a Variance (File No. PVAR17-004) on March 13, 2017 for review and approval.

The Applicant is now requesting approval of a Development Plan (File No. PDEV17-015) to construct 17 multiple-family residential units. The Development Plan is being processed in conjunction with a Tentative

Tract Map (File No. PMTT17-004/TT 18373) to subdivide the project site into a single parcel for condominium purposes and a Variance (File No. PVAR17-004) to reduce the required building side yard setback and building separation requirements for garage to garage and dwelling front to front.

(b) Site Design/Building Layout — The existing narrow lot is 97 feet wide by 638 feet deep and includes a 33-foot wide street easement located along the western end of the site, which is proposed to be vacated. There are seven buildings proposed, which will be located primarily along southern half of the site, except for Building No. 1. To avoid the visual impact of a straight driveway along the entire length of the lot from Cypress Avenue, Building 1 has been located at the northeast corner of the site, blocking the view. Building 1 consists of two units with main entries fronting Cypress Avenue, and is setback 21 feet from the front property line.

The driveway entrance is located at the southeast corner of the project site and curves north, behind Building 1, before aligning west along the northern property line, to provide access to the remaining seven buildings. Building 2 is setback approximately 115 feet from the front property line and the front entrances have been designed to face Cypress Avenue, assisting to create an aesthetically pleasing streetscape within the existing neighborhood. The remaining buildings will gain access to their units through a shared 23-foot wide private courtyard or 15-foot wide landscaped walkway. The project is also providing a private park located near the center of the project site, which each unit can access via shared interior walkways.

(c) Site Access/Circulation — The project has one point of access from Cypress Avenue. The main common drive through the development runs east and west along the northern half of the lot, once it curves around the street-fronting units (Building 1). Building Nos. 6 and 1 have direct garage access from the main common drive. Garage access for the remaining six buildings are from north-south oriented driveways that intersect with the main common drive.

Trash trucks will be able to maneuver through the development by backing from the north-south driveways onto the main common drive. Additionally, a 50-foot deep by 20-foot wide hammer head has been provided at the western end of the main common drive to allow trash trucks and emergency vehicles to maneuver out of the development.

(d) Parking — The Development Code requires that the project provide a minimum of 46 parking spaces, based on multiple-family residential standards, which includes guest parking at the rate of one space per 4 units. The project proposes a total of 46 parking spaces, including 34 spaces located within a two-car garage for each unit and 12 unenclosed spaces. Nine unenclosed spaces are located north of the private park, two spaces are located along western property line, and one space is located adjacent to Building 1.

(e) Architecture — The project will consist of a three-story design with a Monterey Revival architectural style. Architectural features to be used on this project include red S-tiled roofs, beige stucco walls with a light sand finish, columns treated with a stack stone veneer, balconies treated with wrought iron railings, single-hung windows with shutters, and arched entryways with shed roofs. The second story balconies supported by columns create a covered front porch on the first floor. Other architectural details include iron crosses over square windows, rafter tails, and decorative vents. Each of the floor plans has a two-car garage and open bonus room on the first floor. The main living area is located on the second floor and the third floor contains three bedrooms (or two bedrooms plus den) and two bathrooms.

(f) Landscaping/Open Space — The project will provide the required perimeter landscaping in the front, side and rear yards, and along all drive aisles and building setbacks, for an overall landscape coverage of 20 percent. The open space requirements of the Ontario Development Code requires that each unit provide a minimum of 500 square feet of private/common open space per unit. A total of 8,500 square feet of private/common open space is required for the project and total 8,700 square feet has been provided, exceed the minimum standard. Private open space (minimum 200 square feet per

unit) has been provided in the form of patio areas on the first floor and second story balconies for each unit and common open space (minimum 300 square feet per unit) has been provided in the form of a private park located near the center of the site that is 5,047 square feet in size (measuring 49 feet deep by 103 feet in length) and will include a tot-lot, barbeque grills, a covered patio and open grass area. The balance of the required common area is dispersed throughout the project site in the form of passive landscaped areas.

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP) which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration. The proposed development will not substantially alter the existing drainage pattern. The onsite drainage will be conveyed to a series of on-site infiltration/retention basins that are one-foot in depth, located within the landscape planters along the western and southern property lines, and the private park grass area. Overflow drainage from the on-site detention basins will be conveyed to the curb and gutter along Cypress Avenue.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.42 acres, less than the maximum five-acre threshold, and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

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

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

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

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, including standards relative to the particular land use proposed (17-unit multi-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

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

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (17-unit multiple-family residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

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

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

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

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

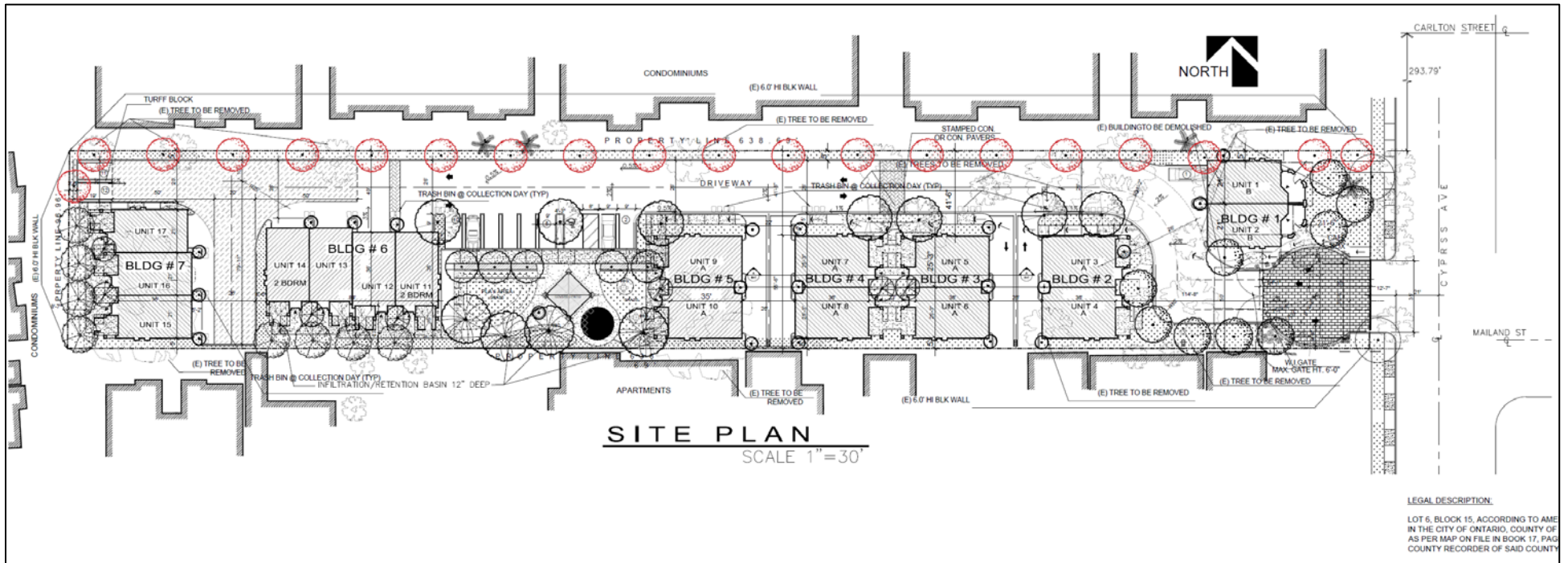
APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—Site Plan



**Exhibit C—Elevations
Building 1**



UNITS 1,2 TYPE(B) SOUTH ELEVATION
3/16" = 1'-0"

UNITS 1,2 TYPE(B) WEST ELEVATION
3/16" = 1'-0"



UNITS 1,2 TYPE(B) NORTH ELEVATION
3/16" = 1'-0"

UNITS 1,2 TYPE(B) EAST ELEVATION
3/16" = 1'-0"

Buildings 2 thru 5



BLDG # 2-5 UNIT 3-10 TYPE(A) NORTH ELEVATION
3/16" = 1'-0"

BLDG # 2-5 UNIT 3-10 TYPE(A) EAST ELEVATION
3/16" = 1'-0"



BLDG # 2-5 UNIT 3-10 TYPE(A) SOUTH ELEVATION
3/16" = 1'-0"

BLDG # 2-5 UNIT 3-10 TYPE(A) WEST ELEVATION
3/16" = 1'-0"

Building 6



BLDG # 6 SOUTH ELEVATION
3/16" = 1'-0"

BLDG # 6 WEST ELEVATION
3/16" = 1'-0"



BLDG # 6 EAST ELEVATION
3/16" = 1'-0"

BLDG # 6 NORTH ELEVATION
3/16" = 1'-0"

Building 7



- ELEVATIONS LEGEND**
- 1- CONCRETE ROOF TILE BY EAGLE
ICC # ESR-1900
 - 3- STUCCO SAND FINISH
 - 4- VINYL WINDOWS
 - 5- FOAM SHUTTER
 - 6- STUCCO TRIM OVER FOAM.
 - 8- LIGHTING FIXTURE
 - 9- WROUGHT IRON RAILING

BLDG # 7 NORTH ELEVATION
 $\frac{3}{16}'' = 1'-0''$

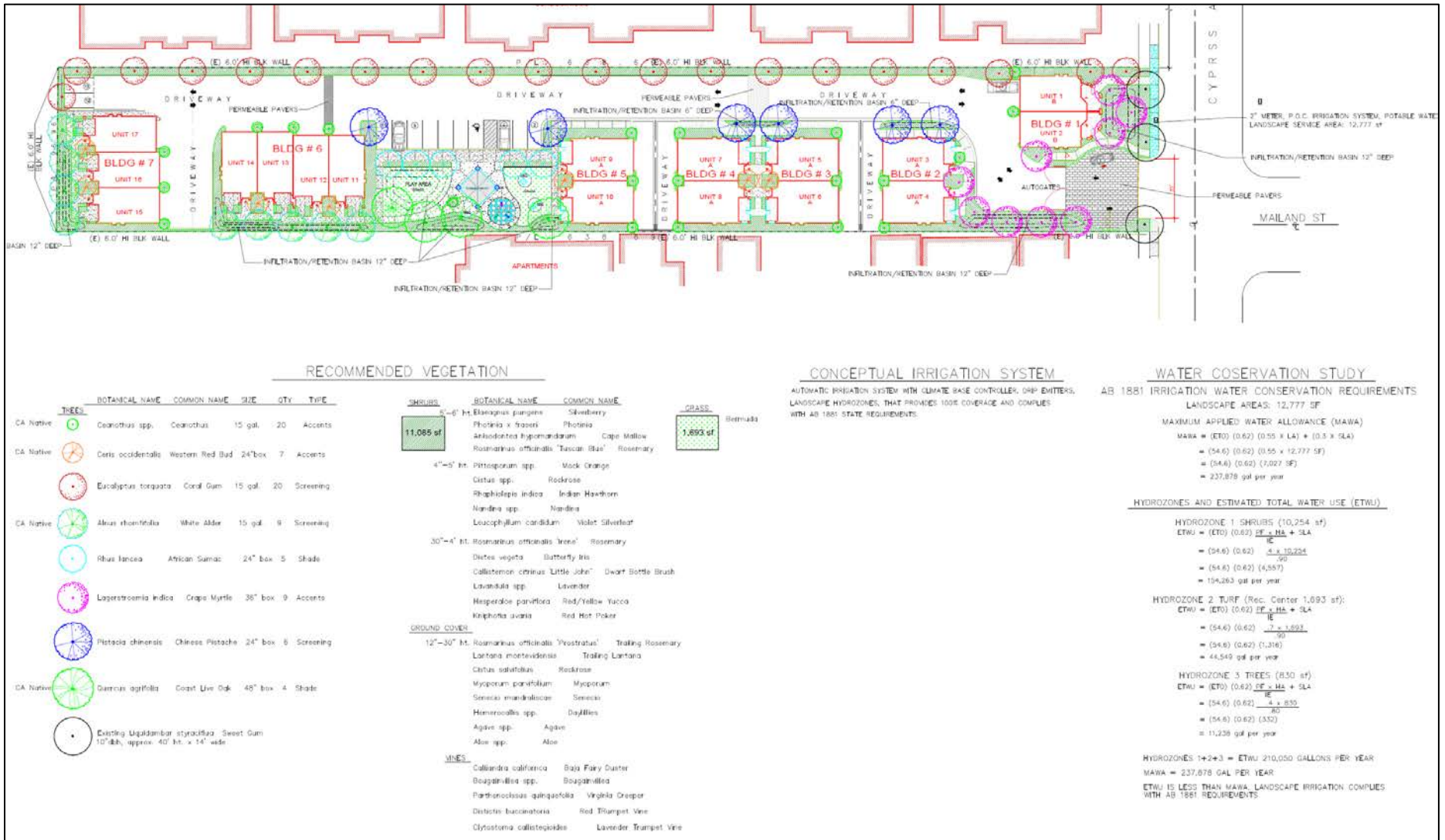
BLDG # 7 EAST ELEVATION
 $\frac{3}{16}'' = 1'-0''$



BLDG # 7 WEST ELEVATION
 $\frac{3}{16}'' = 1'-0''$

BLDG # 7 SOUTH ELEVATION
 $\frac{3}{16}'' = 1'-0''$

Exhibit D—Landscape Plan



RECOMMENDED VEGETATION

	BOTANICAL NAME	COMMON NAME	SIZE	QTY	TYPE
TREES	CA Native	Ceanothus spp.	Ceanothus	15 gal.	20 Accents
	CA Native	Cercis occidentalis	Western Red Bud	24" box	7 Accents
		Eucalyptus torquata	Coral Gum	15 gal.	20 Screening
	CA Native	Alnus rhombifolia	White Alder	15 gal.	9 Screening
		Rhus lancea	African Sumac	24" box	5 Shade
		Lagerstroemia indica	Crape Myrtle	36" box	9 Accents
		Pistacia chinensis	Chinese Pistache	24" box	8 Screening
	CA Native	Quercus agrifolia	Coast Live Oak	48" box	4 Shade
		Existing Liquidambar styraciflua	Sweet Gum	10" dbh, approx. 40' ht. x 14' wide	

GROUPS	BOTANICAL NAME	COMMON NAME	
11,085 sf	5"-6" ht. Eriogonum fasciculatum	Silvercherry	
	Phloxia x fraseri	Phloxia	
	Artemisia tridentata	Cape Mallow	
	Rosmarinus officinalis 'Tuscan Blue'	Rosemary	
	4"-5" ht. Pittosporum spp.	Mock Orange	
	Cistus spp.	Rockrose	
	Rhamnus californica	Indian Hawthorn	
	Nandina spp.	Nandina	
	Leucophyllum candidum	Violet Silverleaf	
	30"-4" ht. Rosmarinus officinalis 'Irene'	Rosemary	
1,893 sf	Diates vegeta	Butterfly Iris	
	Callistemon citrinus 'Little John'	Dwarf Bottle Brush	
	Lavandula spp.	Lavender	
	Hesperaloe parviflora	Red/Yellow Yucca	
	Kaliphora ovata	Red Hot Poker	
	GROUND COVER	12"-30" ht. Rosmarinus officinalis 'Prostratus'	Trailing Rosemary
		Lantana montevidensis	Trailing Lantana
		Cistus salvifolius	Rockrose
		Mycoporum paniculatum	Mycoporum
		Senecio mandibolae	Senecio
Hemerocallis spp.		Daylilies	
Agave spp.		Agave	
Aloe spp.		Aloe	
VINES		Callitandra californica	Baja Fairy Duster
		Bougainvillea spp.	Bougainvillea
	Pardocissus quinquefolia	Virginia Creeper	
	Dactyna buxinatoria	Red Trumpet Vine	
	Clytostema callistepoides	Lavender Trumpet Vine	

CONCEPTUAL IRRIGATION SYSTEM

AUTOMATIC IRRIGATION SYSTEM WITH CLIMATE BASE CONTROLLER, DRP EMITTERS, LANDSCAPE HYDROZONES, THAT PROVIDES 100% COVERAGE AND COMPLIES WITH AB 1881 STATE REQUIREMENTS.

WATER CONSERVATION STUDY

AB 1881 IRRIGATION WATER CONSERVATION REQUIREMENTS
 LANDSCAPE AREA: 12,777 SF

MAXIMUM APPLIED WATER ALLOWANCE (MAWA)
 MAWA = (ETO) (0.62) (0.55 x LA) + (0.5 x SLA)
 = (54.6) (0.62) (0.55 x 12,777 SF)
 = (54.6) (0.62) (7,027 SF)
 = 237,878 gal per year

HYDROZONES AND ESTIMATED TOTAL WATER USE (ETWU)

HYDROZONE 1 SHRUBS (10,254 sf)
 ETWU = (ETO) (0.62) (ET x HA) + SLA
 = (54.6) (0.62) (4 x 10,254 / 90)
 = (54.6) (0.62) (4,557)
 = 154,263 gal per year

HYDROZONE 2 TURF (Rec. Center 1,093 sf)
 ETWU = (ETO) (0.62) (ET x HA) + SLA
 = (54.6) (0.62) (7 x 1,093 / 90)
 = (54.6) (0.62) (1,316)
 = 44,549 gal per year

HYDROZONE 3 TREES (830 sf)
 ETWU = (ETO) (0.62) (ET x HA) + SLA
 = (54.6) (0.62) (4 x 830 / 90)
 = (54.6) (0.62) (3,532)
 = 11,238 gal per year

HYDROZONES 1+2+3 = ETWU 210,050 GALLONS PER YEAR
 MAWA = 237,878 GAL PER YEAR
 ETWU IS LESS THAN MAWA, LANDSCAPE IRRIGATION COMPLIES WITH AB 1881 REQUIREMENTS.

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 15, 2019

File No: PDEV17-015

Related Files: PMTT17-004 & PVAR17-004

Project Description: A Development Plan (File No. PDEV17-015) to construct 17 multi-family residential units for a property located at 920 South Cypress Avenue within the MDR18 zoning district. (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

2.6 Mechanical and Rooftop Equipment.

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

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

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

2.8 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.9 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.10 Disclosure Statements.

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

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

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.42 acres, less than the maximum five-acre threshold, and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

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

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

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

2.13 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

2.14 Additional Requirements.

(a) On-site solid waste shall be designed in accordance with the City's Solid Waste Manual.

(b) Development Plan approval shall not be final and complete until related File Nos. PMTT17-004 and PVAR19-004 have been approved by the Planning Commission.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-015
 Address: 920 S Cypress Avenue
 APN: 1011-404-07
 Existing Land Use: Single Family Home
 Proposed Land Use: Multi-family condominium (17 units)
 Site Acreage: 1.34 Proposed Structure Height: 35 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 5/25/17
 CD No.: 2017-029
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-029
PALU No.: _____

PROJECT CONDITIONS

New Residential land uses are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

(NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.)

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 21, 2017
SUBJECT: PDEV17-015

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: April 13 2017

SUBJECT: PDEV17-015 – A DEVELOPMENT PLAN TO CONSTRUCT A 17
CONDOMINIUM UNITS AT 920 S. CYPRESS AVENUE

The “Standard Conditions of Approval” contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Douglas Sorel at (909) 395-2873 with any questions or concerns regarding these conditions.

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Architect

2/20/19
 Date

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

D.A.B. File No.: PDEV17-015 Rev 4 Case Planner: Lorena Mejia

Project Name and Location:
 Cypress Pointe Condominiums
 920 S Cypress Ave

Applicant/Representative:
 Ketter Pacific LLC- Ray Allard, Allard Eng.
 16866 Seville Ave
 Fontana, CA 92335

- A Preliminary Landscape Plan (dated 1/22/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
- A Preliminary Landscape Plan () has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

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

Civil Plans

1. Show fire backflow device set back 4' back of paving to provide landscape screening
2. Show storm water chambers or infiltration areas. Infiltration areas within landscape planters may be no greater than 50% of the landscape area width. A 10' wide space allows a 5' wide swale.
3. Instead of a concrete trench, consider a vegetated swale with engineered soil 24" wide x 3-4' deep over a perforated pipe.
4. Limit paved surfaced in park area where not required.
5. Reduce driveway apron width from 35' to 28' to provide adequate space to screen utilities at front entry.

Landscape Plans

6. Show conceptual site furnishing including benches, trellis structure, play equipment cut sheets. See previous correction for suggestions. Show play equipment fall zones on plan.
7. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans if needed.
8. Revise infiltration basins and swales, see note above. Revise basins and swale where tree are required. Trees shall not be located in the bottom or slopes of basins or swales
9. Show all utilities on the landscape plans. Keep utilities clear of required tree locations: backflow devices 4' from paving for landscape screening max 36" high strappy leaf shrubs
10. Show parkway landscape and street trees spaced 30' apart. Liquidambar are dead/ dying

replace with designated street trees: Pistacia chinensis.

11. Call out type of proposed irrigation system: drip line with pop up stream spray bubblers for trees with PC screens.
12. Show landscape hydrozones to separate low water from moderate water landscape. Or add L, M, H to plant legend.
13. Show north and east facing areas with separate irrigation from south and west facing areas.
14. Avoid high water, short lived, high maintenance or poor performing plants: Ceanothus, Alnus, Rhus, Photinia, Anisodonte, Lavender, Lantana, Hemerocallis, Calliandra, Bougainvillea, all vines except clinging types for walls, Boston ivy, ficus repens
15. Note for agronomical soil testing and include report on landscape construction plans. Note on CD's contractor to take a 2nd test to verify amendments were added.
16. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations. Alnus and Ceanothus are not appropriate native trees for this location. Alnus are streamside trees and Ceanothus are north facing, ocean influence- cooler climate natives.
17. Note and show on plans AC units screened with landscape.
18. Provide agronomical soil tests at 12" depth and include independent lab report on landscape construction plans. Sewage sludge or biosolids are not allowed. Note "Contractor shall install amendments per plan and then take a new soil test and provide report to landscape architect and city inspector to verify amendments installed are satisfactory prior to planting. Landscape architect shall verify report with amendments receipts on certificate of compliance.
19. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections)	\$278.00
Inspection—Field - additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to:

landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 27, 2018

SUBJECT: PDEV17-015 – A Development Plan To Construct 17 Condominium Dwelling Units On Approximately 1.34 Acres Of Land Located At 920 South Cypress Avenue, Within The MDR-18 (Medium Density Residential - 11.1 To 18.0 DU/Acre) Zoning District (APN: 1011-404-07).
Related Files: PVAR17-004 & PMTT17-004.

-
- The plan **does** adequately address Fire Department requirements.
- No comments.
-



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP	<input checked="" type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-18373</u> RELATED FILE NO(S). <u>PMTT17-004, PDEV17-015 & PVAR17-004</u>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>		

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos *A.A.* (909) 395-2384

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: July 15th, 2019

PROJECT NAME / DESCRIPTION: **TM-18373, a Tentative Tract Map to subdivide approximately 1.34 acres of land for condominium purposes.**

LOCATION: 920 South Cypress Avenue

APPLICANT: SKG Pacific Enterprises, Inc.

REVIEWED BY: *[Signature]* 7/3/19
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *[Signature]* 7/3/19
 Raymond Lee, P.E. Date
 Assistant City Engineer



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 **Vacate the following street(s) and/or easement(s):**
1.) 33-ft street easement along the westerly property line.
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
 (1) _____
 (2) _____
- 1.09 **Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.**



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Tract Map No. 18373 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4th, 1972.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

2.08 **Submit a soils/geology report.**

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

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

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

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

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

2.12 New Model Colony (NMC) Developments:

- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
- 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
- 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

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



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



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

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

Improvement	Cypress Av	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> Remove and replace damaged panels	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New w/ Break-Off Check Valve <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> New Lateral w/ Clean-out	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Water (see Sec. 2.D)	<input checked="" type="checkbox"/> New Service for Domestic Use w/ Back-flow Device <input checked="" type="checkbox"/> New Service for Irrigation Use w/ Back-flow Device <input checked="" type="checkbox"/> New Service for Fire Use w/ DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New “No Parking Anytime” Signs	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Relocate the existing Street Light if there is a conflict with the proposed driveway approach	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Under Sidewalk Drain	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	<input checked="" type="checkbox"/> Overhead utility services shall be removed and replaced with underground utility services	_____ _____ _____	_____ _____ _____	_____ _____ _____



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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 12-inch sewer main is available for connection by this project in Cypress Avenue. (Ref: Sewer plan bar code: S11321)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: _____

D. WATER

- 2.27 **A 16-inch water main is available for connection by this project in Cypress Avenue. (Ref: Water plan bar code: W10353)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.



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

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

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - 1.) **The Applicant/Developer shall design the gated entry system such that residents can operate the gates via remote-control devices or transponder. A call box with keypad (or similar system) shall be provided to allow for visitor access and be placed 30 feet from back of ROW. The call box shall be placed so as to be accessible from within the vehicle. An entry median shall be designed to allow for vehicles to make an escape maneuver.**

G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County



Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located _____, see Fiber Optic Exhibit herein.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 Other conditions: _____



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV17-015 and Tract Map No. 18373

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

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



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



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [Insert DAB Decision No.]

FILE NO.: PMTT18-010

DESCRIPTION: A Tentative Parcel Map (PM 20087) to subdivide 17.92 acres of land into two parcels, for property located at 4900 East Fourth Street, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties, (Ontario Mills) Specific Plan. (APN: 0238-014-05); **submitted by Retail Properties of America Inc. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

RETAIL PROPERTIES OF AMERICA INC., (herein after referred to as "Applicant") has filed an application requesting a Tentative Parcel Map approval, File No. PMTT18-010, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 17.92 acres of land located at 4900 East Fourth Street, which is fully developed with a 124,600-square foot multiplex movie theater and associated off-street parking facilities. The property is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Edwards 22 / IMAX Theater	MU (Mixed Use)	Ontario Mills Specific Plan	Commercial / Office
<i>North:</i>	Costco Wholesale, City of Rancho Cucamonga	N/A	N/A	N/A
<i>South:</i>	Ontario Mills Mall	MU (Mixed Use)	Ontario Mills Specific Plan	Regional Commercial
<i>East:</i>	Multi-Tenant Retail Buildings	MU (Mixed Use)	Ontario Mills Specific Plan	Commercial / Office
<i>West:</i>	Shell Gas Station	MU (Mixed Use)	Ontario Mills Specific Plan	Commercial / Office

(2) **Project Description:**

(a) **Background** — The Applicant is requesting approval of a Tentative Parcel Map (TPM 20087) to subdivide the above-described project site into two parcels. According to the development standards of the Ontario Mills Specific Plan, there is no minimum parcel size required for development or subdivision of property, provided that the minimum setbacks, of-street parking, and landscaping requirements are met for each lot. Parcel 1 is proposed to be 17.16-acres in size and Parcel 2 will be 0.76-acres (see Exhibit B: Tentative Parcel Map 20087). The proposed subdivision will facilitate the future development of a commercial/retail building at the northeast corner of the project site. Access for both

parcels will continue to be provided by four driveways, located along Franklin Avenue, East Fourth Street, and Ontario Mills Drive (see Exhibit C: Existing Drive Aisles).

(b) Parking — The Edwards & IMAX theater project was approved by the Development Advisory Board (DAB) in July 1996, with a total of 1,436 required on-site parking spaces. An additional 187 parking spaces are also available to the south of the project site (Ontario Mills Mall), for a grand total of 1,623 parking spaces. The requested subdivision of the project site into 2 parcels and the subsequent development of Parcel 2 with a commercial use is anticipated to result in the loss of 30 off-street parking spaces, for a total of 1,406 shared on-site parking spaces. When combined with the available 187 off-site parking spaces, a grand total of 1,593 parking spaces will be provided for both parcels, exceeding the minimum number of required off-street parking spaces for both parcels.

To ensure sufficient parking for the two parcels, a Shared Parking Analysis was prepared by the Urban and Land Institute (March 2019). Based on the Urban and Land Institute's shared parking principles, the analysis focused the total the total peak hour parking demands for both commercial parcels. The analysis outlined peak weekday (Monday through Friday) and weekend (Saturday & Sunday) parking demands. The Parking Analysis concluded that the total peak hour parking demands for both parcels would be 1,066 parking spaces during the weekday and 1,420 parking spaces during the weekend (see Exhibit D: Shared Parking Analysis, Page 11) and demonstrating that with the a total of 1,593 parking spaces provided for both parcels, no parking availability issues are anticipated.

(c) Covenants, Conditions & Restrictions — As a condition of tentative parcel map approval, the project has been required to establish Covenants, Conditions and Restrictions (CC&R's), which will establish the property rights and responsibilities for each owner. The CC&R's will be recorded with the final map and address common maintenance, reciprocal access and reciprocal parking between parcels, and any common maintenance of landscaped areas, irrigation systems, parking facilities, and utility/drainage/flood control/rail easements. Additionally, the CC&Rs will memorialize the above-described shared parking analysis, which will be included as an attachment to the CC&Rs.

Part II—RECITALS

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

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is

subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15 - Minor Land Divisions) of the CEQA Guidelines. Class 15 allows for the division of property in urbanized areas for commercial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

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

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

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

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

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

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

(1) **The proposed Tentative Parcel Map 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 applicable area and specific plans, and planned unit developments.** The proposed Tentative Parcel Map is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and the Commercial/Office land use designation of the Ontario Mills Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*); and

(2) **The design or improvement of the proposed Tentative Parcel Map 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 applicable specific plans and planned unit developments.** The proposed Tentative Parcel Map is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and within the Commercial/Office land use designation of the Ontario Mills Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*); and

(3) **The site is physically suitable for the type of development proposed.** The project site meets the minimum lot area and dimensions of the Ontario Mills Specific Plan, and is physically suitable for the type of commercial/retail development that is proposed in terms of zoning, land use and development activity, and existing site conditions; and

(4) **The site is physically suitable for the density/intensity of development proposed.** The project site is currently developed and the proposed subdivision will facilitate future development of a commercial/retail building on Parcel 2. The project site meets the minimum lot area and dimensions of the Ontario Mills Specific Plan, and is physically suitable for the density and intensity of a future commercial/retail development; and

(5) **The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat; and

(6) **The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.** The project site is presently developed and the proposed subdivision, and the existing conditions on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site; and

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

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

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

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

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—TENTATIVE PARCEL MAP 20087

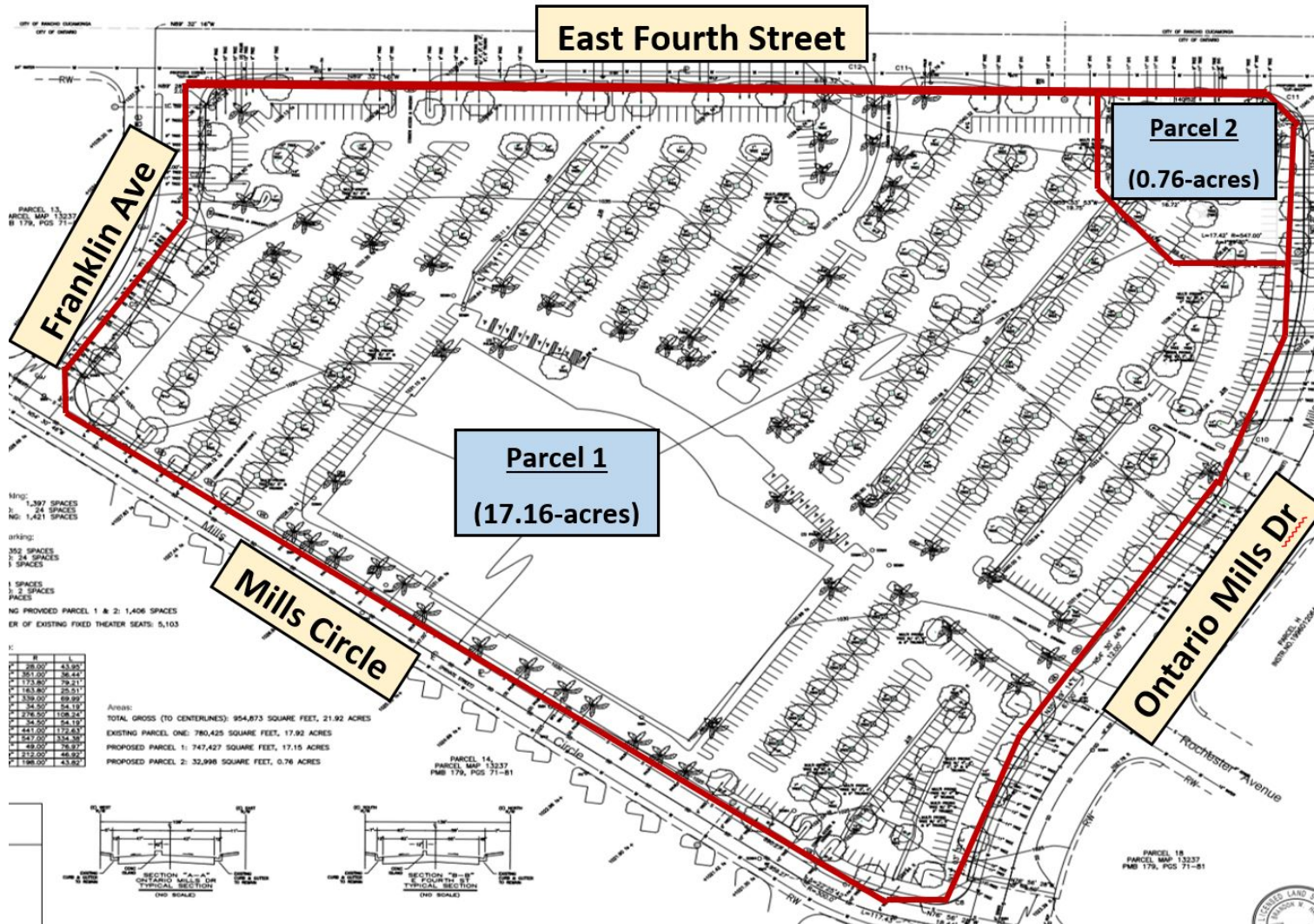


Exhibit C—EXISTING ACCESS DRIVEWAYS



Exhibit D—SHARED PARKING ANALYSIS

ULI SHARED PARKING ANALYSIS

PROJECT: REGAL CINEMA & OUTPARCEL RETAIL/FAST FOOD PAD

ADDRESS: 4900 EAST FOURTH STREET, ONTARIO

PLANNING FILE: PMTT18-10

APN: 0238-014-05

DATE: 03/08/19

Table
 Project: PMTT19-010 Parcel Map
 Description: Movie Theatre & Outparcel Retail/Fast Food Pad Building
 Address: 4900 East Fourth Street, Ontario

SHARED PARKING DEMAND SUMMARY WITH REGAL THEATRE AND OUT PARCEL PAD

PEAK MONTH: LATE DECEMBER -- PEAK PERIOD: 8 PM, WEEKEND

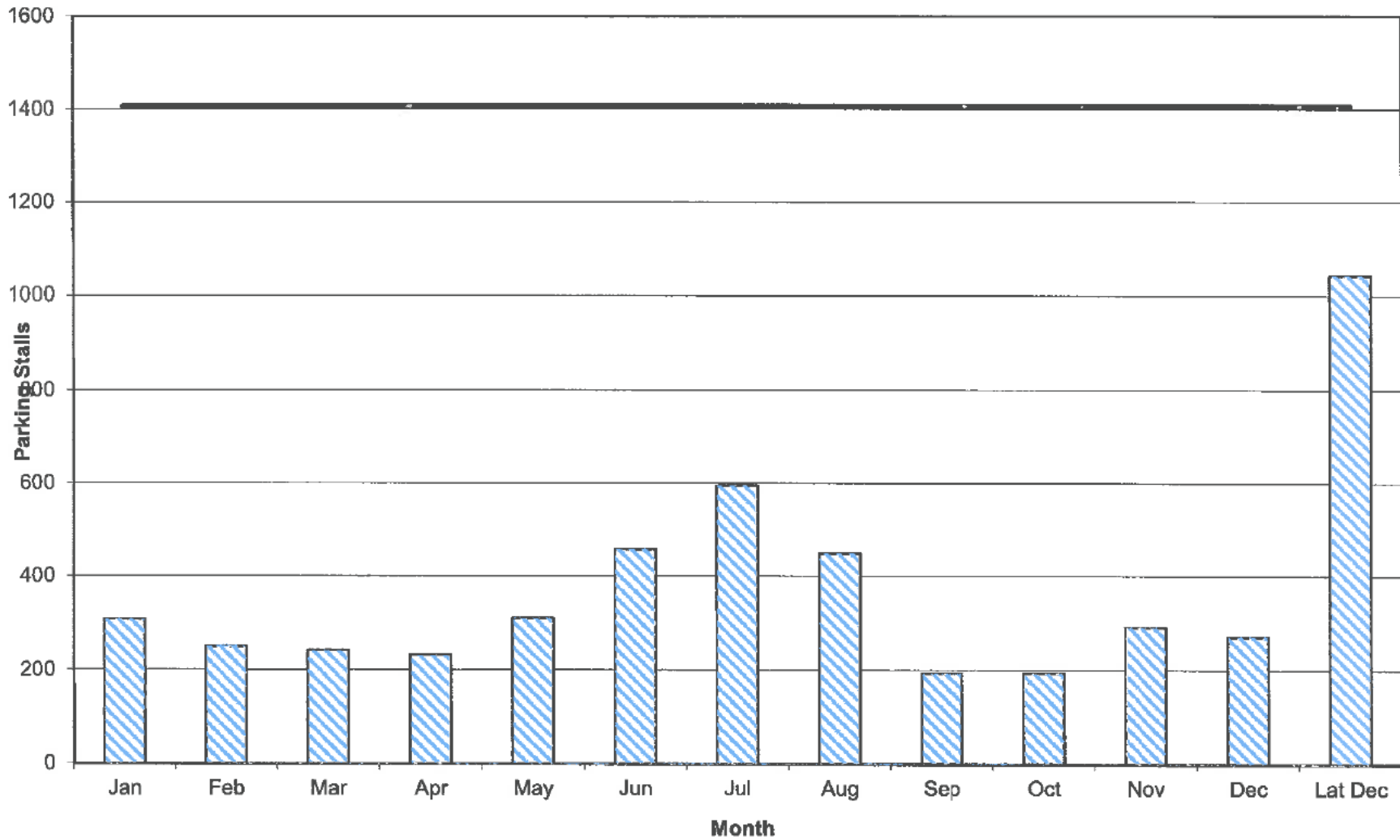
Land Use	Project Data Quantity Unit		Weekday					Weekend					Weekday			Weekend		
			Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand
													8 PM	Late December		8 PM	Late December	
Fast Food Restaurant	3,000	sf GLA	12.75	1.00	1.00	12.75	/ksf GLA	12.00	1.00	1.00	12.00	/ksf GLA	0.50	0.95	18	0.50	0.95	17
Employee			2.25	1.00	1.00	2.25	/ksf GLA	2.00	1.00	1.00	2.00	/ksf GLA	0.80	1.00	4	0.60	1.00	4
Cineplex	5,103	seats	0.19	1.00	1.00	0.19	/seat	0.26	1.00	1.00	0.26	/seat	1.00	1.00	970	1.00	1.00	1,327
Employee			0.01	1.00	1.00	0.01	/seat	0.01	1.00	1.00	0.01	/seat	1.00	1.00	51	1.00	1.00	51
Residential, Rental, Shared Spaces		units	1.50	1.00	1.00	1.50	/unit	1.50	1.00	1.00	1.50	/unit	0.98	1.00	0	0.98	1.00	0
Reserved		sp/unit	0	1.00	1.00	0	/unit	0	1.00	1.00	0	/unit	1.00	1.00	0	1.00	1.00	0
Guest		units	0	1.00	1.00	0	/unit	0	1.00	1.00	0	/unit	1.00	1.00	0	1.00	1.00	0
Reserved		sp/unit	0.00	1.00	1.00	0.00	/unit	0.00	1.00	1.00	0.00	/unit	1.00	1.00	0	1.00	1.00	0
Guest		units	0.15	1.00	1.00	0.15	/unit	0.15	1.00	1.00	0.00	/unit	1.00	1.00	0	1.00	1.00	0
												Customer		988	Customer		1344	
												Employee		55	Employee		55	
												Reserved		0	Reserved		0	
												Total		1043	Total		1399	

Shared Parking Reduction 27%
 Parking Provided 1406 2%

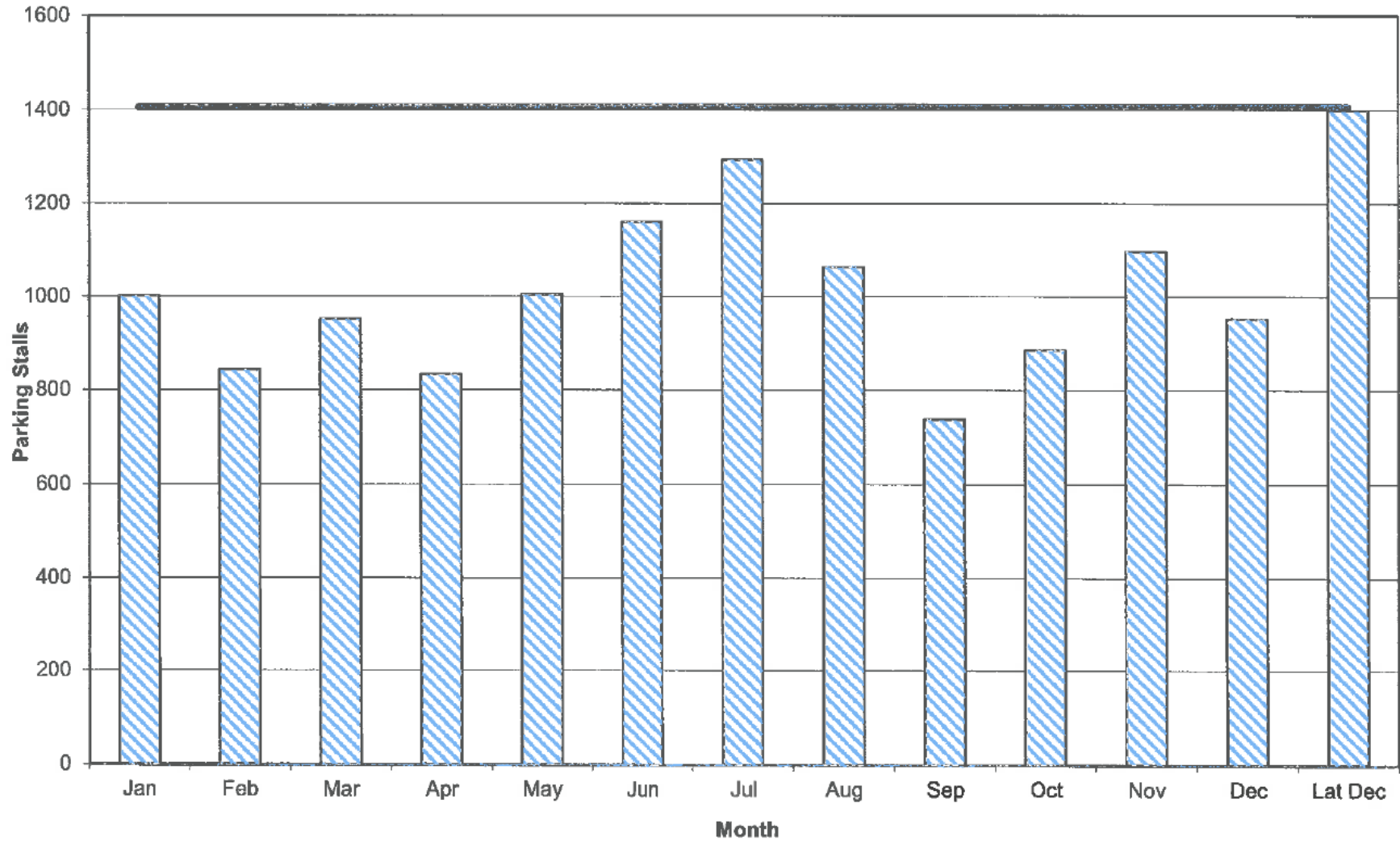
Project: PMTT18-010 Parcel Map
Description: Movie Theatre & Outparcel Retail/Fast Food Pad Building
Address: 4900 East Fourth Street, Ontario
kaf = thousand square feet

Land Use	Projected Parking Supply: 1406		Mode Adjustment				Noncaptive Ratio				
	Quantity	Max Parking Spaces		Weekday		Weekend		Weekday		Weekend	
		Weekday	Weekend	Daytime	Evening	Daytime	Evening	Daytime	Evening	Daytime	Evening
Community Shopping Center (<400 kaf)	0 sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Regional Shopping Center (400 to 600 kaf)	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Super Regional Shopping Center (>600 kaf)	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Fine/Casual Dining Restaurant	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Family Restaurant	0 sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Fast Food Restaurant	3,000 sf GLA	35	35	100%	100%	100%	100%	100%	100%	100%	100%
Employee		7	6	100%	100%	100%	100%	100%	100%	100%	100%
Nightclub	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Cineplex	5,103 seats	970	1327	100%	100%	100%	100%	100%	100%	100%	100%
Employee		51	51	100%	100%	100%	100%	100%	100%	100%	100%
Performing Arts Theater	seats	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Arena	seats	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Pro Football Stadium	seats	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Pro Baseball Stadium	seats	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Health Club	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Convention Center	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Hotel-Business	rooms	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Hotel-Leisure	rooms	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Restaurant/Lounge	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Conference Ctr/Banquet (20 to 50 sq ft/guest room)	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Convention Space (>50 sq ft/guest room)	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Residential, Rental, Shared Spaces	units	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Reserved	0 sp/unit	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Guest	units	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Residential, Owned, Shared Spaces	units	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Reserved	0 sp/unit	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Guest	units	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Office <25 kaf	0 sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Office 25 to 100 kaf	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Office 100 to 500 kaf	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Office >500 kaf	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Data Processing Office	sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Medical/Dental Office	0 sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Church	0 sf GLA	0	0	100%	100%	100%	100%	100%	100%	100%	100%
Employee		0	0	100%	100%	100%	100%	100%	100%	100%	100%
Subtotal Customer/Guest Spaces			1008	1363							
Subtotal Employee/Resident Spaces			58	57							
Subtotal Reserved Spaces			0	0							
Total Parking Spaces			1066	1420							

Weekday Month-by-Month Estimated Parking Demand



Weekend Month-by-Month Estimated Parking Demand



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 15, 2019

File No: PMTT18-010

Related Files: None

Project Description: A Tentative Parcel Map (File No. PMTT18-010, TPM 20087) to subdivide 17.92 acres of land into two parcels, for property located at 4900 East Fourth Street, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties (Ontario Mills) Specific Plan. (APN: 0238-014-05); **submitted by Retail Properties of America Inc.**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@ontarioca.gov

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

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

1.1 Time Limits.

(a) Tentative Parcel Map (TPM 20087) approval shall become null and void 2 years following the effective date of application approval, unless the final tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

1.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Parcel Map on file with the City. Variations from the approved Tentative Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period

provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit and shall be recorded with the Final Parcel Map.

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

1.4 Environmental Review.

(a) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15 - Minor Land Divisions) of the CEQA Guidelines. Class 15 allows for the division of property in urbanized areas for industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

1.5 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee of \$50.00 dollars shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said

fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

1.6 Additional Requirements.

(a) After the Final Parcel Map has been approved and recorded, a Development Plan shall be submitted to the Planning Department for review and approval, prior to the development of Parcel 2.

(b) The final CC&Rs (Covenants, Conditions & Restrictions) shall ensure reciprocal parking and access between both parcels.

(c) The CC&Rs shall memorialize the shared parking analysis submitted with the Tentative Parcel Map and approved by the City, which will be included as an attachment to the CC&Rs.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT

CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

DAB MEETING DATE: July 15th, 2019

PROJECT: PM-20087, a Parcel Map to subdivide 17.92 acres of land into two parcels.

APN: 0238-014-05

LOCATION: 4900 East Fourth Street

PROJECT ENGINEER: Antonio Alejos, Assistant Engineer *A.A.* (909) 395-2384

PROJECT PLANNER: Denny Chen, Associate Planner (909) 395-2424

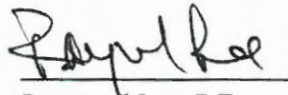
The following items are the Conditions of Approval for the subject project:

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The Applicant/Developer shall convert the existing street lights along the properties frontage at 4th Street, Franklin Avenue & Ontario Mills Drive with LED cobra heads in accordance with the City of Ontario Traffic and Transportation Design Guidelines.
3. The Applicant/Developer shall modify the exiting driveway approaches along the properties frontage at 4th Street, Franklin Avenue & Ontario Mills Drive to meet current ADA requirements.
 - a. The Applicant/Developer shall process a Public Easement Dedication for sidewalk purposes only if additional sidewalk is required behind the right-of-way line.
 - b. No new driveway approach will be allowed along parcel 2.
4. The Applicant/Developer shall prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
5. The Applicant/Developer shall record Parcel Map No. 20087 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.

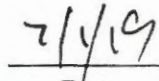
6. The Applicant/Developer shall submit a duplicate photo mylar of the record map to the City Engineer's office.
7. The Applicant/Developer shall provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
8. The Applicant/Developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
9. The Applicant/Developer shall process a right-of-way dedication to dedicate a property line corner 'cut-back' at the South-East corner of 4th Street/Franklin Avenue and South-West corner of 4th Street/Ontario Mills Drive per City Standard Drawing Number 1301.
10. The Applicant/Developer shall provide a private blanket easement over all of parcels 1 and 2 for reciprocal ingress-egress for the benefit of parcel 2.
11. The Applicant/Developer shall provide a private blanket easement over all of parcels 1 and 2 for surface drainage with no concentrated flows from one parcel to the other for the benefit of parcels 1 and 2.
12. The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department.

Bryan Lirley, P.E.
Principal Engineer

Date



Raymond Lee, P.E.
Assistant City Engineer



Date

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

DAB CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

12/26/18
 Date

Reviewer's Name: Carolyn Bell, Sr. Landscape Planner		Phone: (909) 395-2237
D.A.B. File No.: PMTT18-010	Related Files:	Case Planner: Denny Chen
Project Name and Location: Parcel Map 4900 East Fourth St.		
Applicant/Representative: Commerce Center North/ Ontario Gateway/Wagner Properties 3750 Long Beach Blvd ste 200 Long Beach, CA 90807		
<input checked="" type="checkbox"/>	A Tentative Tract Map (dated 11/21/18) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.	
<input type="checkbox"/>	A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.	

On Construction Plans:

1. Note decorative paving to match where existing is removed or damaged
2. Note for compaction in landscape areas to not be greater than 85%; all finished grades 1 1/2" below finished surfaces; landscaped slopes to be max 3:1.
3. Provide a tree inventory if construction within existing tree root or canopy area. Include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans.
4. Note landscapes shall be maintained by the property management association or maintenance personnel.
5. Replace missing shade trees in parking lot islands required in every planter island and at each row end. Consider Ulmus 'Drake', Quercus ilex, Pistachia chinensis or similar.
6. Repair or replace broken or leaking irrigation system.
7. Existing trees shall be protected in place. If tree removal is requested a landscape plan and tree inventory shall be submitted to this department for review and approval.
8. Landscape and irrigation plans shall be submitted for review and approval if any on-site construction, staging or storage occurs requiring landscape or irrigation replacement
9. Landscape and irrigation plans and installation shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: December 6, 2018
SUBJECT: PMTT18-010

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: November 26, 2018

SUBJECT: PMTT18-010 – A Parcel Map to subdivide 17.92 acres of land into two parcels located at 4900 E. Fourth Street, within the Commercial/Office land use district of the Ontario Mills (California Commerce Center North/Ontario Gateway Plaza/Wagner Properties) Specific Plan (APN: 0238-014-05).

-
- The plan does adequately address Fire Department requirements at this time.
- No comments.
-



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director
Diane Ayala, Advanced Planning Division
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Denny Chen, Associate Planner

DATE: November 21, 2018

SUBJECT: FILE #: PMTT18-010

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, December 5, 2018**.

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

PROJECT DESCRIPTION: A Parcel Map to subdivide 17.92 acres of land into two parcels located at 4900 E. Fourth Street, within the Commercial/Office land use district of the Ontario Mills (California Commerce Center North/Ontario Gateway Plaza/Wagner Properties) Specific Plan (APN: 0238-014-05).

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT
ANALYST
Title

11/27/18
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT18-010
 Address: 4900 East Fourth Street
 APN: 0238-014-05
 Existing Land Use: Movie Theatre and parking lot
 Proposed Land Use: Parcel Map to subdivide 17.92 acres into two parcels
 Site Acreage: 17.92 Proposed Structure Height: Existing Building
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 12/7/18
 CD No.: 2018-075
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 160 FT	
<input type="radio"/> Zone 5			

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

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-039

DESCRIPTION: A Development Plan to construct a 136,342-square foot single-story retail building (Costco Business Center) on 10.9 acres of land located on the south side of Guasti Road, approximately 500 feet east of Haven Avenue, within the Mixed Use land use district of the Ontario Gateway Specific Plan; (APN: 210-212-56 & 210-212-57) **submitted by Prime A Investments, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PRIME A INVESTMENTS, LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-039, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 10.9 acres of vacant land located on the south side of Guasti Road, approximately 500 feet east of Haven Avenue, and is depicted in Exhibit A: Project Location Map, attached. The site is relatively flat, with a gentle north to south slope of just over one percent. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed-Use
<i>North:</i>	Auto Dealership & Hotels	OC (Office Commercial)	Ontario Gateway Specific Plan	Entertainment & Auto
<i>South:</i>	Railroad, Parking & Industrial	Industrial	California Commerce Center Specific Plan	Commercial/Food/ Hotel & Rail Industrial
<i>East:</i>	Industrial	Business Park	IL (Light Industrial)	N/A
<i>West:</i>	Office	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed Use

(2) **Project Description:**

(a) **Background** — The applicant is requesting approval to construct a 136,342 square foot single story retail building (Costco Business Center) on the above-described project site. Costco Business Centers are unique to the traditional Costco Warehouse and are a growing part of the Costco experience. The services provided at Costco Business Centers are tailored toward corporate and small business needs, as opposed to typical retail customers or General Costco Warehouse members. Costco Business Centers focus on providing large quantity packaging of business goods and food services for small companies and restaurants, whereas the typical Costco Warehouse serves individual members and their families. Departments such as hearing aids, optical, pharmacy and tire service centers are unique to

the Costco Warehouse, and are not provided at Costco Business Centers. In addition, Costco Business Centers have a higher average sales amount per transaction in comparison to the traditional Costco Warehouse.

Due to the clientele served, Costco Business Centers provide two services: a walk-in and an on-line or phone order and delivery of the same merchandise. On average, 45% to 50% of the sales at a Costco Business Center are on-line order and delivery service. This means that members never travel to the store and, therefore, do not add trips to the surrounding road system. Typically, up to 30 Costco delivery trucks can be stored at a Business Centers to fulfill member orders. Twenty-six trucks will be stored at the proposed Ontario store.

The business hours of the proposed Costco Business Center, as compared to a typical Costco Warehouse, is as follows:

<i>Day of Week</i>	<i>Ontario Business Center Phone Order/Delivery</i>	<i>Ontario Business Center Walk-In</i>	<i>Costco Warehouse Walk-In</i>	<i>Comments</i>
Monday to Friday:	7 am to 6 pm	7 am to 6 pm	10 am to 8:30 pm	Opens and closes later
Saturday:	8 am to 5 pm	7 am to 4 pm	9:30 am to 6 pm	Opens and closes later
Sunday:	Closed	Closed	10 am to 6 pm	Business Center not open

(b) Site Design — The proposed project has been designed in conformance with the the development regulations, standards and design guidelines of the Mixed Use land use district of the Ontario Gateway Specific Plan. The building has been designed with the front entrance oriented north west towards the Guasti Road frontage. Additionally, a truck court with 8 loading docks and 26 trailer parking spaces is proposed at the rear of the building, facing the Southern Pacific Railroad right-of-way. The truck court will be secured with a 10-foot tall chain link fence along the south property line and an 8-foot tall decorative masonry screen wall along the west side of the trailer parking area and along the Guasti Road street frontage. Vehicular access into the truck court will be secured by decorative metal gates with a view-obscuring metal mesh.

Customer parking is located along the north and west sides of the building. In addition, several shopping cart corrals, which will be designed pursuant to Development Code Requirements (Section 6.11.060), have been incorporated into the site plan design and are strategically located along the north and west parking lot areas (see Exhibit B: Site Plan & Exhibit C: Floor Plan). To ensure that shopping carts are not removed from the project site, pursuant to Development Code requirements (Section 6.11.020.B), the project is required to provide an electronic barrier system at the perimeter of the business sight, which when crossed by a shopping cart, will disable the cart.

(c) Parking — The Development Code's off-street parking and loading provisions require the project provide 535 parking spaces and 2 loading spaces. The project proposes 402 parking spaces and 26 trailer parking spaces. The Ontario Development Code (Section 6.03.020.B), allows for the reduction in the number of parking spaces required, if it can be demonstrated that the proposed land use will not utilize the required number of spaces due to the nature of the specific land use. Therefore, the Applicant is requesting the Planning Commission grant a parking reduction for the project, based upon low parking demand for the proposed use. A Parking Study (LSA 2019), comparing the proposed Costco Business Center to other operating Costco Business Centers, was completed. The Parking Study demonstrated that the proposed Costco Business Center operation will have a lesser parking demand due to trip generation, than otherwise required by the Development Code. This was based on the restrictive

customer base, specific services offered, and more selective operational hours than the traditional Costco discount club. The Parking Study concluded that the proposed use only requires 3-parking spaces per 1,000 square feet, and not the 4 parking spaces per 1,000 square feet that the Development Code requires, which results in a difference of 133 parking spaces, as shown below:

Parking Summary Table		
	<i>Parking Ratio Required</i>	<i>Parking Spaces Required</i>
Parking Study:	3 spaces per 1,000 SF	402
Code Parking Requirement:	4 spaces per 1,000 SF	535
Parking Difference:		-133

Upon review of the Parking Study, Staff is in support of the requested reduction in parking. In the event that it is determined that the building occupant requires additional parking, the trailer parking area at the rear of the building can be modified to provide additional parking.

(d) Site Access/Circulation — The circulation plan for the Ontario Gateway Specific Plan reinforces the goal of moving vehicles, pedestrians, safely and efficiently through and around the project. The project has been designed to provide three points of vehicular access. Two access points will be provided on Guasti Road, and the third will be located at the end of the cul-de-sac located on the east side of the proposed building. Access on to the Guasti Road cul-de-sac will allow to direct truck traffic east Milliken Avenue and off of Haven Avenue. This access point will be restricted to be used only by Costco for truck ingress and egress. Costco will share the cost of completing all the improvements to the shared driveway located along the northwest portion of the site. The shared driveway will serve as the primary public access point from Guasti Road, as it will be signalized. Pedestrian access from Guasti Road will be provided by a 7-foot wide decorative sidewalk/path. The proposed development will have reciprocal access and shared parking with a retail commercial development that is planned to be developed immediately to the west, on the adjoining 4.29-acre vacant site. The proposed 19,000-square foot retail commercial development next door, will feature two multi-tenant buildings and one stand-alone restaurant with drive-thru (see Exhibit B: Site Plan).

(e) Architecture — The proposed development exemplifies the type of high quality architecture prescribed by the Ontario Gateway Specific Plan and the Ontario Development Code. Staff worked with the applicant to design a project that will complement the surrounding developments in terms of scale, style, form, and colors (see Figure 1: Entry Perspectives & Figure 2: Northeast Perspective & Exhibit D: Building Elevations).



Figure 1: Entry Perspective



Figure 2: Northeast Perspective

The contemporary architectural style proposed for the project is in keeping with the City's high standards for new development. The project will feature the following:

- A focal tower element on the buildings front main entry, facing the street and front parking lot area;
- Articulation in building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building's parapet/roof line that serves to accentuate and break up large expanses of building walls;
- Variation in materials (perforated metal panels, vertical ribbed metal panels, insulated metal panels, concrete walls, metal, honed stack bonded CMU);

- Incorporation of a Honed Stack Bonded CMU finish along the base of the Costco entry area, as well as within the base of the main tower columns;
- Decorative metal canopies at key locations along the west and north elevations;
- Variation in color; and
- Internally illuminated perforated metal panels

(f) Landscaping — The Ontario Gateway Specific Plan requires the project to provide a minimum 13 percent landscape coverage. The project proposes a 13.5 percent landscape coverage. Landscaping will be provided in the form of a 14-foot landscape setback along Guasti Road, a 30-foot landscape setback along the east property line, a 10-foot landscape setback along the south property line and a 15-foot landscape setback along the west property line. In addition, extensive landscaping in the form of ground cover, shrubs, and trees will be provided along the interior of the development to further enhance the project. Decorative paving has also been incorporated on all Guasti Road entry driveways and key pedestrian paths, to further enhance the project (see Exhibit: E Landscape Plan). To comply with the National Pollutant Discharge Elimination System (NPDES) requirements, large underground chambers, to be placed in the truck yard area, have been incorporated into the project.

Part II—RECITALS

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, staff is recommending the adoption of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010 for File No. PGPA06-001. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval; and

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

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

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

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

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

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

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

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; 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 Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010, and all mitigation measures previously adopted, are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR (The Ontario Plan Environmental Impact Report State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010) that will require major revisions to the Certified EIR (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010) 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 (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010) was prepared, that will require major revisions to the Certified EIR (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010) 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 (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010); or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010); or

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

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR (The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010) 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 recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Office Commercial land use district of the Policy Plan Land Use Map, and the Mixed-Use zoning district of the Ontario Gateway Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed development will provide additional services, consistent with TOP Policy LU1-6 (Complete Community). Additionally, the project will be well-landscaped, and will contribute to the overall streetscape along Guasti Road, consistent with TOP Policy CD2-9 (Landscape Design) and CD3-6(Landscaping); and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Mixed-Use land use designation of the Ontario Gateway Specific Plan, including standards relative to the particular land use proposed (retail-big box), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The project site is bordered to the north by the Embassy Suites Hotel and a Mercedes Benz Dealership, industrial uses to the east and railroad tracks to the south. The proposed building will not impose any privacy or view impacts; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Mixed-Use land use designation of the Ontario Gateway Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The proposed project is complementary to the surrounding area in terms of proposed land use and landscape improvements; and

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

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

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

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

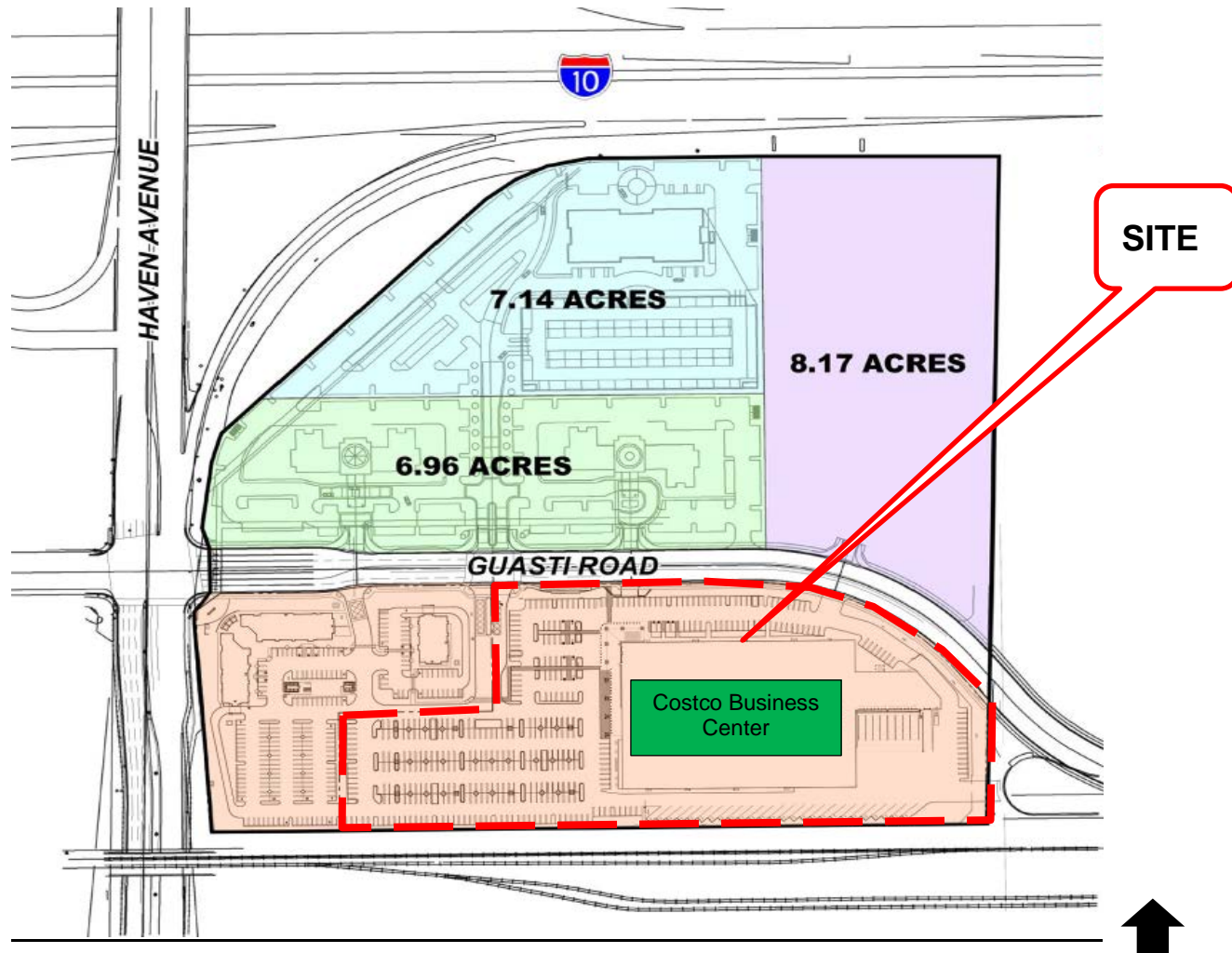


Exhibit B—SITE PLAN

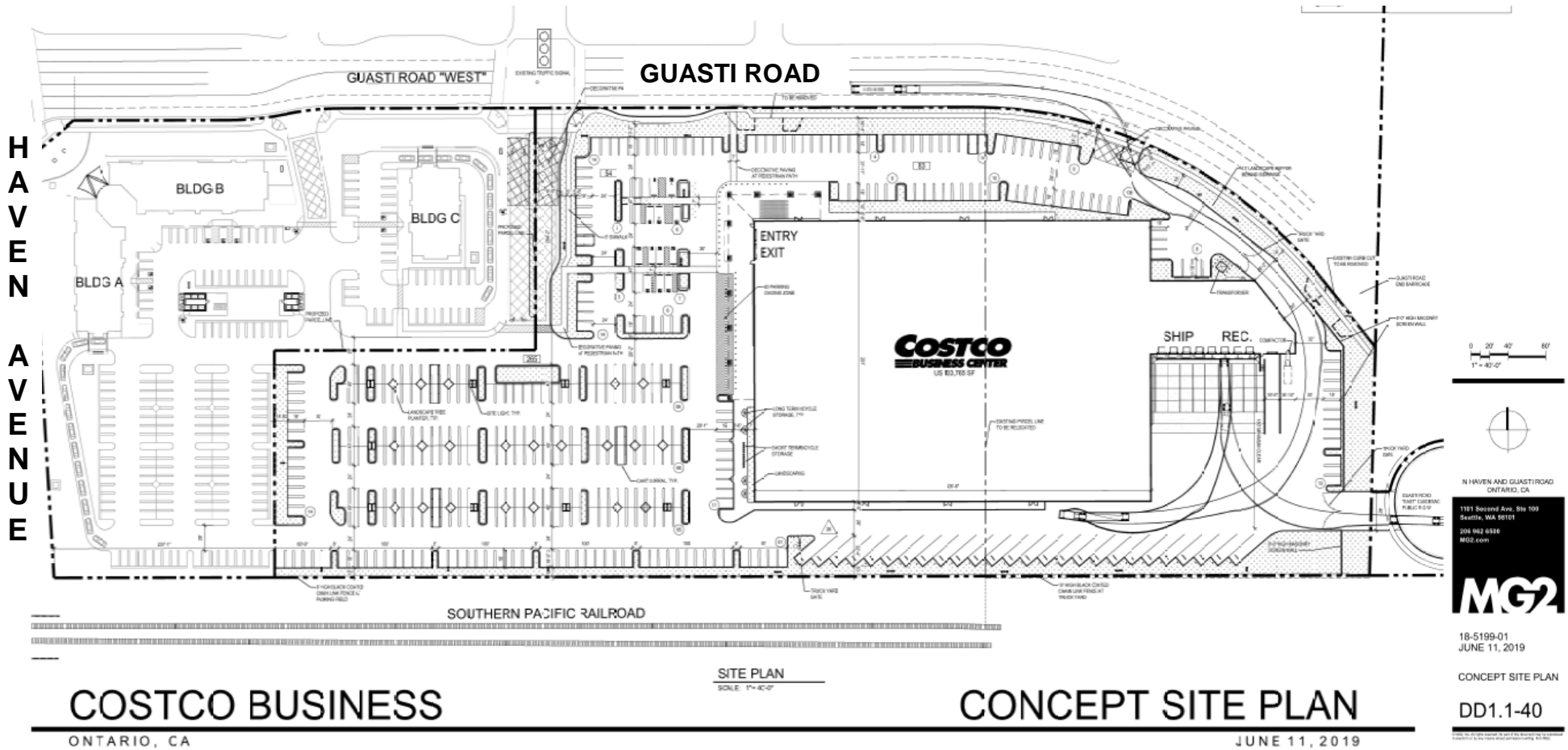


Exhibit C—FLOOR PLAN

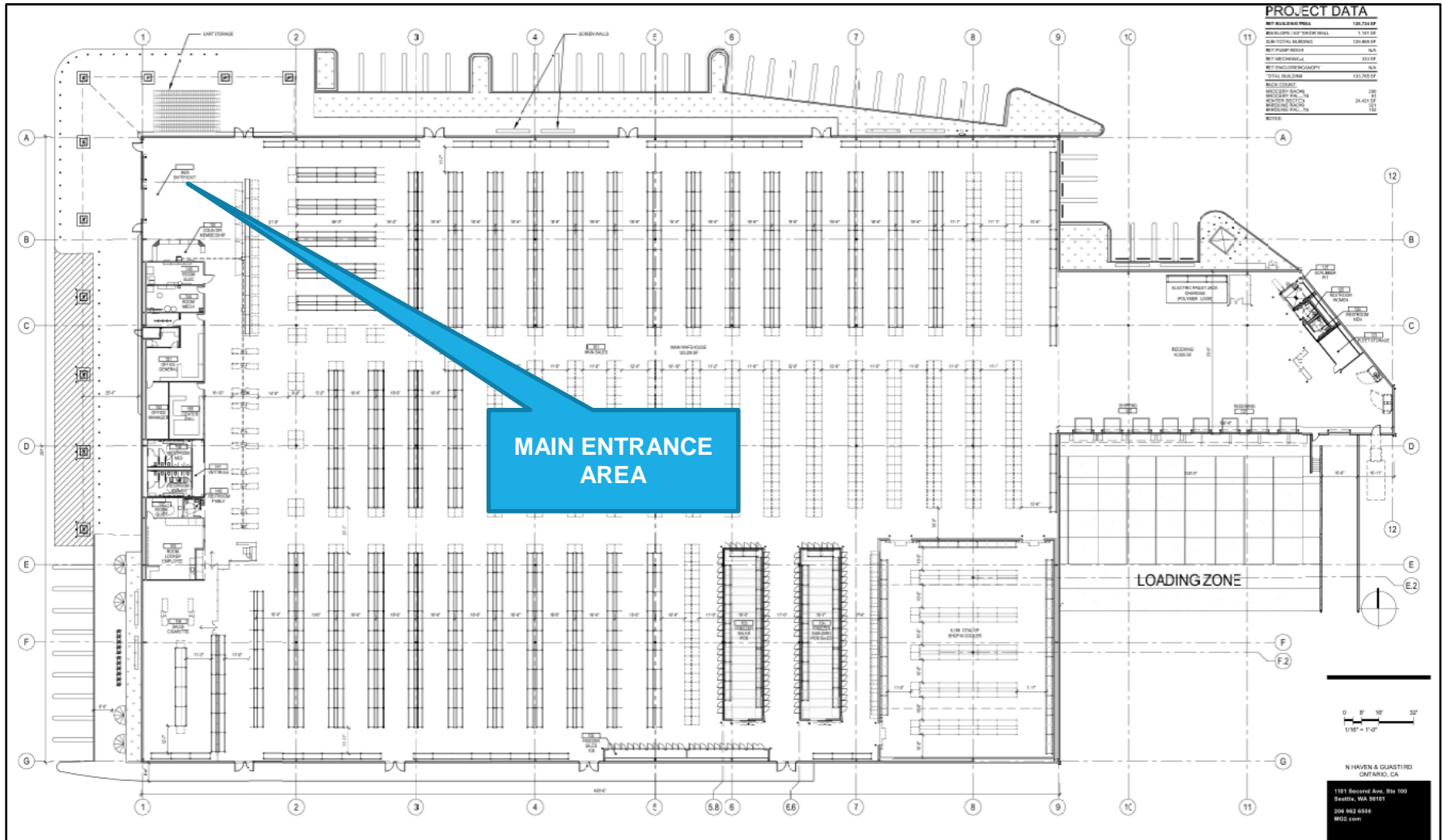


Exhibit D—BUILDING ELEVATIONS



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-039

DESCRIPTION: An Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010, for the construction of a 136,342 square foot single story retail building (Costco Business Center) on 10.9 acres of land, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan, located on the south side of Guasti Road, approximately 500 feet east of Haven Avenue; (APN's: 210-212-56 & 210-212-57) **submitted by Prime A Investments, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PRIME A INVESTMENTS, LLC. (herein after referred to as "Applicant") has filed an application requesting Development Plan approval for File No. PDEV18-039, as described in the Description of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 10.9 acres of land located within the Mixed-Use land use designation of the Ontario Gateway Specific Plan, located on the south side of Guasti Road, approximately 500 feet east of Haven Avenue. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed-Use
<i>North:</i>	Auto Dealership & Hotels	OC (Office Commercial)	Ontario Gateway Specific Plan	Entertainment & Auto
<i>South:</i>	Railroad, Parking & Industrial	Industrial	California Commerce Center Specific Plan	Commercial/Food/ Hotel & Rail Industrial
<i>East:</i>	Industrial	Business Park	IL (Light Industrial)	n/a
<i>West:</i>	Office	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed Use

The project analyzed under the Addendum (see attachment) consists of an Amendment to the Ontario Gateway Specific Plan (File No. PSPA18-010) to: 1) change the land use designation for 3.9 acres of land from Office to Mixed-Use and; 2) reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet. The Specific Plan Amendment application was filed in conjunction with a Development Plan (File No. PDEV18-039) to construct a 136,342 square foot single-story retail building (Costco Business Center) on the project site.

This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures will be a condition of any subsequent project approval.

Part II—RECITALS

WHEREAS, the environmental impacts associated with this Project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010, in conjunction with File No. File No. PGPA06-001; and

WHEREAS, the project analyzed included the Amendment to the Ontario Gateway Specific Plan (File No. PSPA18-010) to: 1) change the land use designation for 3.9 acres of land from Office to Mixed-Use and; 2) reduce the rear parking/landscape setback adjacent to the railroad tracks from 20-feet to 10-feet. In conjunction with a Development Plan (File No. PDEV18-039) to construct a 136,342 square foot single story retail building (Costco Business Center) on 10.9 acres of land within the Mixed-Use land use designation; and

WHEREAS, the Planning Department of the City of Ontario has prepared an Initial Study, and approved for circulation, an Addendum to the aforementioned previous Certified EIR prepared for File No. PGPA06-001 (hereinafter referred to as “Initial Study/Addendum”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the Addendum concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the approving authority of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program (“MMRP”) to ensure compliance with the mitigation measures during project implementation, and such a MMRP has been prepared for the Project for consideration by the approving authority of the City of Ontario as lead agency for the Project; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the Development Advisory Board has reviewed and considered the Initial Study/Addendum and related documents for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Addendum and related documents are on file in the City of Ontario Planning Department, located at 303 East B Street, Ontario, CA 91764, and are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein.

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) 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

(2) The DAB has independently reviewed and analyzed the Initial Study/Addendum and other information in the record, and has considered the information contained therein, prior to acting on the Project; and

(3) The Initial Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; and

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

(5) The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

(6) The Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project.

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

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

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of

new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

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

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

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

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

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

SECTION 3: Development Advisory Board Action. The DAB does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby recommend the Planning Commission Approve the adoption of the Addendum to the Certified EIR, included as Attachment 1 of this Decision.

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 Initial Study/Addendum and all other documents and materials that constitute the record of proceedings on which these findings have been based, are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

**ATTACHMENT A:
ADDENDUM TO THE ONTARIO PLAN
ENVIRONMENTAL IMPACT REPORT**



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

**California Environmental Quality Act
Initial Study Form**

Project Title/File No.: PSPA18-010 & PDEV18-039

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

Contact Person: Luis Batres, 909-395-2431

Project Sponsor: Prime A Investments, LLC., 16850 Bear Valley Road, Ste. 200, Victorville, California 92395

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located at the southeast corner of Haven Avenue and Guasti Road.

Figure 1—REGIONAL LOCATION M

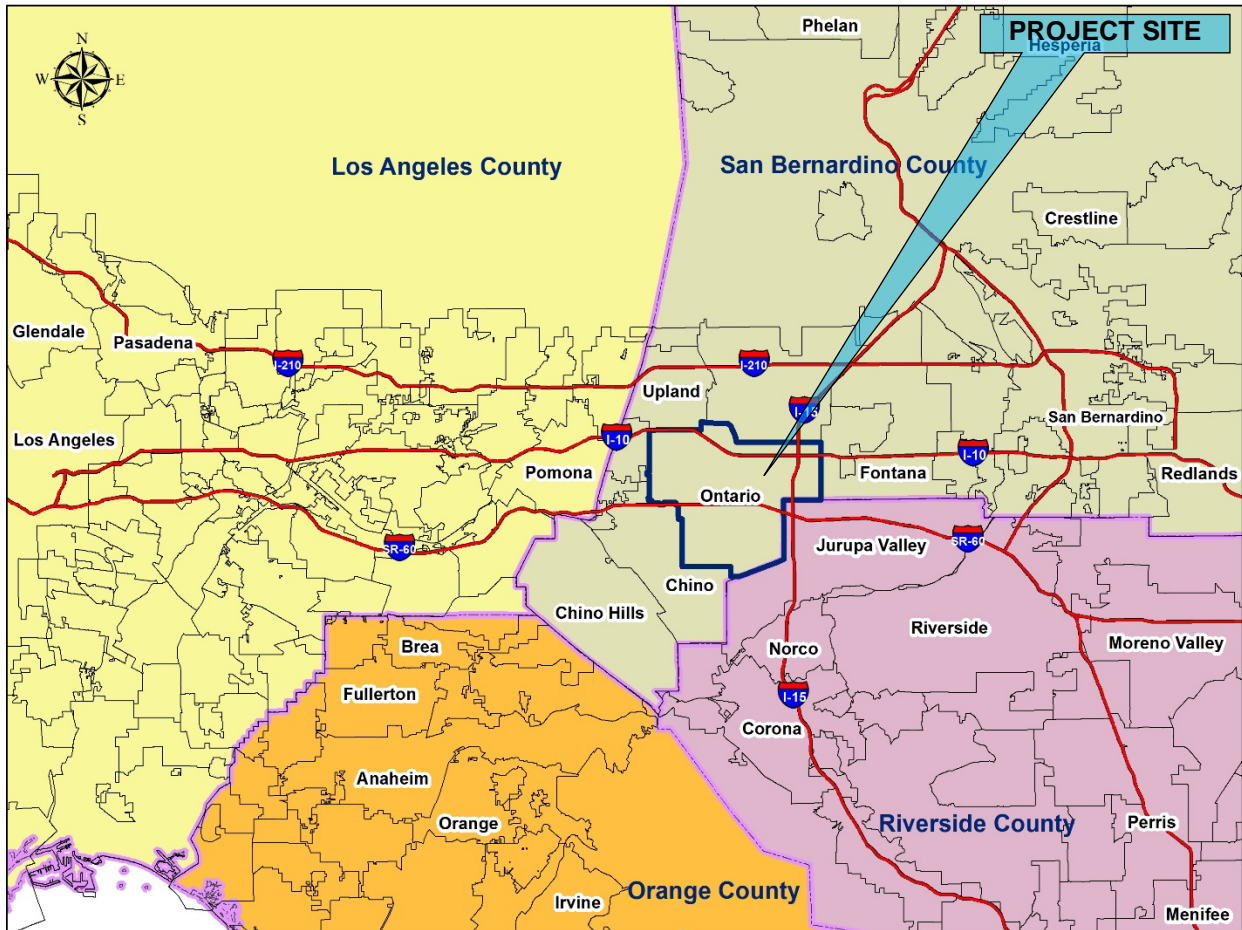
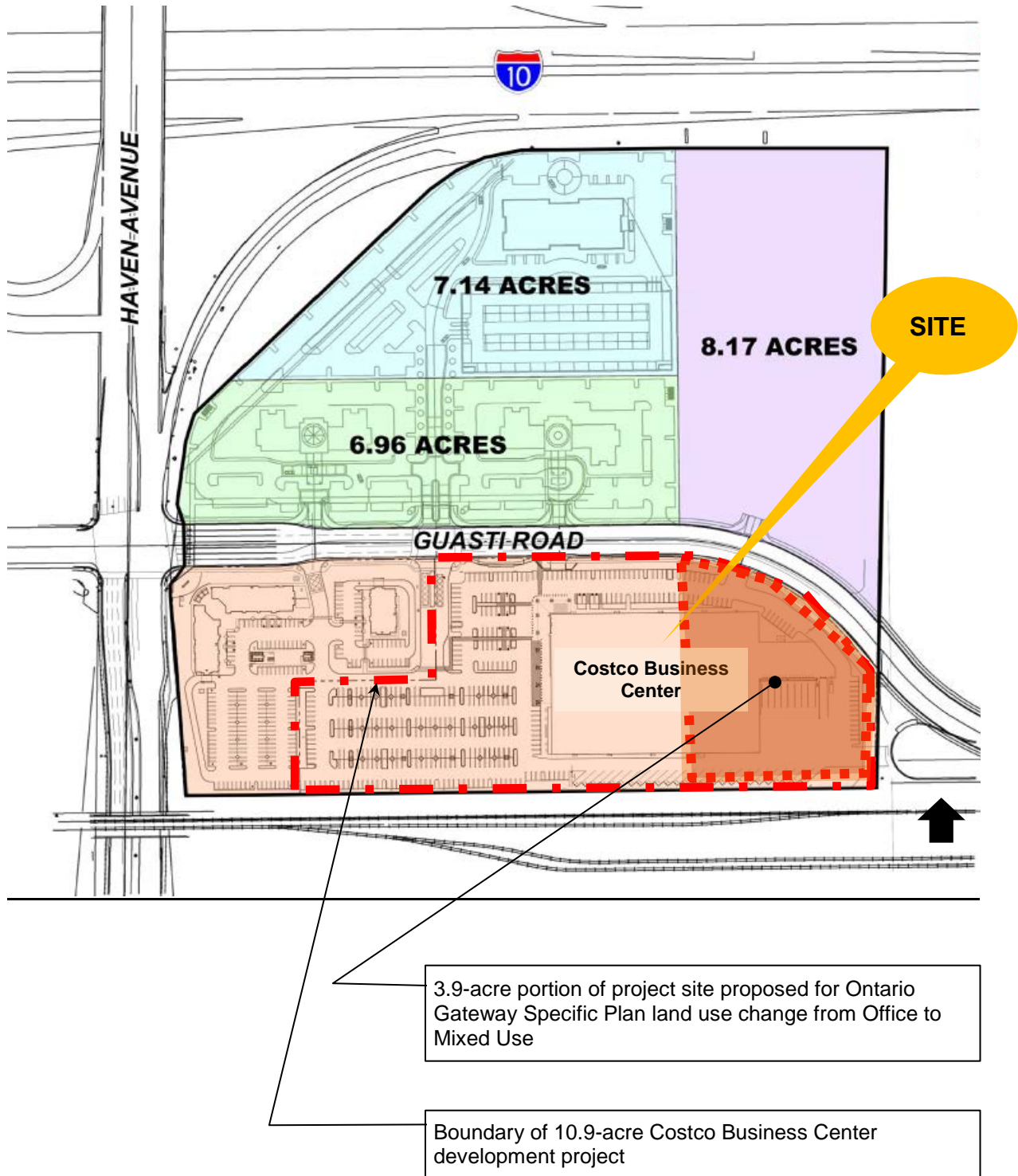


Figure 2—VICINITY MAP



General Plan Designation: Office Commercial

Zoning: Ontario Gateway Specific Plan - Mixed Use

Description of Project: An Amendment to the Ontario Gateway Specific Plan (File No. PSPA18-010) to: (1) change the land use designation on approximately 3.9 acres of land from Office to Mixed-Use; and (2) reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet. A Development Plan (File No. PDEV18-039) has been submitted in conjunction with the Specific Plan Amendment, for the proposed construction of a 136,342 square foot Costco Business Center retail store on 10.9 acres of land, which encompasses the 3.9-acre property on which the land use change is proposed, as shown in Figure 2: Vicinity Map.

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

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

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

(1) *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.* Substantial changes are not proposed for the project and will not require revisions to the TOP EIR. The proposed project is an amendment to the Ontario Gateway Specific Plan to: (1) change the land use designation for approximately 3.9 acres of land from Office to Mixed Use; and (2) reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet. Additionally, a Development Plan (File No. PDEV18-039) has been filed in conjunction with the Specific Plan Amendment, for the proposed construction of a 136,342 square foot Costco Business Center retail store on 10.9 acres of land, which encompasses the 3.9-acre property on which the land use change is proposed. The project area has a TOP Land Use designation of Office/Commercial, which TOP intends for an intense mixture of regional serving retail, service, tourist-serving, professional office, entertainment, dining, and supporting services uses developed at a maximum of 0.75 FAR. The certified TOP EIR (SCH#2008101140) analyzed the impacts of all proposed land use designations and established thresholds that are listed in Exhibit LU-03 Future Buildout of TOP. The proposed Specific Plan Amendment and associated Development Plan is consistent with the TOP land use designation requirements and certified TOP EIR. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present. Therefore, no proposed changes or revisions to the EIR are required.

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

no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

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

Project Setting: The project site is currently vacant and gently slopes from north to south and is surrounded by developed urban uses. The property is void of any significant flora or fauna.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	Ontario Gateway Specific Plan - Entertainment and Auto	Hotels & Auto Dealership
▪ South—	California Commerce Center - Commercial/Food/Hotel	Industrial & Parking
▪ East—	Business Park	Industrial
▪ West—	Centrelake Specific Plan - Office	Office

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): (Insert description)

CEQA REQUIREMENTS FOR AN ADDENDUM:

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

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

- (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous

negative declaration;

- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010

Conclusion: Based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and the CEQA statute and State CEQA Guidelines, including sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the EIR documents. No changes or additions to the TOP EIR, analyses are not necessary, nor is there a need for any additional mitigation measures.

The included Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines section 15162 are present.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Certified The Ontario Plan (TOP) Environmental Impact Report (EIR) pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed upon the proposed project, the analysis from the Certified TOP EIR was used as a basis for this Addendum, nothing further is required.

_____ Signature	July 5, 2019 Date
Luis E. Batres, Senior Planner Printed Name and Title	City of Ontario Planning Department For

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

analysis.

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1) AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18.1 B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7) GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8) HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11) MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12) NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13) POPULATION AND HOUSING. Would the project:				

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14) PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15) RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16) TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

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

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

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located along Haven Avenue which is a major north-south street as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Any future development would be required to meet the development standards of the specific plan, which would limit impacts related to obstructing views of the San Gabriel Mountains for properties located south of the project site. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

The proposed project will substantially improve the visual quality of the area through development of the site with a mixed use development, which will be consistent with the design standards of the Ontario Gateway Specific Plan and the policies of the Community Design Element of the Policy Plan (General Plan), as well as with the existing and future development in the surrounding area. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects: The site is presently vacant and does not contain any agricultural uses. Further, the site is identified as urban and built-up land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project site is not zoned for agricultural use and there is no Williamson Act contract in effect on the subject site. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The proposed project consists of an Amendment to the Ontario Gateway Specific Plan to: (1) change the land use designation on approximately 3.9 acres of land from Office to Mixed-Use; and (2) reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet. Additionally, a Development Plan has been submitted in conjunction with the Specific Plan Amendment for the proposed construction of a 136,342 square foot Costco Business Center retail store on the 10.9-acre project site, which encompasses the 3.9-acre property on which the land use change is proposed. The proposed project is consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and will be consistent with the development standards and allowed land uses of the Ontario Gateway Specific Plan zone at the time of building permit issuance. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land; therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: As outlined in the TOP EIR, the project site is not designated as Farmland. The project site is currently vacant and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment, those changes would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan, the Ontario Gateway Specific Plan, nor the City's Development Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land; therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation Required: No new or additional mitigation measures are proposed or necessary.

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

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

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

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will be required when developed to use low emission fuel, use low VOC architectural coatings and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: Project impacts would remain significant and unavoidable even with additional mitigation measures proposed by the 2009 Air Quality Impact Analysis prepared for TOP EIR. In addition, TOP EIR, which analyzed a residential, commercial and industrial buildout (2035) for the entire City and determined that a significant and unavoidable air quality impacts due to the magnitude of emissions that would be generated by the buildout (2035) of the Policy Plan (General Plan).

Mitigation: No new or additional mitigation measures are required.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project will not expose sensitive receptors to any increase in pollutant concentrations because there are no sensitive receptors located within close proximity of the project site. Further, there is limited potential for sensitive receptors to be located within close proximity of the site because the project site will be zoned Ontario Gateway Specific Plan – Mixed Use at the time of project approval. The types of uses that would potentially impact sensitive receptors would not be supported on the property pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and Ontario Gateway Specific Plan. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The uses proposed on the subject site, as well as those permitted within the Ontario Gateway Specific Plan – Mixed Use zoning district, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: TOP EIR does not identify any federally protected wetlands on site. Therefore, project implementation would have no impact on these resources.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The TOP FEIR established that there are no regional wildlife movement corridors have in the City, and most of the City is ill-suited for the purposes of wildlife movement. Consequently, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The City of Ontario has a tree preservation ordinance in place; however, the project site does not contain any Heritage Trees or other mature trees necessitating the need for preservation. As a result, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects:

The project site is vacant and does not contain any buildings, structures, or objects. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified

archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. While no adverse impacts are anticipated, standard conditions have been imposed on the project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resources exist within the project area.

Mitigation: No new or additional mitigation measures are proposed or necessary.

6) **GEOLOGY & SOILS**. Would the project:

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

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

ii) **Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

iii) **Seismic-related ground failure, including liquefaction?**

Discussion of Effects: As identified in the TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

iv) **Landslides?**

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system; therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

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

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

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

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

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

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

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

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

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

While Public Resources Code section 21083.3 requires that relevant mitigation measures from a General Plan EIR be imposed on a project that is invoking that section's limited exemption from CEQA, these mitigation measures impose obligations on the City, not applicants, and hence are not directly relevant. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases, and no adverse impacts are anticipated.

Mitigation Required: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by 15 percent, because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects: TOP FEIR concluded that the, current federal and state regulations, City ordinances, and The Ontario Plan policies would regulate the handling of hazardous substances to reduce potential releases; exposure; and risks of transporting, storing, treating, and disposing of hazardous materials and wastes. Additional hazardous waste transport, use, and/or disposal that would occur upon the buildout of The Ontario Plan would be less than significant with adherence to the existing regulations. . Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: According to Land Use Element (Exhibit LU-06 Airport Environs) of the Policy Plan (General Plan), the proposed site is located within the area subject to the Ontario International Airport Land Use Compatibility Plan. However, the project will not result in a safety hazard for people working or residing in the project area because it will not obstruct aircraft maneuvering because of the project's low elevation and the architectural style of the project. Additionally, the Land Use Compatibility Guidelines for Noise Impacts (Table LU-08) shows the proposed use as normally accepted in the 65 CNEL. The proposed use will comply with standards for mitigating noise; therefore, any impacts would be reduced to a less than significant level. As such, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks inter-departmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

- 9) **HYDROLOGY & WATER QUALITY.** Would the project:

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

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients,

heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

10) **LAND USE & PLANNING.** Would the project:

a) **Physically divide an established community?**

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding development. The project will become a part of the larger office and commercial community and will provide needed services to the area. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The proposed project is consistent with The Ontario Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: There are no adopted habitat conservation plans in the project area. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: There are no known mineral resources in the area. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects: The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The uses associated with this project normally do not induce groundborne vibrations. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: Temporary construction activities will minimally impact ambient noise levels. All construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: According to the Safety Element in The Ontario Plan, the proposed site is located outside of the Ontario International Airport's Safety, Noise Impact, and Airspace Protection Zones, and the project is located within the 65CNEL noise contour. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects: The certified TOP EIR (SCH#2008101140) analyzed the impacts of all proposed land use designations and established thresholds that are listed in Exhibit LU-03 Future Buildout of TOP. The proposed project is consistent with the buildout assumptions utilized in the certified TOP EIR; therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project site is currently undeveloped. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project site is currently undeveloped. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

- i) **Fire protection?**

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. As previously analyzed in the TOP EIR, the proposed project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

- ii) **Police protection?**

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. As previously analyzed in the TOP EIR, the proposed project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

- iii) **Schools?**

Discussion of Effects: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

- iv) **Parks?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. As previously analyzed in the TOP EIR, the proposed project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

v) **Other public facilities?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. As previously analyzed in the TOP EIR, the proposed project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects: This project is not proposing any significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: This project is not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Discussion of Effects:

The project proposes to amend the Ontario Gateway Specific Plan (File No. PSPA18-010) to 1) Change the the land use designation for approximately 3.9 acres of land from Office to Mixed-Use. 2) Reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet; and 3) Modify the permitted freeway oriented sign to allow more than five business names, subject to the discretion of the Planning Director. In conjunction with a Development Plan (File No. PDEV18-039) to construct a 136,342 square foot, single story retail Costco Business Center on 10.9 acres of land for property located within the Mixed-Use land use designation of the Ontario Gateway Specific Plan located on the south side of Guasti Road, east of Haven Avenue. The proposed Amendment according to a Trip Generation Comparison prepared by LSA (Ken Wilhelm, June 6, 2019), will generate fewer trips than the previously approved project. Therefore, the implementation of the proposed project will not create an impact to the surrounding circulation system.

The project site is located within Traffic Analysis Zone (TAZ) - 74 of the previously analyzed TOP EIR traffic study (*Ontario General Plan Update: Transportation Technical Report, Kimley-Horn and Associates, March 19, 2009*). When TOP was originally adopted in 2010, TAZ - 74 included approximately 50 acres of land that had a land use designation of Office Commercial (0.75 FAR: 1,639,054 SF), which was subsequently changed in November 2014 (Guasti Ponderosa File No. PGPA14-001) to Business Park (0.6 FAR: 1,311,243 SF). This change in land use reduced the overall potential building square footage by 327,811 SF within TAZ - 74. In addition, the average weekday trip generation rate for Weekday AM and PM Peak Hours Average Trips was reduced by 1,662 trips. Therefore, Staff analyzed the existing and proposed land use buildout trip generation scenarios to determine if the proposed amendment would have a greater impact than what was previously analyzed. The trip generation analyses relied upon the *Trip Generation, 8th Edition, Institute of Transportation Engineers (ITE) 2008* to determine the number of trips generated from

the project site during Weekday A.M. and P.M. peak hours. The analyses concluded that the proposed Ontario Gateway Specific Plan Amendment, in conjunction with the previous 2014 Guasti Ponderosa GPA would result in 1,530 less trips during Weekday A.M. and P.M. peak hours. Therefore, the analysis concluded that the implementation of the Specific Plan Amendment would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system. Therefore, the proposed amendment would not result in a greater impact than what was previously analyzed in the adopted TOP FEIR traffic study. Additionally, the project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to increase and the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project proposes to amend the Ontario Gateway Specific Plan (File No. PSPA18-010) to: 1) Change the the land use designation for approximately 3.9 acres of land from Office to Mixed-Use. 2) Reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet; and 3) Modify the permitted freeway oriented sign to allow more than five business names, subject to the discretion of the Planning Director. In conjunction with a Development Plan (File No. PDEV18-039) to construct a 136,342 square foot, single story retail Costco Business Center on 10.9 acres of land for property located within the Mixed-Use land use designation of the Ontario Gateway Specific Plan located on the south side of Guasti Road, east of Haven Avenue. According to a Trip Generation Comparison study prepared by Ken Wilhelm with LSA (June 6, 2019), the proposed project is expected to generate fewer trips than the previously approved project (see Exhibit A, attached).

The project site is located within Traffic Analysis Zone (TAZ) - 74 of the previously analyzed TOP EIR traffic study (*Ontario General Plan Update: Transportation Technical Report, Kimley-Horn and Associates, March 19, 2009*). When TOP was originally adopted in 2010, TAZ - 74 included approximately 50 acres of land that had a land use designation of Office Commercial (0.75 FAR: 1,639,054 SF), which was subsequently changed in November 2014 (Guasti Ponderosa File No. PGPA14-001) to Business Park (0.6 FAR: 1,311,243 SF). This change in land use reduced the overall potential building square footage by 327,811 SF within TAZ - 74. In addition, the average weekday trip generation rate for Weekday AM and PM Peak Hours Average Trips was reduced by 1,662 trips. Therefore, staff analyzed the existing and proposed land use buildout trip generation scenarios to determine if the proposed amendment would have a greater impact than what was previously analyzed. The trip generation analyses relied upon the *Trip Generation, 8th Edition, Institute of Transportation Engineers (ITE) 2008* to determine the number of trips generated from the project site during Weekday A.M. and P.M. peak hours. The analyses concluded that the proposed Ontario Gateway Specific Plan Amendment, in conjunction with the previous 2014 Guasti Ponderosa GPA would result in 1,530 less trips during Weekday A.M. and P.M. Peak Hours (Exhibit A – *Trip Generation Comparison*, attached). Therefore, the analysis concluded that the implementation of the Specific Plan Amendment would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system. Therefore, the proposed amendment would not result in a greater impact than what was previously analyzed in the adopted TOP FEIR traffic study. Additionally, the project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the amount of trips to be generated are minimal in comparison to existing capacity in the congestion management program. No adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as is under a 120-foot height restriction. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

- e) **Result in inadequate emergency access?**

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

- f) **Result in inadequate parking capacity?**

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code or as approved by a Parking Study and will not create an inadequate parking capacity. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The proposed Project is consistent with transportation requirements of the certified TOP EIR and the Ontario Gateway Specific Plan. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

17) **UTILITIES AND SERVICE SYSTEMS.** Would the project:

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

Discussion of Effects: As previously analyzed by the Ontario Gateway Specific Plan and TOP EIR, the proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the City of Ontario Engineering Department regarding wastewater. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: As previously analyzed by the Ontario Gateway Specific Plan and TOP EIR, the proposed project is served by the City of Ontario sewer system and which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. The project will therefore not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. Therefore,

no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: As previously analyzed by the Ontario Gateway Specific Plan and TOP EIR, the proposed project is served by the City of Ontario. The project is required to meet the requirements of the City of Ontario Engineering Department regarding storm drain facilities. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: As previously analyzed by the Ontario Gateway Specific Plan and TOP EIR, the project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: As previously analyzed by the Ontario Gateway Specific Plan and TOP EIR, the proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: This project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

18) MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion of Effects: The proposed project does not have the potential to degrade the quality of the environment, reduce the fish and wildlife habitat, threaten plant, fish or wildlife species, or eliminate historical, archeological, or cultural resources. Substantial changes have not occurred with respect to the circumstances under which the project is undertaken that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects.. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

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

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project proposes to amend the Ontario Gateway Specific Plan (File No. PSPA17-001) to: 1) Change the the land use designation for approximately 3.9 acres of land from Office to Mixed-Use. 2) Reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet; and 3) Modify the permitted freeway oriented sign to allow more than five business names, subject to the discretion of the Planning Director. In conjunction with a Development Plan (File No. PDEV18-039) to construct a 136,342 square foot, single story retail Costco Business Center on 10.9 acres of land for property located within the Mixed-Use land use designation of the Ontario Gateway Specific Plan located on the south side of Guasti Road, east of Haven Avenue. The proposed amendment will generate fewer trips than the previously approved project (see Exhibit A, attached). Therefore, implementation of the project will not create an impact to the surrounding circulation system.

The project site is located within Traffic Analysis Zone (TAZ) - 74 of the previously analyzed TOP EIR traffic study (*Ontario General Plan Update: Transportation Technical Report, Kimley-Horn and Associates, March 19, 2009*). When TOP was originally adopted in 2010, TAZ - 74 included approximately 50 acres of land that had a land use designation of Office Commercial (0.75 FAR: 1,639,054 SF), which was subsequently changed in November 2014 (Guasti Ponderosa File No. PGPA14-001) to Business Park (0.6 FAR: 1,311,243 SF). This change in land use reduced the overall potential building square footage by 327,811 SF within TAZ - 74. In addition, the average weekday trip generation rate for Weekday AM and PM Peak Hours Average Trips was reduced by 1,662 trips. Therefore, staff analyzed the existing and proposed land use buildout trip generation scenarios to determine if the proposed amendment would have a greater impact than what was previously analyzed. The trip generation analyses relied upon the *Trip Generation, 8th Edition, Institute of Transportation Engineers (ITE) 2008* to determine the number of trips generated from the project site during Weekday A.M. and P.M. peak hours. The analyses concluded that the proposed Ontario Gateway Specific Plan Amendment, in conjunction with the previous 2014 Guasti Ponderosa GPA would result in 1,530 less trips during Weekday A.M. and P.M. peak hours. Therefore, the analysis concluded that the implementation of the Specific Plan Amendment would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system. Therefore, the proposed amendment would not result in a greater impact than what was previously analyzed in the adopted TOP FEIR traffic study. Additionally, the project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to increase (see Exhibit A, attached). Therefore, the project does not have impacts that are cumulatively considerable.

Mitigation: No new or additional mitigation measures are proposed or necessary.

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

Discussion of Effects: The project proposes to amend the Ontario Gateway Specific Plan (File No. PSPA18-010) to: 1) change the the land use designation for approximately 3.9 acres of land from Office to Mixed-Use, and 2) Reduce the rear parking/landscape setback adjacent to the railroad tracks, from 20-feet to 10-feet. The project is located on the south side of Guasti Road, approximately 1,000 feet east of Haven Avenue. In conjunction with a Development Plan (File No. PDEV18-039) to construct a 136,342 square foot, single story retail Costco Business Center on 10.9 acres of land for property located within the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The proposed amendment is expected to generate fewer trips than the previously approved project.

The project site is located within Traffic Analysis Zone (TAZ) - 74 of the previously analyzed TOP EIR traffic study (*Ontario General Plan Update: Transportation Technical Report, Kimley-Horn and Associates, March 19, 2009*). When TOP was originally adopted in 2010, TAZ - 74 included approximately 50 acres of land that had a land use designation of Office Commercial (0.75 FAR: 1,639,054 SF), which was subsequently changed in November 2014 (Guasti Ponderosa File No. PGPA14-001) to Business Park (0.6 FAR: 1,311,243 SF). This change in land use reduced the overall potential building square footage by 327,811 SF within TAZ - 74. In addition, the average weekday trip generation rate for Weekday AM and PM Peak Hours Average Trips was reduced by 1,662 trips. Therefore, staff analyzed the existing and proposed land use buildout trip generation scenarios to determine if the proposed amendment would have a greater impact than what was previously analyzed. The trip generation analyses relied upon the *Trip Generation, 8th Edition, Institute of Transportation Engineers (ITE) 2008* to determine the number of trips generated from the project site during Weekday A.M. and P.M. peak hours. The analyses concluded that the proposed Ontario Gateway Specific Plan Amendment, in conjunction with the previous 2014 Guasti Ponderosa GPA would result in 1,530 less trips during Weekday A.M. and P.M. peak hours. Therefore, the analysis concluded that the implementation of the Specific Plan Amendment would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system. Therefore, the proposed amendment would not result in a greater impact than what was previously analyzed in the adopted TOP FEIR traffic study. Additionally, the project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to increase significantly. Therefore, the project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: No new or additional mitigation measures are proposed or necessary.

EARLIER ANALYZES

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

- 1) Earlier analyzes used. Identify earlier analyzes used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan
 - c) City of Ontario Zoning
 - d) Ontario Gateway Specific Plan
 - e) Ontario Gateway Specific Plan EIR
 - f) Trip Generation, 8th Edition, Institute of Transportation Engineers (ITE) 2008

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

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

Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

MEMORANDUM

DATE: June 6, 2019

To: Sean T. Asmus
 Prime A Investments–Ontario, LLC

FROM: Ken Wilhelm, LSA

SUBJECT: Ontario Gateway—Trip Generation Comparison

LSA is pleased to present this trip generation comparison for the construction of the proposed project (project): 4,750 square feet (sf) of retail use, 14,250 sf of restaurant use, and a 133,765 sf Costco Business Center on the southeast corner of Haven Avenue and Guasti Road in Ontario, California (shown in Figure 1; all figures are provided as Attachment A).

As shown in Figure 2, this project site is included in the previously adopted Ontario Gateway Specific Plan (July 2007), which included a hospital (200 beds) and medical office use (75,000 sf) on site.

The purpose of this memorandum is to provide a comparison of average daily trips (ADT) and peak-hour (a.m. and p.m.) trips between the previously approved Ontario Gateway Specific Plan land uses and the proposed project.

Trip Generation Comparison

To estimate the number of trips these projects would add to the circulation system, the trip generation of both the Ontario Gateway Specific Plan and the proposed project were calculated from land use-based trip rates of the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual*, 10th Edition. In addition, trip reductions from pass-by and diverted trip percentages provided by the ITE *Trip Generation Handbook*, 3rd Edition were used for the proposed project land uses.

It should be noted that, because of the nature of a Costco Business Center (which includes a restrictive customer base, specific services offered, and more selective operational hours than the traditional Costco Wholesaler, or Discount Club), specific peak hour trip rates and pass-by/diverted trip reductions were used and provided by the *Ontario, California Costco Business Center Trip Generation Estimate* Memorandum (May 2019) prepared by Kittelson & Associates (Attachment C). Specific trip rates and reductions were calculated using surveys collected at other Costco Business Center locations.

In addition, further survey data were provided by Kittelson & Associates to show ADT rates and pass-by/diverted trip reduction percentages of a Costco Business Center in Hayward, California. LSA used this daily rate and pass-by/diverted trip reduction to calculate the ADT of the proposed 133,765 sf Costco Business Center.

As shown in Table A (all tables are provided in Attachment B), the previously approved hospital (200 beds) and medical office use (75,000 sf) of the adopted Ontario Gateway Specific Plan were estimated to generate 7,074 ADT, including 577 a.m. peak-hour trips (427 inbound and 150 outbound), and 638 p.m. peak-hour trips (179 inbound and 459 outbound).

As shown in Table B, the proposed project is anticipated to generate 6,690 ADT, including 428 a.m. peak-hour trips (224 inbound and 204 outbound), and 677 p.m. peak-hour trips (334 inbound and 343 outbound). With application of pass-by and diverted trip reductions, the proposed project is anticipated to generate a net total of 5,315 ADT, including 327 a.m. peak-hour trips (172 inbound and 155 outbound), and 382 p.m. peak-hour trips (189 inbound and 193 outbound).

Shown in Table C, if the proposed project of 4,750 sf of retail use, 14,250 sf of restaurant use and a 133,765 sf Costco Business Center were to replace the previously considered land uses of the Ontario Gateway Specific Plan, the project would generate 1,759 fewer ADT, including 250 fewer a.m. peak-trips, and 256 fewer p.m. peak-hour trips.

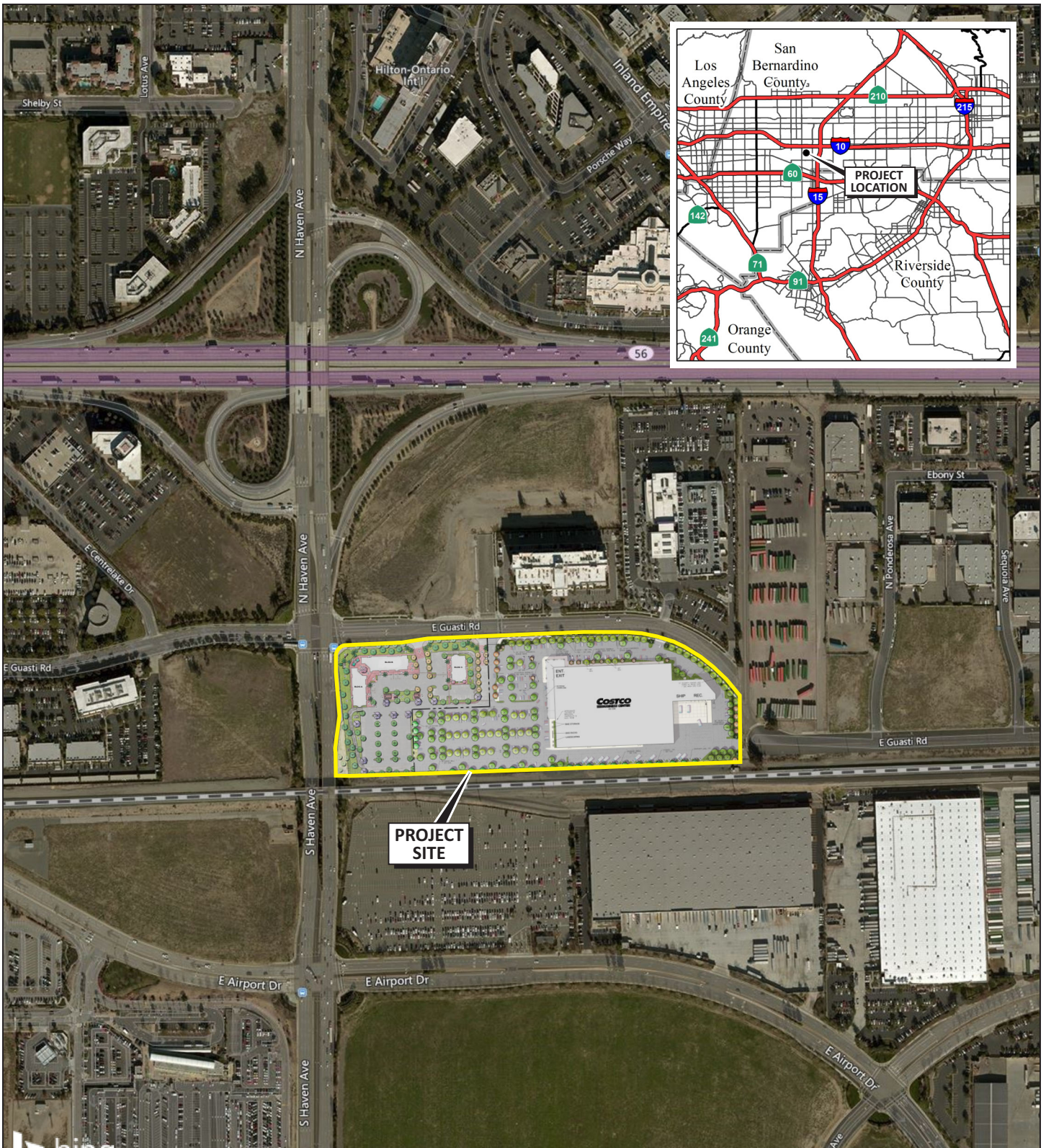
Conclusion

LSA generated trips for the previously considered land uses of the Ontario Gateway Specific Plan and the proposed project. As illustrated, the proposed project is expected to generate fewer trips than the previously approved project. Therefore, the implementation of the project will not create an impact to the surrounding circulation system.

Attachments: A – Figure 1: Project Site Plan and Location
Figure 2: Ontario Gateway Specific Plan Site Plan
B – Trip Generation Comparison Tables A, B, and C
C – *Ontario Costco Business Center Trip Generation Memo* (May 2019) Kittelson & Associates

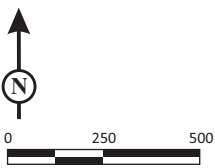
ATTACHMENT A

FIGURES



LSA

FIGURE 1



SOURCE: Bing Maps

I:\PA1901\G\Location.cdr (6/5/2019)

Ontario Gateway
Project Site Plan and Location

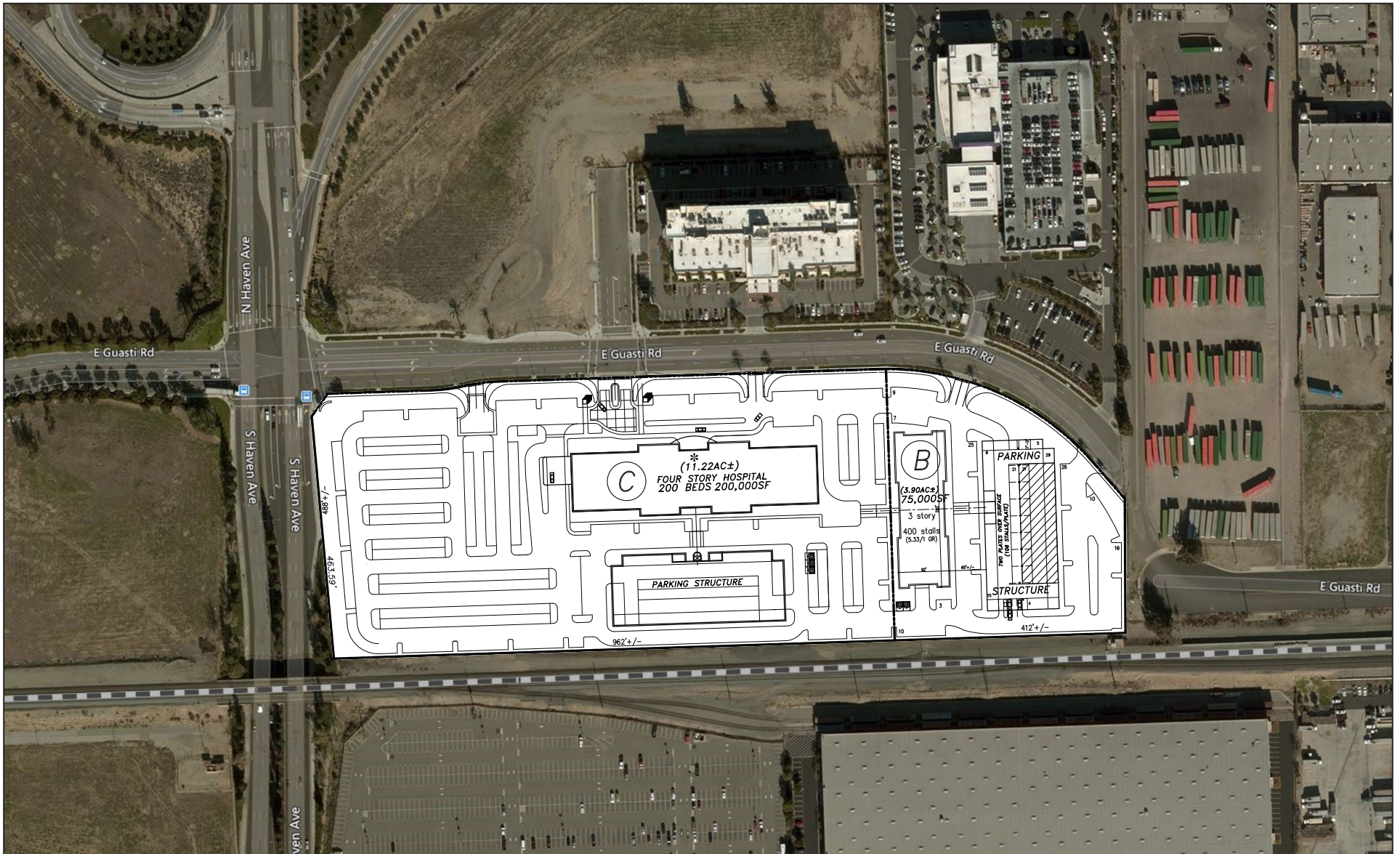
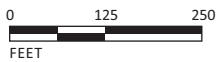


FIGURE 2

LSA



SOURCE: Bing Maps, TGA Development & Engineering, Inc.

I:\PAI1901\G\SP Site Plan.cdr (6/5/2019)

ATTACHMENT B

TRIP GENERATION COMPARISON TABLES A, B, AND C

Table A: Ontario Gateway Specific Plan Trip Generation

Land Use	Size	Unit	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates¹									
Medical Office (720)		TSF	34.80	2.17	0.61	2.78	0.97	2.49	3.46
Hospital (610)		Bed	22.32	1.32	0.52	1.84	0.53	1.36	1.89
Project Trip Generation									
Medical Office	75,000	TSF	2,610	163	46	209	73	187	260
Hospital	200	Bed	4,464	264	104	368	106	272	378
Total Trip Generation			7,074	427	150	577	179	459	638

¹ Trip rates referenced from the Institute of Transportation Engineers (ITE) *Trip Generation* Manual, 10th Edition (2017).

TSF = thousand square feet

ADT = average daily trips

Table B: Proposed Project Trip Generation

Land Use	Size	Unit	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates									
Shopping Center (820) ¹		TSF	37.75	0.58	0.36	0.94	1.83	1.98	3.81
High Turn-Over (Sit Down) Restaurant (932) ¹		TSF	112.18	5.47	4.47	9.94	6.06	3.71	9.77
Costco Business Center ²		TSF	36.72	1.07	1.03	2.10	1.79	2.10	3.89
Project Trip Generation									
Shopping Center	4,750	TSF	179	3	2	5	9	9	18
High-Turnover (Sit Down) Restaurant	14,250	TSF	1,599	78	64	142	86	53	139
Costco Business Center	133,765	TSF	4,912	143	138	281	239	281	520
Total Project Trips			6,690	224	204	428	334	343	677
Pass-By and Diverted Trips									
Shopping Center ³			-	-	-	-	(3)	(3)	(6)
High-Turnover (Site Down) Restaurant ³			-	-	-	-	(37)	(23)	(60)
Costco Business Center ²			(1,375)	(52)	(49)	(101)	(105)	(124)	(229)
Total Pass-By and Diverted Trips			(1,375)	(52)	(49)	(101)	(145)	(150)	(295)
Net New Trips (Project Trips - Pass-By Trips)			5,315	172	155	327	189	193	382

¹ Trip rates referenced from the Institute of Transportation Engineers (ITE) *Trip Generation* Manual, 10th Edition (2017).

² Trip rates, diverted trips and pass-by trips referenced from the *Ontario, California Costco Business Center Trip Generation Estimate Memo* prepared by Kittelson & Associates on May 30, 2019.

³ Pass-by trip percentages referenced from the Institute of Transportation Engineers (ITE) *Trip Generation Handbook*, 3rd Edition (2017).

TSF = thousand square feet

ADT = average daily trips

Table C: Trip Generation Comparison

Land Use	ADT	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Trip Generation							
Ontario Gateway Specific Plan Trips	7,074	427	150	577	179	459	638
Proposed Project Trips	5,315	172	155	327	189	193	382
Trip Differential (Proposed - Specific Plan)	(1,759)	(255)	5	(250)	10	(266)	(256)

ATTACHMENT C

ONTARIO COSTCO BUSINESS CENTER TRIP GENERATION MEMO (MAY 2019)
KITTELSON & ASSOCIATES

May 30, 2019

Michael Okuma
Costco Wholesale
9 Corporate Park, Suite 230
Irvine, CA 92606

RE: Ontario, California Costco Business Center Trip Generation Estimate

Dear Michael,

Costco Wholesale is proposing to develop a Costco Business Center on property located on Guasti Road and Haven Avenue in Ontario. This letter provides background information related to Costco Business Centers, their trip generation, as well as a trip estimate for the proposed site based on an existing Costco Business Center located in San Diego, California.

COSTCO BUSINESS CENTER CHARACTERISTICS

Costco Business Centers are a unique and growing part of the Costco experience offered to members. Key differences between a typical Costco Warehouse and a Costco Business Center can be explained through review of services offered, typical customer base, the sales and delivery process, and operating hours. Each of these four topics is discussed further below.

Services Offered

The services provided at Costco Business Centers are tailored towards corporate and small business needs as opposed to typical retail customers or general Costco members. Costco Business Centers focus on providing large quantity packaging of business goods and food services for small companies and restaurants. A large portion of the merchandise stocked at the Business Centers is office paper, business computers and electronics, office furniture, and restaurant supplies.

Costco Warehouses serve individual members and their families, providing products including but not limited to the following: appliances; auto and tires; baby, kids and toys; clothing and handbags; computers and printers; electronics; furniture; grocery, floral, and pets; home improvement; health and beauty; home, kitchen, bed and bath; jewelry and watches; office products; patio and outdoor; sports and fitness; travel and luggage and other traditional consumer goods. While many Costco Business Centers and Costco Wholesale sites both offer a Food Court (note that a Food Court is not proposed at the Ontario site), entire departments such as Hearing Aids, Optical, Pharmacy, and a Tire Service Center are unique to the Costco Wholesale warehouses and are not typically provided at Costco Business Centers. In part due to the merchandise offered and in part due to the customer type, Costco Business Centers have a higher average sales dollar amount per transaction in comparison to a traditional Costco warehouse.

Customer Base

Typical Business Center members are businesses including enterprise offices, doctor offices, law offices, real estate offices, convenience store operators, restaurants, coffee cart operators, and janitorial service providers. From a transportation perspective, this differs from a traditional Costco warehouse primarily in regards to the delivery service – many of these customers order on-line and have their purchases delivered direct to the site without visiting the physical Costco Business Center building site (refer to Sales and Delivery process discussion below).

While a typical Costco Warehouse serves small businesses as well, as compared to a Business Center, a Costco Warehouse serves many more everyday individuals, usually purchasing goods and services for their personal use or that of their families at home.

Sales and Delivery Process

Due to the business clientele served, Costco Business Centers provides two services: a walk-in cash-and-carry product offering and an on-line or phone order and delivery of the same merchandise. From a transportation perspective, this differs from a traditional Costco Warehouse primarily in regards to the delivery service. On average, 45 to 50-percent of the sales at a Costco Business Center are via the order and delivery service, meaning that those members never travel to or from the warehouse and, therefore, do not add trips to the surrounding transportation system or require on-site parking. Typically, up to approximately 30 Costco delivery vehicles are stored at the Business Center site and fulfill member orders (26 delivery vehicles parking spaces are proposed at the Ontario site).

In comparison, Costco Warehouse members can shop at the warehouse or on-line through Costco.com. The on-line Costco.com shopping experience is similar to the web-based retail environment offered by other brick-and-mortar retailers with a web presence – member orders are fulfilled via various shipping methods but, unlike Costco Business Centers, home delivery services using Costco vehicles are not offered for Costco Warehouse members.

Operating Hours

Costco Warehouses are open seven days a week and offer different hours to serve the general public. Table 1 compares operating hours at a typical Costco Business Center.

Table 1. Comparison of Operating Hours

Day of Week	Business Center Phone Order* and Delivery	Costco Business Center Walk-In	Costco Warehouse Walk-in	Comments
Monday to Friday	7:00 AM to 6:00 PM	7:00 AM to 6:00 PM	10:00 AM to 8:30 PM	Warehouse opens and closes later
Saturday	8:00 AM to 5:00 PM	7:00 AM to 4:00 PM	9:30 AM to 6:00 PM	Warehouse opens and closes later
Sunday	Closed	Closed	10:00 AM to 6:00 PM	Business Center not open

*Costco maintains a Business Center Web page where most members (94-95%) place their orders. The web page is available 24 hours a day; however in order for a request to be delivered, next day service must be placed by 3:00 PM on the day prior to requesting delivery.

As shown in Table 1, Costco Business Centers tend to open and close earlier than Costco Warehouses; further, Business Centers are not open on Sundays. The different hours at the Business Center reflect the needs of the business customers as compared to traditional retail customers. Sunday operations offer the clearest contrast between Business Centers and Warehouses; Warehouses are open Sundays (many private individuals prefer to shop on their weekend day off) while Business Centers are closed (reflecting that most business customers are closed on Sundays and not able to accept deliveries). The combined effect of all of these operational characteristics is that Costco Business Centers exhibit significantly lower trip generation than is found at traditional Costco warehouses¹.

COSTCO BUSINESS CENTER TRIP GENERATION DATA

A trip generation estimate was prepared for the proposed Ontario Business Center based on data collected at the existing San Diego, California Costco Business Center. Like the proposed Ontario site, the San Diego site does not offer fuel sales but does have a food court (meaning the trip rates at the San Diego site likely are higher per square foot compared to what will be realized in Ontario).

Data was collected at the San Diego Business Center site in July 2015 on a Thursday between the hours of 7:00 to 10:00 AM and 3:00 to 6:00 PM. In addition, trip data was collected on a Saturday in August 2015 from 11:00 AM to 3:00 PM. Each day, the data collected included the total number of vehicle trips in and out of the Business Center warehouse and member surveys completed within the warehouse to assess trip type. Table 2 summarizes the trip generation characteristics.

Table 2. Costco Business Center Trip Generation Characteristics

Trip Characteristic	Weekday Peak Hour Trip Generation		Saturday Peak Hour Trip Generation
	8:00 to 9:00 AM	4:30 to 5:30 PM	1:15 to 2:15 PM
Observed Generator Peak Hour	8:00 to 9:00 AM	4:30 to 5:30 PM	1:15 to 2:15 PM
Total Trip Rate	2.10 trips/1,000 square feet (51% in, 49% out)	3.89 trips/1,000 square feet (46% in, 54% out)	6.02 trips/1,000 square feet (51% in, 49% out)
Pass-by Trip Percentage	11%	34%	15%
Diverted Trip Percentage	25%	10%	30%
Net New Trip Percentage	64%	56%	55%

¹ Note: Costco Gasoline may be available at both Costco Warehouses and Costco Business Centers. No Costco Gasoline is proposed at the Ontario Business Center site.

ONTARIO SITE TRIP GENERATION ESTIMATE

The trip generation rates outlined in Table 2 were used to estimate site trip generation for the Ontario Costco Business Center shown in Table 3.

Table 3. Ontario Costco Business Center Trip Generation Estimates

	Warehouse Size	Weekday AM Peak Hour			Weekday PM Peak Hour			Weekend Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
Total Trips	133,765 square feet	281	143	138	520	239	281	805	411	394
Pass-by Trips		(31)	(16)	(15)	(177)	(81)	(96)	(121)	(62)	(59)
Diverted Trips		(70)	(36)	(34)	(52)	(24)	(28)	(242)	(123)	(119)
Net New Trips		180	91	89	291	134	157	442	226	216

Please contact us if you have questions or if you need additional information.

Sincerely,
 KITTELSON & ASSOCIATES, INC.



Chris Brehmer, PE
 Senior Principal Engineer



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 15, 2019

File No: PDEV18-039

Related File: PSPA18-010

Project Description: A Development Plan (File No. PDEV18-039) to construct a 136,342 square foot single story retail building (Costco Business Center) on 10.9 acres of land, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan, located on the south side of Guasti Road, approximately 500 east of Haven Avenue. APN: 210-212-56 & 210-212-57; **submitted by Prime A Investments, LLC.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

(g) The project has been approved with a reduction in parking, based on a **Trip Generation Comparison** submitted by LSA, dated June 6, 2019 (see Attachment). The study demonstrated that that the proposed use will have less vehicle trips than the traditional Costco Warehouse. The project shall provide a minimum of 402 standard parking spaces and 2 trailer parking spaces.

2.6 Outdoor Loading and Storage Areas.

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

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

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

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

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

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

(c) Wall packs are prohibited from being installed anywhere within public views. All fixtures shall be decorative.

2.8 Mechanical and Rooftop Equipment.

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

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

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

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). Signage will be reviewed separately from this development plan application.

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

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

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

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

(c) CC&Rs shall ensure reciprocal parking and access between parcels and the adjacent development to the west of you.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, the adjacent commercial development to the west, and common maintenance of:

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

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

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

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

2.13 Disclosure Statements.

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

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

(ii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iii) This site may be part of a Landscape Maintenance District. The owner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.14 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010 for File No. PGPA06-001. 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. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

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

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

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

2.16 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

2.17 Additional Requirements.

(a) Applicant shall work with staff during the plan check process to add landscape fingers at the start and end of the row of parking immediately located along the southwest portion of the building.

(b) Applicant shall work with staff during the plan check process to provide decorative color paving to the proposed path of travel/sidewalk that will link Costco and the proposed retail buildings to the west.

(c) Project shall provide decorative 8-foot tall gates along the east property line as well as 8-foot tall decorative screen wall. Solid view obscuring mesh shall be provided along the interior of the gate to screen views of the inside of the truck court.

(d) Project shall provide decorative 8-foot tall screen walls along the east and north portion of the truck yard area.

(e) Project shall provide/feature decorative color paving/pavers the entire length of the westerly shared driveway as previously requested. In addition the site plan and the landscape plan need to be coordinated so that they match.

(f) Decorative up lighting or decorative bollards with built-in lights shall be provided along the proposed pedestrian link between Costco and the retail project to the west.

(g) In the event that the use requires additional parking, Costco or the property owner shall modify the proposed 26-trailer parking spaces and 8-loading docks area located within the enclosed truck court, to provide additional parking.

(h) Site plan, grading plan and landscape plan shall be coordinated so that they all match.

(i) Project shall provide a 6' tall black decorative metal/wrought iron fence along the south property line within the area outside of the proposed enclosed truck yard. Fence shall match the design of of the retail project to the west. Fence shall be powder coated to prevent rust.

(j) Project shall incorporate vine pockets all along the south property line so that vines can attach to the proposed 10'-tall chain link fence within the truck yard area.

(k) Applicant shall work with staff during the plan check process to design decorative 8-foot tall screen walls that are being required along the north and east side of the truck yard.

(l) The applicant shall work with staff during the plan check process to also incorporate the proposed "Honed Stack Bonded CMU (Warm Gray)" material along all front entry metal columns (5' tall-minimum), to match the look at the front main entry area.

(m) Project approval and permits being issued are subject to the approval and adoption of the Specific Plan Amendment (File No. PSPA18-010) by the City Council.



CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: June 6, 2019
TO: Sean T. Asmus
Prime A Investments—Ontario, LLC
FROM: Ken Wilhelm, LSA
SUBJECT: Ontario Gateway—Trip Generation Comparison

LSA is pleased to present this trip generation comparison for the construction of the proposed project (project): 4,750 square feet (sf) of retail use, 14,250 sf of restaurant use, and a 133,765 sf Costco Business Center on the southeast corner of Haven Avenue and Guasti Road in Ontario, California (shown in Figure 1; all figures are provided as Attachment A).

As shown in Figure 2, this project site is included in the previously adopted Ontario Gateway Specific Plan (July 2007), which included a hospital (200 beds) and medical office use (75,000 sf) on site.

The purpose of this memorandum is to provide a comparison of average daily trips (ADT) and peak-hour (a.m. and p.m.) trips between the previously approved Ontario Gateway Specific Plan land uses and the proposed project.

Trip Generation Comparison

To estimate the number of trips these projects would add to the circulation system, the trip generation of both the Ontario Gateway Specific Plan and the proposed project were calculated from land use-based trip rates of the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 10th Edition. In addition, trip reductions from pass-by and diverted trip percentages provided by the ITE *Trip Generation Handbook*, 3rd Edition were used for the proposed project land uses.

It should be noted that, because of the nature of a Costco Business Center (which includes a restrictive customer base, specific services offered, and more selective operational hours than the traditional Costco Wholesaler, or Discount Club), specific peak hour trip rates and pass-by/diverted trip reductions were used and provided by the *Ontario, California Costco Business Center Trip Generation Estimate Memorandum* (May 2019) prepared by Kittelson & Associates (Attachment C). Specific trip rates and reductions were calculated using surveys collected at other Costco Business Center locations.

In addition, further survey data were provided by Kittelson & Associates to show ADT rates and pass-by/diverted trip reduction percentages of a Costco Business Center in Hayward, California. LSA used this daily rate and pass-by/diverted trip reduction to calculate the ADT of the proposed 133,765 sf Costco Business Center.

As shown in Table A (all tables are provided in Attachment B), the previously approved hospital (200 beds) and medical office use (75,000 sf) of the adopted Ontario Gateway Specific Plan were estimated to generate 7,074 ADT, including 577 a.m. peak-hour trips (427 inbound and 150 outbound), and 638 p.m. peak-hour trips (179 inbound and 459 outbound).

As shown in Table B, the proposed project is anticipated to generate 6,690 ADT, including 428 a.m. peak-hour trips (224 inbound and 204 outbound), and 677 p.m. peak-hour trips (334 inbound and 343 outbound). With application of pass-by and diverted trip reductions, the proposed project is anticipated to generate a net total of 5,315 ADT, including 327 a.m. peak-hour trips (172 inbound and 155 outbound), and 382 p.m. peak-hour trips (189 inbound and 193 outbound).

Shown in Table C, if the proposed project of 4,750 sf of retail use, 14,250 sf of restaurant use and a 133,765 sf Costco Business Center were to replace the previously considered land uses of the Ontario Gateway Specific Plan, the project would generate 1,759 fewer ADT, including 250 fewer a.m. peak-trips, and 256 fewer p.m. peak-hour trips.

Conclusion

LSA generated trips for the previously considered land uses of the Ontario Gateway Specific Plan and the proposed project. As illustrated, the proposed project is expected to generate fewer trips than the previously approved project. Therefore, the implementation of the project will not create an impact to the surrounding circulation system.

Attachments: A – Figure 1: Project Site Plan and Location
 Figure 2: Ontario Gateway Specific Plan Site Plan
B – Trip Generation Comparison Tables A, B, and C
C – *Ontario Costco Business Center Trip Generation Memo* (May 2019) Kittelson & Associates

ATTACHMENT A

FIGURES

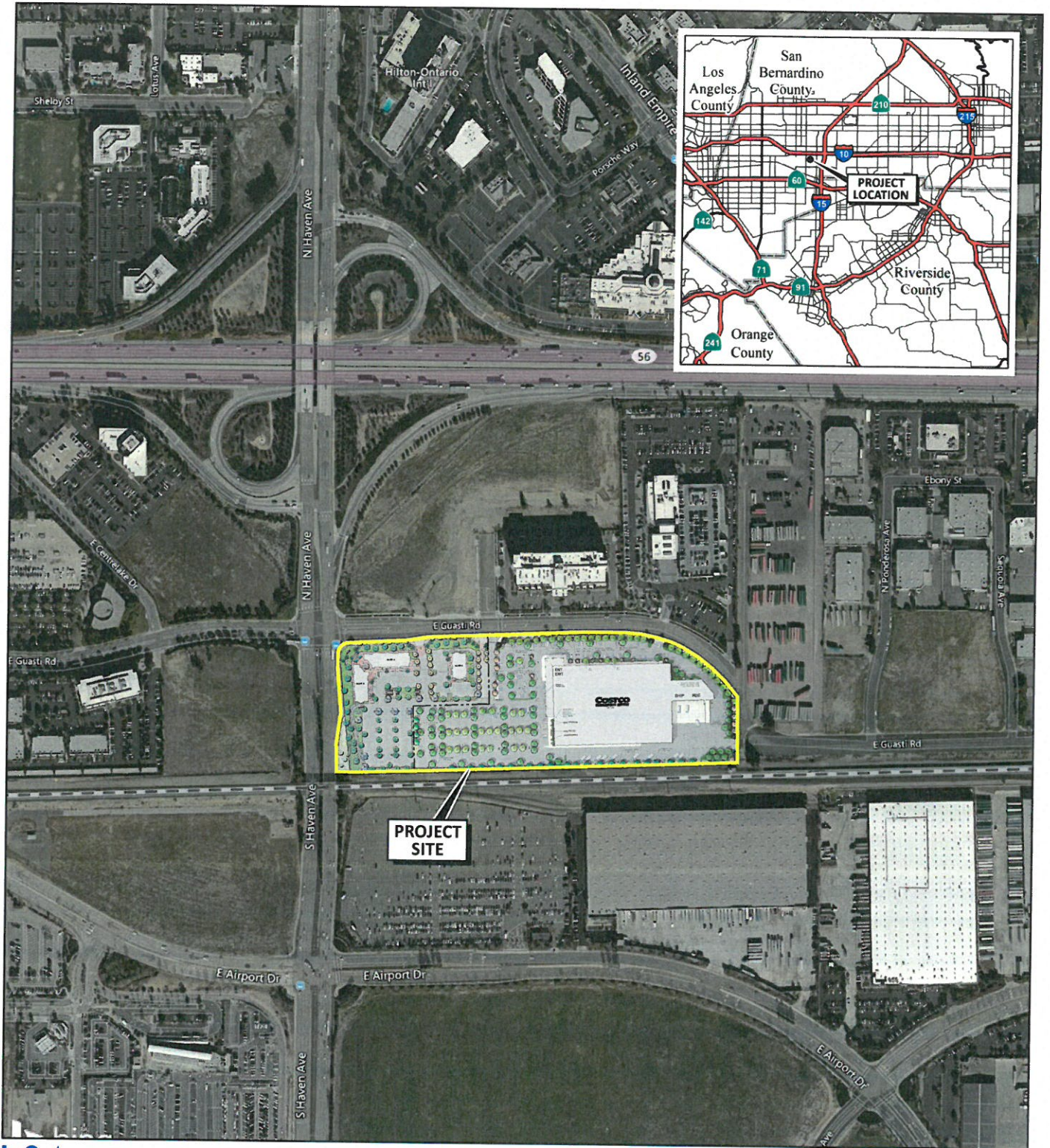
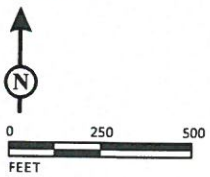


FIGURE 1

LSA



SOURCE: Bing Maps

I:\PAI1901\G\Location.cdr (6/5/2019)

Ontario Gateway
Project Site Plan and Location

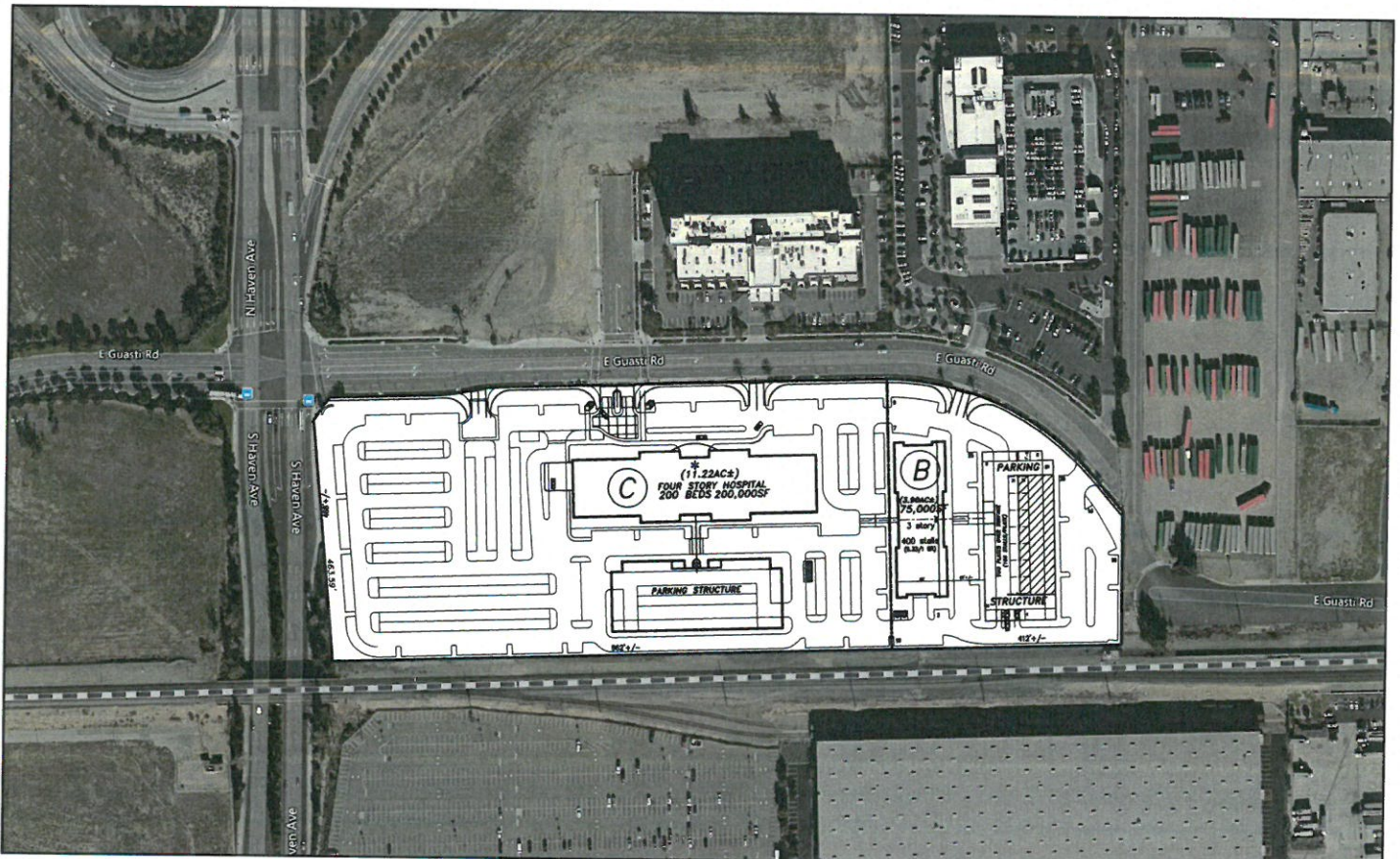


FIGURE 2

LSA



SOURCE: Bing Maps, TGA Development & Engineering, Inc.
 I:\PA11901\G\SP Site Plan.cdr (6/5/2019)

Ontario Gateway
 Ontario Gateway Specific Plan Site Plan

ATTACHMENT B

TRIP GENERATION COMPARISON TABLES A, B, AND C

Table A: Ontario Gateway Specific Plan Trip Generation

Land Use	Size	Unit	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates¹									
Medical Office (720)		TSF	34.80	2.17	0.61	2.78	0.97	2.49	3.46
Hospital (610)		Bed	22.32	1.32	0.52	1.84	0.53	1.36	1.89
Project Trip Generation									
Medical Office	75,000	TSF	2,610	163	46	209	73	187	260
Hospital	200	Bed	4,464	264	104	368	106	272	378
Total Trip Generation			7,074	427	150	577	179	459	638

¹ Trip rates referenced from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017).

TSF = thousand square feet

ADT = average daily trips

Table B: Proposed Project Trip Generation

Land Use	Size	Unit	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates									
Shopping Center (820) ¹		TSF	37.75	0.58	0.36	0.94	1.83	1.98	3.81
High Turn-Over (Sit Down) Restaurant (932) ¹		TSF	112.18	5.47	4.47	9.94	6.06	3.71	9.77
Costco Business Center ²		TSF	36.72	1.07	1.03	2.10	1.79	2.10	3.89
Project Trip Generation									
Shopping Center	4,750	TSF	179	3	2	5	9	9	18
High-Turnover (Sit Down) Restaurant	14,250	TSF	1,599	78	64	142	86	53	139
Costco Business Center	133,765	TSF	4,912	143	138	281	239	281	520
Total Project Trips			6,690	224	204	428	334	343	677
Pass-By and Diverted Trips									
Shopping Center ³			-	-	-	-	(3)	(3)	(6)
High-Turnover (Site Down) Restaurant ³			-	-	-	-	(37)	(23)	(60)
Costco Business Center ²			(1,375)	(52)	(49)	(101)	(105)	(124)	(229)
Total Pass-By and Diverted Trips			(1,375)	(52)	(49)	(101)	(145)	(150)	(295)
Net New Trips (Project Trips - Pass-By Trips)			5,315	172	155	327	189	193	382

¹ Trip rates referenced from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017).

² Trip rates, diverted trips and pass-by trips referenced from the *Ontario, California Costco Business Center Trip Generation Estimate Memo* prepared by Kittelson & Associates on May 30, 2019.

³ Pass-by trip percentages referenced from the Institute of Transportation Engineers (ITE) *Trip Generation Handbook*, 3rd Edition (2017).

TSF = thousand square feet

ADT = average daily trips

Table C: Trip Generation Comparison

Land Use	ADT	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Trip Generation							
Ontario Gateway Specific Plan Trips	7,074	427	150	577	179	459	638
Proposed Project Trips	5,315	172	155	327	189	193	382
Trip Differential (Proposed - Specific Plan)	(1,759)	(255)	5	(250)	10	(266)	(256)

ATTACHMENT C

ONTARIO COSTCO BUSINESS CENTER TRIP GENERATION MEMO (MAY 2019)
KITTELSON & ASSOCIATES

May 30, 2019

Michael Okuma
Costco Wholesale
9 Corporate Park, Suite 230
Irvine, CA 92606

RE: Ontario, California Costco Business Center Trip Generation Estimate

Dear Michael,

Costco Wholesale is proposing to develop a Costco Business Center on property located on Guasti Road and Haven Avenue in Ontario. This letter provides background information related to Costco Business Centers, their trip generation, as well as a trip estimate for the proposed site based on an existing Costco Business Center located in San Diego, California.

COSTCO BUSINESS CENTER CHARACTERISTICS

Costco Business Centers are a unique and growing part of the Costco experience offered to members. Key differences between a typical Costco Warehouse and a Costco Business Center can be explained through review of services offered, typical customer base, the sales and delivery process, and operating hours. Each of these four topics is discussed further below.

Services Offered

The services provided at Costco Business Centers are tailored towards corporate and small business needs as opposed to typical retail customers or general Costco members. Costco Business Centers focus on providing large quantity packaging of business goods and food services for small companies and restaurants. A large portion of the merchandise stocked at the Business Centers is office paper, business computers and electronics, office furniture, and restaurant supplies.

Costco Warehouses serve individual members and their families, providing products including but not limited to the following: appliances; auto and tires; baby, kids and toys; clothing and handbags; computers and printers; electronics; furniture; grocery, floral, and pets; home improvement; health and beauty; home, kitchen, bed and bath; jewelry and watches; office products; patio and outdoor; sports and fitness; travel and luggage and other traditional consumer goods. While many Costco Business Centers and Costco Wholesale sites both offer a Food Court (note that a Food Court is not proposed at the Ontario site), entire departments such as Hearing Aids, Optical, Pharmacy, and a Tire Service Center are unique to the Costco Wholesale warehouses and are not typically provided at Costco Business Centers. In part due to the merchandise offered and in part due to the customer type, Costco Business Centers have a higher average sales dollar amount per transaction in comparison to a traditional Costco warehouse.

Customer Base

Typical Business Center members are businesses including enterprise offices, doctor offices, law offices, real estate offices, convenience store operators, restaurants, coffee cart operators, and janitorial service providers. From a transportation perspective, this differs from a traditional Costco warehouse primarily in regards to the delivery service – many of these customers order on-line and have their purchases delivered direct to the site without visiting the physical Costco Business Center building site (refer to Sales and Delivery process discussion below).

While a typical Costco Warehouse serves small businesses as well, as compared to a Business Center, a Costco Warehouse serves many more everyday individuals, usually purchasing goods and services for their personal use or that of their families at home.

Sales and Delivery Process

Due to the business clientele served, Costco Business Centers provides two services: a walk-in cash-and-carry product offering and an on-line or phone order and delivery of the same merchandise. From a transportation perspective, this differs from a traditional Costco Warehouse primarily in regards to the delivery service. On average, 45 to 50-percent of the sales at a Costco Business Center are via the order and delivery service, meaning that those members never travel to or from the warehouse and, therefore, do not add trips to the surrounding transportation system or require on-site parking. Typically, up to approximately 30 Costco delivery vehicles are stored at the Business Center site and fulfill member orders (26 delivery vehicles parking spaces are proposed at the Ontario site).

In comparison, Costco Warehouse members can shop at the warehouse or on-line through Costco.com. The on-line Costco.com shopping experience is similar to the web-based retail environment offered by other brick-and-mortar retailers with a web presence – member orders are fulfilled via various shipping methods but, unlike Costco Business Centers, home delivery services using Costco vehicles are not offered for Costco Warehouse members.

Operating Hours

Costco Warehouses are open seven days a week and offer different hours to serve the general public. Table 1 compares operating hours at a typical Costco Business Center.

Table 1. Comparison of Operating Hours

Day of Week	Business Center Phone Order* and Delivery	Costco Business Center Walk-In	Costco Warehouse Walk-in	Comments
Monday to Friday	7:00 AM to 6:00 PM	7:00 AM to 6:00 PM	10:00 AM to 8:30 PM	Warehouse opens and closes later
Saturday	8:00 AM to 5:00 PM	7:00 AM to 4:00 PM	9:30 AM to 6:00 PM	Warehouse opens and closes later
Sunday	Closed	Closed	10:00 AM to 6:00 PM	Business Center not open

*Costco maintains a Business Center Web page where most members (94-95%) place their orders. The web page is available 24 hours a day; however in order for a request to be delivered, next day service must be placed by 3:00 PM on the day prior to requesting delivery.

As shown in Table 1, Costco Business Centers tend to open and close earlier than Costco Warehouses; further, Business Centers are not open on Sundays. The different hours at the Business Center reflect the needs of the business customers as compared to traditional retail customers. Sunday operations offer the clearest contrast between Business Centers and Warehouses; Warehouses are open Sundays (many private individuals prefer to shop on their weekend day off) while Business Centers are closed (reflecting that most business customers are closed on Sundays and not able to accept deliveries). The combined effect of all of these operational characteristics is that Costco Business Centers exhibit significantly lower trip generation than is found at traditional Costco warehouses¹.

COSTCO BUSINESS CENTER TRIP GENERATION DATA

A trip generation estimate was prepared for the proposed Ontario Business Center based on data collected at the existing San Diego, California Costco Business Center. Like the proposed Ontario site, the San Diego site does not offer fuel sales but does have a food court (meaning the trip rates at the San Diego site likely are higher per square foot compared to what will be realized in Ontario).

Data was collected at the San Diego Business Center site in July 2015 on a Thursday between the hours of 7:00 to 10:00 AM and 3:00 to 6:00 PM. In addition, trip data was collected on a Saturday in August 2015 from 11:00 AM to 3:00 PM. Each day, the data collected included the total number of vehicle trips in and out of the Business Center warehouse and member surveys completed within the warehouse to assess trip type. Table 2 summarizes the trip generation characteristics.

Table 2. Costco Business Center Trip Generation Characteristics

Trip Characteristic	Weekday Peak Hour Trip Generation		Saturday Peak Hour Trip Generation
	8:00 to 9:00 AM	4:30 to 5:30 PM	1:15 to 2:15 PM
Observed Generator Peak Hour	8:00 to 9:00 AM	4:30 to 5:30 PM	1:15 to 2:15 PM
Total Trip Rate	2.10 trips/1,000 square feet (51% in, 49% out)	3.89 trips/1,000 square feet (46% in, 54% out)	6.02 trips/1,000 square feet (51% in, 49% out)
Pass-by Trip Percentage	11%	34%	15%
Diverted Trip Percentage	25%	10%	30%
Net New Trip Percentage	64%	56%	55%

¹ Note: Costco Gasoline may be available at both Costco Warehouses and Costco Business Centers. No Costco Gasoline is proposed at the Ontario Business Center site.

ONTARIO SITE TRIP GENERATION ESTIMATE

The trip generation rates outlined in Table 2 were used to estimate site trip generation for the Ontario Costco Business Center shown in Table 3.

Table 3. Ontario Costco Business Center Trip Generation Estimates

	Warehouse Size	Weekday AM Peak Hour			Weekday PM Peak Hour			Weekend Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
Total Trips	133,765 square feet	281	143	138	520	239	281	805	411	394
Pass-by Trips		(31)	(16)	(15)	(177)	(81)	(96)	(121)	(62)	(59)
Diverted Trips		(70)	(36)	(34)	(52)	(24)	(28)	(242)	(123)	(119)
Net New Trips		180	91	89	291	134	157	442	226	216

Please contact us if you have questions or if you need additional information.

Sincerely,
 KITTELSON & ASSOCIATES, INC.

Chris Brehmer, PE
 Senior Principal Engineer



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV18-039</u> RELATED FILE NO(S). <u>PSPA18-010</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>	

CITY PROJECT ENGINEER & PHONE NO: **Miguel Sotomayor (909) 395-2108 *MS***

CITY PROJECT PLANNER & PHONE NO: **Luis Batres (909) 395-2431**

DAB MEETING DATE: **July 15, 2019**

PROJECT NAME / DESCRIPTION: **PDEV18-039, a development plan to construct a 136,342 single story box retail store on 10.9 acres of land within Mixed Use Planning Area of the Ontario Gateway SP.**

LOCATION: **South side of Guasti Road, east of Haven Avenue**

APPLICANT: **Prime A Investment, LLC**

REVIEWED BY: *[Signature]* 7/1/19
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *[Signature]* 7/1/19
 Raymond Lee, P.E. Date
 Assistant City Engineer



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____ and _____
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per PM-18094.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
- State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other:**
 - a. **Non-Interference letter from the easement holders listed on the title report.**
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- _____ feet on _____
- Property line corner 'cut-back' required at the intersection of _____
and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- _____
- 2.12 **New Model Colony (NMC) Developments:**
- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$231,162.20, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16 Other conditions:
 - 1. The applicant/developer shall obtain the following private easements from the neighboring property to the west (APN: 0210-212-57) (notate on plans):
 - a) Reciprocal Access Easement and Maintenance Agreement for pavement
 - b) Drainage (surface and subsurface) Easement and Maintenance Agreement
 - c) Private Sewer Easement
 - 2. The applicant/developer shall grant the following private easements to the neighboring property to the west (APN: 0210-212-57):
 - a) Reciprocal Access Easement and Maintenance Agreement for pavement
 - b) Drainage (surface and subsurface) Easement and Maintenance Agreement



B. PUBLIC IMPROVEMENTS

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

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

Improvement	Guasti Road	Haven Avenue	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace along drive approaches being abandoned	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove drive approaches not being used	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade on cul-de-sac <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service
 sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions:
 - a. Final Utility Systems Map (USM): The Development Plan shall follow the Utility Systems Map submitted on 06/13/2019 with the entitlement package and revised into a Final USM. Any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Precise Grading Plan.

C. SEWER

- 2.23 A 21 and 8 Inch sewer mains are available for connection by this project in Haven Avenue and Guasti Road respectively.
(Ref: Sewer plan bar code: S11039 and S11665)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. Wastewater Discharge: Each Occupant of the building, or units, shall apply for a Wastewater Discharge Permit for their Establishment and shall comply with all the requirements of the Wastewater Discharge Permit
<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>
Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
Phone: (909) 395-2687; Email:
omucenvironmental@ontarioca.gov

D. WATER

- 2.27 A 12 inch water main is available for connection by this project in Guasti Road.
(Ref: Water plan bar code: W15028)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.



2.29 Other conditions:

- a. The applicant/developer shall submit an application for a fire flow test to the City's Fire Department.
- b. The applicant/developer shall relocate the existing water appurtenances (airvac, blow off, etc.) within the existing eastern Guasti Avenue cul-de-sac to avoid conflicting with the proposed driveway. The relocation shall meet all City standards and applicant shall submit to the City for review and approval of the delta revisions to the approved water improvement plans.

E. RECYCLED WATER

- 2.30 A 8 inch recycled water main is available for connection by this project in Guasti Road. (Ref: Recycled Water plan bar code:P11026)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - a. The applicant/developer shall install a new street light along the Guasti Road cul-de-sac.
 - b. The applicant/developer shall be responsible to replace existing streetlight fixtures with City approved LED equivalent fixtures along project frontage of Guasti Road. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans for LED fixture requirements.
 - c. The applicant/developer shall be responsible to design and construct driveways in accordance with City Standard No. 1204 and satisfaction of the City Engineer. With



geometry such that the design vehicle can enter and exit the site without conflict.

- d. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard No. 1309.

G. DRAINAGE / HYDROLOGY

- 2.38 A 48 inch storm drain main is available to accept flows from this project along the easterly property line. (Ref: Storm Drain plan bar code:D13030)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:
 - a. The applicant/developer shall submit a hydrology study and drainage analysis for the proposed run-off due to the proposed v-ditch along the southerly property line. Run-off shall be directed into an on-site inlet.

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.



2.47 Other conditions:

- a. The applicant/developer shall submit an infiltration study to demonstrate the proposed BMP's will adequately draw down the design storm event volume.

J. SPECIAL DISTRICTS

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

2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

2.53 Other conditions:

- a. **Integrated Waste and Commercial & Organics Recycling:** This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341, the Integrated Waste Department, and the Refuse & Recycling Planning Manual which can be found at <https://www.ontarioca.gov/omuc/integrated-waste>. The City of Ontario is dedicated to meeting its diversion goals, please contact the Integrated Waste Department at (909) 395-2050 to start.
- b. **City Refuse Collection:** All Refuse Waste shall be collected by the City of Ontario Integrated Waste Department only. No private third party haulers may collect refuse. Please contact the Integrated Waste Division Manager at (909) 395-2671 if there are any questions.
- c. **Final Solid Waste Handling Plan (SWHP):** The PDEV18-039 Solid Waste Handling Plan, dated 06/19/2019, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "Solid Waste Handling Plan Requirements".
- d. **Integrated Waste Management Report:** The applicant shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report



shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.) including, but is not limited to, the following:

- a. Expected Types of Waste**
- b. Waste Generation Rates and Sizing of Receptacles (Bins, Compactors, etc.)**
- c. Waste Diversion Plan if using a Private Hauler**
- d. Staging Area for Private Waste Collection**
- e. Final Solid Waste Handling Plan**



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV 18-039

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

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

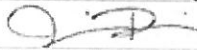


- 22. One (1) copy of approved Tentative Map
- 23. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 24. **One (1) copy of Traverse Closure Calculations**
- 25. **One (1) set of supporting documents and maps (legible copies): referenced Improvement plans (full size), referenced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

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

**PRELIMINARY PLAN
CORRECTIONS**

Sign Off


Jamie Richardson, Sr. Landscape Planner

06/17/2019
Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV18-039 Rev 1

Case Planner:

Luis Batres

Project Name and Location:

Box Retail Store- Costco Business Center
SEC Guasti and Haven Ave

Applicant/Representative:

Prime A Investments LLC – Scott Von Kaenel Architecture Collaborative
23231 South Pointe Dr
Laguna Hills CA 92653



A Preliminary Landscape Plan (dated 06/13/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated 4/29/19) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Show transformers located in planter areas, set back 5' from paving all sides. Remove bollards.
2. Show backflow devices located in planters, set back 4' from paving all sides on level grade
3. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate with landscape plans.
4. Revise site plan to show 13% of the site with landscaping not including right of way or paving.

Landscape Plans

5. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed heritage trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
6. Show appropriate parking lot shade trees with min 30' canopy at maturity.
7. Provide a planting list of proposed water efficient plants. Avoid invasive, high water using, short lived, high maintenance or poor performing plants
8. Show 8' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
9. Provide an appropriate hydroseed plant mix for water quality basins and swales. See City standard on the Landscape Planning website.
10. Show outline of basin top of slopes and keep trees out of basins and on level grades.
11. Provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase.
12. Call out all fences and walls, materials proposed and heights.
13. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*,

Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.

14. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
15. Provide phasing map for multi-phase projects.
16. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase)	<u>\$278.00</u>
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-039
 Address: SEC Haven Ave & Guasti Rd.
 APN: 0210-212-56 & 57
 Existing Land Use: Vacant
 Proposed Land Use: Construct a 136,342 SF retail store
 Site Acreage: 10.9 Proposed Structure Height: 32 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 2/1/18
 CD No.: 2018-078
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 120 FT	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: January 10, 2019

SUBJECT: PDEV18-039 - A Development Plan to construct 136,342 single story box retail store on 10.9 acres of land within the Mixed Use Planning Area of the Ontario Gateway Specific Plan located on the south side of Guasti Road, just east of Haven Avenue. APN: 210-212-56 and 57.

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type II B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 126,342 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 126,342 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): M

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 3750 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

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

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

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

6.0 OTHER SPECIAL USES

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



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 29, 2019

SUBJECT: PDEV18-039 – A DEVELOPMENT PLAN TO CONSTRUCT A BOX
RETAIL STORE ON GUASTI EAST OF HAVEN AVENUE

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

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

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 7, 2019
SUBJECT: PDEV18-039

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

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The site address will be 3680 E Guasti Rd

KS:lm



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PCUP18-041

DESCRIPTION: A Conditional Use Permit (File No. PCUP18-041) request to establish drive-thru facilities on two buildings (Building A & Building C), for a proposed 19,000 square foot commercial retail development, on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan (APN: 210-212-57); **submitted by Prime A Investments, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PRIME A INVESTMENTS, LLC., (herein after referred to as "Applicant") has filed an application requesting Conditional Use Permit approval, File No. PCUP18-041, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 4.3 acres of land, located at the southeast corner of Haven Avenue and Guasti Road, and is depicted in Exhibit A: Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed-Use
<i>North:</i>	Hotel	OC (Office Commercial)	Ontario Gateway Specific Plan	Entertainment
<i>South:</i>	Railroad & Parking	Industrial	California Commerce Center Specific Plan	Commercial/Food/ Hotel & Rail Industrial
<i>East:</i>	Vacant	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed-Use
<i>West:</i>	Office	OC (Office Commercial)	Centrelake Specific Plan	Office

(2) **Project Description:** The applicant is requesting approval of a Conditional Use Permit (File No. PCUP18-041) to establish drive-thru facilities on two buildings (Building A & Building C) in conjunction with a Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The project is located within the Ontario Gateway Specific Plan and has a land use designation of Mixed-Use, which requires the approval of a Conditional Use Permit (CUP) for any proposed drive-thru facility. The proposed retail

development is proposing to construct three multi-tenant buildings totaling 19,000 square feet. The applicant is requesting approval of drive-thru facilities for Buildings A & C.

Staff has worked with the applicant to design a project that meets the goals and requirement of the Mixed Use land use designation of the Ontario Gateway Specific Plan and the goals and policies of The Ontario Plan (TOP). Building A, located toward the west portion of the site will be 6,200 square feet in size and will have the potential for three retail suites. Building A will feature a 12-foot wide drive-thru lane along the rear of the building (south elevation), with the drive-thru lane access located along the southwest portion of the site. Building A has been designed with an east to west orientation, and the front of the building will face east. Building B, located toward the northwest portion of the site will be 8,000 square feet in size and will have the potential for four retail suites. Building B has been designed with a north to south orientation, and the front of the building will face south. Buildings A and B have been carefully designed with an outdoor plaza area, between the two. The plaza area will feature decorative paving, enhanced landscaping, outdoor decorative furniture (chairs, tables and umbrellas), decorative potted plants, enhanced lighting and a decorative shade structure. Building C, located toward the northeast portion of the site will be 4,800 square feet in size and will have the potential for three retail suites. Building C will feature a 12-foot wide drive-thru lane along the north and west sides of the building. The pickup window for Building C will be located along the north side of the building. Building C has been designed with an east to west orientation, and the front of the building will face west. The proposed buildings are speculative at this time, so staff is not aware of who the tenants will be.

(3) **Land Use Compatibility:** The intent of Conditional Use Permit (CUP) review is to ensure that the proposed use will be operated in a manner consistent with all local regulations and to ensure that the use will not be detrimental to the public, health, safety, or welfare, to uses, properties or improvements in the vicinity. The subject property is located within the Mixed-Use land use designation of the Ontario Gateway Specific Plan. Within the Mixed-Use land use designation, drive-thru facilities are permitted through the approval of a Conditional Use Permit.

The project has been designed in conformance with the development regulations, standards and design guidelines of the Mixed-Use land use designation of the Ontario Gateway Specific Plan, with the objective to create a safe and attractive design. The project has been designed to provide two points of vehicular access. Primary vehicular access will be provided through a 28-foot wide driveway, located between Buildings B and C. Secondary vehicular access will be provided through a shared 47-foot wide signalized driveway, located on the east side of Building C. The driveway will be shared with the Costco Business Center that will be developed immediately to the east of the proposed development. The shared driveway will feature a 10-foot wide raised landscape island in the middle, with two lanes for each direction. The proposed retail development will also have shared vehicular access with the proposed Costco Business Center along the south and eastern portions of the parking lot. Both developments will share the cost of completing the improvements for the signalized shared driveway. Parking has been conveniently located along the south and eastern portions of the development for convenience. Pedestrian access from Guasti Road will be provided through a 7-foot wide sidewalk (see Exhibit B: Site Plan).

Careful consideration has been given to ensure that the proposed development does not have the potential to create adverse impacts on the surrounding area. The proposed drive-thru facilities have been designed to lessen and mitigate any negative impacts on the adjacent and surrounding land uses.

(4) **Parking:** The project is required to provide 211 parking spaces, and it will provide a total of 215 parking spaces. Therefore, no parking issues are anticipated.

(5) **Architecture:** The proposed development exemplifies the type of high quality architecture prescribed by the Ontario Gateway Specific Plan and the Ontario Development Code. Staff worked with the applicant to design a project that will complement the immediate developments in terms of scale, style, form, materials and colors (see Figure 1: Haven Avenue and Guasti Road Perspective, Figure 2: Building C Perspective & Exhibits C to E: Building Elevations). The contemporary architecture style proposed for

the project, is in keeping with the City's high standards for new development. The project will feature the following:

- Focal tower elements facing all building sides;
- Articulation in the building's roof lines;
- Extensive use of glazing, but in particular along the front elevations;
- Articulation in building footprint, incorporating a combination of recessed and popped-out wall areas;
- Variation in building materials (wood tile, stone tile, metal panels);
- Decorative metal canopies at key locations and along the storefronts;
- Variation in colors;
- Aluminum storefront framing to accentuate storefronts;
- Incorporation of reveal patterns; and
- Incorporation of decorative sconce lighting fixtures at key locations



Figure 1: Haven Avenue and Guasti Road Perspective



Figure 2: Building C Perspective

(6) **Landscaping:** The Ontario Gateway Specific Plan requires the project to provide a 13% landscape coverage. The project proposes a 28% landscape coverage. Landscaping will be provided in the form of a 25-foot landscape setback along Guasti Road, a 27-foot average landscape setback along the west property line, a 17-foot average landscape setback along the south property line and a 13-foot average landscape setback along the east property line. In addition, extensive landscaping in the form of ground cover, shrubs, and trees will be provided along the interior of the development to further enhance the project. Decorative paving has also been incorporated on all Guasti Road entry driveways and exterior plaza areas around the buildings to further enhance the project (see Exhibit F: Landscape Plan). To comply with the National Pollutant Discharge Elimination System (NPDES) requirements, a large underground infiltration chambers has been designed for the project. It will be located within the southeast portion of the parking lot area.

Part II—RECITALS

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with (File No. PSPA17-001), for which an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was prepared, and was adopted by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval; and

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

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

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

WHEREAS, in conjunction with the proposed Conditional Use Permit, the applicant is also requesting approval a Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan; and

WHEREAS, project approval and permits being issued are subject to the approval and adoption of (File No. PSPA18-010-Ontario Gateway Specific Plan Amendment) by City Council; and

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is

subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR (State Clearinghouse No. 2008101140) and supporting documentation. Based upon the facts and information contained in the previous Certified EIR (State Clearinghouse No. 2008101140) and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA17-001, an Ontario Gateway Specific Plan Amendment for which a Certified EIR (State Clearinghouse No. 2008101140) was adopted by the City Council on January 27, 2010; and

(2) The previous Certified EIR (State Clearinghouse No. 2008101140) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR (State Clearinghouse No. 2008101140) was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR (State Clearinghouse No. 2008101140) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR (State Clearinghouse No. 2008101140), and all mitigation measures previously adopted with the Certified EIR (State Clearinghouse No. 2008101140), are incorporated herein by reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR (State Clearinghouse No. 2008101140) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR (State Clearinghouse No. 2008101140) that will require major revisions to the Certified EIR (State Clearinghouse No. 2008101140) 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 (State Clearinghouse No. 2008101140) was prepared, that will require major revisions to the Certified EIR (State Clearinghouse No. 2008101140) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR (State Clearinghouse No. 2008101140) 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 (State Clearinghouse No. 2008101140); or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR (State Clearinghouse No. 2008101140); or

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

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR (State Clearinghouse No. 2008101140) 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 recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Mixed-Use zoning district of the Ontario Gateway Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed two drive-thru facilities will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Mixed-Use zoning district of the Ontario Gateway Specific Plan. The scale and intensity of the proposed two drive-thru facilities are consistent with other permitted land uses located within the Mixed-Use zoning district of the Ontario Gateway Specific Plan. This type of land use district is intended to provide commercial sales and retail facilities which support business operations within the districts. The proposed use is not anticipated to create any impacts with the implementation of the project's Conditions of Approval; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed drive-thru facilities will be located within the Mixed Use land use district of the Policy Plan Land Use Map, and the Mixed-Use land use district of the Ontario Gateway Specific Plan. The development standards, and the conditions of approval under which the proposed land uses will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. The proposed Conditional Use Permit and related Development Plan application are for the development of three retail buildings totaling 19,000 square feet and to establish drive-thru facilities on two buildings (Building A & Building C), on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road. The development standards and conditions under which the proposed Project will be operated and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed drive-thru facilities are located within the Mixed-Use land use district of the Ontario Gateway Specific Plan, and have been reviewed and conditioned to ensure the establishments, operation and maintenance of the proposed land uses are consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and land use districts. A Development Plan has also been submitted in conjunction with the proposed Conditional Use Permit to develop three retail buildings totaling 19,000 square feet on 4.3 acres. The proposed project has been designed to facilitate the business activities on-site. The project will incorporate extensive landscaping throughout the site, which will enhance the Haven Avenue and Guasti Road streetscape, and the uses will provide an added convenience to the area. The Project is consistent with the requirements of the City of Ontario Development Code and the Mixed-Use land use district of the Ontario Gateway Specific Plan, including standards relative to the particular land use proposed (three multi-tenant retail buildings with two drive-thru facilities), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; the proposed uses are not anticipated to create any impacts with the implementation of the project's Conditions of Approval; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Mixed-Use land use district of the Ontario Gateway Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant

environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located. The project site is located within the Mixed-Use land use district of the Ontario Gateway Specific Plan, for which a drive-thru facility is a conditionally-permitted use. The project proposes various improvements to the site, including enhanced landscaping at and beyond the parkway and improved drainage facilities. To minimize impacts on the adjacent land uses, the floor plans and locations of the drive-thru facilities have been carefully designed in efforts to screen vehicles and isolate significant noise-generating elements away from the adjacent uses.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

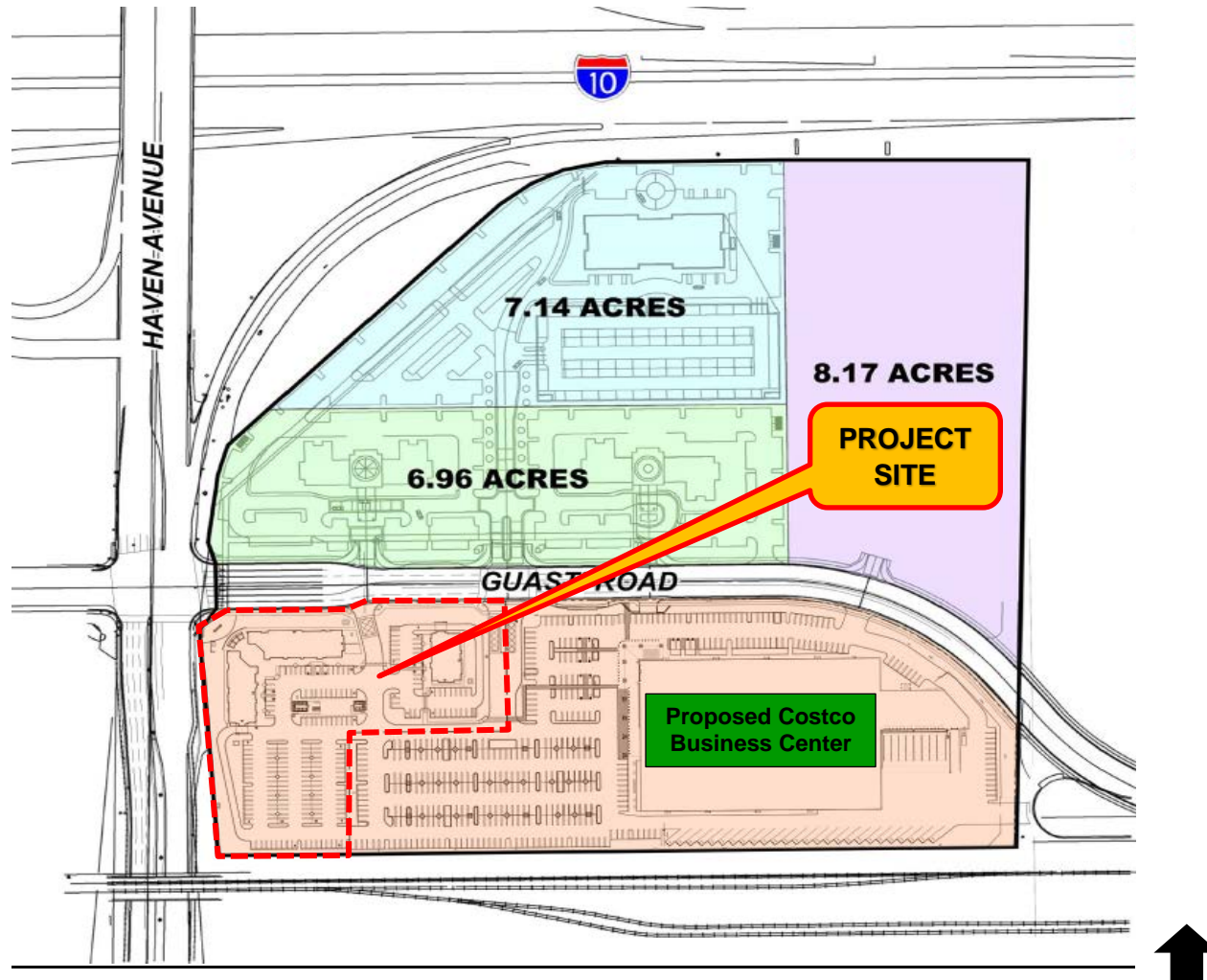


Exhibit B—SITE PLAN

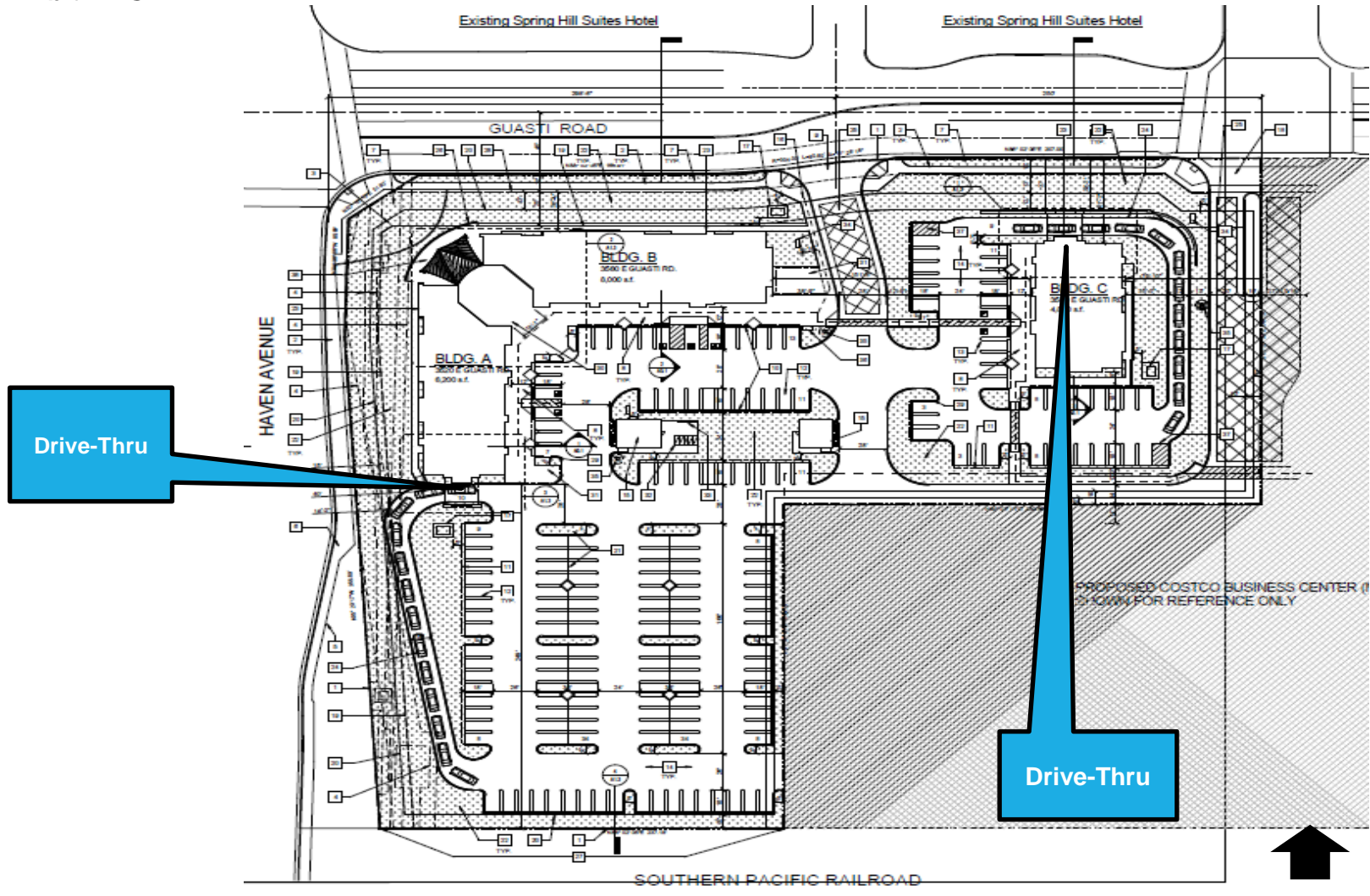


Exhibit C—BUILDING A ELEVATIONS

FINISH LEGEND				
ID#	MATERIAL	DESCRIPTION	NOE	COMMENTS
001	PAINT	LIGHT GRAY ART. BRICK	NA	INTERIOR WALLS
002	PAINT	RED BRICK	NA	INTERIOR WALLS
003	PAINT	DETUNE, MCMATCH, MCMATCH	NA	CLARK SCRAMBLE
004	PAINT	SEE TITANUM	NA	SPRINT
005	PAINT	METAL CLASH/ CLEAR ANODIZED	NA	MATCH INTERIOR/ WALLS
006	STONE TILE	CANTON BRICK	1/2"X1/2"	OUTSIDE
007	METAL PANEL	CLARK ALUMINUM	NA	CLARK ALUMINUM PANEL
008	WOOD TILE	INDUSTRIAL	1/2"X1/2"	BRANDS
009	SPANDREL GLASS	SPANDREL	NA	SPANDREL GLASS
010	GLASS	CLARK, BELMONT	NA	SPANDREL GLASS
011	ALUMINUM GRILL	CLARK BLOCK	1/2"X1/2"	SPANDREL GLASS
012	SPANDREL GRILL	NATURAL GRILL	NA	SPANDREL GLASS
013	SPANDREL GRILL	NATURAL GRILL	NA	SPANDREL GLASS
--- PROPOSED TRAVEL SIGNAGE LOCATION				



5 BLDG A EAST ELEVATION
 1/8" = 1'-0"



4 BLDG A WEST ELEVATION
 1/8" = 1'-0"

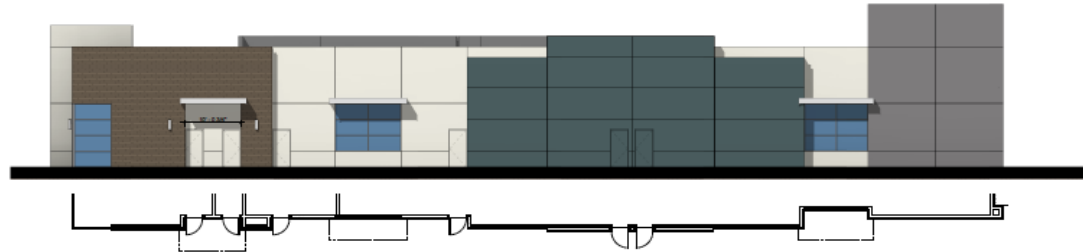


3 BLDG A SOUTH DRIVE THRU
 1/8" = 1'-0"

2 BLDG A SOUTH ELEVATION
 1/8" = 1'-0"

1 BLDG A NORTH ELEVATION
 1/8" = 1'-0"

Exhibit D—BUILDING B ELEVATIONS



④ BLDG B NORTH ELEVATION
1/8" = 1'-0"



③ BLDG B SOUTH ELEVATION
1/8" = 1'-0"



② BLDG B WEST ELEVATION
1/8" = 1'-0"

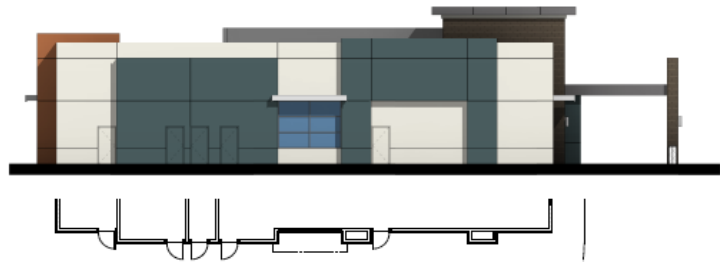


① BLDG B EAST ELEVATION
1/8" = 1'-0"

Exhibit E—BUILDING C ELEVATIONS

FINISH LEGEND				
NO.	MATERIAL	COMPOSITION	SIZE	COMMENTS
001	PAINT	CEILING	9"X9"	EMERALD WILLOW
002	PAINT	WALL	9"X9"	EMERALD WILLOW
003	PAINT	WALL	9"X9"	EMERALD WILLOW
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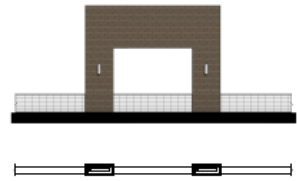
PROPOSED FINISH MATERIAL LOCATION



5 BLDG C EAST ELEVATION
1/8" = 1'-0"



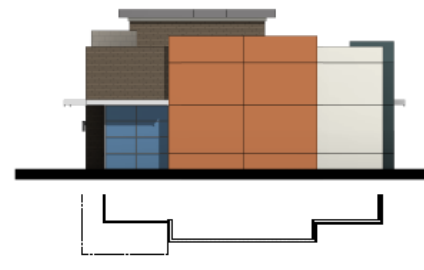
4 BLDG C WEST ELEVATION
1/8" = 1'-0"



3 BLDG C NORTH ELEVATION
1/8" = 1'-0"

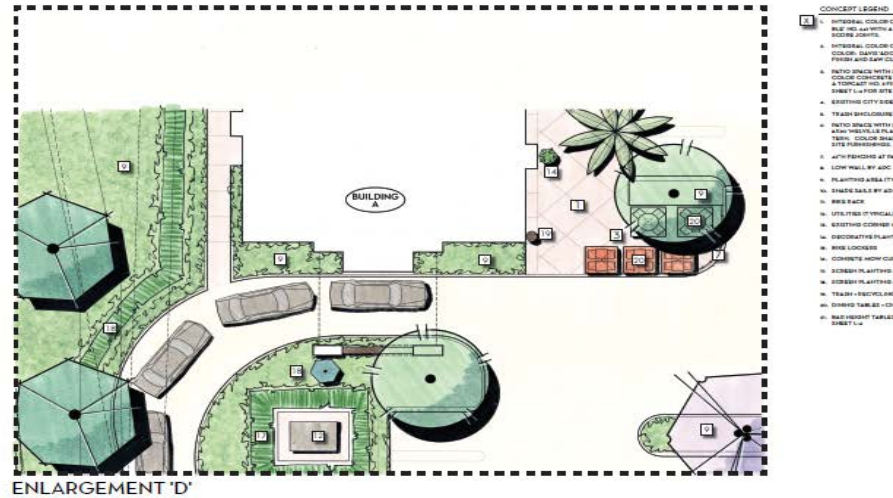
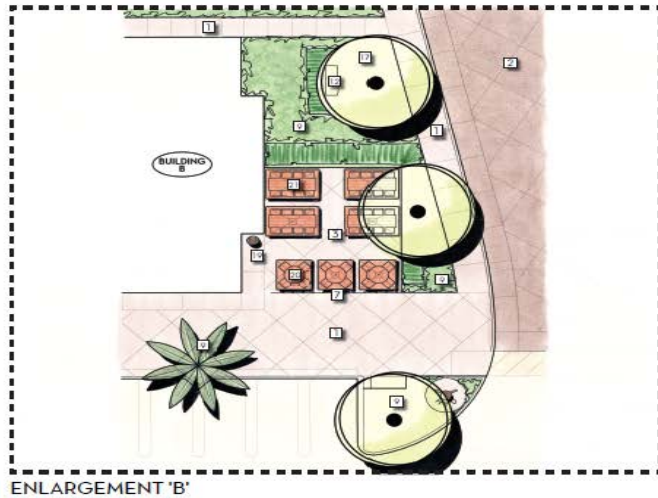
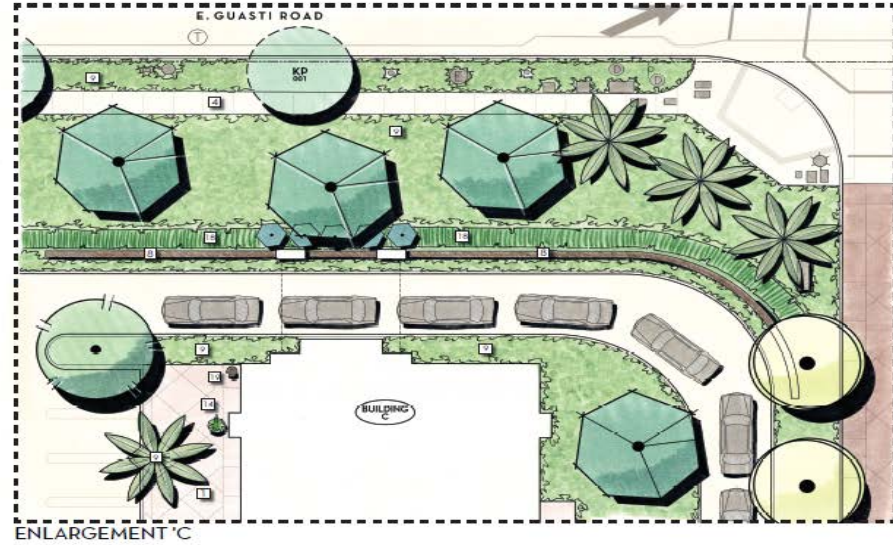
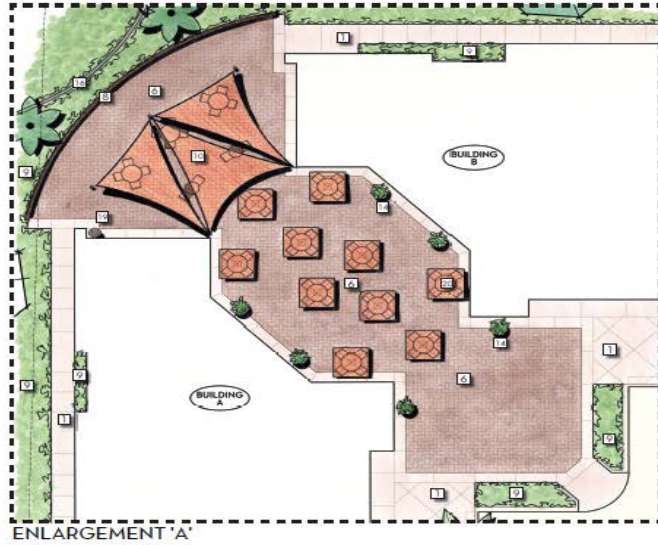


2 BLDG C NORTH DRIVE THRU ELEVATION
1/8" = 1'-0"



1 BLDG C SOUTH ELEVATION
1/8" = 1'-0"

Exhibit G—LANDSCAPE PLAN ENLARGEMENT AREAS



- CONCEPT LEGEND**
- 1. INTERIOR COLOR CODES ARE AS SHOWN IN THE SCENE JOSTLE
 - 2. INTERIOR COLOR CODES COLOR: DAVIS SCHEME 14 FROM AND LOW CUT OFF
 - 3. PATIO SPACES WITH SEATING COLOR: DAVIS SCHEME 14 FROM AND LOW CUT OFF
 - 4. PATIO SPACES WITH SEATING COLOR: DAVIS SCHEME 14 FROM AND LOW CUT OFF
 - 5. EXISTING CITY SIDEWALK
 - 6. TRASH ENCLOSURE (TRENCH) WITH SEATING COLOR: DAVIS SCHEME 14 FROM AND LOW CUT OFF
 - 7. EXISTING CITY SIDEWALK
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Exhibit H—LANDSCAPE PLAN SITE FURNISHINGS



DINING TABLES WITH CHAIRS
 LANDSCAPE FORMS - 'Chipman' Collection
 2 Dining Chairs with small square Dining Table
 4 Dining Chairs with Round Dining Table

(Such As)



RECTANGULAR BAR HEIGHT TABLE WITH STOOLS
 LANDSCAPE FORMS - 'Morisson' Collection
 6 Bar Height Stools + Bar Height Table

(Such As)



UMBRELLA
 TROPITONE 'Trace' Collection
 Square Umbrella with Pulley
 Rectangle Umbrella with Pulley

(Such As)



TRASH + RECYCLE RECEPTACLE
 FORMS + SURFACES - 'Dispatch' Trash + Recycle Receptacle

(Such As)



PRE-CAST CONCRETE PLANTER
 OCP - 'Cascade - Round' approximate size 30x30

(Such As)



CONCRETE PAVERS
 BELGARD - 'Melville Plank'
 8" x 20" Paver in a Herringbone Pattern, Color to be 'Bella'



(Such As)



Adobe 61078



Pebble 641

INTEGRAL COLOR CONC
 ENTRY DRIVE: Davis 'Adobe' 61078
 Top Cast No. 15 Finish

PATIOS + SIDEWALKS: Davis 'Pebble'
 w/ a Top Cast No. 3 Finish.

- NOTE:
1. Final Site furnishings selection + finishes will occur during construction document phase.
 2. Final finish colors, and umbrella fabric color will complement the building colors and shade sail by ADC.
 3. See Sheet L-3, Engagements A, B, and D for conceptual furniture layout.

**Exhibit I—OVERALL SITE PLAN
 (GATEWAY SQUARE & COSTCO BUSINESS CENTER)**



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: July 15, 2019

File No: PCUP18-041

Related File: PDEV18-040

Project Description: A Conditional Use Permit (File No. PCUP18-041) request to establish drive-thru facilities on two buildings (Building A & Building C), for a proposed 19,000 square foot commercial retail development, on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan (APN: 210-212-57); **submitted by Prime A Investments, LLC. Planning Commission action is required.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

2.4 Parking, Circulation and Access.

(a) Project shall provide a minimum of 211 standard parking spaces.

2.5 Site Lighting.

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

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

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

2.7 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.8 Additional Requirements.

(a) The proposed low profile drive-thru wall shall be extended to the end of Building C, along the east elevation to screen vehicles waiting in line.

(b) Project approval and permits being issued are subject to the approval and adoption of (File No. PSPA18-010-Ontario Gateway Specific Plan Amendment) by City Council.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 29, 2019

SUBJECT: PDEV18-040 & PCUP18-041 – A DEVELOPMENT PLAN AND
CONDITIONAL USE PERMIT TO CONSTRUCT THREE RETAIL
BUILDINGS WITH A DRIVE THRU AT GUASTI ROAD EAST OF
HAVEN AVENUE

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

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

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

- The drive thru location shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.

- Graffiti abatement shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-040

DESCRIPTION: A Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan (APN: 210-212-57); **submitted by Prime A Investments, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

PRIME A INVESTMENTS, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-040, as described in the subject of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The project site is comprised of 4.3 acres of land, located at the southeast corner of Haven Avenue and Guasti Road, and is depicted in Exhibit A: Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed-Use
<i>North:</i>	Hotel	OC (Office Commercial)	Ontario Gateway Specific Plan	Entertainment
<i>South:</i>	Railroad & Parking	Industrial	California Commerce Center Specific Plan	Commercial/Food/Hotel & Rail Industrial
<i>East:</i>	Vacant	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed-Use
<i>West:</i>	Office	OC (Office Commercial)	Centrelake Specific Plan	Office

(2) **Project Description:** The applicant is requesting approval of a Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, in conjunction with a Conditional Use Permit (File No. PCUP18-041) to establish drive-thru facilities on two buildings (Buildings “A” & “C”), on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road.

Staff has worked with the applicant to design a project that meets the goals and requirement of the Mixed Use land use designation of the Ontario Gateway Specific Plan and the goals and policies of The Ontario Plan (TOP). The proposed retail center will provide an attractive entrance to the City for its residents and

travelers to the Ontario International Airport (ONT). In addition, the retail center will provide much needed services (restaurants) to travelers along interstate 10 and to ONT.

The project site consists of three retail buildings (Buildings “A”, “B” & “C”). Buildings A and B are located at the northwest corner of the site with the parking areas directly to the south and southeast of the buildings. Building C is located at the northeast corner of site, with the parking areas directly to the south and west sides of the building.

Building A, located along the eastern street frontage of Haven Avenue, is 6,200 square feet in size and will have the potential to be subdivided into three retail suites. The building is oriented east to west, with the front of the building facing east and the rear of the building facing west along the Haven Avenue frontage. To accommodate a future restaurant tenant, the building proposes a 12-foot wide drive-thru lane along the rear of the building (south elevation), with the drive-thru lane access located at the southwest portion of the site.

Building B, located along the southern frontage of Guasti Road, is 8,000 square feet in size and will have the potential to be subdivided into four retail suites. The building is designed in a north to south orientation, with front of the building facing south and the rear of the building facing north along the Guasti Road frontage.

Both Buildings A and B have been designed with a common outdoor plaza that is located at the northwest corner of the site between the northeast side of Building A and the west side of Building B. The plaza area will feature decorative paving, enhanced landscaping, outdoor decorative furniture (chairs, tables and umbrellas), decorative potted plants, enhanced lighting and a decorative shade structure (see Exhibit F: Landscape Plan, Exhibit G: Landscape Plan Enlargement Areas, Exhibit H: Site Furnishings, and Exhibit I: Proposed Outdoor Seating).

Building C, located toward the northeast portion of the site, will be 4,800 square feet in size and will have the potential for three retail suites. The building will be orientated east to west, with the front of the building facing west and the rear facing east. To accommodate a future restaurant tenant, the building will feature a 12-foot wide drive-thru lane along the north and west sides of the building. The pickup window will be located along the north side of the building.

(3) **Site Access/Circulation:** The project has been designed in conformance with the development regulations, standards and design guidelines of the Mixed-Use land use designation of the Ontario Gateway Specific Plan, with the objective to create a safe and attractive design. The circulation plan for the Ontario Gateway Specific Plan reinforces the goal of moving vehicles, pedestrians, safely and efficiently through and around the project.

The project has been designed to provide two points of vehicular access. Primary vehicular ingress and egress from the site will be taken from Guasti Road via a 28-foot wide driveway, that will be located between Buildings B and C. Secondary vehicular access into the site will be provided by a shared 47-foot wide driveway, located on the east side of Building C. This access point will be signalized. In addition, the driveway will provide shared access for the future proposed Costco development immediately to the east of the proposed development. The shared driveway will feature a 10-foot wide raised landscape median, with two vehicle lanes in each direction. In addition, the retail development will have shared vehicular access with the future Costco development along the south and eastern portions of the parking lot. Both developments will share the cost of completing the improvements for the signalized shared driveway. Parking has been conveniently located along the south and eastern portions of the development for convenience. Pedestrian access from Guasti Road will be provided through a 7-foot wide sidewalk (see Exhibit B: Site Plan).

(4) **Parking:** As demonstrated in the parking table below, the project is required to provide 211 parking spaces, pursuant to the “Retail” and “Restaurant” parking standards of the Ontario

Development Code (Section 6.03.015: Required Number of Off-Street Parking Spaces), and 215 parking spaces will be provided for the development.

Parking Summary Table				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Building A	6,200	1,550 sq. ft. Retail (25%) @ 4/1,000 4,650 sq. ft. Restaurant (75%) @ 13.3/1.00	70	
Building B	8,000	1,550 sq. ft. Retail (25%) @ 4/1,000 4,650 sq. ft. Restaurant (75%) @ 13.3/1.00	88	
Building C	4,800	1,550 sq. ft. Retail (25%) @ 4/1,000 4,650 sq. ft. Restaurant (75%) @ 13.3/1.00	53	
TOTAL	19,000		211	215

(5) **Architecture:** The proposed development exemplifies the type of high quality architecture prescribed by the Ontario Gateway Specific Plan and the Ontario Development Code. Staff worked with the applicant to design a project that will complement the immediate developments in terms of scale, style, form, materials and colors (see Figure 1: Haven Avenue and Guasti Road Perspective, Figure 2: Building C Perspective, and Exhibits C to E: Building Elevations). The contemporary modern architecture style proposed for the project, is in keeping with the City’s high standards for new development. The project will feature the following:

- Focal tower elements facing all building sides
- Articulation in the building’s roof lines
- Extensive use of glazing, but in particular along the front elevations
- Articulation in building footprint, incorporating a combination of recessed and popped-out wall areas
- Variation in building materials (wood tile, stone tile, metal panels)
- Decorative metal canopies at key locations and along the storefronts
- Variation in colors
- Aluminum storefront framing to accentuate storefronts
- Incorporation of reveal patterns
- Incorporation of decorative sconce lighting fixtures at key locations



Figure 1: Haven Avenue and Guasti Road Perspective



Figure 2: Building C Perspective

(6) **Landscaping:** The Ontario Gateway Specific Plan requires the project to provide a 13% landscape coverage. The project proposes a 28% landscape coverage. Landscaping will be provided in the form of a 25-foot landscape setback along Guasti Road (north boundary of site), a 27-foot average landscape setback along the western Haven Avenue frontage, a 17-foot average landscape setback along the south property line and a 13-foot average landscape setback along the east property line.

In addition, extensive landscaping in the form of ground cover, shrubs, and trees will be provided along the interior of the development to further enhance the project. Decorative paving has also been incorporated on all Guasti Road entry driveways and exterior plaza areas around the buildings to further enhance the project (see Exhibit F: Landscape Plan & Exhibit G: Landscape Plan Enlargement Areas). To comply with the National Pollutant Discharge Elimination System (NPDES) requirements, a large underground infiltration chambers has been designed for the project. It will be located within the southeast portion of the parking lot area.

Part II—RECITALS

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA17-001, for which an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was prepared, and was adopted by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval; and

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

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

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

WHEREAS, in conjunction with the proposed Development Plan application, the applicant is also requesting approval a Conditional Use Permit (File No. PCUP18-041) to establish drive-thru facilities on two buildings (Buildings A & C), on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan; and

WHEREAS, project approval and permits being issued are subject to the approval and adoption of (File No. PSPA18-010-Ontario Gateway Specific Plan Amendment) by City Council; and

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

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

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: ***Environmental Determination and Findings.*** As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR (State Clearinghouse No. 2008101140) and supporting documentation. Based upon the facts and information contained in the previous Certified EIR (State Clearinghouse No. 2008101140) and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report - State Clearinghouse No. 2008101140,

Certified by the City Council on January 27, 2010, in conjunction with File No. PSPA17-001, an Amendment to Ontario Gateway Specific Plan.

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

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

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

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

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

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR (State Clearinghouse No. 2008101140) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR (State Clearinghouse No. 2008101140) that will require major revisions to the Certified EIR (State Clearinghouse No. 2008101140) 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 (State Clearinghouse No. 2008101140) was prepared, that will require major revisions to the Certified EIR (State Clearinghouse No. 2008101140) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR (State Clearinghouse No. 2008101140) 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 (State Clearinghouse No. 2008101140); or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR (State Clearinghouse No. 2008101140); or

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

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR (State Clearinghouse No. 2008101140) 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 recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Office Commercial land use district of the Policy Plan Land Use Map, and the Mixed-Use zoning district of the Ontario Gateway Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed development will provide additional services and convenience, consistent with TOP Policy LU1-6 (Complete Community). Additionally, the project will be well-landscaped, and will contribute to the overall streetscape along Guasti Road and Haven Avenue, consistent with TOP Policy CD2-9 (Landscape Design) and CD3-6 (Landscaping); and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Mixed-Use land use designation of the Ontario Gateway Specific Plan, including standards relative to the particular land use proposed (retail), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The project site is bordered to the north by Springhill Suites Hotel, vacant land to the east, office to the west and railroad to the south. The proposed retail buildings will not impose any privacy or view impacts as they will be a one-story structures; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Mixed-Use land use designation of the Ontario Gateway Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The proposed project is complementary to the surrounding area in terms of land use, architectural quality and landscape improvements; and

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

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

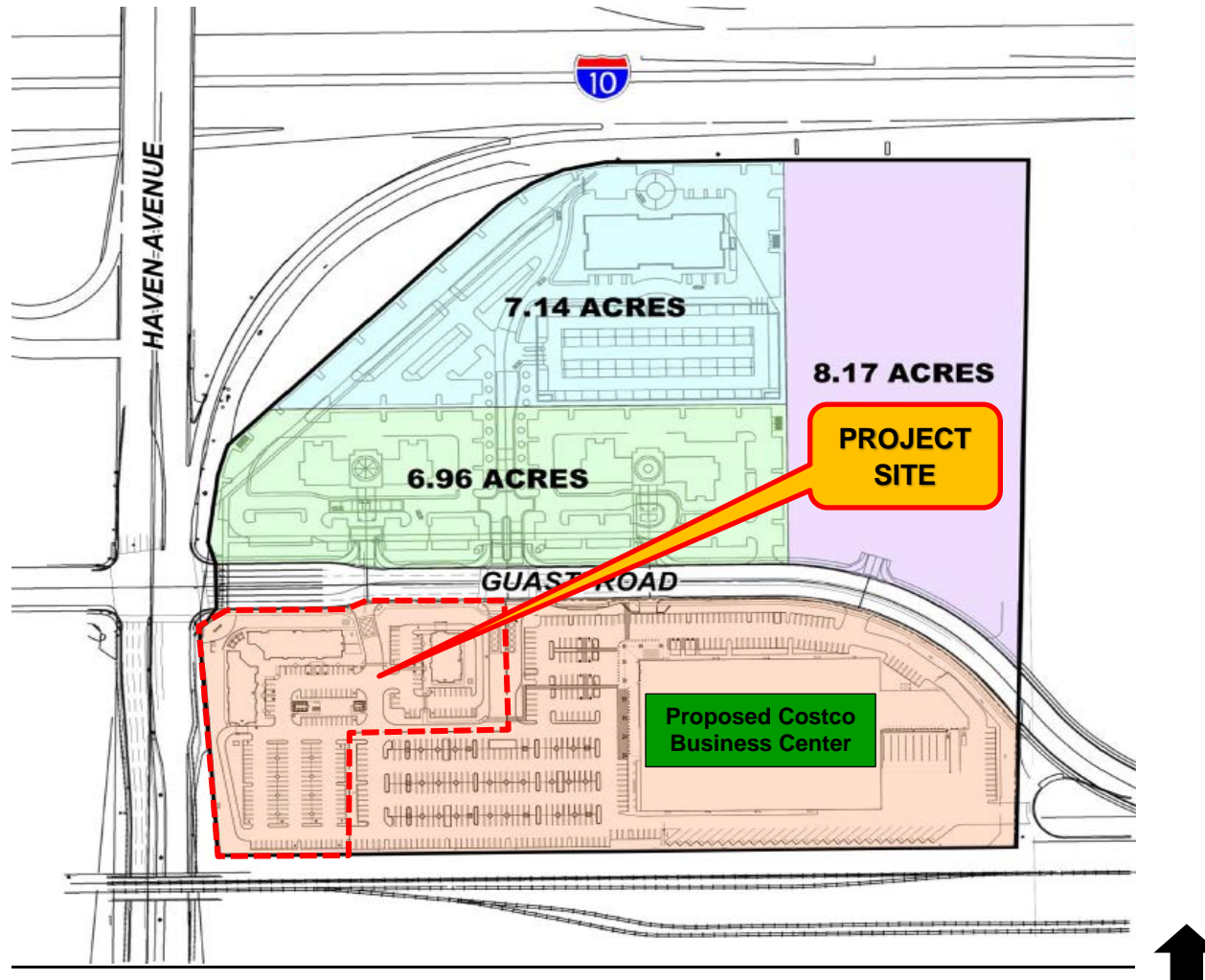


Exhibit B—SITE PLAN

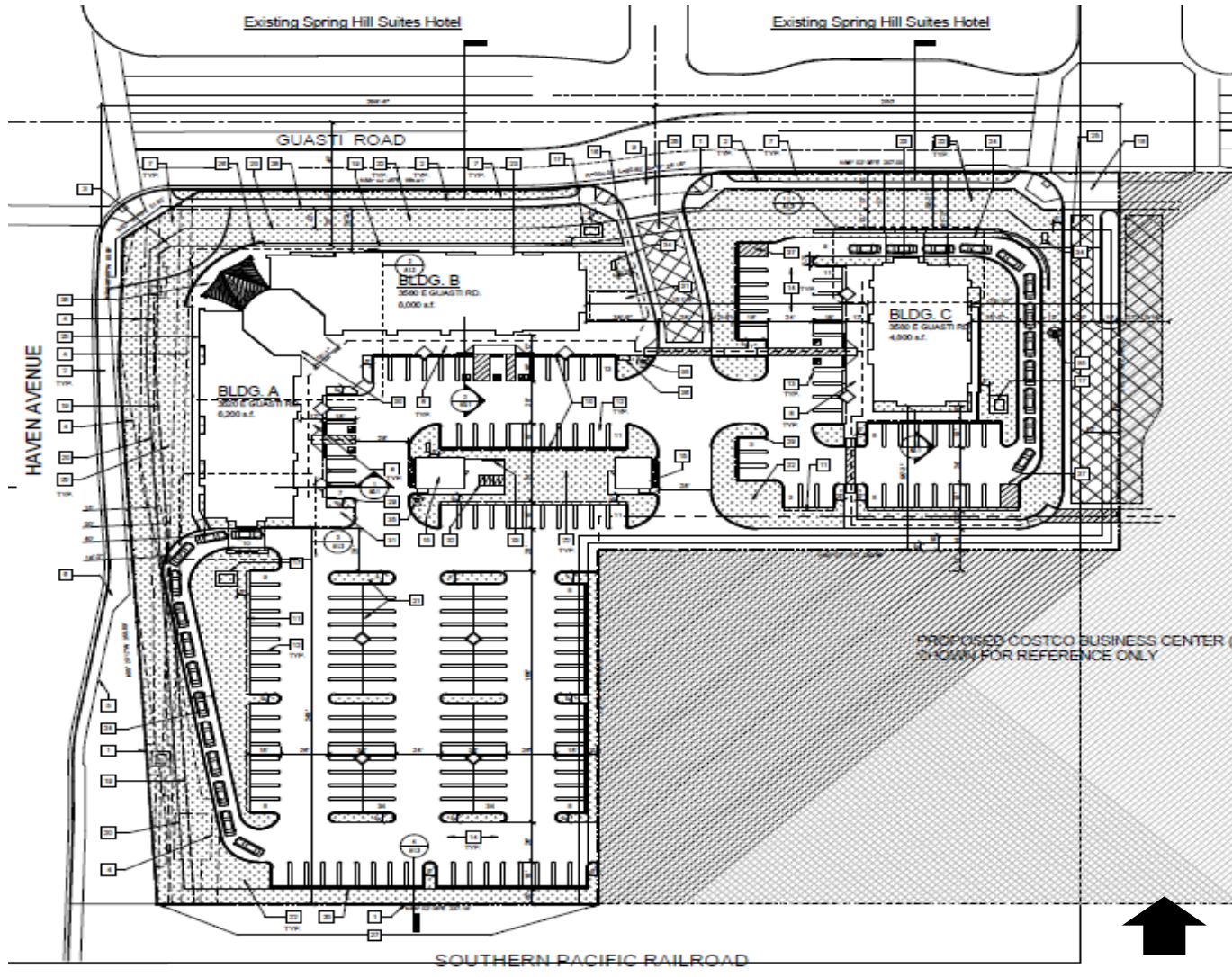


Exhibit C—BUILDING A ELEVATIONS

FINISH LEGEND				
SYMBOL	MATERIAL	DESCRIPTION	NOTE	COMMENTS
001	PAINT	LIGHT GRAY ART. BRICK	NA	INTERIOR WALLS
002	PAINT	RED WOODEN BRICK	NA	INTERIOR WALLS
003	PAINT	DETUNE, MCMATCH, MIMICRY	NA	CLARK SCANDIA
004	PAINT	SEE TITANUM PER SIGN	NA	DOOR
005	PAINT	METAL CLASH/FLY CLEAR BRANDED	NA	MATCH INTERIOR/FLY WALLS
006	STONE TILE	CANTON BRICK	1/2"X1/2"	OUTSIDE
007	METAL PANEL	CLARK ALUMINUM	NA	CLARK ALUMINUM PANEL
008	WOOD TILE	INDUSTRIAL WOOD	1/2"X1/2"	BRAND
009	SPANDREL GLASS	SPANDREL GLASS	NA	SPANDREL GLASS
010	GLASS	CLARK, BELMONT	NA	SPANDREL GLASS
011	ALUMINUM GRILL	CLARK BLOCK	1/2"X1/2"	SPANDREL GLASS
012	SPANDREL GRILL	NATURAL GRILL	1/2"X1/2"	SPANDREL GLASS
013	SPANDREL GRILL	NATURAL GRILL	NA	SPANDREL GLASS
014	SPANDREL GRILL	NATURAL GRILL	NA	SPANDREL GLASS

--- PROPOSED TRAVEL SIGNAGE LOCATION



5 BLDG A EAST ELEVATION
 1/8" = 1'-0"



4 BLDG A WEST ELEVATION
 1/8" = 1'-0"

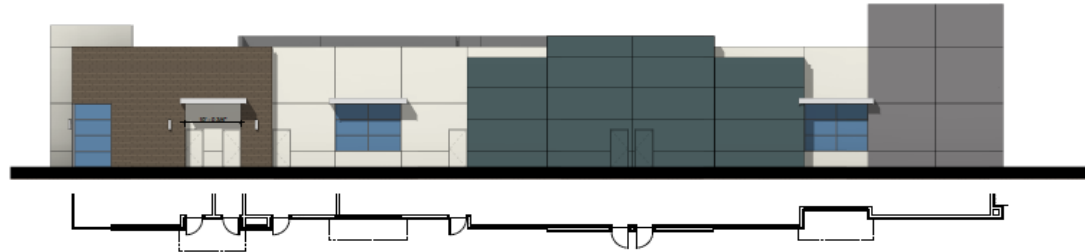


3 BLDG A SOUTH DRIVE THRU
 1/8" = 1'-0"

2 BLDG A SOUTH ELEVATION
 1/8" = 1'-0"

1 BLDG A NORTH ELEVATION
 1/8" = 1'-0"

Exhibit D—BUILDING B ELEVATIONS



④ BLDG B NORTH ELEVATION
1/8" = 1'-0"



③ BLDG B SOUTH ELEVATION
1/8" = 1'-0"



② BLDG B WEST ELEVATION
1/8" = 1'-0"

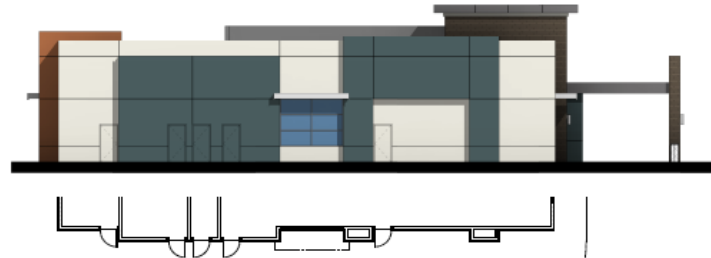


① BLDG B EAST ELEVATION
1/8" = 1'-0"

Exhibit E—BUILDING C ELEVATIONS

FINISH LEGEND				
NO.	MATERIAL	COMPOSITION	SIZE	COMMENTS
001	PAINT	CEILING: WHITE WALL: WHITE	N/A	EXTERIOR WALLS
002	PAINT	PAINT: GREY WALL: WHITE	N/A	EXTERIOR WALLS
003	PAINT	CEILING: MICHIGAN WALL: WHITE	N/A	CEILING ROOFING
004	PAINT	CEILING: MICHIGAN WALL: WHITE	N/A	CEILING ROOFING
005	PAINT	CEILING: MICHIGAN WALL: WHITE	N/A	CEILING ROOFING
006	PAINT	CEILING: MICHIGAN WALL: WHITE	N/A	CEILING ROOFING
007	STONE TILE	CALIFORNIA BROWN	12"x12"	WALL TILE
008	METAL PANEL	CLEAR ALUMINUM	N/A	CLEAR ALUMINUM PANEL
009	WOOD TILE	AMERICAN HICKORY	8"x12"	FLOORING
010	SPANDREL GLASS	8'0" x 10'0" SPANDREL GLASS	N/A	SPANDREL GLASS
011	GLAZING	CLEAR GLASS	N/A	SPANDREL GLASS
012	BRICKWORK CMU	8"x8" BLOCK NATURAL GRAY	8"x8"	BRICKWORK CMU
013	BRICKWORK CMU	8"x8" BLOCK NATURAL GRAY	N/A	BRICKWORK CMU
014	BRICKWORK CMU	8"x8" BLOCK NATURAL GRAY	N/A	BRICKWORK CMU

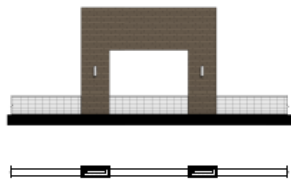
PROPOSED STREET SIGNAGE LOCATION



5 BLDG C EAST ELEVATION
1/8" = 1'-0"



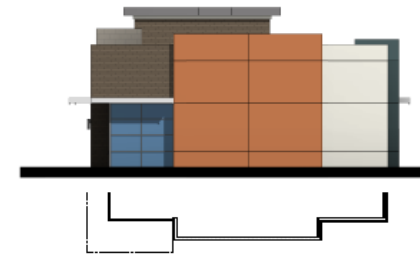
4 BLDG C WEST ELEVATION
1/8" = 1'-0"



3 BLDG C NORTH ELEVATION
1/8" = 1'-0"

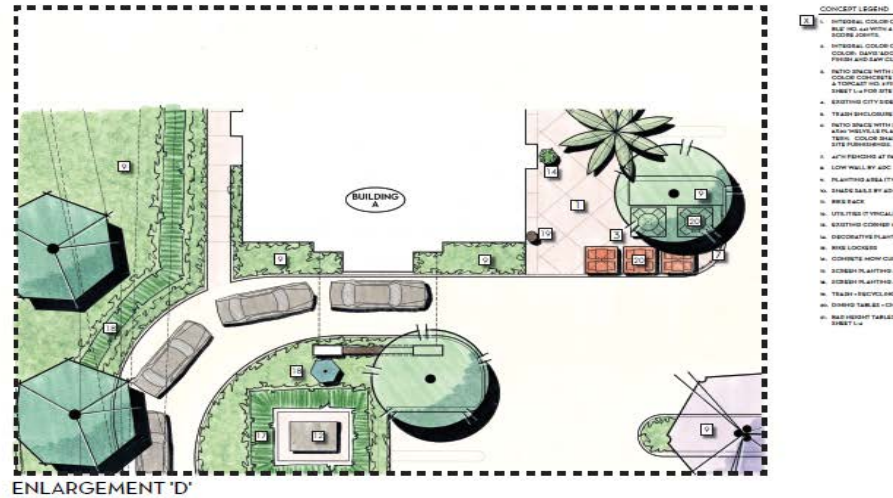
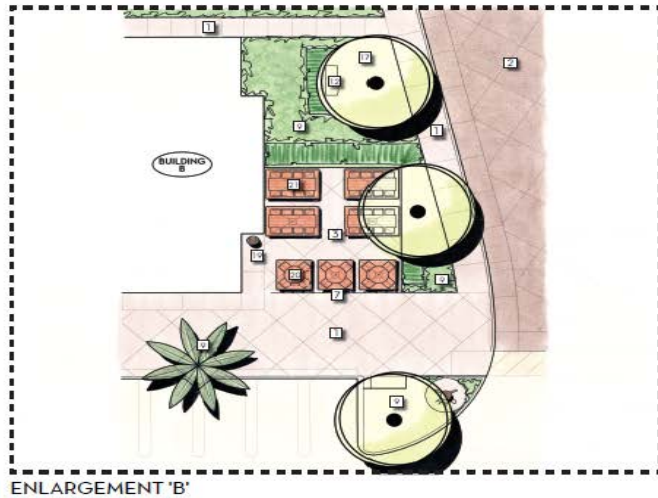
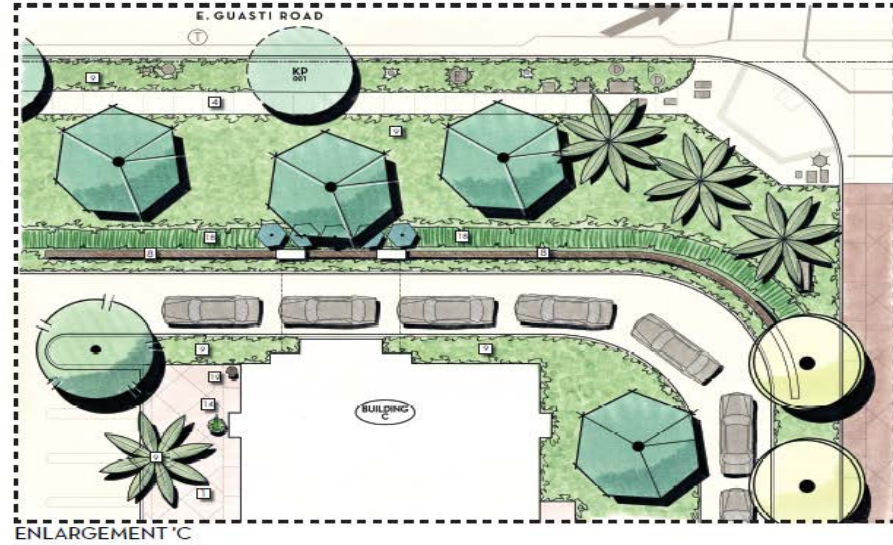
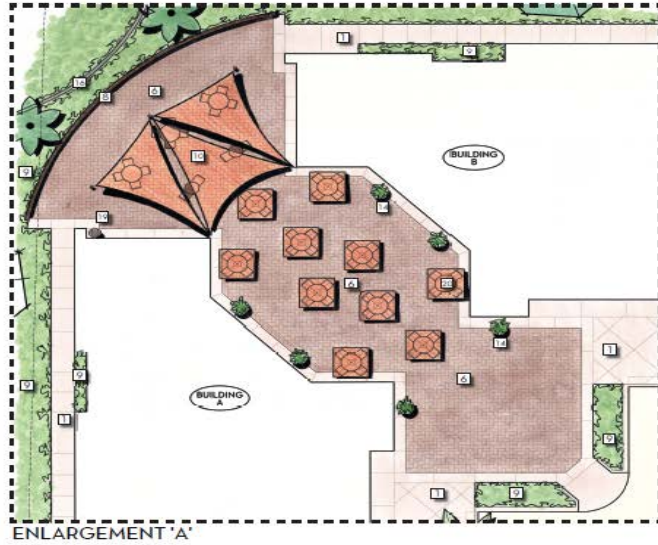


2 BLDG C NORTH DRIVE THRU ELEVATION
1/8" = 1'-0"



1 BLDG C SOUTH ELEVATION
1/8" = 1'-0"

Exhibit G—LANDSCAPE PLAN ENLARGEMENT AREAS



- CONCEPT LEGEND**
- 1. INTERIOR COLOR CODES
 - 2. EXTERIOR COLOR CODES
 - 3. INTERIOR COLOR CODES
 - 4. EXTERIOR COLOR CODES
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 - 99. EXTERIOR COLOR CODES
 - 100. EXTERIOR COLOR CODES

Exhibit H—LANDSCAPE PLAN SITE FURNISHINGS



DINING TABLES WITH CHAIRS
 LANDSCAPE FORMS - 'Chipman' Collection
 2 Dining Chairs with small square Dining Table
 4 Dining Chairs with Round Dining Table

(Such As)



RECTANGULAR BAR HEIGHT TABLE WITH STOOLS
 LANDSCAPE FORMS - 'Morisson' Collection
 6 Bar Height Stools + Bar Height Table

(Such As)



UMBRELLA
 TROPITONE 'Trace' Collection
 Square Umbrella with Pulley
 Rectangle Umbrella with Pulley

(Such As)



TRASH + RECYCLE RECEPTACLE
 FORMS + SURFACES - 'Dispatch' Trash + Recycle Receptacle

(Such As)



PRE-CAST CONCRETE PLANTER
 OCP - 'Cascade - Round' approximate size 30x30

(Such As)



CONCRETE PAVERS
 BELGARD - 'Melville Plank'
 8" x 20" Paver in a Herringbone Pattern, Color to be 'Bella'

(Such As)



Adobe 61078



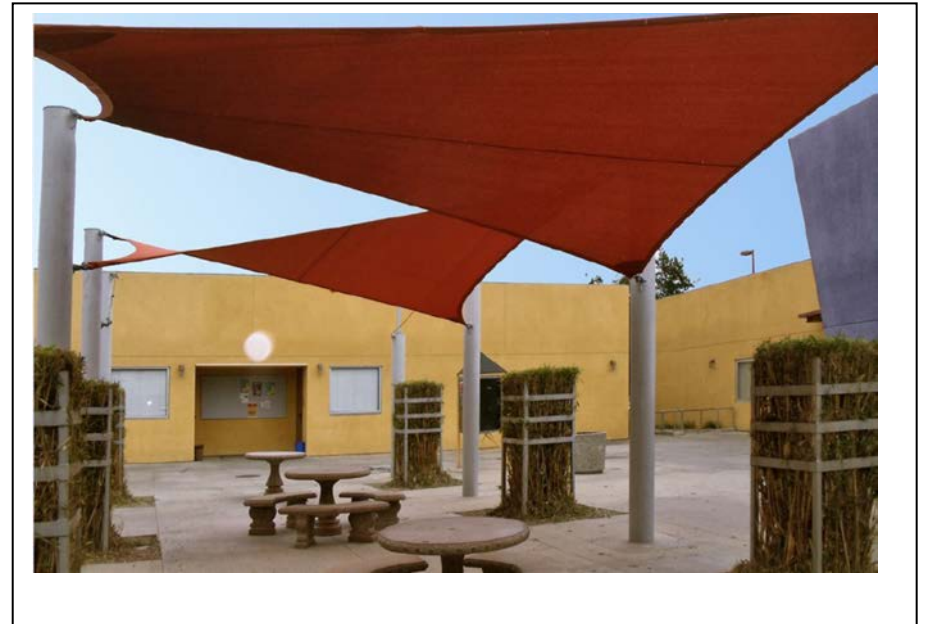
Pebble 641

INTEGRAL COLOR CONC
 ENTRY DRIVE: Davis 'Adobe' 61078
 Top Cast No. 15 Finish

PATIOS + SIDEWALKS: Davis 'Pebble'
 w/ a Top Cast No. 3 Finish.

- NOTE:
1. Final Site furnishings selection + finishes will occur during construction document phase.
 2. Final finish colors, and umbrella fabric color will complement the building colors and shade sail by ADC.
 3. See Sheet L-3, Engagements A, B, and D for conceptual furniture layout.

Exhibit I—Conceptual Views of Proposed Outdoor Patio Sails



**Exhibit J—OVERALL SITE PLAN
(GATEWAY SQUARE & COSTCO BUSINESS CENTER)**



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 15, 2019

File No: PDEV18-040

Related File: PCUP18-041

Project Description: A Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan (APN: 210-212-57); **submitted by Prime A Investments, LLC.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space. Applicant shall work with staff during the plan check process to finalize the details, colors and materials to be used. A colors and material board with a full legend shall be submitted to Planning for review and approval during the plan check process.

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

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

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

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

(g) Project shall provide a minimum of 211 standard parking spaces.

2.6 Outdoor Loading and Storage Areas.

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

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

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

2.7 Site Lighting.

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

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

(c) Wall packs are prohibited from being installed anywhere within public views.

2.8 Mechanical and Rooftop Equipment.

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

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

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

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). Signage will be reviewed separately from this development plan application.

2.11 A Sign Program and related fees shall be submitted for review and approval prior to installing any business signs on the project.

2.12 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

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

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

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

(c) CC&Rs shall ensure reciprocal parking and access between parcels and the adjacent development to the east.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, the adjacent commercial development to the east, and common maintenance of:

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

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

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

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

2.14 Disclosure Statements.

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

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

(ii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iii) This site may be part of a Landscape Maintenance District. The owner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.15 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010. 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. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

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

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

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

2.17 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

2.18 Additional Requirements.

(a) Applicant shall work with staff during the plan check process to provide decorative color paving on all pedestrian paths/sidewalks between the buildings and the future development to the east of you (Costco Business Center).

(b) Project shall provide a 6-foot tall black decorative metal/wrought iron fence along the south property line. Double fencing is prohibited. Fence shall be powder coated to prevent rust.

(c) Decorative up lighting or decorative bollards with built-in lights shall be provided along the outside plaza areas (all buildings) and the proposed pedestrian link between the retail project and Costco. Color cut-sheets shall be submitted to Planning during the plan check process for review and approval.

(d) Site plan, grading plan and landscape plan shall be coordinated so that they all match.

(e) Project shall incorporate vine pockets along the south property line so that vines can attach to the fence.

(f) The applicant shall work with staff during the plan check process to replace the proposed "Burnished CMU Stack Bond" block material on the low profile walls with the proposed Stone Tile.

- (g) Applicant shall work with staff during the plan check process to finalize the design and materials for all the proposed outside plaza areas around all the buildings.
- (h) Applicant shall work with staff during the plan check process to finalize the design and materials of the large plaza area shade structure(s).
- (i) Applicant shall work with staff during the plan check process to incorporate decorative up and down lighting at key landscape areas and trees/palms to enhance the project in the evening hours. During the plan check process, the applicant shall clearly call them out on the Landscape Plan as well.
- (j) Applicant shall submit a colors and material board to the Planning Department for review and approval for all proposed decorative paving on the project. Board shall include a full legend that identifies everything.
- (k) Applicant shall incorporate a landscape diamond along the south side of Building C, to match the west side of the building.
- (l) The proposed low profile drive-thru wall shall be extended to the end of Building C, along the east elevation to screen vehicles waiting in line.
- (m) Applicant shall work with staff during the plan check process to reduce the hardscape area proposed behind the trash enclosure areas within the bike storage area.
- (n) Project shall incorporate a more decorative cap on top of the proposed trash enclosures. Edge of cap shall overhang a minimum 1 to 2 inches.
- (o) Roof equipment shall not be visible from public views. A final occupancy inspection shall determine if more screening is required.
- (p) Outdoor patio fencing will not be permitted.
- (q) Project approval and permits being issued are subject to the approval and adoption of (File No. PSPA18-010-Ontario Gateway Specific Plan Amendment) by City Council.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV18-040</u> RELATED FILE NO(S). <u>PCUP18-041</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor (909) 395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Luis Batres (909) 395-2431

DAB MEETING DATE: July 15, 2019

PROJECT NAME / DESCRIPTION: PDEV18-040, a development plan to construct three retail buildings, totaling 19,000 sq. ft. on 4.2 acres of land within Mixed Use Planning Area of the Ontario Gateway SP.

LOCATION: South side of Guastl Road, east of Haven Avenue

APPLICANT: Prime A Investment, LLC

REVIEWED BY: *[Signature]* 7/1/19
 for Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *[Signature]* 7/2/19
 Raymond Lee, P.E. Date
 Assistant City Engineer



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

**A. GENERAL
 (Permits Includes Grading, Bulding, Demolition and Encroachment)**

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per PM-18094.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

2.08 **Submit a soils/geology report.**

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

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other:**

a. **Non-Interference letter from the easement holders listed on the title report.**

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

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

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

2.12 **New Model Colony (NMC) Developments:**

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

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

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

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



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$87,266.90, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
 - 1. **The applicant/developer shall obtain the following private easements from the neighboring property to the east (APN: 0210-212-56):**
 - a) **Reciprocal Access Easement and Maintenance Agreement for pavement**
 - b) **Drainage (surface and subsurface) Easement and Maintenance Agreement**
 - 2. **The applicant/developer shall grant the following private easements to the neighboring property to the east (APN: 0210-212-56):**
 - a) **Reciprocal Access Easement and Maintenance Agreement for pavement**
 - b) **Drainage (surface and subsurface) Easement and Maintenance Agreement**
 - c) **Private Sewer Easement**



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

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

Improvement	Guastf Road	Haven Avenue	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace along drive approaches being abandoned	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement^(a)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

Specific notes for Improvements listed in Item no. 2.17, above:

- a. The applicant/developer shall restore the utility pavement cuts per City Standard 1306 (additional pavement restoration will be required).

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions:
 - a. Final Utility Systems Map (USM): The Development Plan shall follow the Utility Systems Map submitted on 06/13/2019 with the entitlement package and revised into a Final USM. Any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Precise Grading Plan.

C. SEWER

- 2.23 A 21 and 8 inch sewer mains are available for connection by this project in Haven Avenue and Guasti Road respectively.
 (Ref: Sewer plan bar code: S11039 and S15009)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. Wastewater Discharge: Each Occupant of the building, or units, shall apply for a Wastewater Discharge Permit for their Establishment and shall comply with all the requirements of the Wastewater Discharge Permit
<http://www.ontarioca.gov/municipal-utilities-company/utilities/Industrial-wastewater-discharge-permit>
 Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
 Phone: (909) 395-2687; Email:
 omucenvironmental@ontarioca.gov

D. WATER

- 2.27 A 16 and 12 inch water main is available for connection by this project in Haven Avenue and Guasti Road respectively.
 (Ref: Water plan bar code: W10647 and W15028)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.



- 2.29 Other conditions:
- a. The applicant/developer shall submit an application for a fire flow test to the City's Fire Department.

E. RECYCLED WATER

- 2.30 A 8 inch recycled water main is available for connection by this project in Guasti Road. (Ref: Recycled Water plan bar code: P11026)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions:
- a. Separate recycled water irrigation services for each building's private landscape area.

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
- a. The applicant/developer shall be responsible to replace existing streetlight fixtures with City approved LED equivalent fixtures along project frontage of Guasti Road. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans for LED fixture requirements.
- b. The applicant/developer shall be responsible to design and construct driveways in accordance with City Standard No. 1204 and satisfaction of the City Engineer. With geometry such that the design vehicle can enter and exit the site without conflict.



- c. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard No. 1309.
- d. The applicant/developer shall be responsible to modify existing signing and striping to include but not be limited to lane lines and street name signs on traffic signal mast arms.

G. DRAINAGE / HYDROLOGY

- 2.38 A 24 inch storm drain main is available to accept flows from this project along the westerly property line. (Ref: Storm Drain plan bar code:D10230)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:
 - a. The applicant/developer shall submit a hydrology study and drainage analysis for the proposed run-off due to the proposed v-ditch along the southerly property line. Run-off shall be directed into an on-site inlet.

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

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



- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions:
 - a. The applicant/developer shall submit an infiltration study to demonstrate the proposed BMP's will adequately draw down the design storm event volume.

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontaroca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
 - a. Integrated Waste and Commercial & Organics Recycling: This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341, the Integrated Waste Department, and the Refuse & Recycling Planning Manual which can be found at <https://www.ontaroca.gov/omuc/integrated-waste>. The City of Ontario is dedicated to meeting its diversion goals, please contact the Integrated Waste Department at (909) 395-2050 to start.
 - b. Organics Bin: Revise the proposed Trash Enclosure designs to ensure that at a minimum of one 4-CY bin can be provided within each Trash Enclosure for organics collection.
 - c. Trash Enclosure Sizing: Revise the proposed Trash Enclosure designs to accommodate the removal of any single bin without needing to move any other bins.



- d. **Final Solid Waste Handling Plan (SWHP):** The PDEV18-040 Solid Waste Handling Plan, revision dated 06/12/2019, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "*Solid Waste Handling Plan Requirements*".



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV 18-040

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

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: January 29, 2019

SUBJECT: PDEV18-040 - A Development Plan to Construct three retail buildings, totaling 19,000 sq. ft. on 4.2 acres of land within the Mixed Use Planning Area of the Ontario Gateway Specific Plan, located on the southeast corner of Haven Avenue and Guasti Avenue. APN 210-212-57

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies 4,800 – 8,000 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: Varies, Totaling 19,000 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): Retail

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard ~~Choose an item.~~ All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 7, 2019
SUBJECT: PDEV18-040

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

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The site address will be:
 - Building A: 3520 E Guasti Rd
 - Building B: 3560 E Guasti Rd
 - Building C: 3580 E Guasti Rd

KS:lm

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

PRELIMINARY PLAN
CORRECTIONS

Sign Off



Jamie Richardson, Sr. Landscape Planner

06/17/2019

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV18-040 Rev 2

Case Planner:

Luis Batres

Project Name and Location:

3 Retail Buildings
 SEC Guasti and Haven Ave

Applicant/Representative:

Prime A Investments LLC – Scott Von Kaenel Architecture Collaborative
 23231 South Pointe Dr
 Laguna Hills CA 92653



A Preliminary Landscape Plan (dated 06/13/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. WQMP compliance plan: Move storm water infiltration chambers 15' north and out of tree island planter and required tree locations at the end of parking rows. Show outline of top of any proposed basins or swales and add dimensions.
2. Show planters at all required tree locations at the end of parking rows. Move catch basins, vaults or utilities that conflict with required tree locations.
3. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate with landscape plans.
4. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at driveways and corners.
5. Revise site plan to show 15% of the site with landscaping not including right of way or paving.
6. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
7. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
8. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report

will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

9. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed heritage trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
10. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening.
11. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
12. Show appropriate parking lot shade trees with min 30' canopy at maturity, such as Pistache, Quercus ilex, Ulmus etc.
13. Show shade trees at patio and seating areas.
14. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
15. Note on landscape legend or show hydrozones, low water plants; moderate water plants may be used for north and east facing locations.
16. Avoid short lived, high maintenance, thorny, frost tender or poor performing plants: Cupaniopsis, Laurus, Brahea armata, Bougainvillea, Lantana, Portulacaria, Agave vilmoriana. Avoid ornamental grasses that are deciduous or cut to the ground in winter.
17. Show 8' dia. of mulch only at new trees. Show dripline outside of mulch root zone on CDs.
18. Provide agronomical soil testing and include report on landscape construction plans.
19. Call out all fences and walls, materials proposed and heights.
20. Show concrete mowstrips to identify property lines or between maintenance areas – west PL.
21. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
22. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
23. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
24. Provide phasing map for multi-phase projects.
25. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$278.00</u>
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-040 & PCUP18-041

Address: SEC Haven Ave & Guasti Rd.

APN: 0210-212-57

Existing Land Use: Vacant

Proposed Land Use: 3 commercial retail buildings totaling 19,000 sq. ft

Site Acreage: 4.2 Proposed Structure Height: 32 ft

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Luis Batres

Date: 2/19/19

CD No.: 2018-081

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 120 FT	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 29, 2019

SUBJECT: PDEV18-040 & PCUP18-041 – A DEVELOPMENT PLAN AND
CONDITIONAL USE PERMIT TO CONSTRUCT THREE RETAIL
BUILDINGS WITH A DRIVE THRU AT GUSTI ROAD EAST OF
HAVEN AVENUE

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

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

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

- The drive thru location shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.

- Graffiti abatement shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-041

DESCRIPTION: A Development Plan to construct one industrial building totaling 178,462 square feet on 7.85 acres of land, located at the southeast corner of Wall Street and Wanamaker Avenue, at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan; (APN: 0238-221-36) **submitted by Bridge Acquisition, LLC.**

Part I—BACKGROUND & ANALYSIS

BRIDGE POINT ONTARIO, LLC, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV18-041, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 7.85 acres of land located at the southeast corner of Wall Street and Wanamaker Avenue, at 1155 South Wanamaker Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Former Scandia Amusement Park	General Commercial	California Commerce Center Specific Plan	Light Industrial
<i>North:</i>	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
<i>South:</i>	Manufacturing (Maney Aircraft)	Industrial	California Commerce Center Specific Plan	Light Industrial
<i>East:</i>	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
<i>West:</i>	Manufacturing (DSM Nutritional Products)	Industrial	California Commerce Center Specific Plan	Rail Industrial

(2) **Project Description:**

(a) **Background** —The Applicant is requesting Development Plan (File No. PDEV18-041) approval to construct an industrial building totaling approximately 178,462-square feet. The front of the building is oriented to the northeast facing Wall Street. The building is situated on the western portion of the site and is setback 35 feet from Wanamaker Avenue to the west, 102 feet from Interstate 15 Freeway to the east, 35 feet from Wall Street to the north, and 44 feet from the interior southern property line. Parking will be primarily situated to the east of the building, for use by tenants and visitors, and additional parking is situated to the south of the site.

A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is oriented to the southeast of the proposed building. The yard area will be screened from view of public streets by a combination of landscaping and tilt-up screen walls with view-obstructing gates. The applicant has proposed screen walls at 12-feet in height for the yard area, which is to be of tilt-up concrete construction, to match the architecture of the building.

The proposed Development Plan is being processed concurrently with a General Plan Amendment (File No. PGPA19-002) to change the project site's Policy Plan Exhibit LU-01 Land Use Plan designation from General Commercial to Industrial of The Ontario Plan and amend Exhibit LU-03 Future Buildout to reflect the land use change.

(b) Site Access/Circulation — There are two points of access proposed for the project site. The first access point is located at the northeast corner of the site, on Wall Street, and will be used for employee and visitor parking. The second access point is located at the southwest corner of the site, on Wanamaker Avenue, and will serve as the gated entrance to the tractor-trailer yard area. Pursuant to the conditions of approval, decorative pavement will be provided at all driveway approaches, which will extend from the back of the driveway apron, to the first intersecting drive aisle or parking space.

(c) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The industrial building requires a total of 99 parking spaces, and 99 spaces have been provided. In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. There are 24 dock-high loading doors proposed, requiring six tractor-trailer parking spaces, which have been provided, meeting the minimum requirements of the Development Code.

(d) Architecture — The proposed industrial warehouse building is of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, concrete reveals, formliner accent panels, storefront windows with anodized aluminum mullions and clear glazing, and painted steel canopies at the main office entries (see Exhibit C: Elevations – Industrial Warehouse Building, attached).

The mechanical equipment for the industrial warehouse building will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture.

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

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

(e) Landscaping — The project provides substantial landscaping along the Wanamaker Avenue and Wall Street frontages, and around the project perimeter and loading and tractor-trailer yard area. The Development Code requires a minimum 15 percent landscape coverage, which the project exceeds (18.5 percent coverage has been provided). The project site is currently lacking right-of-way improvements (sidewalk/parkway) and street trees, which will be provided with the project. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates a combination of 36-inch and

24-inch box trees along Wanamaker Avenue, which includes a mix of Forest Pansy Redbud, Coast Live Oak, and Chinese Pistache trees. In addition, a mix of 15-gallon and 24-inch box accent and shade trees will be provided throughout the project site that includes Brisbane Box and Jacaranda trees. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought tolerant (see Exhibit D: Landscape Plan, attached).

(f) Utilities — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system for the project. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

Part II—RECITALS

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

WHEREAS, the environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference; and

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

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is

subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport* activity; and

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

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

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

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

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; 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: *Subsequent or Supplemental Environmental Review Not Required.* Based on the Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

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

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the General Commercial land use district of the Policy Plan Land Use Map, and the Light Industrial land use district of the California Commerce Center Specific Plan. The proposed Development Plan is being processed concurrently with a General Plan Amendment (File No. PGPA19-002) to change the project site's Policy Plan Exhibit LU-01 Land Use Plan land use designation from General Commercial to Industrial, and amend Exhibit LU-03 Future Buildout to reflect the proposed land use change. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, amended Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Light Industrial land use district of the California Commerce Center Specific Plan, including standards relative to the particular land use proposed (industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the California Commerce Center Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the California Commerce Center Specific Plan; and

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

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends to Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

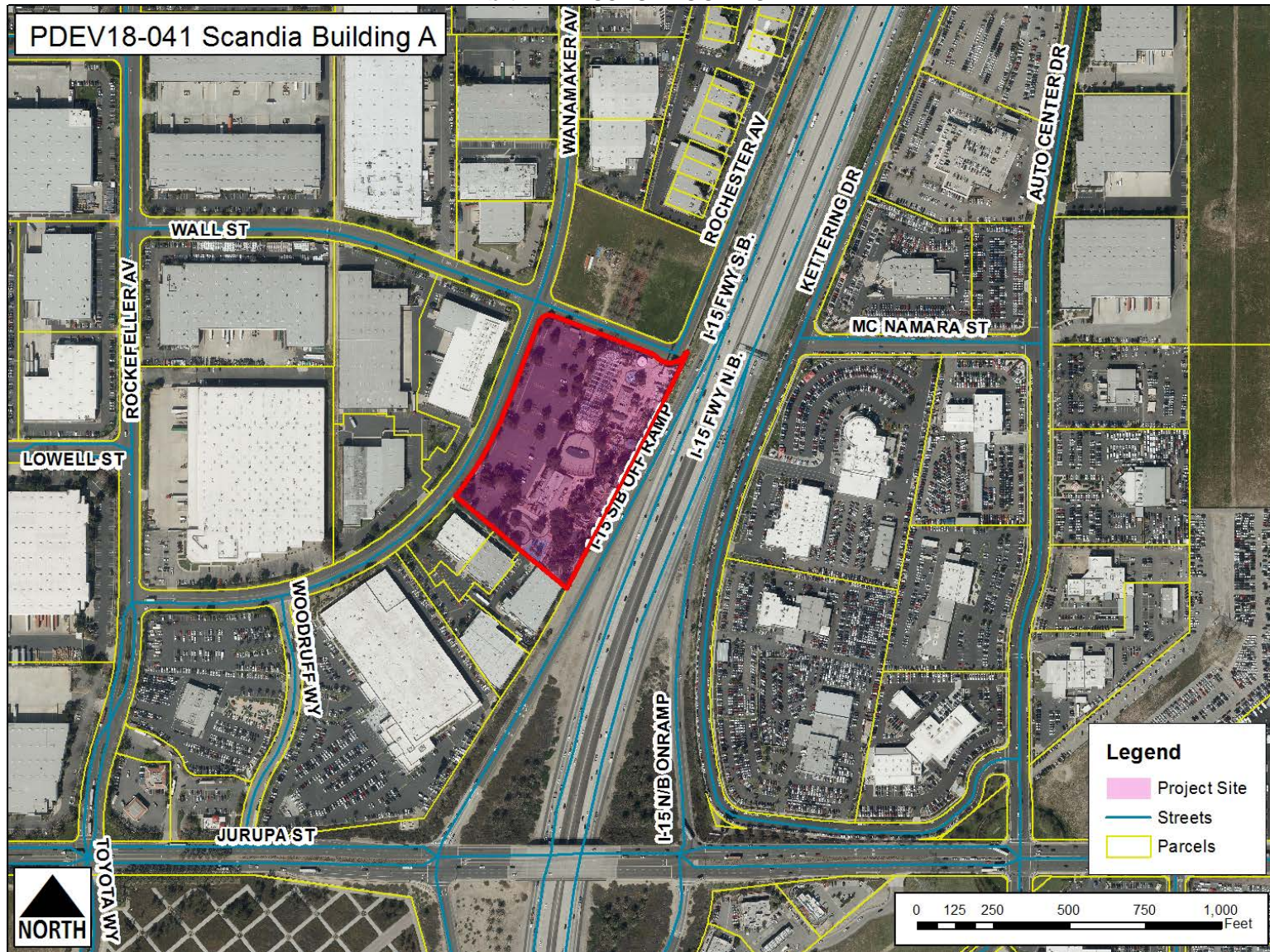


Exhibit B—SITE PLAN

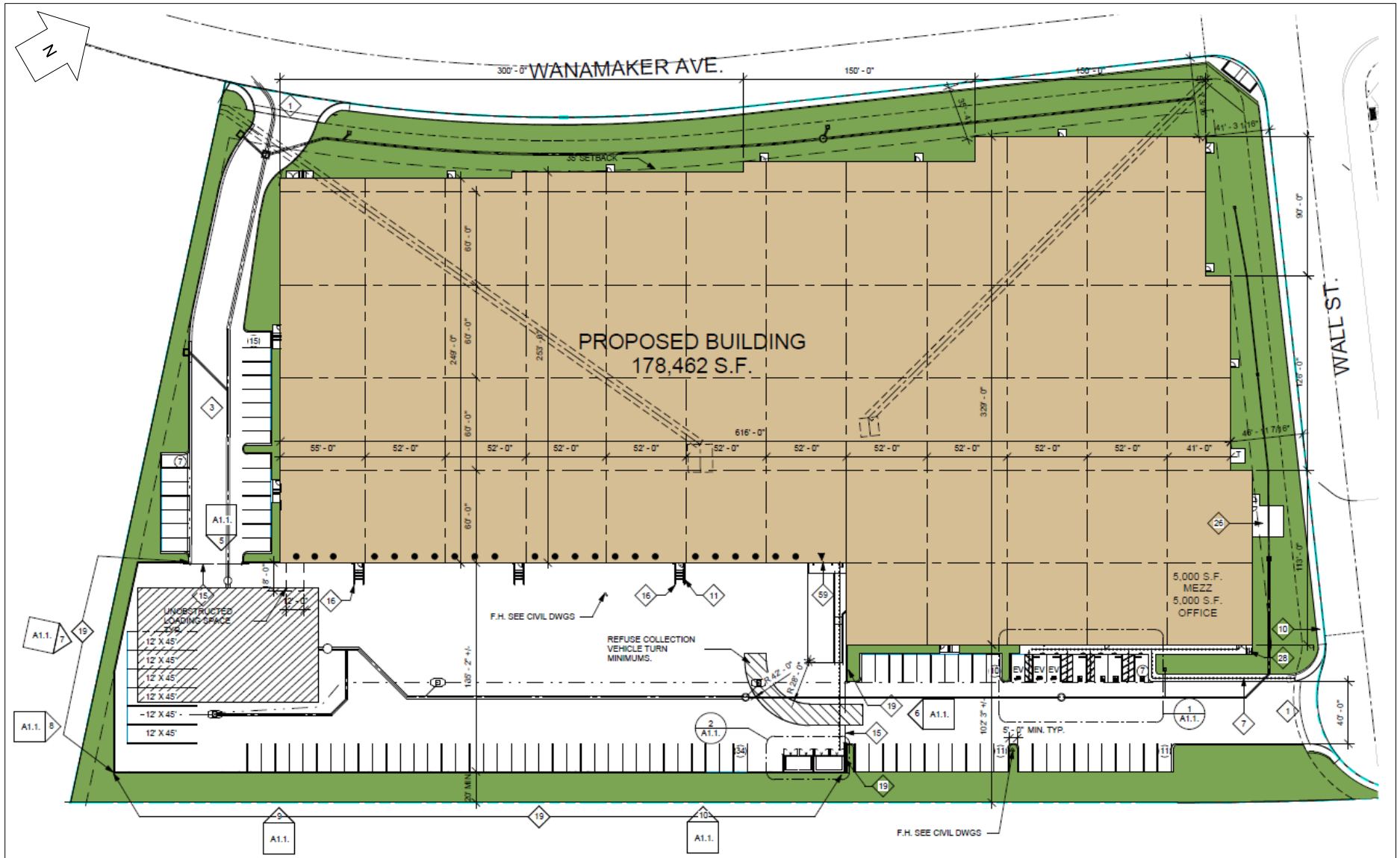
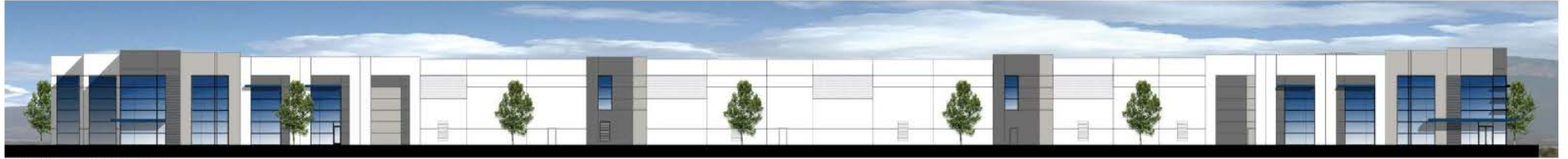


Exhibit C—EXTERIOR ELEVATIONS



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-041

DESCRIPTION: An Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), certified by City Council on January 27, 2010, to construct one industrial building totaling 178,462 square feet on 7.85 acres of land located at the southeast corner of Wall Street and Wanamaker Avenue, at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan; (APN: 0238-221-36) **submitted by Bridge Acquisition, LLC.**

Part I—BACKGROUND & ANALYSIS

BRIDGE POINT ONTARIO, LLC, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV18-041, as described in the Description of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 7.85 acres of land located at the southeast corner of Wall Street and Wanamaker Avenue, at 1155 South Wanamaker Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Former Scandia Amusement Park	General Commercial	California Commerce Center Specific Plan	Light Industrial
<i>North:</i>	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
<i>South:</i>	Manufacturing (Maney Aircraft)	Industrial	California Commerce Center Specific Plan	Light Industrial
<i>East:</i>	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
<i>West:</i>	Manufacturing (DSM Nutritional Products)	Industrial	California Commerce Center Specific Plan	Rail Industrial

(2) **Project Description:** The Project analyzed under the Addendum to The Ontario Plan (included as Attachment 1: Initial Study/Addendum, attached) consists of an Amendment to the Policy Plan (General Plan) component of The Ontario Plan (File No. PGPA19-002) to: [1] modify Exhibit LU-01 Land Use Plan (), changing the land use designation on 7.85 acres of land located at the southeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial, ; [2] modify Exhibit LU-01 Land Use Plan (), changing the land use designation on 4.05 acres of land located at the northeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial; and [3] modify the Exhibit LU-03 Future Buildout to be consistent with the land use designation changes with the Policy Plan.

This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval.

Part II—RECITALS

WHEREAS, the environmental impacts associated with this Project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010, in conjunction with File No. File No. PGPA06-001; and

WHEREAS, the Planning Director of the City of Ontario has prepared an Initial Study, and approved for circulation, an Addendum to the aforementioned previous Certified Environmental Impact Report (Certified EIR) prepared for File No. PGPA06-001 (hereinafter referred to as “Initial Study/Addendum”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the Initial Study/Addendum concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the approving authority of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program (“MMRP”) to ensure compliance with the mitigation measures during project implementation, and such a MMRP has been prepared for the Project for consideration by the approving authority of the City of Ontario as lead agency for the Project; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the Development Advisory Board has reviewed and considered the Initial Study/Addendum and related documents for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Addendum and related documents are on file in the City of Ontario Planning Department, located at 303 East B Street, Ontario, CA 91764, and are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein.

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

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

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

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

(2) The DAB has independently reviewed and analyzed the Initial Study/Addendum and other information in the record, and has considered the information contained therein, prior to acting on the Project; and

(3) The Initial Study/Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; and

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

(5) The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

(6) The Initial Study/Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project.

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

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

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

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

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

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

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

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

SECTION 3: Development Advisory Board Action. The DAB does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby recommend the Planning Commission APPROVE the adoption of the Initial Study/Addendum to the Certified EIR, included as Attachment 1 of this Decision.

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 Initial Study/Addendum and all other documents and materials that constitute the record of proceedings on which these findings have been based, are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Attachment 1—Initial Study/Addendum

(Initial Study/Addendum follows this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

California Environmental Quality Act Initial Study Form

Project Title/File No.: PGPA19-002, PDEV18-041, & PDEV18-042

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

Contact Person: Jeanie Irene Aguilo, Associate Planner, 909-395-2418

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

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is located 1155 South Wanamaker Avenue and the northeast corner of Wall Street and Wanamaker Avenue. APNs: 0238-221-36 and 0238-221-23.

Figure 1: REGIONAL LOCATION MAP

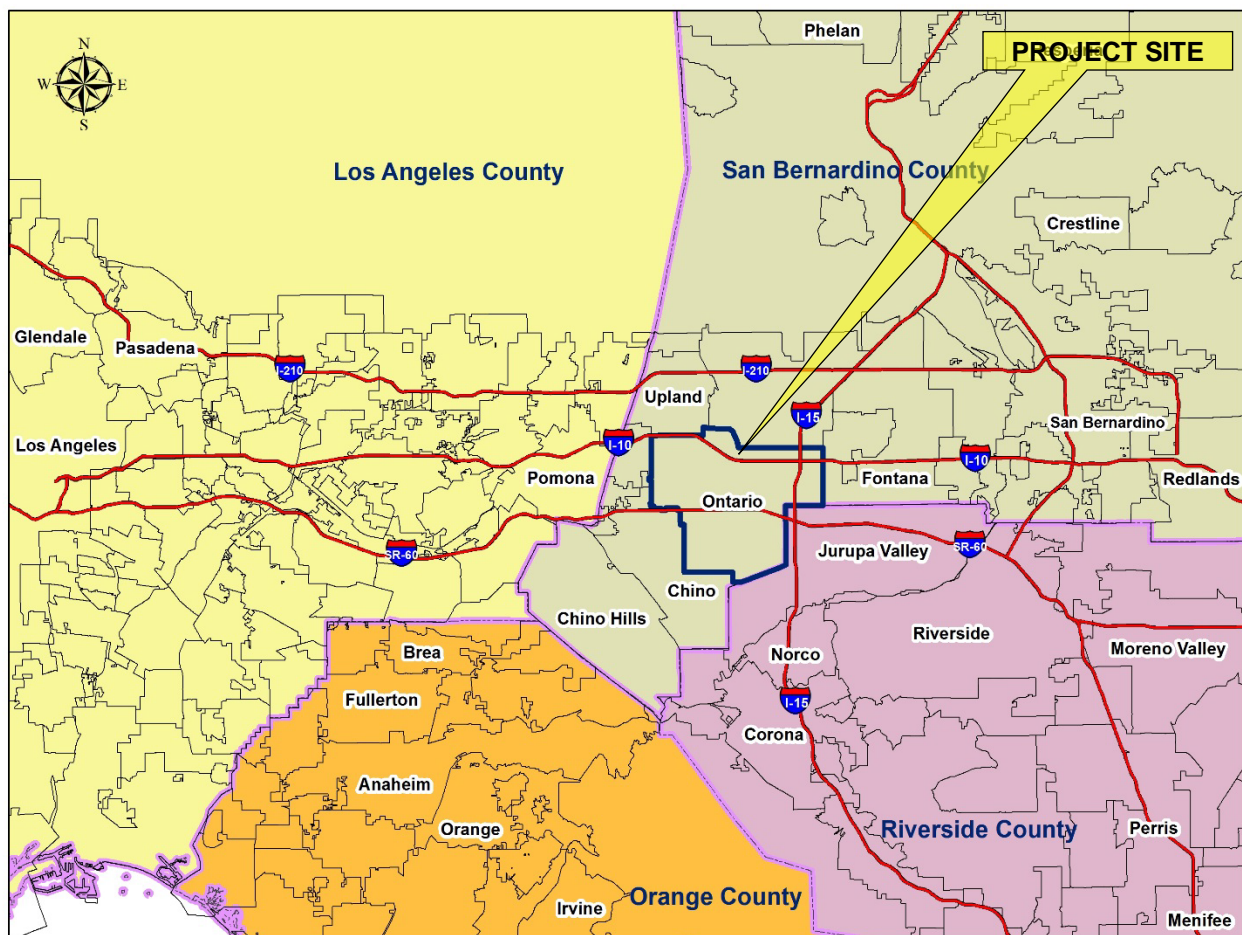


Figure 2: VICINITY MAP

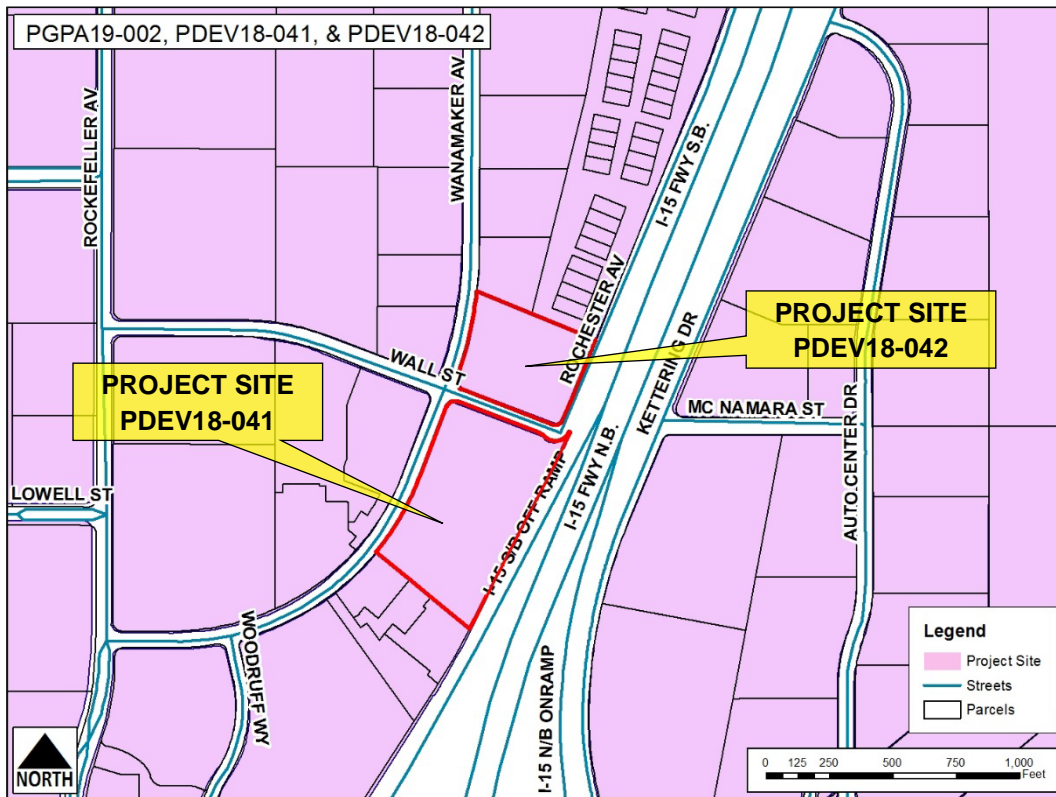
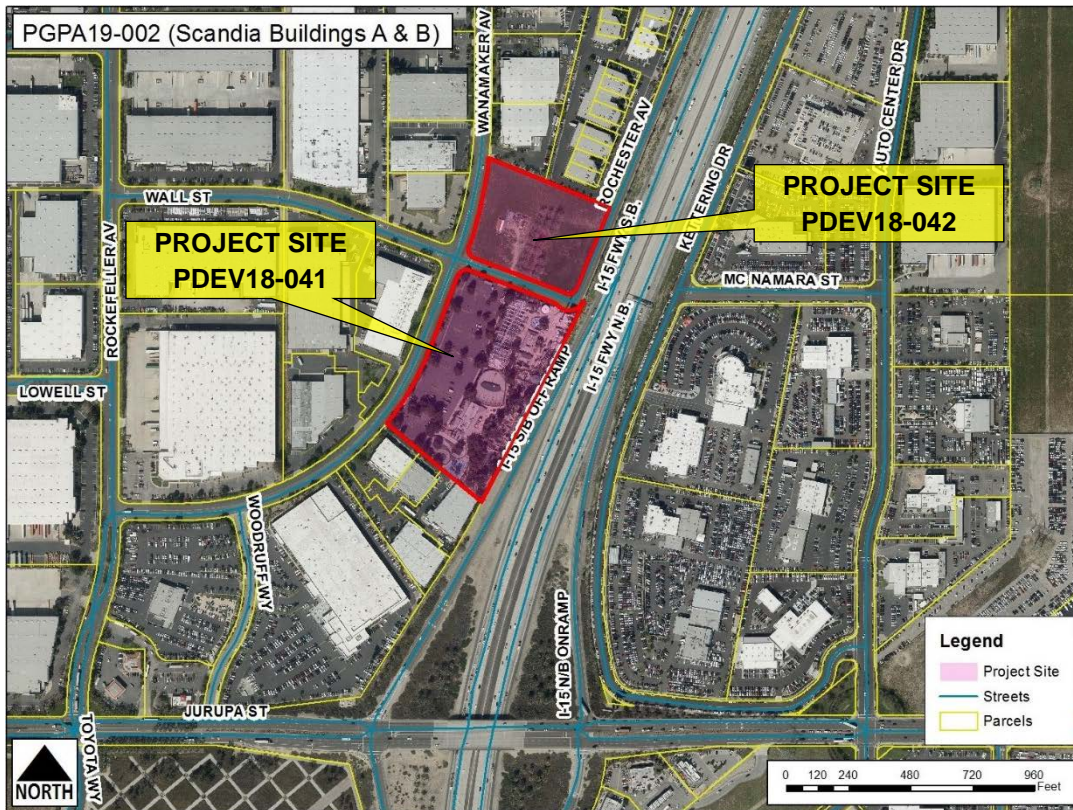


Figure 3: AERIAL PHOTOGRAPH



General Plan Designation: Existing - General Commercial Proposed - Industrial

Zoning:

- PDEV18-041 – Light Industrial land use district of the California Commerce Center Specific Plan.
- PDEV18-042 – Light Industrial land use district of the Pacific Gate-East Gate Specific Plan.

Description of Project: An Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify Exhibit LU-01 Land Use Plan, changing the land use designation on 7.85 acres of land located at the southeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial; [2] modify Exhibit LU-01 Land Use Plan, changing the land use designation 4.05 acres of land located at the northeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial; and [3] modify Exhibit LU-03 Future Buildout to be consistent with the proposed Policy Plan land use designation changes.

Project Setting:

- PDEV18-041 – The project site was formerly used as the Scandia Amusement Park, however it is currently vacant and is surrounded by developed urban uses.
- PDEV18-042 – The project site is currently vacant and gently slopes from north to south and is surrounded by developed urban uses.

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

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

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

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

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The Ontario Plan EIR assumed more overall development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed amendment to the approximate 7.85-acre and 4.05 acre sites associated with this project, will result in less development than TOP EIR analyzed at buildout.

TOP Buildout Analysis	Units	Population	Non-Residential Square Footage	Jobs
Buildout per Original TOP EIR	99,887	345,971	257,445,845	312,277
Revised Buildout per previous approved TOP amendments and the proposed amendment	99,887	345,971	247,575,980	312,383

Since the anticipated buildout resulting from previous approved TOP amendments and the proposed project changes will be less than that originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

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

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

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

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

CEQA Requirements for an Addendum:

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

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

- 1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken

which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous negative declaration;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

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

Conclusion:

The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed land use designation changes coordinate with the existing uses of the properties and uses within the surrounding areas. As described on page 2, the amount of development anticipated at buildout will be cumulatively lower (dwelling units, population, non-residential square footage and jobs) than TOP EIR analyzed. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

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

Surrounding Land Uses:

PDEV18-041:

	<u>Existing Land Use</u>	<u>General Plan Designation</u>	<u>Zoning Designation</u>	<u>Specific Plan Land Use</u>
Site:	Former Scandia Amusement Park	General Commercial	California Commerce Center Specific Plan	Light Industrial
North:	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
South:	Manufacturing (Maney Aircraft)	Industrial	California Commerce Center Specific Plan	Light Industrial
East:	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
West:	Manufacturing (DSM Nutritional Products)	Industrial	California Commerce Center Specific Plan	Rail Industrial

PDEV18-042:

	<u>Existing Land Use</u>	<u>General Plan Designation</u>	<u>Zoning Designation</u>	<u>Specific Plan Land Use</u>
Site:	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
North:	Warehouse (GE Transportation) and Retail (BP Furniture)	Industrial and Business Park	Pacific Gate-East Gate Specific Plan	Light Industrial
South:	Former Scandia Amusement Park	Industrial	California Commerce Center Specific Plan	Light Industrial
East:	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
West:	Wholesale (BNF Home Inc.)	Industrial	California Commerce Center Specific Plan	Light Industrial

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

Tribal Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? Yes No

If "yes", has consultation begun? Yes No Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |

- | | | |
|--|--|---|
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Energy |

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature Jeanie Irene Aguilo

Jeanie Irene Aguilo, Associate Planner
Printed Name and Title

July 2, 2019
Date

City of Ontario – Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the

incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
<p>a. Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. RECREATION. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION/TRAFFIC. Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3 ¹ or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹ CEQA Guidelines section 15064.3(c) provides that a lead agency “may elect to be governed by the provisions” of the section immediately; otherwise, the section’s provisions apply July 1, 2020. Here, the District has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>19. UTILITIES AND SERVICE SYSTEMS. Would the project:</p>				
<p>a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
<p>a. Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Note:</u> Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.</p> <p><u>Reference:</u> Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located at the northeast and southwest corners of Wanamaker Avenue and Wall Street, both local streets, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Therefore, no adverse impacts are anticipated in relation to the project.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Discussion of Effects: The project site is not zoned for agricultural use. The project proposes to change the General Plan land use designation for these parcels. Future development will be consistent with the development standards and allowed land uses. Furthermore, there are no Williamson Act contracts

in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

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

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

Discussion of Effects: The project proposes to change the land use designation for 7.85 acres of land, from General Commercial to Industrial, located at the 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan; and change the land use designation for 4.05 acres of land, from General Commercial to Industrial, generally located at the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. This would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

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

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

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

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

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

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

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

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

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

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

Discussion of Effects: The project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts

to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use low emission fuel, use low VOC architectural coatings and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

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

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

Discussion of Effects: Project impacts would remain significant and unavoidable even with additional mitigation measures proposed by the 2009 Air Quality Impact Analysis prepared for TOP EIR. In addition, TOP EIR, which analyzed a residential, commercial and industrial buildout (2035) for the entire City and determined that a significant and unavoidable air quality impacts due to the magnitude of emissions that would be generated by the buildout (2035) of the Policy Plan (General Plan).

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

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

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

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

d. Expose sensitive receptors to substantial pollutant concentrations?

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

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

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

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

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

4. BIOLOGICAL RESOURCES. Would the project:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. CULTURAL RESOURCES. Would the project:

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

Discussion of Effects: The project proposes demolition and/or alterations of existing buildings that were not constructed more than 50 years of age and cannot be considered for eligibility for listing in the California Register of Historic Resources. Therefore, no adverse impacts are anticipated.

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

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

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

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

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

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. While no adverse impacts are anticipated, standard conditions have been imposed on the project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will moved to other parts of the project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

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

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

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

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

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

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resource sites exist within the project area. Thus, tribal artifacts are not expected to be encountered during any excavation, grading, or construction activities.

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

6. GEOLOGY & SOILS. Would the project:

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

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

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

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

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The TOP (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

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

iii. Seismic-related ground failure, including liquefaction?

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

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

iv. Landslides?

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

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

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

Discussion of Effects: Changing the General Plan will not create greater erosion impacts than were identified in the Certified TOP FEIR. Impacts will be less than significant with mitigation.

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

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

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

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

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

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

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

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

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

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

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

7. GREENHOUSE GAS EMISSIONS. Would the project:

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

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

Changing the General Plan and zoning on the subject site will not create significantly greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan. Potential impacts of project implementation will be less than significant with mitigation. No changes or additions to TOP FEIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project.

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

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

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

8. HAZARDS & HAZARDOUS MATERIALS. Would the project:

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

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

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

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

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

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

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

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

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

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

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

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

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The proposed project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. A portion of the project site is located within Safety Zone 4, however the proposed land use change from Commercial to Industrial is a compatible land use. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

9. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?

Discussion of Effects: It is not anticipated that the project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site nor will the proposed project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

Discussion of Effects: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

Discussion of Effects: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion of Effects: The project site is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of the Policy Plan (General Plan), the site lies outside of the 100-year flood hazard area. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of The Ontario Plan, the site lies outside of the 100-year flood hazard area. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

j. Expose people or structures to inundation by seiche, tsunami or mudflow?

Discussion of Effects: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding development. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

Discussion of Effects: Changing the General Plan on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

11. MINERAL RESOURCES. Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

12. NOISE. Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: The uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: The project will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels because of the limited size and scope of the project. Moreover, the proposed use will be required to operate within the noise levels permitted for commercial development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels within the vicinity of the project are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Temporary construction activities will minimally impact ambient noise levels. All construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project site is located outside of the Safety, Noise Impact and Airspace Protection Zones. A portion of the project site is located within the 70-75 dB CNEL and 65-70 dB CNEL Noise Impact Zones, however the proposed land use change from Commercial to Industrial is a compatible land use. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

13. POPULATION & HOUSING. Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Discussion of Effects: Changing the General Plan on the subject parcels would not induce significant population growth. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain existing housing. Changing the General Plan on the parcels will not create existing housing impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain residential zoning. Changing the General Plan on the parcels will not create existing housing impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

14. PUBLIC SERVICES. Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii. Schools?

Discussion of Effects: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv. Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15. RECREATION. Would the project:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Discussion of Effects: This project is not proposing any significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: This project is not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16. TRANSPORTATION/TRAFFIC. Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to be increased significantly. Therefore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the amount of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Less than significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it [either is outside of areas with FAA-imposed height restrictions, or is under such height restrictions]. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The project is in an area that is mostly developed. All street improvements are complete and no alterations are proposed for adjacent intersections or arterials. The project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Result in inadequate emergency access?

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Result in inadequate parking capacity?

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

17. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. Changing the General Plan on the 7.85-acre and 4.05-acre sites will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. No impacts are anticipated through Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

18. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system and which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. The project will therefore not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario. The project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: This project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

19. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan
 - c) City of Ontario Zoning
 - d) Ontario International Airport Land Use Compatibility Plan
 - e) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

MITIGATION MEASURES



(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

No additional mitigation beyond that previously imposed is required.

Exhibit A PGPA19-002 Proposed General Plan Amendment

TOP Legend:

	Rural Residential		Neighborhood Commercial		Airport		Public Facility
	Low Density Residential		General Commercial		Land Fill		Public School
	Low-Medium Density Residential		Office Commercial		Open Space - Parkland		COM Overlay
	Medium Density Residential		Hospitality		Open Space - Water		BP Overlay
	High Density Residential		Business Park		Open Space - Non-Recreation		IND Overlay
	Mixed Use		Industrial		Rail		

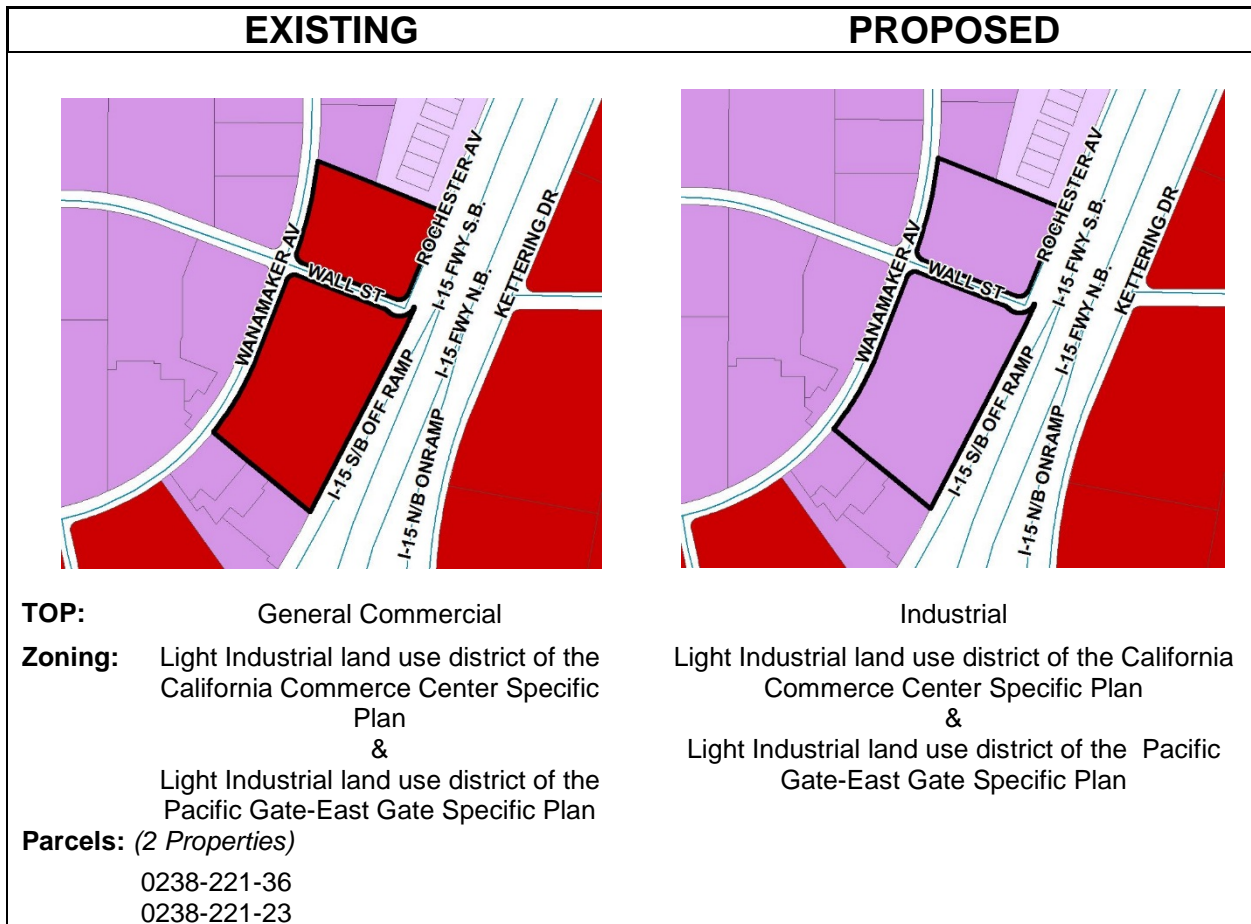


Exhibit B PGPA19-002 Modified Future Buildout Table



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	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% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	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 Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
Subtotal	1,668		15,129	30,257	34,922,836	72,383

Exhibit B PGPA19-002 Modified Future Buildout Table



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	531 519	0.30 FAR			6,944,858 6,788,695	6,452 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>	1,469 1,457				23,599,897 33,443,735	59,687 59,542
Employment						
Business Park	1,507	0.40 FAR			26,261,610	46,075
Industrial	6,272 6,384	0.55 FAR			152,661,502 152,947,800	134,132 134,383
<i>Subtotal</i>	7,879 7,891				178,923,112 179,209,410	180,207 180,459
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					
Total	31,786		99,887	345,971	247,445,845 247,575,980	312,277 312,383

Notes

- 1 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.
- 2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- 3 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.
- 4 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.
- 5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
- 6 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.



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: July 15, 2019

File No: PDEV18-041

Related Files: PDEV18-042

Project Description: A Development Plan (File No. PDEV18-041) to construct one industrial building totaling 178,462 square feet on 7.85 acres of land, located on the southeast corner of Wall Street and Wanamaker Avenue at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan. (APN: 0238-221-36); **submitted by Bridge Acquisition, LLC.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) Development Plan (File No. PDEV18-041) approval is contingent upon the City Council approval of related General Plan Amendment (File No. PGPA19-002).

(b) The project developer shall continue to coordinate with the Native American Tribes through the SB18 consultation process and complete the consultation process prior to the Planning

Commission meeting on July 23, 2019. The developer shall be required to comply with the agreed upon terms of the consultation process with the Native American Tribes.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-041
 Address: 1155 South Wanamaker Avenue
 APN: 238-221-361
 Existing Land Use: Outdoor Recreational Facility (Scandia Park)
 Proposed Land Use: A development plan to construct 178,462 SF industrial building
 Site Acreage: 7.85 Proposed Structure Height: 35 FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 3/27/2019
 CD No.: 2018-088
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 150 FT	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

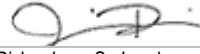
The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: *Lorena Mejia*

**CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764**

**PRELIMINARY PLAN
CORRECTIONS**

Sign Off



Jamie Richardson, Sr. Landscape Planner

06/12/2019

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV18-041 Rev 2

Case Planner:

Jeanie Aguilo

Project Name and Location:

Bridge Scandia Building A
1155 Wanamaker Ave

Applicant/Representative:

Herdman Architecture + Design
16201 Scientific
Irvine, CA 92618



A Preliminary Landscape Plan (dated 05/17/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

Civil/ Site Plans

1. Provide an arborist report and tree inventory for all existing trees whether to be removed or to remain, include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for Heritage Trees removed shall be equal to trunk diameter trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. **06/12/2019 Provide the tree inventory; identify location of trees on plan, include genus, species, trunk diameter, canopy width and condition of all trees. We received the report but not the inventory.**
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario General Fund for city tree planting or city approved combination of the above items. **06/12/2019 Identify mitigation measures for trees proposed to be removed.**
3. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end. **06/12/2019 Not complete.**
4. Show outdoor employee break area with table or bench and shade trees on the south and west

- sides (include accessible path). **06/12/2019 Not complete; show break area.**
5. Add Note to Grading and Landscape Construction Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications. **06/12/2019 Not complete; add notes.**

Landscape Plans

6. Provide an arborist report and tree inventory as noted in #1. **06/12/2019 Provide the tree inventory; identify location of trees on plan, include genus, species, trunk diameter, canopy width and condition of all trees. We received the report but not the inventory.**
7. Utility screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals. **06/12/2019 Not complete.**
8. Show all utilities on the landscape plans. Coordinate so utilities are clear of required tree locations. **Not corrected. Show drain line in north and east planters. 06/12/2019 Not complete**
9. Show evergreen landscaping in the perimeter planters and trees spaced 30' apart. **06/12/2019 Not complete.**
10. Show street trees spaced 30' apart and dimension 9' from the curb to allow a proposed 5' sidewalk. **06/12/2019 Double check scale.**
11. Locate trees to provide shade on buildings, parking, seating areas and paving, screen blank walls and adjacent properties where missing, accent trees to entries and driveways, provide visibility to signage, windows and doors. Locate trees 50% of canopy width from walls, buildings, existing trees. **06/12/2019 Not complete.**
12. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end. **06/12/2019 Not complete.**
13. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers for trees with PCS). Include preliminary MAWA calcs. **06/12/2019 Not complete.**
14. Street trees shall be 24" box size. **06/12/2019 Not complete.**
15. Call out all fences and walls, materials proposed and heights. **06/12/2019 Not complete.**
16. Show concrete mowstrips to identify property lines; where fences or wall end. **06/12/2019 Not complete.**
17. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon. **06/12/2019 Not complete.**
18. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
19. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase).....	\$278.00
Total.....	\$2,604.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario
Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV18-041 RELATED FILE NO(S). PGPA19-002	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Matthew Holmes 909 395-2155 *MH*

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo 909 395-2418

DAB MEETING DATE: July 15, 2019

PROJECT NAME / DESCRIPTION: PDEV18-041 Bridge Scandia Building A, an 178,462 s.f. industrial building on 7.85 acres located at the southeast corner of Wanamaker Avenue and Wall Street

LOCATION: 1155 S. Wanamaker Avenue

APPLICANT: Bridge Development Partners, LLC

REVIEWED BY: *[Signature]* 7/9/19 Date
Bryan Lirley, P.E.
Principal Engineer

APPROVED BY: *[Signature]* 7/9/19 Date
Raymond Lee, P.E.
Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
(1) _____
(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Lot Line Adjustment 93-05 recorded October 4, 1993, OR San Bernardino.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans) Letter of Non-interference**
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.
- 2.11 **Dedicate to the City of Ontario the following easement(s):**
 1. **A pedestrian easement along the frontage of Wanamaker Avenue and Wall Street adequate to contain the necessary sidewalk improvements.**
 2. **A corner cutback at the southeast intersection of Wanamaker Avenue and Wall Street.**
- 2.12 **New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$178,100, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Wanamaker	Wall	Rochester	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Replace at previous driveway openings	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Replace at previous driveway openings	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Grind and overlay to C/L	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Grind and overlay to C/L	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Grind and overlay to C/L	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Improvement	Wanamaker	Wall	Rochester	Street 4
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral – Add monitoring MH	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> New Service - irrigation	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Ex Service – install new meter and backflow	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above: _____

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): Wanamaker Avenue, Wall Street, and Rochester Avenue from centerline to gutter. Overlay shall be a rubberized asphalt mix per City of Ontario Standards 1011 and 1306.
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.



- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8 inch sewer main is available for connection by this project in Wall Street. (Ref: Sewer plan bar code: S10880)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions: A monitoring manhole shall be installed adjacent to the public right of way on the sewer lateral. Unused laterals shall be abandoned at the main per City of Ontario standards.**

D. WATER

- 2.27 **A 12 inch water main is available for connection by this project in Wall Street (Ref: Water plan bar code: W11806) Existing connection.**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions: Unused laterals shall be abandoned at the main per City of Ontario standards.**

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

 Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - 1. **New drive approaches shall be designed in accordance with City of Ontario Standard Drawing Number 1204.**
 - 2. **Existing driveway approaches shall be removed and replaced with full height curb and gutter.**
 - 3. **Sidewalk shall be constructed along the Wanamaker Avenue frontage and along the Wall Street frontage from Wanamaker Avenue to the driveway entrance on Wall Street. An ADA ramp shall be required at the southeast corner of the intersection of Wanamaker Avenue and Wall Street.**
 - 4. **Curb returns at the intersection of Wanamaker Avenue and Wall Street shall have a 40 foot radius.**
 - 5. **Street Lights shall be upgraded to LED fixtures along the entire frontage.**
 - 6. **Striping shall be replaced following the grind and overlay of the asphalt as necessary.**
 - 7. **Wanamaker Avenue, Wall Street, and Rochester Avenue shall be signed No Parking Anytime.**
 - 8. **The applicant/developer's engineer of record shall meet with City Engineering staff prior to starting the signing/striping and street lighting design plans.**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 78 inch storm drain main is available to accept flows from this project in Wanamaker Avenue. (Ref: Storm Drain plan bar code: D10727)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:



H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 **Other conditions: Submit new infiltration study that demonstrates retention/infiltration is feasible after an appropriate safety factor is applied for this site, and that the proposed underground chamber system will adequately drawdown the storm water within 48 hours. Study shall be performed at the location and depth of the proposed BMP.**

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building.**
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.



L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions: Prior to approval of Precise Grading Plans, provide a SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements."



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.**
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV 18-041, and/or Parcel Map/Tract Map No. _____

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications
17. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP)**
18. **One (1) copy of Hydrology/Drainage study**
19. **One (1) copy of Soils/Geology report**
20. Payment for Final Map/Parcel Map processing fee
21. Three (3) copies of Final Map/Parcel Map



- 22. One (1) copy of approved Tentative Map
- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: January 10, 2019

SUBJECT: PDEV18-041 - A Development Plan to construct 1 industrial building totaling 178,462 square feet on 7.85 acres of land located on the southeast corner of Wall Street and Wanamaker Avenue at 1155 Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 238-221-36).

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type II B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 173,462 Sq. Ft,
- D. Number of Stories: 1 with mezzanine
- E. Total Square Footage: 178,462 Sq. Ft,
- F. 2016 CBC Occupancy Classification(s): Not Listed

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard ~~Choose an item.~~ All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Aguilo, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 11, 2019

SUBJECT: PDEV18-041 – A DEVELOPMENT PLAN TO CONSTRUCT AN INDUSTRIAL BUILDING AT 1155 WANAMAKER AVENUE

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. Due to the size of the building, the numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 7, 2019
SUBJECT: PDEV18-041

-
- The plan **does** adequately address the departmental concerns at this time.
- No comments
- Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The site address will be 4600 E Wall St

KS:lm



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director
 Diane Ayala, Advanced Planning Division
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: January 02, 2019

SUBJECT: FILE #: PDEV18-041 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, January 16, 2019**.

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Development Plan to construct 1 industrial building totaling 178,462 square feet on 7.85 acres of land located at 1155 Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN(s): 238-221-36)).

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Community Imp. Joe De Sousa Supervisor 1/7/19

Department _____ Signature _____ Title _____ Date _____



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-042

DESCRIPTION: A Development Plan (File No. PDEV18-042) to construct one industrial building totaling 90,291 square feet on 4.05 acres of land located at the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan; (APN: 0238-221-23) **submitted by Bridge Acquisition, LLC.**

Part I—BACKGROUND & ANALYSIS

BRIDGE POINT ONTARIO LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-042, as described in the subject of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The project site is comprised of 4.05 acres of land located on the northeast corner of Wall Street and Wanamaker Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
<i>North:</i>	Warehouse (GE Transportation) and Retail (BP Furniture)	Industrial and Business Park	Pacific Gate-East Gate Specific Plan	Light Industrial
<i>South:</i>	Former Scandia Amusement Park	Industrial	California Commerce Center Specific Plan	Light Industrial
<i>East:</i>	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
<i>West:</i>	Wholesale (BNF Home Inc.)	Industrial	California Commerce Center Specific Plan	Light Industrial

(2) **Project Description:**

(a) **Background** —The Applicant is requesting Development Plan (File No. PDEV18-042) approval to construct an industrial building totaling approximately 90,291-square feet. The front of the building is oriented to the south facing Wall Street. The building is situated on the northern portion of the site, with a 68-foot building setback from Wanamaker Avenue to the west, a 35-foot setback from Rochester Avenue to the east, a 69-foot building setback from Wall Street to the south, and an approximately 5-foot setback from the interior property line to the north. Parking will be primarily situated to the west of the building, for use by tenants and visitors, and additional parking is situated to the south side of the site.

A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is oriented to the southeast of the proposed building. The yard area will be screened from view of public streets by a combination of landscaping and screen walls with view-obstructing gates. The applicant has proposed screen walls at 8 feet in height for the yard area, which is to be of tilt-up concrete construction, to match the architecture of the building.

The proposed Development Plan is being processed concurrently with a General Plan Amendment (File No. PGPA19-002) to change the project site's Policy Plan Exhibit LU-01 Land Use Plan land use designation from General Commercial to Industrial, and amend Exhibit LU-3 Future Buildout to reflect the land use change.

(b) Site Access/Circulation — Two main points of access are proposed for the project site. The first access point is located at the northwest corner of the site, on Wanamaker Avenue, and will be used for employee and visitor parking. The second access point is located on the south side of the site, on Wall Street, and will serve as the gated entrance to the tractor-trailer yard area. Pursuant to the conditions of approval, decorative pavement will be provided at all driveway approaches, which will extend from the back of the driveway apron, to the first intersecting drive aisle or parking space.

(c) Parking — The Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The industrial building requires a total of 56 parking spaces, and 56 spaces have been provided. In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. There are 12 dock-high loading spaces proposed, requiring three tractor-trailer parking spaces, which have been provided, meeting the minimum requirements of the Development Code.

(d) Architecture — The proposed industrial warehouse building is of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, concrete reveals, formliner accent panels, storefront windows with anodized aluminum mullions and clear glazing, and painted steel canopies at the main office entries (see Exhibit C: Elevations – Industrial Warehouse Building, attached).

The mechanical equipment for the industrial warehouse building will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture.

Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; and
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; and
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas.
- Designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

(e) Landscaping — The project provides substantial landscaping along the Wanamaker Avenue, Wall Street, and Rochester Avenue frontages, and around the project perimeter, and loading and tractor-trailer yard area. The Development Code requires a minimum 15 percent landscape coverage, which the project exceeds (16.7 Percent coverage has been provided). The project site is currently lacking right-of-way improvements (sidewalk/parkway) and street trees, which will be provided with the proposed project. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates

a combination of 36-inch and 24 -inch box trees along Wanamaker Avenue, which includes a mix of Fern Pine, Coast Live Oak, and Chinese Pistache trees. In addition, a combination of 15-gallon and 24-inch box accent and shade trees will be provided throughout the project site, including Brisbane Box and Jacaranda trees. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought tolerant (see Exhibit D: Landscape Plan, attached).

(f) Utilities — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration systems installed for the project. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, the Application is a project pursuant to CEQA (Public Resources Code Section 21000 et seq.), and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is

subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report, which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; 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: *Subsequent or Supplemental Environmental Review Not Required.* Based on the Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the General Commercial land use district of the Policy Plan Land Use Map, and the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. The proposed Development Plan is being processed concurrently with a General Plan Amendment (File No. PGPA19-002) to change the project site's Policy Plan Exhibit LU-01 Land Use Plan land use designation from General Commercial to Industrial, and amend Exhibit LU-03 Future Buildout to reflect the proposed land use change. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, amended Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan, including standards relative to the particular land use proposed (industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Pacific Gate-East Gate Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Pacific Gate-East Gate Specific Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Pacific Gate-East Gate Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (industrial). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Pacific Gate-East Gate Specific Plan.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends to Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: **Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

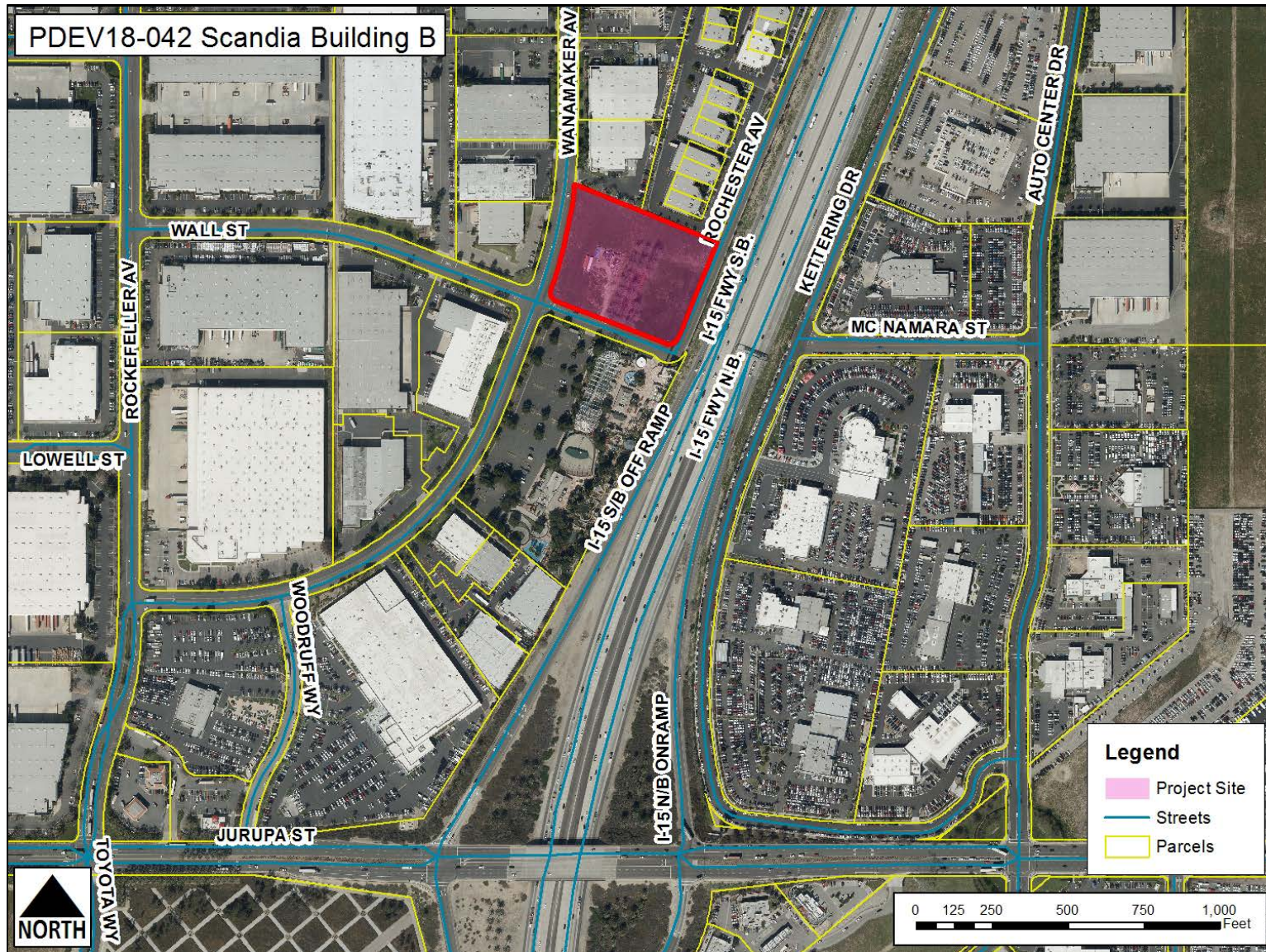


Exhibit B—SITE PLAN

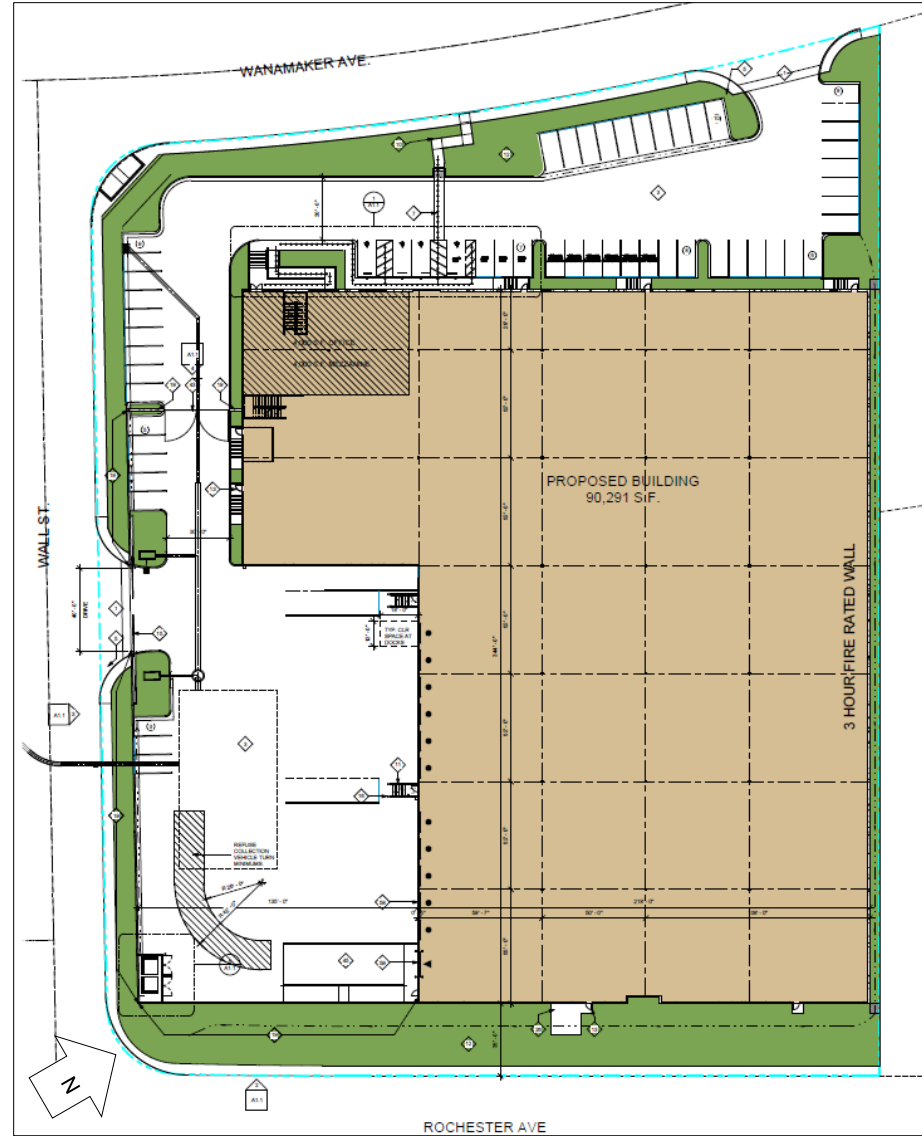


Exhibit C—EXTERIOR ELEVATIONS



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



Development Advisory Board Decision

July 15, 2019

DECISION NO.: [insert #]

FILE NO.: PDEV18-042

DESCRIPTION: An Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), certified by City Council on January 27, 2010), to construct one industrial building totaling 90,291 square feet on 4.05 acres of land, located at the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan; (APN: 0238-221-36) **submitted by Bridge Acquisition, LLC.**

Part I—BACKGROUND & ANALYSIS

BRIDGE POINT ONTARIO, LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-042, as described in the Description of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 7.85 acres of land located at the northeast corner of Wall Street and Wanamaker Avenue, at 1155 South Wanamaker Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Former Scandia Amusement Park	General Commercial	California Commerce Center Specific Plan	Light Industrial
<i>North:</i>	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
<i>South:</i>	Manufacturing (Maney Aircraft)	Industrial	California Commerce Center Specific Plan	Light Industrial
<i>East:</i>	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
<i>West:</i>	Manufacturing (DSM Nutritional Products)	Industrial	California Commerce Center Specific Plan	Rail Industrial

(2) **Project Description:** The Project analyzed under the Addendum to The Ontario Plan (included as Attachment 1: Initial Study/Addendum, attached) consists of an Amendment to the Policy Plan (General Plan) component of The Ontario Plan (File No. PGPA19-002) to: [1] modify Exhibit LU-01 Land Use Plan (), changing the land use designation on 7.85 acres of land located at the southeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial, ; [2] modify Exhibit LU-01 Land Use Plan (), changing the land use designation on 4.05 acres of land located at the northeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial; and [3] modify the Exhibit LU-03 Future Buildout to be consistent with the land use designation changes with the Policy Plan.

This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval.

Part II—RECITALS

WHEREAS, the environmental impacts associated with this Project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) certified by City Council on January 27, 2010, in conjunction with File No. File No. PGPA06-001; and

WHEREAS, the Planning Director of the City of Ontario has prepared an Initial Study, and approved for circulation, an Addendum to the aforementioned previous Certified Environmental Impact Report (Certified EIR) prepared for File No. PGPA06-001 (hereinafter referred to as “Initial Study/Addendum”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the Initial Study/Addendum concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the approving authority of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program (“MMRP”) to ensure compliance with the mitigation measures during project implementation, and such a MMRP has been prepared for the Project for consideration by the approving authority of the City of Ontario as lead agency for the Project; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the Development Advisory Board has reviewed and considered the Initial Study/Addendum and related documents for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Addendum and related documents are on file in the City of Ontario Planning Department, located at 303 East B Street, Ontario, CA 91764, and are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein.

WHEREAS, City of Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (“DAB”) the responsibility and authority to review and act, or make recommendation to the Planning Commission, on the subject Application; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which the public notification of environmental actions shall be provided and hearing procedures to be followed, and all such notifications and procedures have been accomplished pursuant to Development Code requirements; and

WHEREAS, on July 15, 2019, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the hearing and adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Initial Study/Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The DAB has independently reviewed and analyzed the Initial Study/Addendum and other information in the record, and has considered the information contained therein, prior to acting on the Project; and

(3) The Initial Study/Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; and

(4) There is no substantial evidence in the administrative record supporting a fair argument that the Project may result in significant environmental impacts; and

(5) The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

(6) The Initial Study/Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the Initial Study/Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Development Advisory Board Action.* The DAB does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby recommend the Planning Commission APPROVE the adoption of the Initial Study/Addendum to the Certified EIR, included as Attachment 1 of this Decision.

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 Initial Study/Addendum and all other documents and materials that constitute the record of proceedings on which these findings have been based, are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 15th day of July 2019.

Development Advisory Board Chairman

Attachment 1—Initial Study/Addendum

(Initial Study/Addendum follows this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

California Environmental Quality Act Initial Study Form

Project Title/File No.: PGPA19-002, PDEV18-041, & PDEV18-042

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Jeanie Irene Aguilo, Associate Planner, 909-395-2418

Project Sponsor: City of Ontario, 303 East B Street, Ontario, CA 91764

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is located 1155 South Wanamaker Avenue and the northeast corner of Wall Street and Wanamaker Avenue. APNs: 0238-221-36 and 0238-221-23.

Figure 1: REGIONAL LOCATION MAP

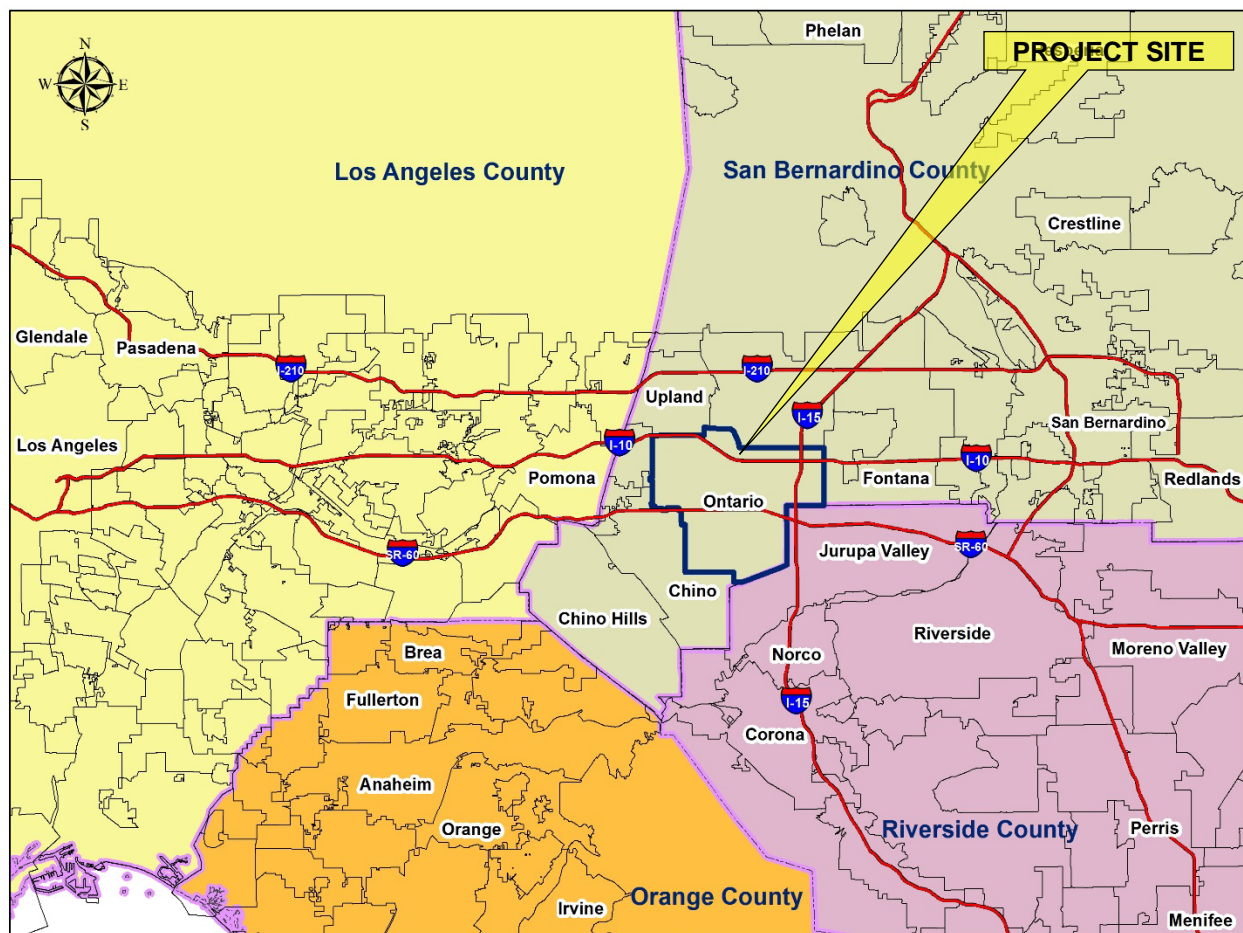


Figure 2: VICINITY MAP

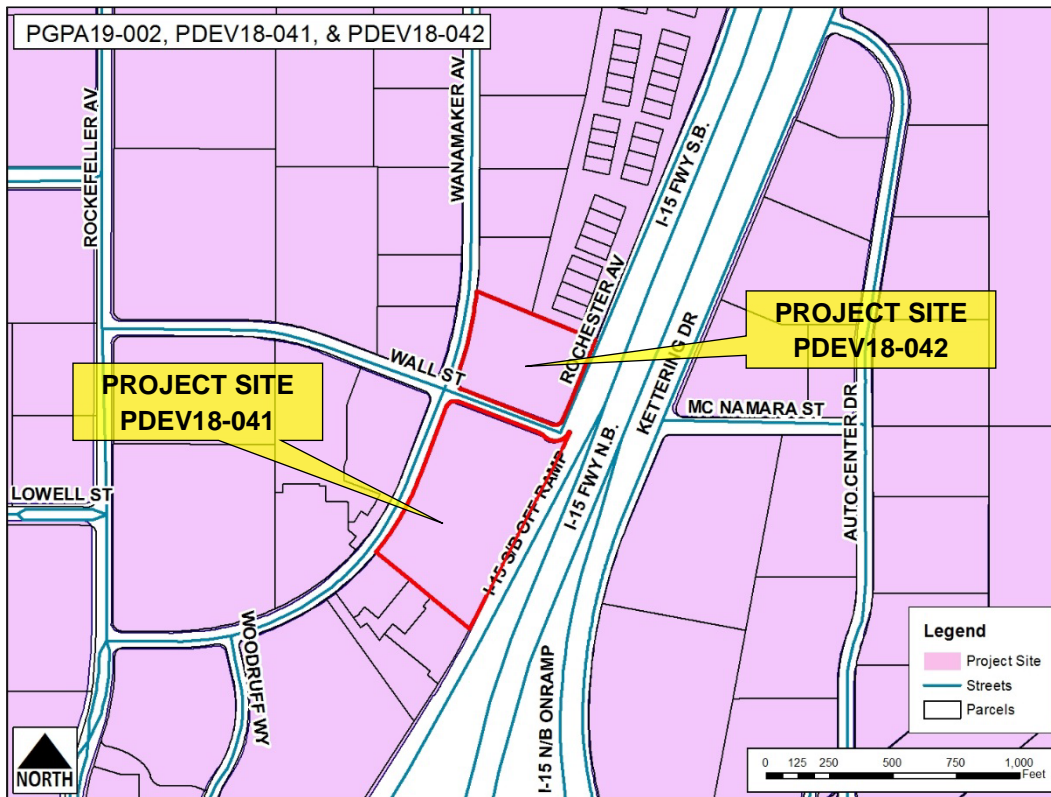
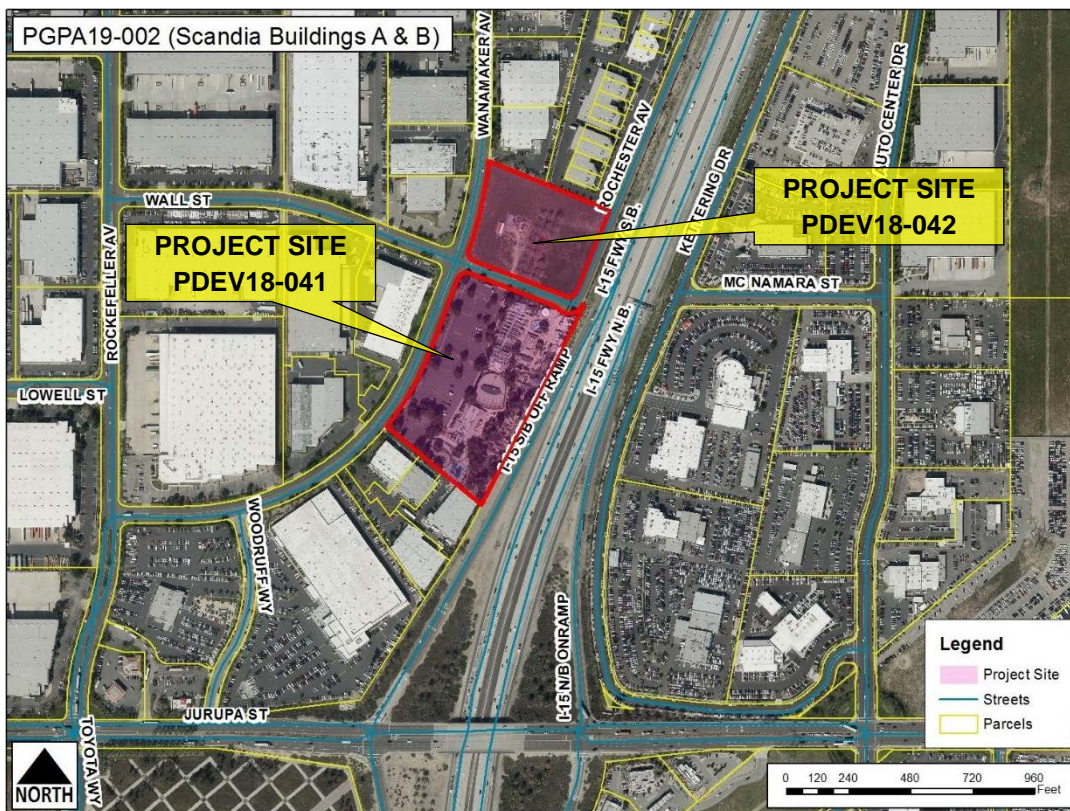


Figure 3: AERIAL PHOTOGRAPH



General Plan Designation: Existing - General Commercial Proposed - Industrial

Zoning:

- PDEV18-041 – Light Industrial land use district of the California Commerce Center Specific Plan.
- PDEV18-042 – Light Industrial land use district of the Pacific Gate-East Gate Specific Plan.

Description of Project: An Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify Exhibit LU-01 Land Use Plan, changing the land use designation on 7.85 acres of land located at the southeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial; [2] modify Exhibit LU-01 Land Use Plan, changing the land use designation 4.05 acres of land located at the northeast corner of Wall Street and Wanamaker Avenue, from General Commercial to Industrial; and [3] modify Exhibit LU-03 Future Buildout to be consistent with the proposed Policy Plan land use designation changes.

Project Setting:

- PDEV18-041 – The project site was formerly used as the Scandia Amusement Park, however it is currently vacant and is surrounded by developed urban uses.
- PDEV18-042 – The project site is currently vacant and gently slopes from north to south and is surrounded by developed urban uses.

Background: On January 27, 2010, the Ontario City Council adopted The Ontario Plan (TOP). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements; Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010 that included Mitigation Findings and a Statement of Overriding Considerations pursuant to CEQA. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, in the Policy Plan and impacts resultant of population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included; agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise and transportation/traffic.

Analysis: According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

- 1) *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.*

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The Ontario Plan EIR assumed more overall development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed amendment to the approximate 7.85-acre and 4.05 acre sites associated with this project, will result in less development than TOP EIR analyzed at buildout.

TOP Buildout Analysis	Units	Population	Non-Residential Square Footage	Jobs
Buildout per Original TOP EIR	99,887	345,971	257,445,845	312,277
Revised Buildout per previous approved TOP amendments and the proposed amendment	99,887	345,971	247,575,980	312,383

Since the anticipated buildout resulting from previous approved TOP amendments and the proposed project changes will be less than that originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

- 2) *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR in that the proposed changes would be in keeping with the surrounding area. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

- 3) *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA Requirements for an Addendum:

If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken

which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous negative declaration;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to TOP EIR.

Conclusion:

The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed land use designation changes coordinate with the existing uses of the properties and uses within the surrounding areas. As described on page 2, the amount of development anticipated at buildout will be cumulatively lower (dwelling units, population, non-residential square footage and jobs) than TOP EIR analyzed. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, pursuant to State CEQA Guidelines Section 15164, the Council hereby adopts this Addendum to TOP EIR.

Surrounding Land Uses:

PDEV18-041:

	<u>Existing Land Use</u>	<u>General Plan Designation</u>	<u>Zoning Designation</u>	<u>Specific Plan Land Use</u>
Site:	Former Scandia Amusement Park	General Commercial	California Commerce Center Specific Plan	Light Industrial
North:	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
South:	Manufacturing (Maney Aircraft)	Industrial	California Commerce Center Specific Plan	Light Industrial
East:	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
West:	Manufacturing (DSM Nutritional Products)	Industrial	California Commerce Center Specific Plan	Rail Industrial

PDEV18-042:

	<u>Existing Land Use</u>	<u>General Plan Designation</u>	<u>Zoning Designation</u>	<u>Specific Plan Land Use</u>
Site:	Vacant	General Commercial	Pacific Gate-East Gate Specific Plan	Light Industrial
North:	Warehouse (GE Transportation) and Retail (BP Furniture)	Industrial and Business Park	Pacific Gate-East Gate Specific Plan	Light Industrial
South:	Former Scandia Amusement Park	Industrial	California Commerce Center Specific Plan	Light Industrial
East:	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway	Interstate 15 Freeway
West:	Wholesale (BNF Home Inc.)	Industrial	California Commerce Center Specific Plan	Light Industrial

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

Tribal Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? Yes No

If "yes", has consultation begun? Yes No Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |

- | | | |
|--|--|---|
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Energy |

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature Jeanie Irene Aguilo

July 2, 2019
Date

Jeanie Irene Aguilo, Associate Planner
Printed Name and Title

City of Ontario – Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the

incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
<p>a. Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c. Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. RECREATION. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION/TRAFFIC. Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3 ¹ or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹ CEQA Guidelines section 15064.3(c) provides that a lead agency “may elect to be governed by the provisions” of the section immediately; otherwise, the section’s provisions apply July 1, 2020. Here, the District has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>19. UTILITIES AND SERVICE SYSTEMS. Would the project:</p>				
<p>a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
<p>a. Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Note:</u> Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.</p> <p><u>Reference:</u> Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located at the northeast and southwest corners of Wanamaker Avenue and Wall Street, both local streets, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east-west direction. I-15 traverses the northeastern portion of the City in a north-south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by industrial development and is surrounded by urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with industrial buildings, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property, as well as with the industrial development in the surrounding area. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code, project on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The site is presently vacant and does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not zoned for agricultural use. The project proposes to change the General Plan land use designation for these parcels. Future development will be consistent with the development standards and allowed land uses. Furthermore, there are no Williamson Act contracts

in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Discussion of Effects: The project proposes to change the land use designation for 7.85 acres of land, from General Commercial to Industrial, located at the 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan; and change the land use designation for 4.05 acres of land, from General Commercial to Industrial, generally located at the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. This would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in TOP FEIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses. There are no agricultural uses occurring onsite and the Project does not directly result in conversion of farmland. No new cumulative impacts beyond those identified in TOP FEIR would result from Project implementation. As a result, the project will not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts

to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use low emission fuel, use low VOC architectural coatings and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Discussion of Effects: Project impacts would remain significant and unavoidable even with additional mitigation measures proposed by the 2009 Air Quality Impact Analysis prepared for TOP EIR. In addition, TOP EIR, which analyzed a residential, commercial and industrial buildout (2035) for the entire City and determined that a significant and unavoidable air quality impacts due to the magnitude of emissions that would be generated by the buildout (2035) of the Policy Plan (General Plan).

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because of the limited size and scope of the project. Although no impacts are anticipated, the project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: As discussed in Section 5.3 of TOP FEIR, the proposed Project is within a non-attainment region of the SCAB. Essentially, this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The proposed General Plan Amendment closely correlates with the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level with mitigation. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Create objectionable odors affecting a substantial number of people?

Discussion of Effects: The uses proposed on the subject site, as well as those permitted within the Industrial zoning district, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The project site is located within an area that has not been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion of Effects: The site is part of a larger vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion of Effects: The project proposes demolition and/or alterations of existing buildings that were not constructed more than 50 years of age and cannot be considered for eligibility for listing in the California Register of Historic Resources. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously developed for the Scandia Amusement Park and no archaeological resources were found. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. While no adverse impacts are anticipated, standard conditions have been imposed on the project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will moved to other parts of the project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resource sites exist within the project area. Thus, tribal artifacts are not expected to be encountered during any excavation, grading, or construction activities.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

6. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The TOP (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: As identified in the TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv. Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: Changing the General Plan will not create greater erosion impacts than were identified in the Certified TOP FEIR. Impacts will be less than significant with mitigation.

The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion of Effects: Changing the General Plan of the site will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. In addition, the associated projects would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

7. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Environmental Impact Report ("EIR") for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Changing the General Plan and zoning on the subject site will not create significantly greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan. Potential impacts of project implementation will be less than significant with mitigation. No changes or additions to TOP FEIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: None required. No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary

8. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion of Effects: The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The proposed project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. A portion of the project site is located within Safety Zone 4, however the proposed land use change from Commercial to Industrial is a compatible land use. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

9. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?

Discussion of Effects: It is not anticipated that the project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site nor will the proposed project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

Discussion of Effects: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

Discussion of Effects: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion of Effects: The project site is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of the Policy Plan (General Plan), the site lies outside of the 100-year flood hazard area. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of The Ontario Plan, the site lies outside of the 100-year flood hazard area. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

j. Expose people or structures to inundation by seiche, tsunami or mudflow?

Discussion of Effects: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding development. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

Discussion of Effects: Changing the General Plan on the subject parcels will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

11. MINERAL RESOURCES. Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

12. NOISE. Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: The uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: The project will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels because of the limited size and scope of the project. Moreover, the proposed use will be required to operate within the noise levels permitted for commercial development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels within the vicinity of the project are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Temporary construction activities will minimally impact ambient noise levels. All construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project site is located outside of the Safety, Noise Impact and Airspace Protection Zones. A portion of the project site is located within the 70-75 dB CNEL and 65-70 dB CNEL Noise Impact Zones, however the proposed land use change from Commercial to Industrial is a compatible land use. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

13. POPULATION & HOUSING. Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Discussion of Effects: Changing the General Plan on the subject parcels would not induce significant population growth. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain existing housing. Changing the General Plan on the parcels will not create existing housing impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain residential zoning. Changing the General Plan on the parcels will not create existing housing impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

14. PUBLIC SERVICES. Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii. Schools?

Discussion of Effects: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv. Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15. RECREATION. Would the project:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Discussion of Effects: This project is not proposing any significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: This project is not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16. TRANSPORTATION/TRAFFIC. Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to be increased significantly. Therefore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the amount of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Less than significant impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it [either is outside of areas with FAA-imposed height restrictions, or is under such height restrictions]. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The project is in an area that is mostly developed. All street improvements are complete and no alterations are proposed for adjacent intersections or arterials. The project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Result in inadequate emergency access?

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Result in inadequate parking capacity?

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

17. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. Changing the General Plan on the 7.85-acre and 4.05-acre sites will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. No impacts are anticipated through Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

18. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system and which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. The project will therefore not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The proposed project is served by the City of Ontario. The project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: This project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

19. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan
 - c) City of Ontario Zoning
 - d) Ontario International Airport Land Use Compatibility Plan
 - e) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

No additional mitigation beyond that previously imposed is required.

Exhibit A PGPA19-002 Proposed General Plan Amendment

TOP Legend:

	Rural Residential		Neighborhood Commercial		Airport		Public Facility
	Low Density Residential		General Commercial		Land Fill		Public School
	Low-Medium Density Residential		Office Commercial		Open Space - Parkland		COM Overlay
	Medium Density Residential		Hospitality		Open Space - Water		BP Overlay
	High Density Residential		Business Park		Open Space - Non-Recreation		IND Overlay
	Mixed Use		Industrial		Rail		

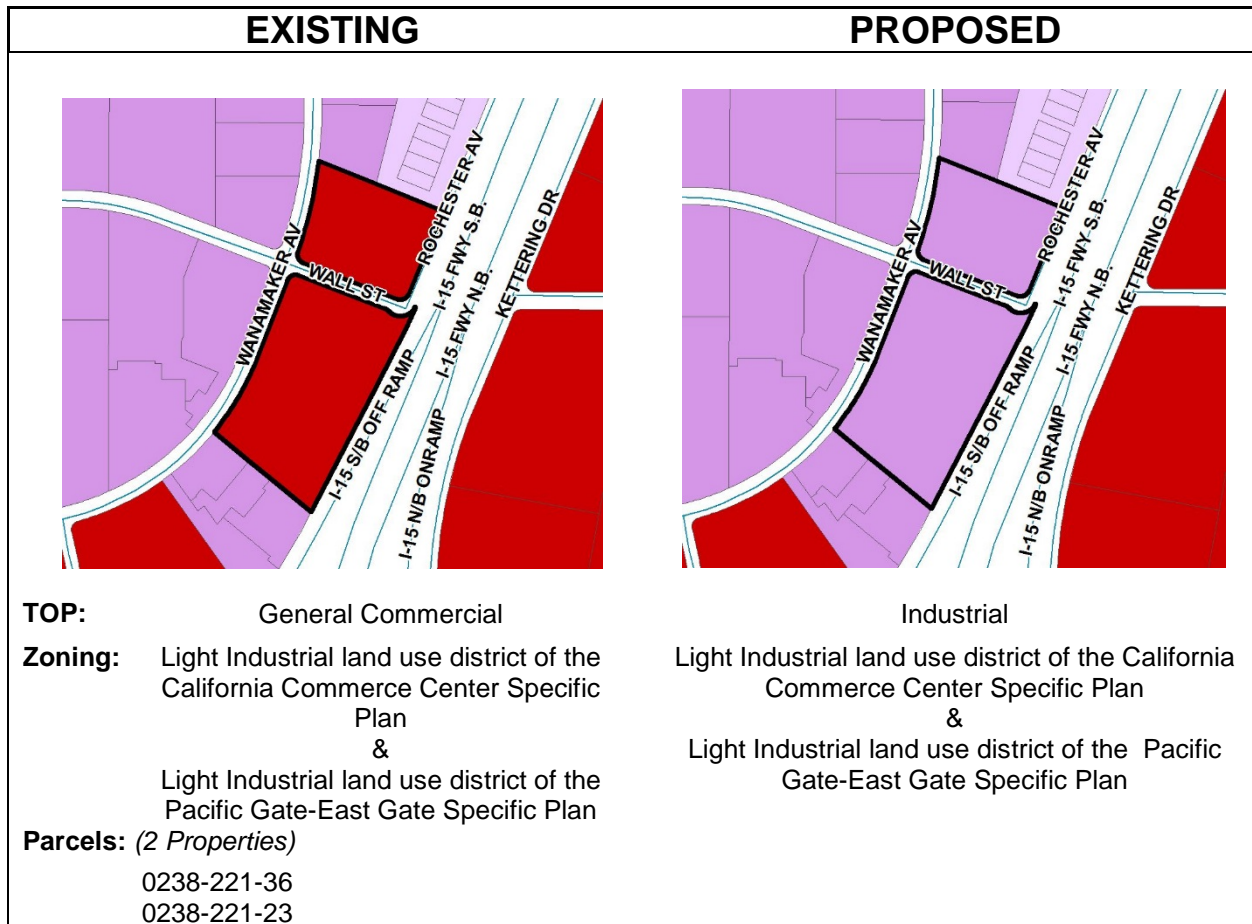


Exhibit B PGPA19-002 Modified Future Buildout Table



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	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% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	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 Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
Subtotal	1,668		15,129	30,257	34,922,836	72,383

Exhibit B PGPA19-002 Modified Future Buildout Table



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	531 519	0.30 FAR			6,944,858 6,788,695	6,452 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>	1,469 1,457				23,599,897 33,443,735	59,687 59,542
Employment						
Business Park	1,507	0.40 FAR			26,261,610	46,075
Industrial	6,272 6,384	0.55 FAR			152,661,502 152,947,800	134,132 134,383
<i>Subtotal</i>	7,879 7,891				178,923,112 179,209,410	180,207 180,459
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					
Total	31,786		99,887	345,971	247,445,845 247,575,980	312,277 312,383

Notes

- 1 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.
- 2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- 3 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.
- 4 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.
- 5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
- 6 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.



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: July 15, 2019

File No: PDEV18-042

Related Files: PDEV18-041

Project Description: A Development Plan (File No. PDEV18-042) to construct one industrial building totaling 90,291 square feet on 4.05 acres of land, located on the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. (APN: 0238-221-23); **submitted by Bridge Acquisition, LLC.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) Development Plan (File No. PDEV18-042) approval is contingent upon the City Council approval of related General Plan Amendment (File No. PGPA19-002).

(b) The project developer shall continue to coordinate with the Native American Tribes through the SB18 consultation process and complete the consultation process prior to the Planning

Commission meeting on July 23, 2019. The developer shall be required to comply with the agreed upon terms of the consultation process with the Native American Tribes.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-042

Address: Northeast Corner of Wall Street and Wanamaker Ave

APN: 238-221-23

Existing Land Use: Vacant

Proposed Land Use: Development Plan to build a 90,291 SF industrial building

Site Acreage: 4.05 ac Proposed Structure Height: 40 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 3/28/2018

CD No.: 2018-089

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 150 ft	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

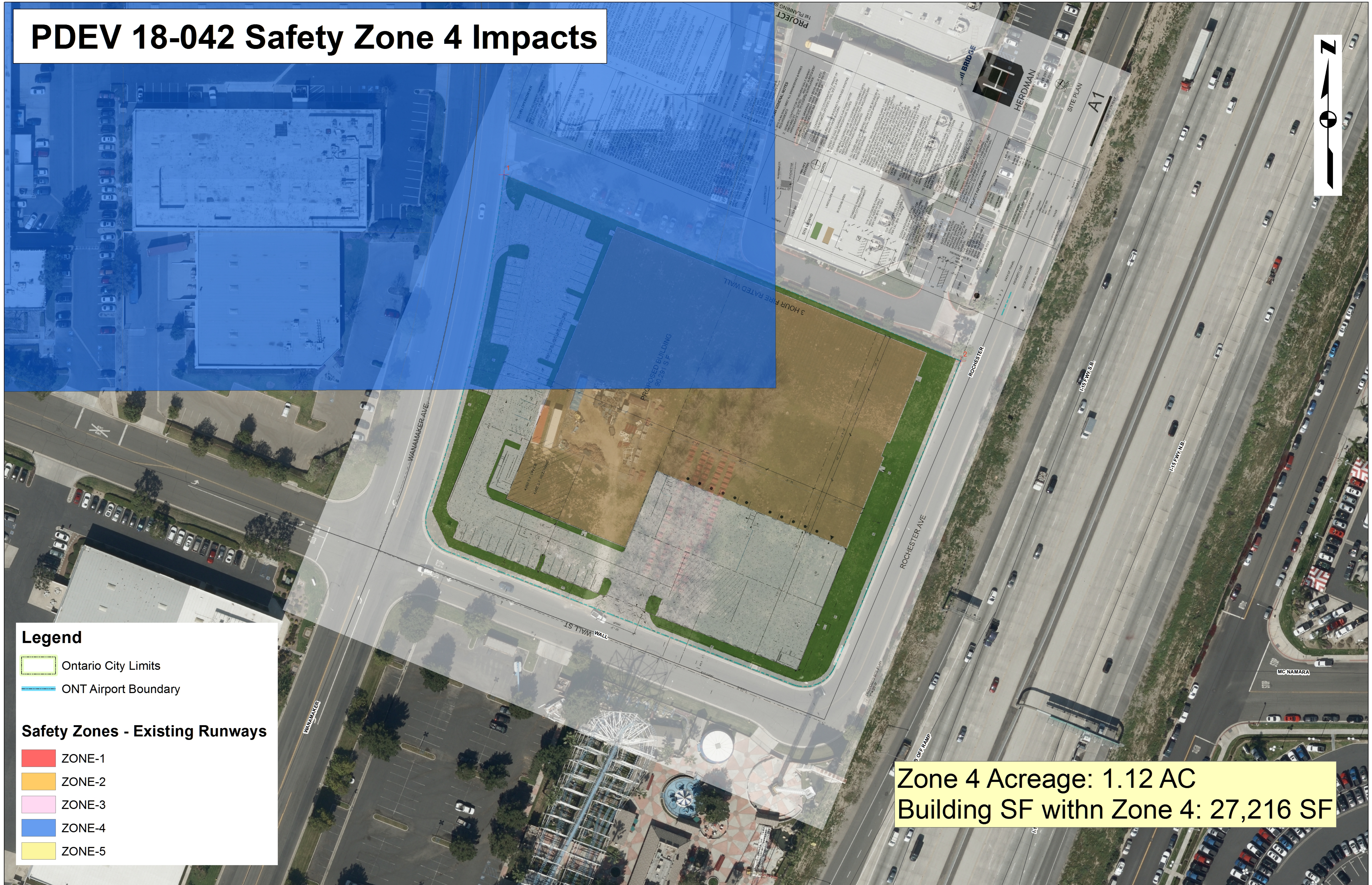
CD No.: 2018-089
PALU No.: _____

PROJECT CONDITIONS

1. Project is located within Safety Zone 4, above ground storage of hazardous materials greater than 6,000 gallons is not allowed (ALUCP Policy S4b (Hazardous Material Storage)).
2. The applicant is required to file and record an Avigation Easement with the Ontario International Airport Authority prior to obtaining a Certificate of Occupancy.
3. Attached are the land use intensity calculations for the proposed building. Future land uses that deviate from what is currently being approved must meet the policies and criteria of the ONT ALUCP. An alternative method for measuring compliance with the usage intensity limits is acceptable provided it meets the Safety Criteria policies set forth in the ONT ALUCP.
4. New development located within any of the Ontario International Airport Safety Zones are required to have a "Property Located within Ontario International Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:

(NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number of people on site. Land uses are required to meet the policies and criteria of the Ontario International Airport Land Use Compatibility Plan.

PDEV 18-042 Safety Zone 4 Impacts



Legend

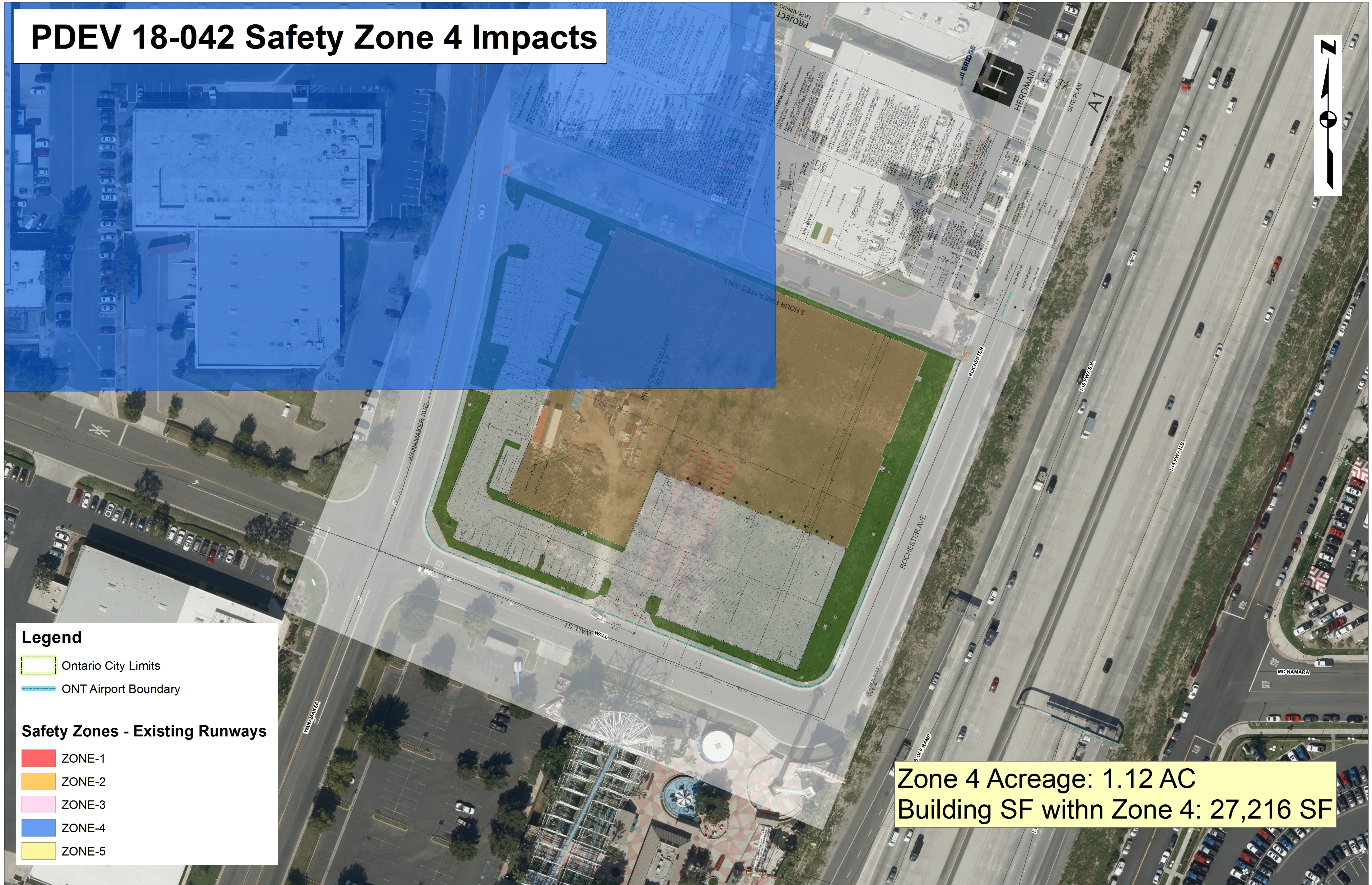
- Ontario City Limits
- ONT Airport Boundary

Safety Zones - Existing Runways

- ZONE-1
- ZONE-2
- ZONE-3
- ZONE-4
- ZONE-5

Zone 4 Acreage: 1.12 AC
Building SF withn Zone 4: 27,216 SF

PDEV 18-042 Safety Zone 4 Impacts



Legend

- Ontario City Limits
- ONT Airport Boundary

Safety Zones - Existing Runways

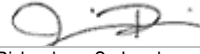
- ZONE-1
- ZONE-2
- ZONE-3
- ZONE-4
- ZONE-5

Zone 4 Acreage: 1.12 AC
Building SF withn Zone 4: 27,216 SF

**CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764**

**PRELIMINARY PLAN
CORRECTIONS**

Sign Off



Jamie Richardson, Sr. Landscape Planner

06/12/2019

Date

Reviewer's Name:

Jamie Richardson, Sr Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV18-042 Rev 2

Case Planner:

Jeanie Aguilo

Project Name and Location:

Bridge Scandia Building B
1155 Wanamaker Ave

Applicant/Representative:

Herdman Architecture + Design
16201 Scientific
Irvine, CA 92618



A Preliminary Landscape Plan (dated 05/17/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

Civil/ Site Plans

1. Provide an arborist report and tree inventory for all existing trees whether to be removed or to remain, include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for Heritage Trees removed shall be equal to trunk diameter trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. **06/12/2019 Provide the tree inventory; identify location of trees on plan, include genus, species, trunk diameter, canopy width and condition of all trees. We received the report but not the inventory.**
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario General Fund for city tree planting or city approved combination of the above items.
06/12/2019 Identify mitigation measures for trees proposed to be removed.
3. Show outdoor employee break area with table or bench and shade trees on the south and west sides (include accessible path). **06/12/2019 Not complete; show break area.**
4. Add Note to Grading and Landscape Construction Plans: Landscape areas where compaction has

occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications. **06/12/2019 Not complete; add notes.**

Landscape Plans

5. Provide an arborist report and tree inventory as noted in #1. **06/12/2019 Provide the tree inventory; identify location of trees on plan, include genus, species, trunk diameter, canopy width and condition of all trees. We received the report but not the inventory.**
6. Utility screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals. **06/12/2019 Not complete**
7. Show evergreen landscaping in the perimeter planters and trees spaced 30' apart. Change Pistache trees along east side (Rochester ave) to evergreen trees. **06/12/2019 Not complete**
8. Show street trees spaced 30' apart and dimension 9' from the curb to allow a proposed 5' sidewalk. **06/12/2019 Not complete. Double check scale.**
9. Locate trees to provide shade on buildings, parking, seating areas and paving, screen blank walls and adjacent properties where missing, accent trees to entries and driveways, provide visibility to signage, windows and doors. Locate trees 50% of canopy width from walls, buildings, existing trees. **06/12/2019 Not complete.**
10. Add 24" to planter if gate is adjacent to planter. **06/12/2019 Not corrected on civil and landscape plans.**
11. Street trees shall be 24" box size. Street trees on Rochester are Quercus tomentella, Island Oak. **06/12/2019 Not corrected.**
12. Call out all fences and walls, materials proposed and heights. **06/12/2019 Not corrected.**
13. Show concrete mowstrips to identify property lines; where fences or wall end. **06/12/2019 Not corrected.**
14. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon. **06/12/2019 Not complete.**
15. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
16. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase).....	\$278.00
Total.....	\$1,579.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV18-042 RELATED FILE NO(S). PGPA19-002	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Matthew Holmes 909 395-2155_ *WZAT*

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo 909 395-2418

DAB MEETING DATE: July 15, 2019

PROJECT NAME / DESCRIPTION: PDEV18-042 Bridge Scandia Building B, a 90,291 s.f. industrial building on 4.05 acres located at the northeast corner of Wanamaker Avenue and Wall Street

LOCATION: 900 Block S. Wanamaker Avenue

APPLICANT: Bridge Development Partners, LLC

REVIEWED BY: *Bryan Linley* 7/9/19
 Bryan Linley, P.E. Date
 Principal Engineer

APPROVED BY: *Raymond Lee* 7/9/19
 Raymond Lee, P.E. Date
 Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
 (1) _____
 (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Parcel Map Number 9553 on file in Book 113 of Parcel Maps, pages 54 through 57, inclusive.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

2.08 **Submit a soils/geology report.**

2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:

- State of California Department of Transportation (Caltrans) *Letter of Non-interference*
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.

2.11 **1. Dedicate to the City of Ontario the following easement(s):**
2. A pedestrian easement along the frontage of Wanamaker Avenue and Wall Street adequate to contain the necessary sidewalk improvements.
3. Corner cutbacks at the intersections of Wanamaker Avenue and Wall Street, and Wall Street and Rochester Avenue.

2.12 New Model Colony (NMC) Developments:

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).



- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**

- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**

- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$90,500, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

- 2.16 **Other conditions:** _____



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Wanamaker	Wall	Rochester	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Grind and overlay to C/L	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Grind and overlay to C/L	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Grind and overlay to C/L	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Improvement	Wanamaker	Wall	Rochester	Street 4
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral – Add monitoring MH	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> New Service - irrigation	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Ex Service – install new meter and backflow	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above: _____



- 2.18 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): Wanamaker Avenue and Wall Street from centerline to gutter and Rochester Avenue from gutter to gutter. Overlay shall be a rubberized asphalt mix per City of Ontario Standards 1011 and 1306.**
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8 inch sewer main is available for connection by this project in Wall Street. (Ref: Sewer plan bar code: S10880)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions: A monitoring manhole shall be installed adjacent to the public right of way on the sewer lateral. Unused laterals shall be abandoned at the main per standards.**

D. WATER

- 2.27 **A 12 inch water main is available for connection by this project in Wall Street (Ref: Water plan bar code: W11806) Existing connection.**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions: Unused laterals shall be abandoned at the main per standards.**

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.



- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer

- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.

- 2.37 Other conditions:
1. **New drive approaches shall be designed in accordance with City of Ontario Standard Drawing Number 1204.**
 2. **Sidewalk shall be constructed along the Wanamaker Avenue frontage and along the Wall Street frontage from Wanamaker Avenue to the driveway entrance on Wall Street. An ADA ramp shall be required at the northeast corner of the intersection of Wanamaker Avenue and Wall Street.**
 3. **Curb returns at the intersection of Wanamaker Avenue and Wall Street, and Wall Street and Rochester Avenue shall have a 40 foot radius.**
 4. **Street Lights shall be upgraded to LED fixtures along the entire frontage.**
 5. **Striping shall be replaced following the grind and overlay of the asphalt as necessary.**
 6. **Wanamaker Avenue, Wall Street, and Rochester Avenue shall be signed No Parking Anytime.**
 7. **The applicant/developer's engineer of record shall meet with City Engineering staff prior to starting the signing/striping and street lighting design plans.**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 78 inch storm drain main is available to accept flows from this project in Wanamaker Avenue. (Ref: Storm Drain plan bar code: D10727)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.



- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 **Other conditions: Submit new infiltration study that demonstrates retention/infiltration is feasible after an appropriate safety factor is applied for this site, and that the proposed underground chamber system will adequately drawdown the storm water within 48 hours. Study shall be performed at the location and depth of the proposed BMP.**

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building.**
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.



L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions: Prior to approval of Precise Grading Plans, provide a SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements."



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.**

- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

- 3.03 **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**

- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.

- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**

- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV 18-041, and/or Parcel Map/Tract Map No. _____

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications
17. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP)**
18. **One (1) copy of Hydrology/Drainage study**
19. **One (1) copy of Soils/Geology report**
20. Payment for Final Map/Parcel Map processing fee
21. Three (3) copies of Final Map/Parcel Map
22. One (1) copy of approved Tentative Map



- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: January 10, 2019

SUBJECT: PDEV18-042 - A Development Plan to construct 1 industrial building totaling 90,291 square feet on 4.05 acres of land located on the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan (APN: 238-221-23).

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- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
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SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type II B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 86,291 Sq. Ft.
- D. Number of Stories: 1 with mezzanine
- E. Total Square Footage: 90,291
- F. 2016 CBC Occupancy Classification(s): Not Listed

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 3125 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item.. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Aguilo, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 11, 2019

SUBJECT: PDEV18-042 – A DEVELOPMENT PLAN TO CONSTRUCT AN INDUSTRIAL BUILDING AT 1155 WANAMAKER AVENUE

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 7, 2019
SUBJECT: PDEV18-042

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- The plan **does** adequately address the departmental concerns at this time.
- No comments
- Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The site address will be 981 S Wanamaker Ave

KS:lm