

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

May 24, 2106

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

6:30 PM

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

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

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

ROLL CALL

DeDiemar __ Delman __ Downs __ Gage __ Gregorek __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of April 26, 2016, approved as written.

PLANNING COMMISSION PUBLIC HEARING ITEMS

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

B. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT FOR

FILE NO. PCUP15-027: An Appeal of the Zoning Administrator's decision to deny a Conditional Use Permit request to establish an approximate 5,100 square-foot bar/nightclub and live entertainment for Mix Champagne Bar Lounge, on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use

Compatibility Plan (ALUCP). (APN: 0238-014-10); **submitted by: Mix Champagne Bar Lounge. Continued from April 26, 2016.**

1. CEQA Determination

No action necessary - Exempt: CEQA Guidelines Section § 15301

2. File No. PCUP15-027 (Conditional Use Permit)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-023: A Development Plan for the construction of a four-story, 75-unit residential apartment complex on 2.67 acres of land, located along the southwest corner of Mission Boulevard and Magnolia Avenue, within the High Density Residential (HDR-45) zoning district. Pursuant to the California Environmental Quality Act (CEQA) a Mitigated Negative Declaration has been prepared for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1011-371-12, 1011-371-13 & 1011-371-14); **submitted by RC Hobbs Company.**

1. CEQA Determination

Motion to Approve/Deny Mitigated Negative Declaration

2. File No. PDEV15-023 (Development Plan)

Motion to Approve/Deny

D. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA16-003: Amend the Housing Element Available Land Inventory (Appendix A) by updating the available sites inventory that meet HCD's siting criteria, providing the current status of the sites and allowing periodic updating of the Land Inventory administratively as long as the number of units allocated to each income category does not fall below the City's Regional Housing Needs Assessment (RHNA) allocation. The environmental impacts of this project were previously analyzed in an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on October 15, 2013, in conjunction with File No. PGPA13-003. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: Not Applicable); **submitted by City of Ontario. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PGPA16-003 (General Plan Amendment)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA16-003:

A Development Code Amendment proposing various modifications and clarifications to the following provisions of the Ontario Development Code:

[1] Amend Table 5.02-1 (Land Use Matrix), as follows: [i] prohibit “Used Car Sales” (NAICS441120) within the CC (Community Commercial) zoning district and ICC (Interim Community Commercial) Overlay district; [ii] allow “Fitness and Recreation Sport Centers” (NAICS71394), 10,000 square feet or more in area, as a conditionally permitted land use within the CN (Neighborhood Commercial) zoning district, and [iii] allow “Wireless Telecommunications Facilities” as a conditionally permitted land use in the AG (Agriculture) Overlay district;

[2] Amend Section 5.03.150 (Drive-Thru Facilities), Subsection A (Location Standards), to prohibit drive-thru facilities within the MU-1 (Downtown Mixed-Use) zoning district;

[3] Amend Section 5.03.420 (Wireless Telecommunications Facilities), amending Paragraph E.6 to allow a maximum height of 75 feet for collocated antennas in the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zoning districts;

[4] Amend Section 6.01.035 (Overlay Zoning Districts), clarifying that medical offices shall be allowed on the first floor of buildings located within the EA (Euclid Avenue) Overlay district, except within the MU-1 (Downtown Mixed-Use) zoning district;

[5] Amend Table 2.02-1 (Review Matrix), clarifying that public hearing notification is not required for a Development Advisory Board action, when made as a recommendation to the Planning Commission;

[6] Amend Section 8.01.020 (Sign Standards), Subsection C (Freestanding Signs), adding Subparagraph 1.g, to clarify that freestanding signs cannot encroach within the public right-of-way, and must be wholly located behind the right-of-way line;

[7] Amend Section 8.1.025 (Design Guidelines), Subsection D (Freestanding Signs), adding Paragraph 6, to clarify that monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face;

[8] Revise Section 9.01.010 (Terms and Phrases), adding a definition for “Density,” including rules for rounding density calculations; and

[9] Amend Municipal Code Section 5-29.04 (Exterior Noise Standards), Subsection (a), revising the Allowed Equivalent Noise Level for Noise Zone IV (Residential Portion of Mixed Use), to read the same as Noise Zone II (Multi-Family Residential and Mobile Home Parks (65 DBA for 7:00AM to 10:00PM, and 50 DBA for 10:00PM to 7:00AM).

The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. This Application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). **City Initiated. City Council action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PDCA16-003** (Development Code Amendment)

Motion to recommend Approval/Denial

HISTORIC PRESERVATION ITEMS

F. A presentation on 3 case studies entitled “How do historic districts add value to Ontario?” which examines the economic benefits of Ontario’s historic districts; **submitted by City of Ontario.**

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing)
- 2) New Business

DIRECTOR’S REPORT

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

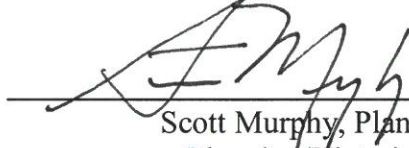
If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at,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



I, Marci Callejo, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, May 20, 2016**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



Marci Callejo, Secretary Pro Tempore



Scott Murphy, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

April 26, 2016

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

MINUTES

April 26, 2016

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Vice-Chairman Downs at 6:30 PM.

COMMISSIONERS

Present: DeDiemar, Delman, Gage, Ricci and Vice-Chairman Downs

Absent: Gregorek & Chairman Willoughby

OTHERS PRESENT: Planning Director Murphy, City Attorney Ferguson, City Attorney Wynder, Principal Planner Zeledon, Senior Planner Noh, Associate Planner Mejia, Assistant Planner Aguilo, Assistant City Engineer Do, and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Ricci.

ANNOUNCEMENTS

No one responded from the audience.

PUBLIC COMMENTS

Rob Vandenhovel with the Milk Producers Council came to speak. He spoke on the January 2016 Planning Commission meeting and the waste composting project which went through the appeal process and continued onto the City Council. He wanted to say thank you to the Planning Commission and understands it will be a lengthy transition and wants it to be a positive one. He stated they have expressed wanting to be part of the process with the City Manager and Director Murphy. He shared with the Planning Commission his business card.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of March 22, 2016, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-030: A Development Plan (File No. PDEV15-030) to construct a 59-foot tall stealth wireless telecommunication facility (mono-Eucalyptus) on approximately 4.137 acres of land located at the southwest corner of Riverside Drive and Vineyard Avenue, at 8875 East Riverside Drive, within the AG (Agriculture Overlay)

zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § Section 15332 (Class 32: In-Fill Development Projects) of the State CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 0216-174-17); **submitted by Verizon Wireless.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV15-028: A Development Plan to construct 91 alley loaded single-family homes on approximately 7.34 acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven and Turner Avenues. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-462-53 thru 79, 218-502-37 thru 70, 218-452-13 thru 16 and 218-513-01 thru 22); **submitted by Brookfield Residential.**

A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV14-046: A Development Plan to construct 104 single-family homes on approximately 8.25 acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven and Turner Avenues. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-472-01 thru 19, 218-445-01 thru 15, 218-442-40 thru 70, 218-442-01 thru 09 and 218-462-01 thru 15); **submitted by Brookfield Residential.**

It was moved by Delman, seconded by DeDiemar, to approve the Planning Commission Minutes of March 22, 2015, as written. The motion was carried 4 to 0. Commissioners Gregorek and Willoughby was absent and Commissioner Gage abstained. File Nos. PDEV15-030, PDEV15-028 and PDEV14-046 passed with a vote of 5-0 with Commissioners Gregorek and Willoughby absent.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT FOR

FILE NO. PCUP15-027: An Appeal of the Zoning Administrator's decision to deny a Conditional Use Permit request to establish an approximate 5,100 square-foot bar/nightclub and live entertainment for Mix Champagne Bar Lounge, on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan. The

project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-014-10); **submitted by: Mix Champagne Bar Lounge.**

Senior Planner, Henry Noh, presented the staff report. Mr. Noh began by stating that the project is generally located on the corner of Ontario Mills Parkway and Franklin Avenue within an existing vacant building. He showed photos of the existing site and various elevations. He continued to explain that the project site is located within Census tract 21.09 and gave the boundaries and stated that ABC currently allows for three on-sale licenses within this Census tract and there are currently 39 on-sale license with a majority being Type 41 and Type 47 which are beer and wine or beer, wine and distilled spirits within a bonafide restaurant. Mr. Noh said currently there is one Type 48 license for the Spectator's Sports Bar which is located on the north/east corner of Archibald and Inland Empire Blvd. The project Applicant submitted a Conditional Use Permit for a Type 48 ABC license and live entertainment in November of 2015. On March 7, 2016, the Deputy Zoning Administrator denied the project based upon the following findings. Mr. Noh stated the project was not consistent with Ontario Development Code and The Ontario Plan (TOP) and the PCN findings (Public Convenient and Necessity) findings could not be met. Mr. Noh stated the Applicant appealed the decision on March 15, 2016. He stated the first finding in regards to the decision being consistent with the Ontario Development Code, the Deputy Zoning Administrator took into consideration the over concentrated and high crime and public testimony at the public hearing. The second finding was the proposed use was not consistent with the goals, policies and plans of TOP; and within that she discussed the CUP regulates the land uses and minimizes the impacts to surrounding properties as the ABC licenses regulates the census tract in over-concentrated and potential of alcohol-related crime these do not meet the policies within the TOP. The third finding the Deputy Zoning Administrator noted was the Census tract was over concentrated and PCN findings could not be met. The Appellant response is that even though there are 39 existing licenses, only one Type 48 ABC license currently exists and one more will not have a negligible effect. Mr. Noh also stated the Appellant stated the Police Department had originally given approval of the application. Mr. Noh states that staff's response to the Appellant are that after the ZA hearing, the Deputy Zoning Administrator verified with the Police Department that the project site was within the high crime area and stated within the Zoning Administrators staff report the high crime area as a census tracts call for service to alcohol related incidents does exceed 20% greater than the average number of alcohol related incidents that is reported as a city as a whole. Additionally, Mr. Noh stated that staff believes the Deputy Zoning Administrator acknowledged that the majority of existing ABC licenses were Type 41 and Type 47 licenses and did take into account an additional Type 48 could increase alcohol related crimes within the area. He concluded with stating the Deputing Zoning Administrator did take the Police Department's comments and conditions of approval into account and now staff is recommending the Planning Commission uphold the Zoning Administrator's decision and deny File No. PCUP15-027, pursuant to the facts and reasons contained in the staff report and attached resolution.

Mr. Ferguson stated there were two City Attorneys there serving in serving two separate capacities. He stated that there is an ethical screen which is separating them. He stated he

was there as the City Attorney and Ms. Wynder was there to advocate on behalf of upholding the Zoning Administrator decision. He stated the Appellant will speak first, the Respondent will then speak and then the Appellant will rebut the Respondent and at that point they'll open up for public comment. At that the closing of that period, the Appellant will get one last chance to rebut based on the public comment and at that point the Planning Commission can ask any questions.

PUBLIC TESTIMONY

Lamont Carr, the Applicant for Mix Champagne Lounge, came to speak. Mr. Carr started off by stating that he was planning to come with his attorney and have recommendations from a city that he does this type of business and has over 25 years of experience, but he did not do that because he felt he lost his way somewhere along the process which he started a year ago. He shared he felt he did everything that was asked of him and that he met all the requirements and got all the conditions of approval to do this type of business. He stated it pretty much changed at the actual hearing [Zoning Administrator] because he felt he had favor with conditions of approval from Planning staff and the Police Department going into the public hearing [Zoning Administrator]. Mr. Carr made reference to a phone conversation with one of the Ontario Police Department Officers and how he gave praise for his current business and how it was run. Mr. Carr said this officer would give his conditions of approval and he stated that was a good thing. However, when he came to the actual hearing, he stated the main opposition was not the City of Ontario Planning Department or the Police Department, but a property owner, which he feels is a conflict of interest and is no more than big business taking away from small business. He stated he has something to offer which is not being offered in the city and to have that taken away because of the Type 48 or Type 41 would be a missed opportunity to grant him approval due to the conditions of approval which are upon his type of business. He stated he doesn't know what to expect from the process. He wanted to share that he's been misled and he doesn't think it's intentional, but he doesn't know where he stands going forward and now it's a really hard situation for him.

Charlene Wynder, City Attorney responded on behalf of the staff. She stated that the burden of the Planning Commission is to find if the Zoning Administrator had evidence to support their findings. She stated the essential crux of the appeal were that there were only conclusions and no findings set forth. She stated that information shared by Mr. Noh show there were significant findings that form the basis of the decision for the Zoning Administrator. She briefly touched on the overconcentration of on-sales licenses in the given census tract and the high rate of crime. Ms. Wynder also brought up Police Department considerations and although there were conditions of approval, there was concern about elevated crime rates which may result of the proposed business. She brought up the testimony of a neighboring business owner, the Ontario Mills, which has had a community presence and family orientated environment. She stated the testimony staff reports were evident to the facts of the Zoning Administrator's decision for alcohol related crimes and incidents. In conclusion, she stated there was significant evidence from the Zoning Administrator meeting to support the decision and requested the Planning Commission uphold the decision to deny the CUP.

Nkeiru Anyamene, from Palmdale, spoke on behalf of her husband Lamont Carr. She stated she wanted to speak to some of the key components to why the denial came about. She started with the PCN issue and stated there are currently 39 other licenses and with

such a larger number which has already been approved and over concentrated, it doesn't make sense to them. She also stated their [Applicant] other business in the Lancaster is the same type of business, a night club and it is excellent and they are supported by the community. She gave an example of being on the boosters of Sherriff's Department in Lancaster and said they take their business very seriously. She explained they realize it's a privilege to have an ABC license and they realize how huge it is to have approval from the Police Department and that they had a security plan because it was the right way to run their business. She explained that they asked the questions and wanted to be honest and upfront and felt it was a great opportunity for this city [Ontario] to have a business like it. She stated its simple big business against small business and a conflict of interest and she just want to be honest.

Ms. DeDiemar asked Ms. Anyamene to describe the business in Lancaster, who frequents it and to be as descriptive as possible.

Ms. Anyamene stated they consider themselves a lounge/night club and they offer happy hour and rent out the establishment for political fundraisers and other private parties. She stated there is dancing, entertainment, etc. they are looking for someplace larger in Ontario. She described the décor as beautiful, elegant and it's called "My Lounge". She stated they are hard-working business owners who just want to have an opportunity.

Marc Smith, from the Ontario Mills came to speak. He asked the Planning Commission to uphold the Zoning Administrator decision and deny the CUP. Mr. Smith stated he doesn't know Mr. Carr or his family and he has no doubt that they are fine individuals and great citizens. He continued to share how he was raised with his father in a business and how it would feel like big business versus small business, but it's really not in this case. He stated he has been in the shopping center business for 26 years and in those 26 years he has had a lot of experience with nightclubs near his properties, even across the street or near the vicinity. He stated they are very aware and conscious of the things that happen around them and they want to understand what happens around them. He said they are not anti-alcohol, but he also stated they have not experienced good things with alcohol and late nights. He continued to share that even the restaurants across from the Ontario Mills and even as far north as 3 miles have had issues with alcohol and late nights. He said the combination of late nights and alcohol have led to a lot of service calls and perception issues for the property and that really is the issue. He said it is not a personal issue at all, that's where he's coming from.

Vanessa Powers, residing at 1770 E. Flora came to speak. She stated she's an Ontario resident since 1984 and remembers the agriculture and loved it when the Ontario Mills Mall came. She stated she's been pleased with the growth. She stated that where she lives, the Sheraton is across the street and the Double Tree is within walking distance and night clubs are within both of them and these hotels do not bother her and there have been no disturbances or she would have moved a long time ago. She stated they haven't brought "the wrong" kind of people to the area. She said she's so happy the Citizen's Bank Arena is in the area and that's good entertainment and she's tired of driving to L.A. She stated she didn't even know the Applicant, but in all fairness, there are also places like hookah lounges where they are smoking stuff and it's dark and gloomy and as a social worker she observes everything. She also stated that the AMC Theaters now sells alcohol. She stated she's not in fear of all of that and she thought the Commission should give them a try in all fairness.

As there was no one else wishing to speak, Vice-Chairman Downs closed the public testimony.

Mr. Delman stated that having read the staff report and listening to the testimony, he said that Dave and Buster has been a problem, but this operation seems different. He stated the menu and inside decor look good and all the conditions have been agreed to. He stated he would be inclined to overturn the Zoning Administrator's decision and give the club a chance.

Mr. Ricci thanked everyone who chose to speak and stated he wondered what an operation is for. He said Dave and Busters is for entertainment, play a video game but it's not a bar; the movies are to watch a film, and maybe have a drink. He said hotels, individuals stay there and they have a place to have drink and they go to their room. He said they are not getting into their car and leaving. He said they are not making their vehicle a lethal weapon. He said the operation of a bar is where people specifically go with the reason to drink, party, have fun, and leave. He stated this is where there is a potential where a car may become a lethal weapon. He stated he is also says looking to give small business a chance and that the City is wanting to grow. He stated that it's a tough decision for him to make, but he wants to think of the patrons of the City. He stated he had not yet heard from the Police Department. If it is an establishment willing to uphold everything, he would approve.

Ms. DeDiemar stated that the Applicant has 25 years of experience in running these kinds of establishments and that Nkeiru used the words "very serious business" and "we want to be honest and straight forward and that's why we chose the approach that we did". Ms. DeDiemar stated so far they have heard generalities at this sort but what they don't know what the experience has been at the Lancaster business. She stated they have not heard if there have been DUIs and past experiences from the Lancaster business and to her that's an important piece of information. She stated that past experience should be a good predictor for future experience. She stated that if the Lancaster business had not have the problems that Dave and Buster has experienced, is it not fair for the Commission to deny the use because of Dave and Buster's, not because of their actions, but because of Dave Buster's. She stated that without hearing how the Lancaster's past experience has been, she would also be inclined to approve the use.

Mr. Gage stated that it's good to hear from the public and Vanessa Powers has no problem with it and she's been around. He stated that it sounds like they are serious people, been around a long time, they were articulate and he would like to give them the chance. He stated he would be in favor.

Mr. Downs stated he had also been in the area a long time and he has also seen changes. He stated he was inclined to give the folks a chance to do something in Ontario and give them a shot.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Ricci, to continue the item to the May 24, 2016 meeting to have Planning Staff work on a Resolution of Approval and Conditions of Approval for File No. PCUP15-027. Roll call vote: AYES, DeDiemar, Delman, Gage, Ricci and Downs; NOES, none; RECUSE, none;

ABSENT, Gregorek and Willoughby. The motion was carried 5 to 0.

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA15-005:** A Development Agreement between the City of Ontario and Brookcal Ontario, LLC, for the development of up to 108 residential units (TT19907) on 27.09 gross acres of land within the Conventional Medium Lot Residential district (Planning Area 29) of the Subarea 29 Specific Plan, located at the southwest corner of Haven Avenue and Park View Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for both airports. (APN: 0218-321-17); **submitted by Brookcal Ontario, LLC. City Council action is required.**
- D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-024:** A Tentative Tract Map (TT19907) to subdivide 27.09 gross acres into 108 single-family lots and 20 lettered lots within the Conventional Medium Lot Residential district (Planning Area 29) of the Subarea 29 Specific Plan, located at the southwest corner of Haven Avenue and Park View Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for both airports. (APN: 0218-321-17); **submitted by Brookcal Ontario, LLC.**

Senior Planner, Henry Noh, presented the staff report. Mr. Noh stated the Applicant is requesting approval for the project located at the southwest corner of Haven Avenue and Park View Street and the Applicant is requesting approval for Tentative Tract Map 19907. He explained how the Planning Commission has approved and seen the changes through Phase 1 and Phase 2 and more development would be come soon. He went through various slides explaining the Tentative Tract Map and the various lot sizes. He also explained the condition of why a Development Agreement is needed for the Ontario Ranch area because of the financial commitment required and the construction is substantial. He stated the terms are for ten years with a five year option following. Mr. Noh also explained the development and conditions of approval for infrastructure and open space. He also stated the Development Agreement points out the public service funding, affordable housing requirements, and school district requirements. With that, he stated that staff is recommending the Planning Commission recommend approval to City Council for File No. PDA15-005 and approve File No. PMTT14-024, pursuant to the facts and reasons contained in the staff reports and attached resolutions, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

Derek Barbour from Brookfield Residential representing Brookcal, LLC came to speak. He said he has been a joint effort between Brookfield and Richland, as well as City staff to get where they are today. He stated they were excited about another Tentative Map and to any questions the Commission might have.

As there was no one else wishing to speak, Vice-Chairman Downs closed the public testimony

Mr. Delman stated it was another great project by Brookfield.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Ricci, to recommend adoption of a resolution to City Council to approve the Development Agreement, File No. PDA15-005. Roll call vote: AYES, DeDiemar, Delman, Gage, Ricci and Downs; NOES, none; RECUSE, none; ABSENT, Gregorek and Willoughby. The motion was carried 5 to 0.

It was moved by Gage, seconded by Delman, to adopt a resolution to approve the Tentative Tract Map, File No. PMTT14-024 subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Ricci and Downs; NOES, none; RECUSE, none; ABSENT, Gregorek and Willoughby. The motion was carried 5 to 0.

- E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA15-006:** A Development Agreement between the City of Ontario and Roseville NMC, LLC, for the development of up to 118 residential units (TT19909) on 26.81 gross acres of land within the Conventional Medium Lot Residential district (Planning Area 28) of the Subarea 29 Specific Plan, located at the northwest corner of Haven Avenue and Merrill Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for both airports. (APN: 0218-321-30); **submitted by Richland Ontario Developers, LLC. City Council action is required.**
- F. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT14-025:** A Tentative Tract Map (TT19909) to subdivide 26.81 gross acres into 118 single-family lots and 17 lettered lots within the Conventional Medium Lot Residential district (Planning Area 28) of the Subarea 29 Specific Plan, located at the northwest corner of Haven Avenue and Merrill Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within

the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for both airports. (APN: 0218-321-30); **submitted by Richland Ontario Developers, LLC.**

Senior Planner, Henry Noh, presented the staff report. Mr. Noh skipped over some of the same information which was presented in the first presentation and stated the Applicant was requesting approval for Tentative Tract Map 19909 which is approximately 27 acres in size. He also mentioned this project included a water quality basin, which differs from the previous project. Mr. Noh shared the various lot sizes and that the Development Agreement has the same terms as the previous project, but with Richland Communities. He stated that staff is recommending the Planning Commission recommend approval to City Council for File No. PDA15-006 and approve File No. PMTT14-025, pursuant to the facts and reasons contained in the staff reports and attached resolutions, and subject to the conditions of approval. Mr. Noh stated there was one clarification on the staff report on page 43 of 43, that the Applicant requested a Condition of Approval at the DAB hearing to be revised. He said staff agreed to the revised condition and the old condition was within the staff report. Mr. Noh read the revised condition.

No one responded.

PUBLIC TESTIMONY

Craig Christina from Richland Communities came up to speak. He stated he didn't have much more to add, but was very pleased with staff and two separate developers and working to make two separate projects into one. He said he thanked everyone and appreciated their hard work.

As there was no one else wishing to speak, Vice-Chairman Downs closed the public testimony

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by Gage, to recommend adoption of a resolution to City Council to approve the Development Agreement, File No. PDA15-006. Roll call vote: AYES, DeDiemar, Delman, Gage, Ricci and Downs; NOES, none; RECUSE, none; ABSENT, Gregorek and Willoughby. The motion was carried 5 to 0.

It was moved by Ricci, seconded by Gage, to adopt a resolution to approve the Tentative Tract Map, File No. PMTT14-025 subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Ricci and Downs; NOES, none; RECUSE, none; ABSENT, Gregorek and Willoughby. The motion was carried 5 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on April 14, 2016.

- *They Approved 15 Tier Determinations at this meeting.*

Development Code Review (Ad-hoc): This subcommittee did not meet.

Zoning General Plan Consistency (Ad-hoc): This subcommittee did not meet.

New Business

- Subcommittee Appointments – at the briefing Mr. Willoughby stated they will stay the same. Ms. DeDiemar will assume those of Ms. Mautz (except Historic Preservation Subcommittee). An email will be sent with current list.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated the Monthly Activity Report is in their packets and that it's been a busy month with new applications coming in.

Mr. Gage gave his report on the California Preservation Conference in San Francisco from April 18-21, 2016 which took place in the Presidio (near San Francisco). He stated it was an amazing place next to the Golden Gate Bridge. He shared some of the classes he attended and one in particular was about energy saving and lighting advancements (LEDs). He stated one of the classes was about legacy cities which was very interesting.

Mr. Delman shared his experiences from the California Preservation Conference as well. He stated he also attended the energy efficient class. He shared that one of his favorites was the class about re-glazing of windows. He also stated that they had a classes on subjects from water infrastructure to design landscape, how to address vacant and also on abandon properties. He said that all in all, it was an educational time.

ADJOURNMENT

Gage motioned to adjourn, seconded by Delman. The meeting was adjourned at 8:18 PM.

Secretary Pro Tempore

Chairman, Planning Commission



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, Planning Director *SM*

DATE: May 24, 2016

SUBJECT: An Appeal of the Zoning Administrator's decision to deny a Conditional Use Permit request to establish an approximate 5,100 square-foot bar/nightclub and live entertainment for Mix Champagne Bar Lounge, on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-014-10); **submitted by: Mix Champagne Bar Lounge.**

At the hearing on April 26, 2016, the Planning Commission conducted a public hearing on the appeal of the Zoning Administrator's denial of a Conditional use Permit application for a Type 48 (bar/nightclub) ABC license for Mix Champagne Lounge. After receiving public testimony on the application, the Planning Commission determined that there was sufficient testimony presented to grant the appeal and overturn the Zoning Administrator's decision of denial for File No. PCUP15-027. As a result, the Planning Commission continued the public hearing and directed staff to prepare a resolution of approval with appropriate conditions for the project.

Attached is the resolution of approval with conditions for your consideration.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP15-027, A CONDITIONAL USE PERMIT REQUEST TO ESTABLISH AN APPROXIMATE 5,100 SQUARE-FOOT BAR/NIGHTCLUB AND LIVE ENTERTAINMENT FOR MIX CHAMPAGNE BAR LOUNGE, ON APPROXIMATELY 3.44 ACRES OF LAND, LOCATED AT 4481 ONTARIO MILLS PARKWAY, WITHIN THE COMMERCIAL/OFFICE LAND USE DISTRICT OF THE CALIFORNIA COMMERCE CENTER NORTH (THE MILLS) SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0238-014-10.

WHEREAS, Mix Champagne Bar Lounge ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP15-027, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.44 acres of land located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan, and is presently an existing 5,076-square foot vacant commercial building; and

WHEREAS, the property to the north of the Project site is within the Mall land use district of the California Commerce Center North (The Mills) Specific Plan and is developed as a regional mall. The property to the east is within the Mall land use district of the California Commerce Center North (The Mills) Specific Plan and is developed with a commercial retail center. The property to the south is within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan and is developed with a commercial retail center. The property to the west is within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan and is developed with a commercial retail center; and

WHEREAS, on November 6, 2015, the applicant submitted File No. PCUP15-027 requesting approval of a Type 48 (Bar, Night Club) ABC license and live entertainment in conjunction with Mix Champagne Bar Lounge; and

WHEREAS, on February 17, 2016, the Deputy Zoning Administrator held a public hearing to consider the Application, and concluded said hearing on that date; and

WHEREAS, on March 7, 2016, the Deputy Zoning Administrator rendered Decision No. 2016-001 denying Conditional Use Permit No. PCUP15-027; and

WHEREAS, the Deputy Zoning Administrator's decision to deny the application was based upon the fact that the project did not meet the required Conditional Use Permit

findings and Public Convenience and Necessity findings for an on-sale alcohol license in an over-concentrated Census Tract; and

WHEREAS, On March 15, 2016, the applicant submitted an appeal of the Deputy Zoning Administrator's decision to deny File No. PCUP15-027 and the basis for the appeal lies with the applicant's belief that the Zoning Administrator's decision is not supported by the facts; and

WHEREAS, on April 26, 2016, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and received public testimony at that time. Based on the information received, the Planning Commission felt that sufficient evidence exists to allow the Project and continued said hearing to the Planning Commission meeting of May 24, 2016, to allow staff time to prepare a resolution of approval with appropriate conditions; and

WHEREAS, on May 24, 2016, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

WHEREAS, the proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); 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, all legal prerequisites to the adoption of this Resolution have occurred.

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

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

a. The Project is categorically exempt from environmental review pursuant to Section 15301, Existing Facilities) of the CEQA Guidelines, which consists of

negligible interior and exterior alterations involving plumbing and electrical conveyance;
and

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

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

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

a. The 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.

Fact: The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Development Code and zoning district within which the site is located. The proposed Mix Champagne Bar Lounge is located within the Commercial/Office Land Use designation of the California Commerce Center North (The Mills) Specific Plan, which permits bars/cocktail lounges as a conditionally permitted use. The proposed use will be established consistent with the City of Ontario Development Code and its objectives and purposes, and the development standards and guidelines of the Commercial/Office Land Use designation of the California Commerce Center North (The Mills) Specific Plan.

b. 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.

Fact: The proposed Mix Champagne Bar Lounge is located within the Commercial/Office Land Use designation of the California Commerce Center North (The Mills) Specific Plan, which permits bars/cocktail lounges as a conditionally permitted use. The proposed use will be established consistent with the City of Ontario Development Code and its objectives and purposes, and the development standards and guidelines of the Commercial/Office Land Use designation of the California Commerce Center North (The Mills) Specific Plan. The proposed land use 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, which identifies the Ontario Mills Area as a "Growth Area". The Growth Area is envisioned to be developed in a manner that has a more intensification of uses, such as entertainment uses to provide our residents

and visitors with the opportunity to live, work and play within our City. The proposed project helps implement this Growth Vision.

c. 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 this Development Code and any applicable specific plan or planned unit development.

Fact: The proposed Mix Champagne Bar Lounge is located within the Commercial/Office Land Use designation of the California Commerce Center North (The Mills) Specific Plan, which permits bars/cocktail lounges as a conditionally permitted use. Alcoholic beverage sales and live entertainment are consistent with the allowed types of uses specified within the Specific Plan. The project will be conditioned to ensure that it will operate and be properly maintained, therefore the project will not create negative impacts to the other existing surrounding businesses.

d. The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.

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

e. 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.

Fact: The project site is located within the Commercial/Office Land Use designation of the California Commerce Center North (The Mills) Specific Plan, for which alcoholic beverage sales and live entertainment are conditionally permitted uses. Alcoholic beverage sales and live entertainment are consistent with the allowed types of uses specified within the Specific Plan. The project will be conditioned to ensure that it will operate and be properly maintained, therefore the project will not be detrimental or injurious to surrounding property and improvements.

f. For On-Sale alcoholic beverage license types located within over-concentrated census tracts (high density of alcoholic beverage sales locations as defined by the Alcoholic Beverage Control Act (commencing with Business and Professions Code Section 23000 et Seq.), the Planning Commission hereby makes the following Public Convenience and Necessity ("PCN") findings:

Finding: While the project site is generally located within a high crime area, the Application is being approved provided all City and State Department of Alcohol Beverage Control rules, regulations and conditions are met and followed, and staff has

placed specific conditions of approval for the proposed project to assist in ensuring the safe operation of the business.

Fact: The project site is located within the Ontario Mills area that generally has a higher rate of crime due to the intensification of retail, entertainment and lodging facilities within the immediate area. The Ontario Plan (TOP) provides direction of the City's vision of growth in the future and provides goals and policies to assist in reaching this vision. Within TOP the Ontario Mills area is identified as a "Growth Area" and is envisioned to be developed in a manner that has a more intensification of uses, such as entertainment uses to provide our residents and visitors with the opportunity to live, work and play within our City. The project will be conditioned to ensure that it will operate and be properly maintained, which will assist in minimizing the number of alcohol-related incidences at the project site.

Finding: The property/building/use has no outstanding Building or Health Code violations or Code Enforcement activity.

Fact: The existing commercial building is in good operating condition and has no outstanding enforcement violations.

Finding: The site is properly maintained, including building improvements, landscaping, and lighting.

Fact: The project site and the adjacent shopping center are all properly maintained and serviced on a regular basis.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of May 2016, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PCUP15-027
May 24, 2016
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 24, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



Planning Department Conditions of Approval

Prepared: February 17, 2016

File No: PCUP15-027

Related Files:

Project Description: A Conditional Use Permit request to establish an approximate 5,100 square-foot bar/nightclub and live entertainment for Mix Champagne Bar Lounge, on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan. (APN(s): 0238-014-10) **submitted by Mix Champagne Bar Lounge**

Prepared by: Henry K. Noh, Senior Planner 

Phone: (909) 395-2036; **Email:** hnoh@ontarioca.gov; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following conditions of approval:

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

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

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

2.2 The use shall be operated in full conformance with the description and requirements of this Conditional Use Permit on file with the City. Any variations from, or change in, the approved use (i.e. increase in hours/days of operation, expansion, or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.

2.3 General operating hours shall be from Wednesday thru Sunday between the hours of 6 p.m. to 2 a.m.

2.4 Smoking is not permitted inside of the facility, including all electronic smoking devices.

2.5 Security cameras are required to be installed and maintained in an operational state, pursuant to the Police Department's specifications.

2.6 The parking lot is required to have adequate lighting (minimum 1 foot candle) from dusk to dawn. All parking lot lighting fixtures shall be maintained on a regular basis to ensure they are in proper working order.

2.7 The proposed outdoor patio shall be fully enclosed by a minimum 5-foot high combination (block and tempered glass) wall. The design of the outdoor patio wall shall be architecturally consistent (colors and materials) with the building architecture.

2.8 Alcoholic Beverage Sales—General.

(a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.

(b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject premises during the prior one year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

(d) Signs shall comply with all City of Ontario sign regulations. No more than 25 percent of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.

(e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.

(f) The project shall be in substantial compliance with security measures as prescribed within the Police Department's Conditions of Approval. In the event that security within the facility and/or outdoor parking area become inadequate, additional security may be required as determined by the Police Department.

(g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training secession sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following commencement of the approved use.

(h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.

(i) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

2.9 Alcoholic Beverage Sales—Bars/Cocktail Lounges.

(a) All employees engaged in the sale or distribution of alcoholic beverages shall be 21 years of age or older.

(b) No person under the age of 21 shall be allowed on the subject premises, nor shall any person without proper, legal identification demonstrating that they are 21 years of age or older, be

allowed on the subject premises. It shall be the responsibility of the permittee to check all persons entering the subject premises for proper, legal identification.

(c) A clearly legible sign not less than 7 inches by 11 inches in size, which reads "NO PERSONS UNDER 21 ALLOWED" shall be posted at or near each public entrance of the premises. A sign of like size and content shall also be maintained at a prominent place in the interior of the premises.

2.10 Live Entertainment.

(a) The facility is approved for the use of live entertainment, which includes live music, DJ/dancing, karaoke, and pre-recorded music.

(b) Live entertainment operating hours and security requirements, shall be in strict compliance with the Police Department's conditions of approval. Further non-compliance may be grounds for Conditional Use Permit (File No. PCUP15-027) revocation.

(c) Noise emitted from the proposed project shall be in substantial compliance with the Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

(d) No upgrade/change to the live entertainment or conditions of approval may occur until a minimum one-year of operations under the live entertainment use has occurred.

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 Article 19 Categorical Exemptions (Class 15301, Existing Facilities) of the CEQA Guidelines.

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

2.12 Additional Fees.

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

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



CITY OF ONTARIO
MEMORANDUM
“Excellence Through Teamwork”



TO: Henry Noh, Associate Planner

FROM: Corporal Munoz/Officer Quinones, COPS Unit, ABC Detail

DATE: February 5, 2016

SUBJECT: FILE NO. PCUP15-027 – Mix Champagne Bar Lounge
4481 EAST ONTARIO MILLS PKWY, ONTARIO, CA 91762

This location has applied for a type 48 On-Sale General Alcoholic Beverage Control license located within Census Tract No. 21.09. According to the Department of Alcoholic Beverage Control (ABC), there are currently thirty-seven on-sale licenses within this Census Tract. This location is within the designated Entertainment Area of the City, and the Police Department does not object to allowing the license. The location must follow all laws and rules pertaining to their ABC license. In addition, the following conditions of approval shall be imposed by the Police Department:

Business Conditions

1. Mix Lounge hours will be from 6:00 P.M. to 2:00A.M.
2. Last call for alcohol will be no later than 45 minutes prior to closing, and not later than 01:15AM. Alcohol sales and service will stop at 01:30AM.
3. No sales of alcoholic beverages to minors.
4. No sales to obviously intoxicated patrons.
5. The practice known as Bottle Service will not be allowed after 00:30AM, or ninety (90) minutes prior to closing.
6. No alcohol shall be removed from the establishment for consumption.
7. No smoking inside of the establishment is permitted, including electronic nicotine delivery device.

8. There will be no narcotic sales or usage on the premises at any time.
9. All employees must be 21 years or older.
10. Applicant, managers, and all employees serving alcohol must attend an Alcoholic Beverage Control (ABC) L.E.A.D. training class or a certified responsible beverage service class, which has been approved by the Ontario Police Department, within six months of this approved conditional use permit (CUP). Proof of re-certification is required every 3 years. This class is given free of charge by the Ontario Police Department.
11. Lighting within the restaurant must be kept at a reasonable level for safe movement of patrons.
12. Back door must be alarmed and closed at all times.
13. Address to establishment must be illuminated for easy identification of safety personnel.
14. Roof top numbers must be maintained every 3 years.
15. The parking lot will need adequate lighting (minimum 1 foot candle) from dusk to dawn.
16. No pool tables will be allowed in the premises.
17. No arcade type video game machines will be allowed in the premises.
18. All hallways must be kept clear from merchandise, storage, and patrons blocking pathway.
19. Graffiti abatement by the business owner/licensee, or management 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.
20. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, signs must be posted reference the same
21. The managers shall be qualified per ABC rules. Anyone to whom a licensee delegates discretionary power to organize, direct, carry on, or control operations of the licensed business is presumed to be the manager of the business. (Business and Professions Code Section 23788.5, Rules 57.5 and 57.6).

SECURITY CONDITIONS

1. Businesses that include a combination of live entertainment (disc jockey or bands) and dancing shall be required to provide security. A minimum of four security guards at the above business location are required. Two armed security guards in the parking lot area to patrol and proactively monitor patrons. Two unarmed/armed security guards inside the location to check identifications, enforce the code of conduct, and monitor patrons. Example: If a disc jockey and dancing starts at 09:00PM, the security guards must be on-duty at the location at 09:00PM. Security guards will remain on-duty until patrons have left the parking lot.
2. The establishment will provide a minimum of one employee, or extra security guard, not part of the alcohol serving operation staff, to control and proactively monitor patrons inside the establishment during hours of entertainment. (ex. Lounge Host, Bouncer)
3. In the event security problems occur as a result of the use, the Police Department may request a public hearing before the Zoning Administrator to consider modifications, including but not limited to, additional security guards, additional hours for security guards, and replacement of security guards with Ontario Police officers. The public hearing process shall be conducted in accordance with the requirements of the City's Development Code.
4. A Code of Conduct will be required to be used and posted at all public entrances of the establishment. The Code of Conduct will include a dress code and shall be utilized on days/nights of entertainment and special events.
5. Ontario Police Officers have the right to limit or reduce the occupancy inside the establishment if situations arise that may compromise the safety of patrons and the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.
6. Security personnel will be required to follow Ontario Municipal Code Article 6, Title 3, Section 3-1.601-621 (security regulations), which states in part that the security company and guards used will be registered with the City.
7. The business shall maintain a security camera surveillance system in proper working order. A minimum of one recording camera within each of the following areas shall be provided: the Entertainment area, patio, walking path on the west side of the building, and the parking lot. Each camera will record at least 640x480 recording resolution levels, and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the Police Department upon request.

ENTERTAINMENT CONDITIONS

1. The entertainment area must be designated on a plan check and that area will only be allowed for entertainment purposes. (dance area, live entertainment, DJ)

2. Karaoke will be permitted the same hours of the business, 7 days a week.
3. The DJ will only to be allowed to set up on the area designated on the plan check as the Entertainment Area.
4. Tables shall not be removed or rearranged to increase occupancy.
5. Entertainment sounds must be confined within the restaurant and cannot expand outside to the parking lot.
6. All entertainment will stop fifteen (15) minutes prior to closing.
7. The dance floor must have a rail guard at the boundaries.

PATIO CONDITIONS

1. Patio walls need to be a minimum height of 5 feet to prevent patrons from passing alcohol drinks to minors and people in the public area, and to prevent patrons from entering the area without the knowledge of employees.
2. Patio exits must be gated and closed at all times. Emergency sounding device and panic hardware must be installed on gates.
3. Outdoor tables shall not be removed or rearranged to increase occupancy.
4. No sounds emitted to the patio shall be heard outside of the patio area.

PARKING LOT

The applicant will work with the property owner to install customer parking only signs. The signs will follow the guidelines set forth by California Vehicle Code Section 22658(a)(1).

California Vehicle Code 22658(a)(1): There is displayed, in plain view at all entrances to the property, a sign not less than 17 inches by 22 inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that vehicles will be removed at the owner's expense, and containing the telephone number of the local traffic law enforcement agency and the name and telephone number of each towing company that is a party to a written general towing authorization agreement with the owner or person in lawful possession of the property. The sign may also indicate that a citation may also be issued for the violation.

CONCLUSION

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning, or revocation, of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP, or has violated the laws of the State or City, or the intent of this action.

A copy of the listed conditions of approval must be posted with your ABC license at all times in a prominent place in the interior of the premises.

The Ontario Police Department will conduct an inspection to document compliance with this Conditional Use Permit before this business will be allowed to sell alcoholic beverages.

Any special event outside the scope of the Conditional Use Permit will require a TUP (Temporary Use Permit) which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example a radio station promotion held at the restaurant, or an outdoor event with alcoholic beverages would be a special event requiring Police or security personnel.) Situations may arise where the applicant/business owner will request an event that does not violate the intent of this Conditional Use Permit. The applicant/business owner will notify the Police Department within a reasonable time frame, but not less than fifteen (15) days prior to the event, to determine the necessity for a Temporary Use Permit.

The Police Department will conduct a review in six months to determine whether additional conditions will be needed.

If you have any questions please call Officer Quinones at (909) 395-2812.



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

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

DATE: December 16, 2015

SUBJECT: PCUP15-027 / A Conditional Use Permit to establish live entertainment and alcoholic beverage sales, including beer, wine, and distilled spirits for on premise consumption, in conjunction with a proposed 5,076-square foot bar/night club on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan.

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

SITE AND BUILDING FEATURES:

- A. Type of Building Construction Used: Type VB
- B. Roof Materials Used: Wood N/R
- C. Ground Floor Area(s): 5,076 sq. ft.
- D. Number of Stories: 1 story
- E. Total Square Footage: 5,076 sq. ft.
- F. Type of Occupancy: A-2

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 website at www.ci.ontario.ca.us, click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is ___ gallons per minute (g.p.m.) for ___ hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- 3.2 Off-site street fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13R. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

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

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1.3280 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1.3280 of the Ontario Municipal Code and Standard #H-003.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 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.

7.0 OTHER PROJECT SPECIFIC CONDITIONS

- 7.1 NONE

<END.>



CITY OF ONTARIO

MEMORANDUM

DEVELOPMENT PLAN REVIEW COMMENTS

Engineering Department/Land Development Section

DATE: 12.03.2015 (1st review)

PROJECT PLANNER: Henry Noh, Planning Department

PROJECT: PCUP15-027, a request for Conditional Use Permit approval to establish live entertainment and alcoholic beverage sales, including beer/wine/distilled spirits for on premise consumption in conjunction with a proposed 5076-square foot bar/night club on approximately 3.44 acres of land located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan.

APN: 0238-014-10

LOCATION: 4481 Ontario Mills Parkway

PROJECT ENGINEER: Arij Baddour, Engineering Department

ENGINEERING DEPARTMENT'S CONDITIONS OF APPROVAL TO BE PROVIDED UPON THE FOLLOWING COMMENTS BEING SATISFACTORILY ADDRESSED PRIOR TO THE DEVELOPMENT ADVISORY BOARD AND/OR ZONING ADMINISTRATOR HEARING. *Please note that additional comments from the Transportation Division, Ontario Municipal Utilities Company, and Environmental Section, which will be incorporated into the final conditions of approval as appropriate are not listed below and will be provided under a separate memorandum.*

- No comments



CITY OF ONTARIO MEMORANDUM

Date: December 10, 2015
To: Arij Baddour, Engineering
From: Sheldon Yu, Utilities
Subject: DAB No. 1 - (#4158)
Project No.: PCUP15-027 – ABC License – 4481 Ontario Mills Parkway

Description	<i>A request for Conditional Use Permit approval to establish live entertainment and alcoholic beverage sales, including beer/wine/distilled spirits for on premise consumption in conjunction with a proposed 5076-square foot bar/night club on approximately 3.44 acres of land located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan.</i>
Conditions of Approval	<ol style="list-style-type: none">1. Project shall comply with the requirements as set forth in the Standard Conditions of Approval adopted by the City Council (Resolution No. 2010-021) on March 16, 2010; as well as project-specific conditions/requirements as outlined below.2. The Occupant/Applicant shall apply for a Wastewater Discharge Permit and shall comply will all the requirements. Requirements of the Wastewater Discharge Permit may include, but not be limited to: having the on-site sewer plumbed to have the Sanitary Sewer Wastewater (such as restrooms) leave the building/unit separate from the Process Wastewater; installing a monitoring manhole or clarifier; installing a grease interceptor along the on-site sewer line for the Process Wastewater. Please contact Virginia Lopez, of the Ontario Municipal Utilities Company for further information (vclopez@ci.ontario.ca.us, 909-395-2671).



CITY OF ONTARIO

MEMORANDUM

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

FROM: Henry Noh,

DATE: November 06, 2015

SUBJECT: FILE #: PCUP15-027

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, November 19, 2015**.

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

PROJECT DESCRIPTION: A request for Conditional Use Permit approval to establish live entertainment and alcoholic beverage sales, including beer/wine/distilled spirits for on premise consumption in conjunction with a proposed 5076-square foot bar/night club on approximately 3.44 acres of land located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan.

- 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.

Engineering (Env.) Stephen Wilson Env. Eng. 11/19/15
Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

JMC

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

FROM: Henry Noh,

DATE: November 06, 2015

SUBJECT: FILE #: PCUP15-027 Finance Acct#:

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ENGR/TRAFFIC
Department

Signature

TRANSP MGR.
Title

11-6-15
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 12, 2015
SUBJECT: PCUP15-027

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

Conditions of Approval

1. Plans and permits are required.
2. Two (2) exits are required from outside patio.

KS : kb



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
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Raymond Lee, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
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Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director

FROM: Henry Noh,

DATE: November 06, 2015

SUBJECT: FILE #: PCUP15-027 Finance Acct#:

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

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

The plan does not adequately address the departmental concerns.

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

BUILDING

Department

Signature

Title

Date



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
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FROM: Henry Noh,

DATE: November 06, 2015

SUBJECT: FILE #: PCUP15-027 Finance Acct#:

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Department: Landscape Planning Division Signature: J. R. [Signature] Title: Associate Landscape Planner Date: 11/2015

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

DAB CONDITIONS OF APPROVAL

Sign Off

	11/20/2015
Jamie Richardson, Associate Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Associate Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PCUP15-027	Related Files:	Case Planner: Henry Noh
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Project Name and Location:
**Mix Champagne Bar Lounge
4481 Ontario Mills Parkway**

Applicant/Representative:
**Lamont Carr
38713 Tierra Subida Unit 200639
Palmdale, CA 93551**

A site plan (dated 11/06/2015) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.

A site plan (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CONDITIONS OF APPROVAL

1. New landscape and irrigation shall meet all the requirements of the Landscape Development Standards including water efficient irrigation and landscaping.
2. Landscape and irrigation plans shall be submitted for review and approval if any on-site construction, staging or storage of material occurs and requires replacement of landscape or irrigation systems.
3. Ornamental turf grass is recommended to be replaced with water-wise groundcovers, shade trees and shrubs.
4. 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.



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
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Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director

FROM: Henry Noh,

DATE: November 06, 2015

SUBJECT: FILE #: PCUP15-027 Finance Acct#:

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 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
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Code Department Joe Wahlstrom Signature Supervisor Code Title 11/19/15 Date



CITY OF ONTARIO MEMORANDUM

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

FROM: Henry Noh,

DATE: November 06, 2015

SUBJECT: FILE #: PCUP15-027 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, November 19, 2015**.

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

PROJECT DESCRIPTION: A request for Conditional Use Permit approval to establish live entertainment and alcoholic beverage sales, including beer/wine/distilled spirits for on premise consumption in conjunction with a proposed 5076-square foot bar/night club on approximately 3.44 acres of land located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply

- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Housing & Municipal Services
Department

Signature

Housing & Municipal Services Dir.

Title

11/16/15
Date



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
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Kevin Shear, Building Official
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- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Planning
Department

Lorena Mejia
Signature

Associate Planner
Title

11/16
Date

CD 2015-056

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP15-027
 Address: 4481 Ontario Mills Parkway
 APN: 238-014-10
 Existing Land Use: Commercial Retail - Multi tenant building
 Proposed Land Use: 5,076 SF space to be used for a bar/night club
 Site Acreage: 3.44 Proposed Structure Height: n/a existing building
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Henry Noh
 Date: 1/7/16
 CD No.: 2015-056
 PALU No.:

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: 85 ft	
<input type="radio"/> Zone 5			

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

Zone A
 Zone B1
 Zone C
 Zone D
 Zone E

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: 



PLANNING COMMISSION STAFF REPORT

May 24, 2016

SUBJECT: A Development Plan (File No. PDEV15-023) for the construction of a four-story, 75-unit residential apartment complex on 2.67 acres of land, located along the southwest corner of Mission Boulevard and Magnolia Avenue, within the High Density Residential (HDR-45) zoning district, submitted by RC Hobbs Company.

PROPERTY OWNER: John C. Rausch

RECOMMENDED ACTION: That the Planning Commission adopt a Mitigated Negative Declaration and approve File No. PDEV15-023, pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 2.67 acres of land located at the southwest corner of Mission Boulevard and Magnolia Avenue, within the HDR-45 (High Density Residential) zoning district, and is depicted in Figure 1: Project Location, below. The site is currently developed with several blighted and dilapidated structures and an abandoned pole sign. In addition, the structures have been boarded up for safety and the site is full of overgrown vegetation, making it unsightly. The site has also been temporarily secured with chain link fencing (see attachments A & B: Site Photos). The project site is surrounded to the north by an RV dealership, to the south by a plant nursery and to the east and west by multi-family residential units.

PROJECT ANALYSIS:

[1] Background — The project was submitted in July 2015, prior to the City Council adoption of updates to the Development Code in December 2015. Because the project was submitted based on the previous Development Code standards (setbacks, parking, open space), the project had to be redesigned



Figure 1: Project Location

Case Planner:	Luis E. Batres	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	May 16, 2016	Approve	Recommend
Submittal Date:	June 30, 2015	ZA			
Hearing Deadline:	September 11, 2016	PC	May 24, 2016		Final
		CC			

midway through the process to comply with the new Development Code requirements. The largest impact to the project was the requirement for a 10-foot setback along Mission Boulevard and Magnolia Avenue. The previous Development Code standards only required a 5-foot building setback. To accommodate the 10-foot building setbacks along Mission Boulevard and Magnolia Avenue and the elimination of compact parking, the applicant had to also reduce the unit sizes, redesign the buildings footprint, and had to reduce the common open space area that had been originally allocated. In addition to changes in the development standards, the updated Development Code eliminated the use of compact parking, thereby requiring the allocation of more area for parking. The applicant worked closely with staff to ensure compliance with the new Development Code requirements.

On May 16, 2016 the Development Advisory Board (DAB) held a meeting to hear the proposed project. At the conclusion of the meeting, it was the recommendation of DAB to approve the project.

[1] Site Design/Building Layout — The application proposes a Development Plan to construct a 97,222 square foot, four-story, 75-unit residential apartment complex (Hallmark Apartment Homes) within a 2.67 acres site. Staff has worked with the applicant to design a project that reflects the goals and requirements of the HDR-45 zoning designation and those of The Ontario Plan (“TOP”) High Density Residential land use designation. The project has also been designed with the objective of creating a safe and attractive site design throughout the project. Parking has been conveniently and carefully situated in the form of garage units, carports, and surface parking. Landscaping and decorative paving have also been provided throughout the project to enhance the appeal and create a sense of place.

The 2.67 acre site is rectangular in shape with a lot width of 300-feet by a lot depth of 388-feet. To address the new Development Code guidelines of the HDR-45 zone, two separate buildings are proposed. Building 1 proposes 57 units and Building 2 proposes 18 units. Twenty-eight units are proposed to be one-bedroom/one-bath units and 47 units will be two-bedroom/two-bath units. Each unit will be accessed through an interior corridor accessible via stairs and/or elevators. The units will range in size from 719 to 960 square feet. In addition, a 3,352 square foot, one-story club house is proposed in the center of the site. The club house will provide recreational amenities including a fitness room, computer room, kitchen, restrooms, multi-purpose room, leasing office, manager’s office, and a covered patio area with fireplace. Other recreational amenities of the project include a 30’ x 50’ swimming pool, spa, pool cabanas, children’s playground, several outside barbeque areas, a water feature, picnic tables and a 25’ x 30’ dog park. The dog park will be enclosed with a 5’-6” tube steel fence (see Figures 2 & 4: Site Plan & Landscape Plan). The project is not proposed to be gated.



Figure 2: Site Plan

[2] Site Access/Circulation — The project will provide one point of access from each of the adjoining streets - Magnolia Avenue and Mission Boulevard. Access from Magnolia Avenue will provide the primary access into the development. The access off Mission Boulevard will be restricted to serve as an exit only. Internally, the project has been designed with a circular loop system, with only one additional drive aisle between two of the carport structures. Since the project is not proposed to be a gated community, staff does not anticipate any stacking or circulation issues.

[3] Parking — A total of 158 parking spaces are required for the project. To accommodate for the required parking and common open space, both buildings have been designed with tuck-under garages (See Figure 2: Site Plan). The Ontario Development Code requires 1.75-spaces for 1-bedroom (with 1 covered), 2-spaces for 2 bedroom units (with 1-covered) and 1-guest parking space for every 5 units. The proposed project will provide 158 parking spaces. Parking will be comprised of 80 covered parking spaces (41-garage units & 39-carports) and 78 open spaces. Only 75 spaces are required to be covered parking spaces - the project will provide 80 covered spaces. The

project is also required to provide 15 guest parking spaces and 15 spaces will be provided. Therefore, project complies with the parking requirements.

[4] Architecture — The applicant is proposing a contemporary architecture design with Spanish Colonial influences, exemplifying the high-quality architecture promoted by the HDR-45 land use designation and the vision of TOP (See Figure 3: Hallmark Apartments). The project has been designed (scale and mass) to provide an attractive residential urban edge along the frontages of Mission Boulevard and Magnolia Avenue.



Figure 3: Hallmark Apartments

The mass and scale of the buildings are designed to be proportionate to the site, open space, and scale of the neighborhood. Special attention was given to the colors, materials, massing, building form, and architectural details (see Attachment's C, D, & E: Elevations). This is exemplified through the use of:

- Articulation in building roof lines;
- S-red concrete tile roof;
- Smooth stucco;
- Hump and bump stucco at key architectural elements along the first and second floors;
- Decorative metal/wrought iron work at key windows, balconies and garage units;
- Decorative window shutters at key locations;
- Arched and round elements;
- Decorative window patterns and decorative trims around doors and windows;
- Decorative lighting fixtures;
- Decorative red clay barrel accent pipes along the front of the gabled roofs;

- Precast concrete trim around doors and windows;
- Decorative ceramic tiles along key architectural elements of the buildings;
- Decorative stucco recess areas;
- Decorative stacked tiles along the first and second floor; and
- Use of several colors.

[5] Landscaping — The project will provide 10-foot wide landscape setbacks along Mission Boulevard and Magnolia Avenue and new landscape parkways on both street frontages. The parkway will include a 5-foot sidewalk with a 7-foot landscape area. In addition, the project will provide 5-foot landscape setbacks along the west and south property lines and landscaping within interior area of the parking lot. The plant pallet will consist of shade trees, ground cover and shrubs. At key areas of the project, such as the driveways and along the corner of the project (Mission and Magnolia Avenue), the project will feature accent planting including Crape Myrtle and Bradford Pear trees, Date Palms, Lily of the Nile, Indian Hawthorn, Mexican Sage, Blue Oat Grass, Purple Aeonium, Octopus Agave, Coral Aloe, Red Yucca and Gazanias.

In addition, the Development Code requires the project to provide 60 square feet of private open space and 250 square feet of common open space for each unit. The project is proposing 60 square feet of private open space in the form of private balconies and 251 square feet of common open space for each unit. The 18,836 square feet of common open space, will be provided in the form of the club house (3,352 square foot), a 30' x 50' swimming pool, spa, pool cabanas, children's playground, picnic tables, benches, decorative paving, several BBQ areas, water feature and a small 25' x 30' dog park (see Figure 4: Landscape Plan).



Figure 4: Landscape Plan

[6] Density/Housing Element Compliance — The proposed density of 28.08 units per acre, which is consistent with the density range of 25.1 to 45 units per acre of the High Density Residential (HDR-45) zone. However, the project is not consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan (“TOP”). The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The proposed project at 75 units is not consistent with the 79 units required as specified in the Available Land Inventory. However, the City is concurrently processing a General Plan Amendment (File No. PGPA16-003), which will revise the Available Land Inventory of the Housing Element by updating the available sites inventory that meet the State Housing and Community Development’s (HCD’s). The Housing Element update will take into account surplus housing units that are not currently incorporated within the Available Land Inventory and, therefore, allow the four (4) unit deficiency to be made up on another City site. In so doing, the project will be consistent with TOP Housing Element. The General Plan Amendment (GPA) is subject to City Council approval. As a precaution, staff has placed a condition of approval on the project that project approval is contingent upon approval of the General Plan Amendment.

[7] Utilities— To serve the proposed multi-family residential development, the project will be required to do the following:

- Dedicate six feet of land along the Mission Boulevard frontage and three feet along Magnolia Avenue for the widening of the streets;
- Underground all existing and proposed utilities along the projects frontage;
- Construct a fiber optic system on Mission Boulevard and Magnolia Avenue;
- Replace damaged curb and gutters along Mission Boulevard;
- Construct new sidewalks along Mission Boulevard and Magnolia Avenue;
- Construct new street lights along Mission Boulevard and Magnolia Avenue;
- Design and construct a storm water detention facility to adequately handle the proposed project; and
- Design and construct a drainage culvert and outlet along the southwest corner of Mission Boulevard and Magnolia Avenue to improve drainage within the project area.

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

[1] City Council Priorities

Primary Goal: Regain Local Control of Ontario International Airport

Supporting Goals:

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

[2] Policy Plan (General Plan)

Land Use Element — Compatibility

- Goal LU2: Compatibility between a wide range of uses.
 - LU1-6: Complete Community. We incorporate a variety of land uses and buildings types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.
 - LU2-5: Regulation of Use. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.

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

Housing

▪ Goal H3: A City regulatory environment that balances the need for creativity and excellence in residential design, flexibility, and predictability in the project approval process, and the provision of an adequate supply and prices of housing.

➤ H3-3 Development Review. We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review to facilitate quality housing development.

Community Economics Element — Place Making

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

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

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

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

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

Safety Element — Seismic & Geologic Hazards

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

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

Community Design Element — Image & Identity

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

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

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

Community Design Element — Design Quality

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

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

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

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

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

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

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

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

Community Design — Pedestrian & Transit Environments

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

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

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

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

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

Community Design — Protection of Investment

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

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

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

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

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. The environmental documentation for this project is available for review at the Planning Department public counter.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Several boarded up structures and an abandoned pole sign.	HDR	HDR 45	n/a
<i>North</i>	RV dealer (Custom RV)	BP	IL	n/a
<i>South</i>	Plant Nursery	HDR	HDR 45	n/a
<i>East</i>	Multi-Family Apartment Complex (Mission Villas Townhome Rentals)	MDR	MDR 18	n/a
<i>West</i>	Multi-Family Apartment Complex	MDR	MDR 18	n/a

Off-Street Parking:

<i>Type of Use</i>	<i>No. Units</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>1-bedroom</i>	28	1.75 (1 must be a carport or garage)	49	80 (41 garage units & 39 carports)
<i>2-bedroom</i>	47	2 (1 must be a carport or garage)	94	78 open
<i>Guest parking</i>		1 space per every 5 Units (75 Total Units)	15	15
<i>TOTAL</i>	75		158	158

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	2.5 Acres	2.67 Acres	y
<i>Maximum project density (dwelling units/ac):</i>	25.1 to 45 Units per acre	28.08 Units per acre	y
<i>Maximum coverage (in %):</i>	100%	31%	y
<i>Front yard setback (in FT):</i>	10-feet	10-feet	y
<i>Parking – resident:</i>	158	158	y

Planning Commission Staff Report

File No.: PDEV15-023

May 24, 2016

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Parking – guest:</i>	15	15	y
<i>Open space – private:</i>	60	60	y
<i>Open space – common:</i>	250	251	y

Attachment A: Site Photos



Southern Portion of Site- Looking North on Magnolia Avenue



Northern Portion of Site-Looking North on Magnolia Avenue

Attachment B: Site Photos



Project Site Looking East on Mission Boulevard



Project Site Looking South from Mission Boulevard

Attachment C: Club House Elevations



Attachment D: Building 1 Elevations



BUILDING 1 - EAST ELEVATION - MAGNOLIA AVE. ELEVATION VIEW

SCALE 1/8"=1'-0"



BUILDING 1 - SOUTH ELEVATION - GARAGE COURT VIEW

SCALE 1/8"=1'-0"



BUILDING 1 - NORTH ELEVATION - MISSION ST. ELEVATION VIEW

SCALE 1/8"=1'-0"



BUILDING 1 - WEST ELEVATION - GARAGE COURT VIEW

SCALE 1/8"=1'-0"

Attachment E: Building 2 Elevation



California Environmental Quality Act Environmental Checklist Form

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



Project Title/File No.: Hallmark Apartment Homes/PDEV15-023

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

Contact Person: Luis E. Batres, Senior Planner (909) 395-2431

Project Sponsor: Jeff Moore, R.C. Hobbs Company, 1110 E. Chapman Avenue, Suite 201
Orange, CA. 92866

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 at the southwest corner of Mission Boulevard and Magnolia Avenue (APN: 1011-371-12, 13, 14).

Figure 1—REGIONAL LOCATION MAP



Figure 2—VICINITY MAP

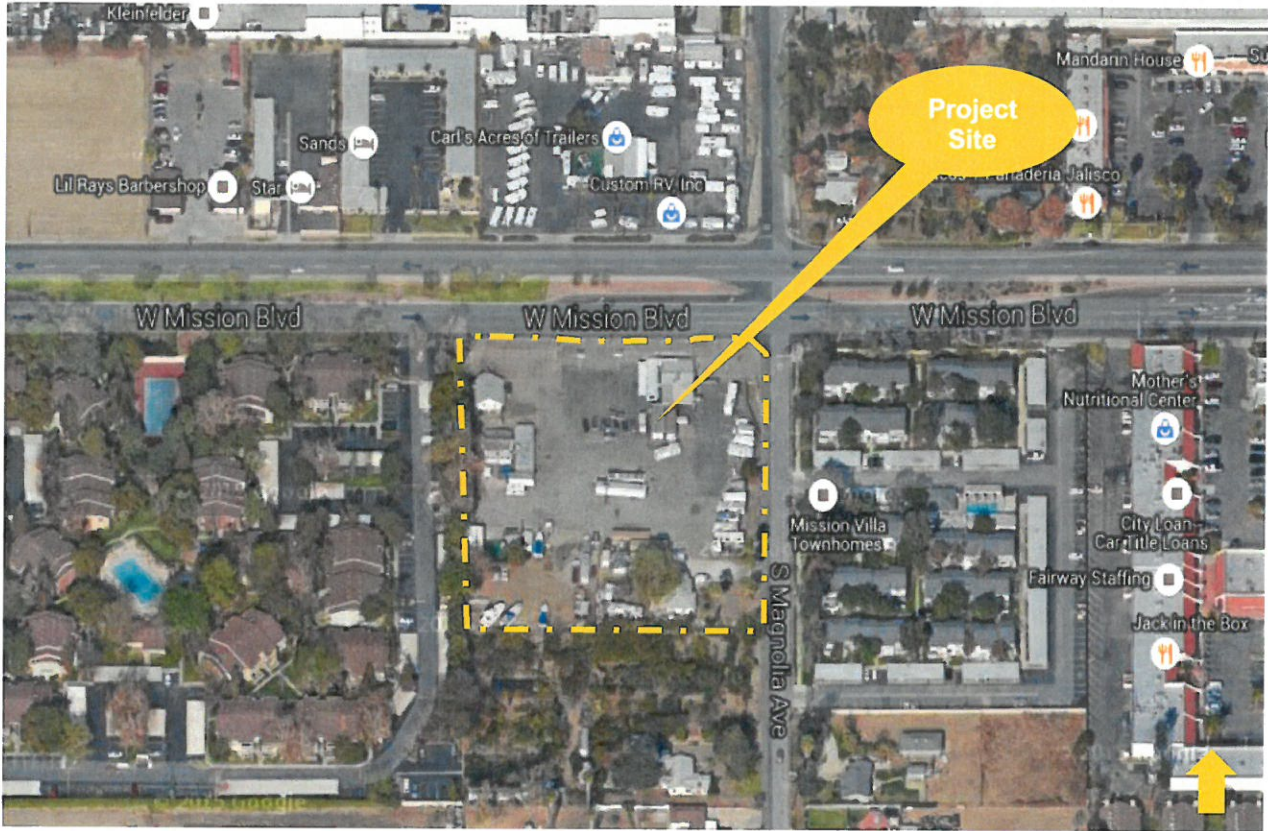


Figure 3—SITE PLAN



General Plan Designation: High Density Residential (HDR)

Zoning: HDR 45

Description of Project: A Development Plan for the construction of a four-story, 75-unit residential apartment complex on 2.67 acres of land, located along the southwest corner of Mission Boulevard and Magnolia Avenue, within the High Density Residential (HDR-45) zoning district.

Project Setting: The site is currently developed with seven blighted and dilapidated structures and an abandoned pole signs. In addition, the site is full of overgrown vegetation and trees. Several of the existing structures have been partially boarded for security. In addition, the entire site has been temporary secured with chain link fencing.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	IL	RV Dealership-Custom RV
▪ South—	HDR 45	Plant Nursery
▪ East—	MDR 18	Multi-Family Apartment Complex (Mission Villas Townhome Rentals)
▪ West—	MDR 18	Multi-Family Apartment Complex

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

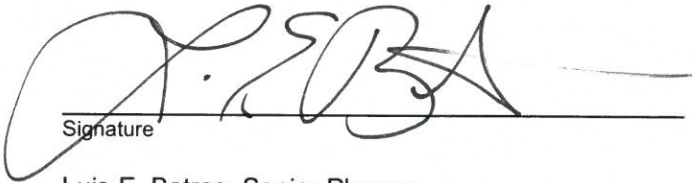
- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/>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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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

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



Signature

April 15, 2016
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"/>

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

<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 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 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:				

<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) 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"/>
8) HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

<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) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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:				

<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) 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13) POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<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) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

EXPLANATION OF ISSUES

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

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

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

Mitigation: None required.

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

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

environmental impacts.

Mitigation: None required.

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

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

The proposed project will substantially improve the visual quality of the area through development of the site with a 75 unit multi-family residential apartment complex, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

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

Site lighting plans will be subject to review by the Planning 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.

- 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 currently developed with seven blighted and dilapidated structures and an abandoned pole sign. In addition, the site is full of overgrown vegetation and trees. Several of the existing structures have been boarded for security reasons. The site does not contain any agricultural uses. Further, the site is identified as Urban and Built-Up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project site is not zoned for agricultural use. The project site is zoned High Density Residential (HDR-45). The proposed project is consistent with the development standards and allowed land uses of the proposed zone. Furthermore, there is no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project is zoned High Density Residential (HDR-45). The proposed project is consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and the development standards and allowed land uses of the High Density Residential (HDR-45) zone. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The project site is currently zoned High Density Residential (HDR-45) and is not designated as Farmland. The project site is partially vacant (existing structures have been boarded) and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

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

Mitigation Required: None required.

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

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

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

The proposed project is consistent with The Ontario Plan, for which the 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.

Mitigation: None required.

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

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

of the South Coast Air Quality Management District (SCAQMD).

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

- i) Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.
 - ii) Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:
 - (1) Scheduling receipt of construction materials to non-peak travel periods.
 - (2) Routing construction traffic through areas of least impact sensitivity.
 - (3) Limiting lane closures and detours to off-peak travel periods.
 - (4) Providing rideshare incentives for contractor and subcontractor personnel.
 - iii) After clearing, grading or earth moving:
 - (1) Seed and water until plant cover is established;
 - (2) Spread soil binders;
 - (3) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and
 - (4) Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas, and washing/sweeping project access to public roadways on an adequate schedule.
 - iv) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.
- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

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

Mitigation: None required.

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

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

The application itself proposes the construction of a 75-unit residential apartment complex, a sensitive receptor. There are not, however, any known hot spots or heavy concentrations of pollutants in the area that would expose residents to potential adverse impacts. In addition, the surrounding area is also currently developed with multi-family residential developments. Therefore, no impacts are anticipated as the propose use is similar.

Mitigation: None required.

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 High Density Residential (HDR-45) 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.

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. Furthermore, the subject property has been developed with residential and commercial uses for some time. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Discussion of Effects:

The City of Ontario has a very aggressive historical preservation program. However, the existing structures on the project site have not been identified by our Historical Preservation Program as being historical properties or they having some type of historical significance. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. While no adverse impacts are anticipated, standard conditions have been imposed on the project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will moved to other parts of the project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: None required.

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

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

applicable.

Mitigation: None required.

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

Discussion of Effects: The subject property is currently developed with several structures consisting of single family homes and commercial structures. Therefore, the proposed project is in an area that has been previously disturbed by development. As a result, no known Tribal Cultural Resources exist within the area.

Mitigation:

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.

Mitigation: None required.

ii) **Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

iii) **Seismic-related ground failure, including liquefaction?**

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

Mitigation: None required.

iv) **Landslides?**

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of

landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: None required.

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

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

Mitigation: The following mitigation measures shall be implemented:

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

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

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

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

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

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

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

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

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

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

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

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

Mitigation Required: The following mitigation measures shall be required:

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

- iii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors; and
 - iv) Reduce heat gain from pavement and other similar hardscaping.
- 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.

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

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

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

Mitigation: None required.

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

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

Mitigation: None required

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: According to the Land Use Element (Exhibit LU-06 Airport Environs) of the Policy Plan (General Plan), the proposed site is located within the airport land use plan. 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 60-65 dB CNEL. The proposed use will comply with the standards for mitigating noise. Therefore, any potential impacts would be reduced to a less than significant levels.

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and 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.

Mitigation: None required.

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

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

Mitigation: None required.

- 9) **HYDROLOGY & WATER QUALITY.** Would the project:

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

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts

to below a level of significance.

Mitigation: None required.

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

Discussion of Effects: An increase in the current amount of water flow to the project site is anticipated, however, the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water flows associated with the proposed use of the property will be negligible since the impacts of new development were already analyzed during the recent Ontario General Plan update. Furthermore, 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.

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. Therefore, no changes in erosion off-site are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity.

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

- 10) **LAND USE & PLANNING.** Would the project:

- a) **Physically divide an established community?**

Discussion of Effects: The project site is located in an area that is currently developed with urban

land uses. This project will be of similar design and size to surrounding development. The project will become a part of the larger multi-family housing community located within the immediate area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

- b) **Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) 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: None required.

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

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

Mitigation: None required.

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

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

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

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

Mitigation: None required.

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

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

Mitigation: None required.

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

Discussion of Effects: The project will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels because of the limited size and scope of

the project. In addition, the proposed multi-family apartment complex will be similar in size and scale to others that are currently located to the east and west of the project site. Moreover, the proposed use will be required to operate within the noise levels permitted residential development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels within the vicinity of the project are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

- e) **For a project located within the noise impact zones of the airport land use compatibility plan 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 within the airport land use plan. However, the project is located within the 60 to 65CNEL noise contour, which according to the noise level exposure and land use compatibility guidelines are normally acceptable areas for the development of multi-family housing. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Discussion of Effects: The project is located in a developed area and will induce some population growth as it's a project proposing to develop a 75-unit multi-family apartment complex. The proposed density is consistent with the underlying HDR-45 zone and the general plan land use designation. The impacts of the proposed development were reviewed under the environmental impact report that was prepared and adopted in 2010 for TOP Policy Plan (General Plan). In addition, the project will be required to pay impacts fees to the City and school district for the additional services that will be needed. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project site is currently developed with substandard and blighted vacant structures. One of the structures is a single family home that has been boarded because of its unsafe condition. The project is not consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project at 75 units is not consistent with the 79 units required and specified in the Available Land Inventory and does not meet the required density of

30 dwelling units per acre. However, the City is concurrently processing a General Plan Amendment (File No. PGPA16-003), which will update the Land Inventory of the Housing Element by updating the available sites inventory that meet the State Housing and Community Development's (HCD's) siting criteria and providing the current status of the sites. The Housing Element update will take into account surplus housing units that are not currently incorporated within the Available Land Inventory and therefore allowing the projects 4 unit deficiency to be made up on another City site and not impact the City's Regional Housing Needs Allocation obligations, as there will be adequate number of sites in the inventory to meet the RHNA obligation. The General Plan Amendment (GPA) is subject to City Council approval. If the GPA is approved no impacts will be anticipated.

Mitigation: None required.

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

Discussion of Effects: The project site is currently developed with substandard and blighted vacant structures. One of the structures is a single family home that has been boarded because of its unsafe condition. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

i) **Fire protection?**

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. In addition, the project will be required to pay impacts fees to the City and school district for services that will be needed. Therefore, no impacts are anticipated.

Mitigation: None required.

ii) **Police protection?**

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. In addition, the project will be required to pay impacts fees to the City and school district for services that will be needed. Therefore, no impacts are anticipated.

Mitigation: None required.

iii) **Schools?**

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

Mitigation: None required.

iv) **Parks?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. In addition, the project will be required to pay impacts fees to the City and school district for services that will be needed. Therefore, no impacts are anticipated.

Mitigation: None required.

v) **Other public facilities?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. In addition, the project will be required to pay impacts fees to the City and school district for services that will be needed. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Discussion of Effects: This project is proposing new multi-family housing (a 75-unit residential apartment complex) that would cause an increase in the use of neighborhood parks or other recreational facilities. However, the proposed project has been designed to provide recreational amenities for its residents per the requirement of our Development Code in the form of a club house, pool, spa, patio cabanas, tot lot and several other open leisure areas. In addition, the project will also be required to pay impacts fees to the City and school district for services that will be needed. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The proposed project has been designed to provide recreational amenities for its residents per the requirement of our Development Code in the form of a club house, pool, spa, patio cabanas, tot lot and several other open leisure areas. In addition, the project will also be required to pay impacts fees to the City and school district for services that will be needed. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Discussion of Effects: The project is in an area that is mostly developed with all street improvements already existing. The number of vehicle trips per day is not expected to be increased significantly. In addition, the project will also be required to pay impacts fees to the City and school district for services that will be needed. In 2010, TOP Policy Plan (General Plan) Update EIR evaluated the traffic impacts associated of the project site based on an assumed density of 35 dwelling units per acre. The project proposes a density of 28 dwelling units per acre, which is less than what TOP Policy Plan (General Plan) EIR assumed for the site. Furthermore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Therefore, the proposed project would have minimal additional impacts than what was previously analyzed in the adopted TOP FEIR traffic study.

Less than significant impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project is in an area that is mostly developed with all street improvements

already 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. The number of vehicle trips per day is not expected to be increased significantly. In 2010, TOP Policy Plan (General Plan) Update EIR evaluated the traffic impacts associated of the project site based on an assumed density of 35 dwelling units per acre. The project proposes a density of 30 dwelling units per acre, which is less than what TOP Policy Plan (General Plan) EIR assumed for the site. The project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Therefore, the proposed project would have minimal additional impacts than what was previously analyzed in the adopted TOP FEIR traffic study.

Mitigation: None required.

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

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it is located outside of the safety zones areas. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

- e) **Result in inadequate emergency access?**

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

Mitigation: None required.

- f) **Result in inadequate parking capacity?**

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

Mitigation: None required.

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

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

Mitigation: None required.

17) **UTILITIES AND SERVICE SYSTEMS.** Would the project:

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

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

Mitigation: None required.

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

Discussion of Effects: The proposed project is served by the City of Ontario sewer system and the waste is 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 also be required to pay impact fees for services that will be required. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The proposed project is served by the City of Ontario. The project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. In addition, the project will also be required to pay impact fees for services that will be required. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. . In addition, the project will also be required to pay impact fees for services that will be required. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. In addition, the project will also be required to pay impact fees for services that will be required. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

18) MANDATORY FINDINGS OF SIGNIFICANCE

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. The project site is currently developed with several dilapidated single family and commercial structures that have been boarded. Therefore, no impacts are anticipated.

Mitigation: None required.

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

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. Staff has carefully reviewed the potential environmental impacts of the proposed multi-family apartment complex, and based on the CEQA checklist that has been prepared for the project, staff finds that any impacts have been and or will be mitigated by the design of the project, the conditions of approval for the project and the impact fees that will be collected from the developer. Therefore, no impacts are anticipated.

Mitigation: None required.

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

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

Mitigation: None required.

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

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

Mitigation: None required.

EARLIER ANALYZES

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

- 1) Earlier analyzes used. Identify earlier analyzes used and state where they are available for review.
- a) The Ontario Plan Final EIR
 - b) The Ontario Plan
 - c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

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

Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

MITIGATION MEASURES

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

- 1) **Air Quality**—The following fugitive dust mitigation measures shall be required:
 - a) Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.
 - b) Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:
 - i) Scheduling receipt of construction materials to non-peak travel periods.
 - ii) Routing construction traffic through areas of least impact sensitivity.
 - iii) Limiting lane closures and detours to off-peak travel periods.
 - iv) Providing rideshare incentives for contractor and subcontractor personnel.
 - c) After clearing, grading or earth moving:
 - i) Seed and water until plant cover is established;
 - ii) Spread soil binders;
 - iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and
 - iv) Reduce “spill-over” effects by washing vehicles entering public roadways from dirt off road project areas, and washing/sweeping project access to public roadways on an adequate schedule.
 - d) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.
- 2) **Geology and Soils**—The following mitigation measures shall be implemented:
 - a) Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion impacts.
 - b) Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.
 - c) After clearing, grading, or earth moving:
 - i) Seed and water until plant cover is established;
 - ii) Spread soil binders;
 - iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and
- 3) Sweep streets if silt is carried to adjacent public thoroughfares.
 - a) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.
- 4) **Greenhouse Gas Emissions**—The following mitigation measures shall be implemented:
 - a) 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:

- i) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant , low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;
- ii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors;
- iii) Reduce heat gain from pavement and other similar hardscaping.

MITIGATION MONITORING AND REPORTING PROGRAM

Project File No.: PDEV15-023

Project Sponsor: Jeff Moore, R.C. Hobbs Company, 1110 E. Chapman Avenue, Suite 201, Orange, California 92866

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

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

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
d) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
2) GEOLOGY & SOILS						
a) The applicant shall submit an erosion control plan to reduce wind erosion impacts.	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
b) Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c) After clearing, grading, or earth moving: i) Seed and water until plant cover is established. ii) Spread soil binders. iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv) Sweep streets if silt is carried to adjacent public thoroughfares	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
d) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
3) GREENHOUSE GAS EMISSIONS						
a) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: i) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects. ii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order; or withhold building permit

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
iii) Reduce heat gain from pavement and other similar hardscaping.						

Attachment A: Perspective of Proposed Hallmark Apartment Homes



Attachment B: Building 1 Elevations



BUILDING 1 - NORTH ELEVATION - MISSION ST. ELEVATION VIEW

SCALE: 1/4" = 1'-0"



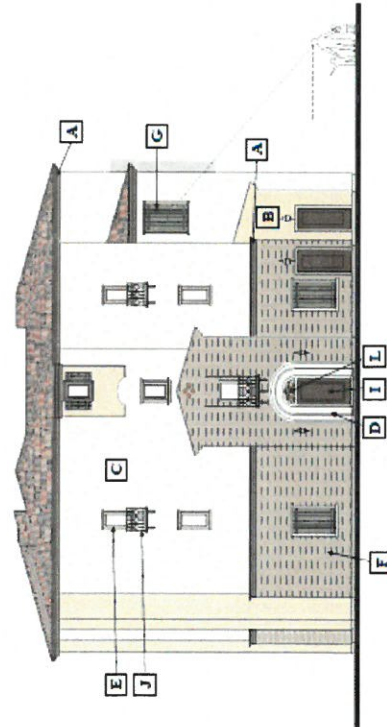
BUILDING 1 - WEST ELEVATION - GARAGE COURT VIEW

SCALE: 1/4" = 1'-0"

Attachment B: Building 1 Elevations



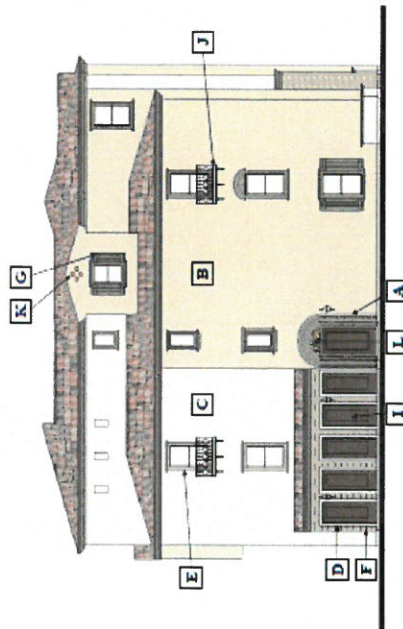
Attachment C: Building 2 Elevations



BUILDING 2 - NORTH ELEVATION SCALE: 1/8"



BUILDING 2 - EAST ELEVATION - MAGNOLIA ST. ELEVATION VIEW SCALE: 1/8"

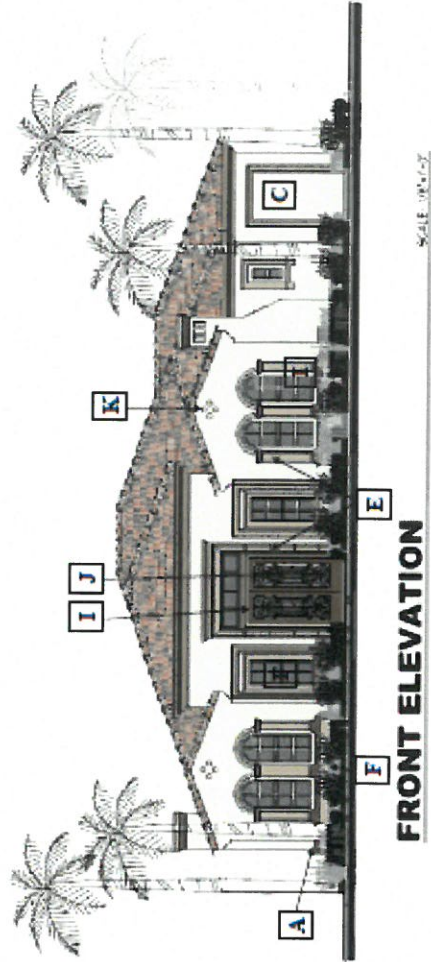
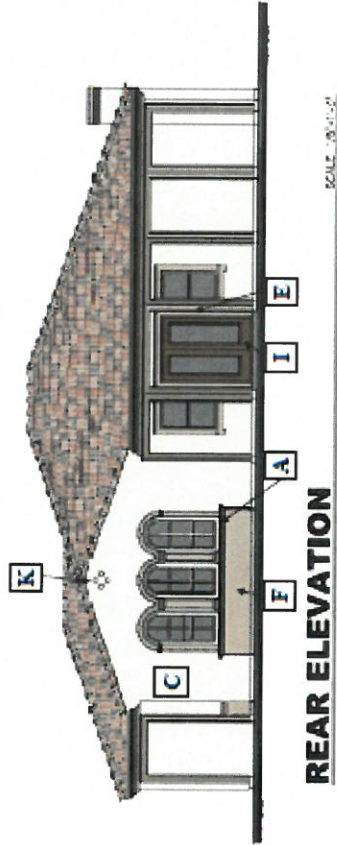
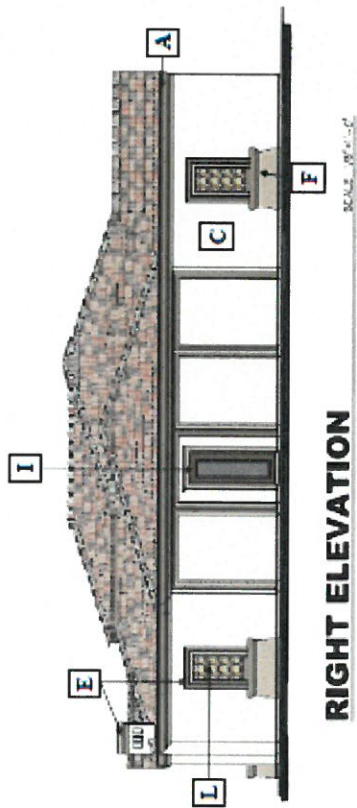


BUILDING 2 - SOUTH ELEVATION SCALE: 1/8"



BUILDING 2 - WEST ELEVATION - GARAGE COURT VIEW SCALE: 1/8"

Attachment D: Club House Elevations



RESOLUTION NO. PC16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO APPROVING A MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM FOR FILE NO PDEV15-023.

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for circulation, a Mitigated Negative Declaration for File No. PDEV15-023 (hereinafter referred to as "Initial Study/Mitigated Negative Declaration"), 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, File No. PDEV15-023 analyzed under the Initial Study/Mitigated Negative Declaration, consists of a Development Plan for the construction of a four-story, 75-unit residential apartment complex on 2.67 acres of land, within the HDR-45 (High Density Residential) zoning district, located at the southwest corner of Mission Boulevard and Magnolia Avenue, in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in 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 to ensure compliance with the mitigation measures during project implementation, and such a Mitigation Monitoring and Reporting Program has been prepared for the Project for consideration by the approving authority of the City of Ontario as lead agency for the Project (the "Mitigation Monitoring and Reporting Program"); and

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

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, on May 16, 2016, the Development Advisory Board of the City of Ontario conducted a hearing and recommended to the Planning Commission adoption of the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for File No. PDEV15-023; and

WHEREAS, the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, 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.

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

SECTION 1: As the approving authority for the Project, the Planning Commission has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration 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 Initial Study/Mitigated Negative Declaration and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The Planning Commission has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record, and has considered the information contained therein, prior to acting upon or approving the Project;

(2) The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and is consistent with State and local guidelines implementing CEQA; and

(3) The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project. The City Council designates the Planning Department, located at 303 East B Street, Ontario, CA 91764, as the custodian of documents and records of proceedings on which this decision is based.

SECTION 2: The Planning Commission does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program prepared for the Project.

SECTION 3: The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this action of the Planning Commission. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 4: The Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and all other documents and materials that constitute the record of proceedings on which these findings have been based, are on file 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.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of May, 2016, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on [insert meeting date], by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

***Exhibit A:
Mitigation Monitoring and Reporting Program***

MITIGATION MONITORING AND REPORTING PROGRAM

Project File No.: PDEV15-023

Project Sponsor: Jeff Moore, R.C. Hobbs Company, 1110 E. Chapman Avenue, Suite 201, Orange, California 92866

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

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

CEQA Environmental Checklist Form
 File No(s): PDEV15-023

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
d) Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
2) GEOLOGY & SOILS						
a) The applicant shall submit an erosion control plan to reduce wind erosion impacts.	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
b) Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c) After clearing, grading, or earth moving: i) Seed and water until plant cover is established. ii) Spread soil binders. iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv) Sweep streets if silt is carried to adjacent public thoroughfares	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
d) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
3) GREENHOUSE GAS EMISSIONS						
a) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: i) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects. ii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order; or withhold building permit

CEQA Environmental Checklist Form
 File No(s) : PDEV15-023

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
iii) Reduce heat gain from pavement and other similar hardscaping.						

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV15-023, A DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A FOUR-STORY, 75-UNIT RESIDENTIAL APARTMENT COMPLEX ON 2.67 ACRES OF LAND, LOCATED AT THE SOUTHWEST CORNER OF MISSION BOULEVARD AND MAGNOLIA AVENUE, WITHIN THE HDR-45 (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1011-371-12, 1011-371-13 & 1011-371-14.

WHEREAS, RC Hobbs Company ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV15-023, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.67 acres of land generally located along the southwest corner of Mission Boulevard and Magnolia Avenue, within the HDR-45 (High Density Residential) zoning district, and is presently improved with several blighted and boarded up structures; and

WHEREAS, the property to the north of the Project site is within the Light Industrial (IL) zoning district and is developed with an RV dealership. The property to the east is within the MDR-18 (Medium Density Residential) zoning district and is developed with multi-family residential units. The property to the south is within the HDR-45 zoning district, and is developed with a plant nursery. The property to the west is within the MDR-18 zoning district, and is developed with multi-family residential units; and

WHEREAS, the project site is located within the Airport Influence Area of LA/Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) for Ontario. No negative impacts are anticipated as a result of the proposed project; and

WHEREAS, approval of this Development Plan (File No. PDEV15-023) will result in the development of a 75 unit multi-family residential apartment complex; and

WHEREAS, approval of this project will result in additional revenues for the City in the form of business license revenues, revenue from property tax and impact fees that will be paid for by the new development; and

WHEREAS, on May 16, 2016, the Development Advisory Board of the City of Ontario conducted a hearing and issued its decision DAB16-019, recommending approval to the Planning Commission; and

WHEREAS, on May 24, 2016; the Planning Commission of the City of Ontario conducted a duly noticed public hearing and concluded said hearing on that date; and

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

WHEREAS, the project is not consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan ("TOP"). The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The proposed project at 75 units is not consistent with the 79 units required as specified in the Available Land Inventory. However, the City is concurrently processing a General Plan Amendment (File No. PGPA16-003), which will update the Available Land Inventory of the Housing Element by updating the available sites inventory that meet the State Housing and Community Development's (HCD's). The Housing Element update will take into account surplus housing units that are not currently incorporated within the Available Land Inventory and, therefore, allow the four unit deficiency to be made up on another City site. In so doing, the project will be consistent with TOP Housing Element; and

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

WHEREAS, as the first action on the Project, on May 24, 2016, the Planning Commission approved a resolution adopting a Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program, prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

WHEREAS, on May 24, 2016, the Planning Commission of the City of Ontario conducted a hearing to consider the MND, the initial study, and the Project, and concluded said hearing on that date; and

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

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

SECTION 1. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the MND, the initial study, and the administrative record for the Project, including all written and oral

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

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

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

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

d. All environmental impacts of the Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the MND, the Mitigation Monitoring and Reporting Program, and the initial study.

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

a. The 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.

b. The proposed project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project is not currently consistent with the Housing Element of the Policy Plan (General Plan) component of TOP. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The proposed project at 75 units is not consistent with the 79 units required as specified in the Available Land Inventory. However, the City is concurrently processing a General Plan Amendment (File No. PGPA16-003), which will update the Available Land Inventory of the Housing Element by updating the available sites inventory that meet the State Housing and Community Development's (HCD's). The Housing Element update will take into account surplus housing units that are not currently incorporated within the Available Land Inventory and therefore allowing the four (4) unit deficiency to be made up on another City site. In so doing, the project will be consistent with TOP Housing Element.

c. 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. Approval of the project will result in the development of a 75 unit multi-family apartment complex on approximately 2.67 acres. The project will landscaping along the street frontages in the form of 10-foot building setbacks on Mission Boulevard and Magnolia Avenue. The project will also be required to provide new landscape parkways on both street frontages, which will be landscaped per City requirements. The project will provide 5-foot landscape setbacks along the west and south property lines. Landscaping will consist of shade trees, ground cover and shrubs. Along key areas of the project, such as the driveways and along the corner of the project (Mission and Magnolia Avenue), the project will feature accent flowering trees, accent shrubs and flowering ground cover. The project will include full on-site and off-site improvements. The project site is surrounded by multi-family residential developments along the east and west, therefore, the proposed apartment complex will complement other existing developments within the area.

d. 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 project includes full site and offsite improvements and the project will improve the quality of the existing site. The project will be required to construct the following infrastructure improvements and fee payments:

- Pay impact fees to the City and School District for the additional services that will be required.
- Dedicate 6-feet of land along the Mission Boulevard frontage and 3-feet along Magnolia Avenue for the widening of the streets.
- Underground all existing overhead utilities along the projects frontage.
- Construct a fiber optic system on Mission and Magnolia Avenue.
- Replace damaged curb and gutters along Mission Boulevard.
- Construct new sidewalks and parkways along Mission and Magnolia Avenue.
- Construct new street lights along Mission and Magnolia Avenue.
- Design and construct a storm water detention facility to adequately handle the proposed project, and
- Design and construct a drainage culvert and outlet along the southwest corner of Mission and Magnolia Avenue to improve drainage within the project area.

The proposed project will also complement other existing multi-family residential developments located to the east and west of the project site. In addition, a Mitigated Negative Declaration was prepared for the project, and based on the analysis of the initial study prepared, it was determined that impacts will be mitigated to levels that are less than significant.

e. 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 project will comply with all the requirements of the HDR45 land use designation. Staff has worked with the applicant to design a project that reflects the goals and requirements of the HDR-45 zoning designation and those of TOP. The project has also been designed with the objective of creating a safe and attractive site design that carries throughout the project. Parking has been conveniently and carefully situated in the form of garage units, carports, and surface parking. Landscaping and decorative paving have also been provided throughout the project to enhance the appeal and create a sense of place. The project will provide 158 parking spaces, consistent with the Development Code parking requirements. In addition, the Project is providing the required 60 square feet of private open space per unit and 250 square feet of common open space per unit.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of May, 2016, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on [insert meeting date], by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



Planning Department Conditions of Approval

Prepared: May 16, 2016

File No: PDEV15-023

Related Files: N/A

Project Description: A Development Plan for the construction of a four-story, 75-unit residential apartment complex on 2.67 acres of land, located along the southwest corner of Mission Boulevard and Magnolia Avenue, within the High Density Residential (HDR-45) zoning district. (APN(s): 1011-371-12, 13 & 14); **submitted by RC Hobbs Company**

Prepared by: Luis E. Batres, Senior Planner

Phone: (909) 395-2431

Email: Lbatres@ci.ontario.ca.us

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following conditions of approval:

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

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

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

2.2 Landscaping.

(a) During the plan check process, the applicant shall work with staff to add additional landscape diamonds within all the open parking spaces.

(b) A 5-foot landscape buffer shall be provided along the northwest corner of Building 1 adjacent to the equipment enclosure (next to the tuck under garage units).

(c) A 5-foot landscape buffer shall be provided along the west side of the equipment enclosure next to the handicap parking space next to Building 2.

(d) Vine pockets shall be planter along block walls/retaining walls, trash enclosures, and carports so that vines can attach to walls/post. Applicant shall work with staff during the plan check process to add them.

(e) The project shall provide vine pockets on each side of the garage doors where you are showing decorative trellis element over the garage units. In addition, the project shall provide a decorative metal trellis within the vine pocket areas so that vines can grow. A flowering vine shall be selected for these locations.

2.3 Walls and Fences.

(a) All walls need to be decorative walls and shall provide a decorative cap that overhang a minimum of 1-inch. Walls shall be constructed of split face block or slump stone or they can be plastered, textured and painted to match the main structures.

(b) Short retaining walls along Mission and Magnolia shall feature decorative precast concrete caps.

(c) Blocks walls along the west and south property lines shall measure 6-feet from finish grade, except for required front and street side setbacks.

(d) Any damage to existing walls shall be repaired. Existing walls facing the proposed project shall be plastered, textured and painted to match the project.

2.4 Parking, Circulation and Access.

(a) All open and carport parking spaces shall be reduced in length to 18-feet, and the extra feet shall be added to the landscape areas.

(b) All sidewalks and paths of travel from the public sidewalks to the buildings shall feature decorative paving.

(c) All guest parking spaces (15-spaces) shall also feature decorative paving.

(d) All sidewalks within the large common open space area (recreational area) shall feature decorative paving.

2.5 Loading and Outdoor Storage Areas.

(a) The path of travel immediately to the east of the trash enclosure area shall be removed and replaced with a landscape planter. Applicant shall work with staff during the plan check process to accomplish this.

2.6 Site Lighting.

(a) Project shall provide decorative sconce lighting to match the architectural style proposed. Color cut sheets shall be submitted during the plan check process for all exterior light fixtures proposed.

2.7 Mechanical and Rooftop Equipment

(a) All mechanical equipment within the landscape areas shall be properly located so that they can be screened with landscaping. All equipment shall be painted a dark green color or a color to match the colors of the landscaping where they are located.

(b) All roof equipment shall not be visible from public views.

(c) All downspouts shall be carefully located so that they don't stand out and they are able to be painted to match the wall colors next to them.

2.8 Architectural Treatment.

- (a) All proposed 2" stucco recess areas on buildings shall be painted a contrasting color to enhance the look.
- (b) All metal and wrought iron work shall be powder coated to prevent rust.
- (c) On Sheet A2.6.02 (Building 2), the three proposed 2" stucco recess areas along the top of the South Elevation shall feature a decorative metal/wrought iron element. Applicant shall work with staff during the plan check process to add them. Also, for all other areas on both buildings where the same feature is proposed, the decorative metal/wrought iron element shall be provided.
- (d) The North Elevation of Building 2 shall provide decorative window shutters on the two smaller windows that are shown.
- (e) The South Elevation of Building 2 shall also provide decorative window shutters on the two small windows (middle section of the building).
- (f) Club House Right Elevation-The body of the chimney tower shall feature a large rectangular recess area where decorative tile shall also be provided. Applicant shall work with staff during the plan check process to add the details.
- (g) The Front Elevation of the Club House shall also feature the hump and bump stucco along the bottom portion of the two double window areas.
- (h) Restrooms Front Elevation-The trim around the arched openings shall be constructed of precast concrete.
- (i) Trash enclosure walls shall provide a decorative cap that projects a minimum of 1-inch. Also, trash enclosure doors shall feature a decorative design.

2.9 Signs.

- (a) Any proposed monument signs shall be coordinated with the landscape design so that they are properly located and enhanced with landscaping. Signs shall be reviewed and approved by planning and building prior to occupancy.

2.10 Environmental Review.

- (a) The proposed project will not have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared. All mitigation measures listed in the Initial Study shall be a condition of project approval and are incorporated herein by reference.
- (b) The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.
- (c) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).
- (d) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is

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

(e) The Ontario Climate Action Plan (CAP) requires new development to be 25% more efficient. The applicant has elected to utilize the Screening Tables provided in the CAP instead of preparing separate emissions calculations. The project shall comply with the completed table that was submitted to the City. The applicant shall identify on the construction plans the items identified on the table that was filed with the City.

2.11 Additional Fees.

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

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

2.12 Additional Requirements.

(a) Prior to occupancy of this project, an exhibit shall be submitted and approved by the Planning Department illustrating what parking space(s) will be assigned to each unit. The exhibit shall include the unit number and the parking space(s) number(s) that will be assigned to the unit.

(b) All units shall be rented with their required parking space(s) per the Ontario Development Code.

(c) Sheet 1 of 2 (Site Plan) shall be revised to read that the zoning of the project is HRD-45.

(d) The club house shall provide a baby changing table on the male and female restrooms.

(e) Management shall conduct regular garage unit inspections to make sure that garage units are being used for the storage of vehicles. Ample space shall be available on all garage units for the storage of motorized vehicles.

(f) Carports shall not be used for the storage of goods and or equipment. Only motorized vehicles shall be stored within the carport units.

(g) Approval of this project is subject to the approval of the General Plan Amendment (GPA) by City Council. Permits will not be issued until the GPA has been approved.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: July 29, 2015

SUBJECT: PDEV15-023 / A Development Plan to construct a four-story, 75-unit apartment complex on 2.67 acres of land located at the southwest corner of Mission Boulevard and Magnolia Avenue, within the HDR-45 (High Density Residential) zoning district (APNs: 1011-371-12, 13 and 14).

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

SITE AND BUILDING FEATURES:

- A. Type of Building Construction Used: VB - Wood frame, one (1) hour rated
- B. Roof Materials Used: Class B
- C. Ground Floor Area(s): Building 1 – 70,390 sq. ft.
Building 2 – 23,321 sq. ft.
Recreation Bldg. – 2,448 sq. ft.
- D. Number of Stories: 4 stories
- E. Total Square Footage: 96,159 sq. ft.
- F. Type of Occupancy: Group R-2, S-2, B occupancies

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is 2500 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- 3.2 Off-site street fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13R. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

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

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1.3280 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1.3280 of the Ontario Municipal Code and Standard #H-003.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 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.

7.0 OTHER PROJECT SPECIFIC CONDITIONS

- 7.1 A Class I standpipe system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 14. 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.
- 7.2 All gated driveways shall allow residents and guests vehicles to exit the complex, in order to ensure adequate maintenance of the means of vehicle ingress / egress. All driveway approaches shall allow emergency vehicles to enter or exit with the use of a Knox entry device. Details and plans shall be provided for approval to the Fire Department prior to installation.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, PLANNING DEPARTMENT

FROM: Douglas Sorel, POLICE DEPARTMENT

DATE: July 30, 2015

SUBJECT: PDEV15-023 - A Development Plan to construct a 75 unit multi-family apartment complex at the southwest corner of Mission Blvd. and Magnolia Ave.

“Standard Conditions of Approval” contained in Resolution No. 2010-021 apply.

In addition, the Ontario Police Department places the following condition on the project:

- The area behind first-floor stairwells shall be enclosed or otherwise blocked off from public access.

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

CITY OF ONTARIO

MEMORANDUM

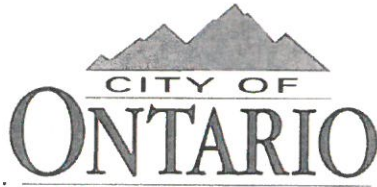
TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: July 1, 2015
SUBJECT: PDEV15-023

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

Conditions of Approval

1. The address for the project is: 840 S. Magnolia Avenue.

KS:kb



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV15-023 RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: _/ _/ _	

CITY PROJECT ENGINEER & PHONE NO: Omar Gonzalez, PE, (909) 395-2147

CITY PROJECT PLANNER & PHONE NO: Luis Batres, (909) 395-2431

DAB MEETING DATE: April 18, 2016

PROJECT NAME / DESCRIPTION: A Development Plan to construct a four story, 75 unit, multifamily apartment complex
LOCATION: Southwest Corner of Mission Boulevard and Magnolia Avenue
APPLICANT: RC Hobbs Company

REVIEWED BY:  4/5/16
 Bryan Lirley, PE Date
 Senior Associate Civil Engineer

APPROVED BY:  4/6/16
 Khoi Do, 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. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO 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 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
(1) _____
(2) _____
- 1.08 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted a minimum of three (3) months prior to, and the annexation shall be completed, prior to final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact Management Services at (909) 395-2124 regarding this requirement.
- 1.09 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits,



whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.

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

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 Record of Survey 10-50.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 **Apply for a:** **Certificate of Compliance with a Record of Survey;** **Lot Line Adjustment**
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 Submit a soils/geology report.
- 2.08 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following 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: _____

- 2.09 Dedicate to the City of Ontario the right-of-way described below:
 - a) 6 feet along Mission Boulevard frontage (ultimate right of way width of 154 feet).
 - b) 3 feet along Magnolia Avenue frontage (ultimate right of way width of 66 feet).
 - c) Property line corner 'cut-back' at the intersection of Mission Boulevard and Magnolia Avenue per City Standard Drawing No. 1301.
- 2.10 Dedicate to the City of Ontario the following easement(s): _____
- 2.11 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.12 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.13 Other conditions: _____

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

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

Improvement	Mission Boulevard	Magnolia Avenue	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L	<input checked="" type="checkbox"/> New; 20 ft. from C/L	<input type="checkbox"/> New; ___ ft. from C/L	<input type="checkbox"/> New; ___ ft. from C/L
	<input checked="" type="checkbox"/> Replace damaged	<input type="checkbox"/> Replace damaged	<input type="checkbox"/> Replace damaged	<input type="checkbox"/> Replace damaged
	<input type="checkbox"/> Remove and replace	<input type="checkbox"/> Remove and replace	<input type="checkbox"/> Remove and replace	<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 checked="" type="checkbox"/> Widen 5 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 existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove existing	<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 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 <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input checked="" type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <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 type="checkbox"/> Service	<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
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	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<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



(see Sec. 2.F)				
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Culvert and Outlet	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Overhead Utilities	<input checked="" 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	_____	_____	_____	_____
Fiber Optic Improvements (See Sec. 2.F)	<input checked="" type="checkbox"/> Fiber Optic system	<input checked="" type="checkbox"/> Fiber Optic system	_____	_____

Specific notes for improvements listed in item no. 2.15, above: _____

- 2.15 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): Magnolia Avenue frontage, from street centerline to curb/gutter.
- 2.16 Reconstruction of the full pavement structural section may be required based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.
- 2.17 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.18 Other conditions:
 - a) Overhead Utilities shall be undergrounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804). Said improvements shall be completed prior to Certificate of Occupancy issuance, and all costs associated with said improvements shall be solely borne by the applicant. Developer may pay an in-lieu fee for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.

C. SEWER

- 2.19 An 8 inch sewer main is available for connection by this project in Magnolia Avenue. (Ref: Sewer plan bar code: S12721)
- 2.20 Design and construct a sewer main extension. A sewer main is not available for direct connection. The



closest main is approximately _____ feet away.

- 2.21 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.22 **Other conditions:**
a) Existing sewer laterals not utilized by the site must be abandoned per standard.

D. WATER

- 2.23 **An 8 inch water main is available for connection by this project in Magnolia Avenue.**
(Ref: Water plan bar code: W12194)
- 2.24 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak demand water flows for modeling the impact of the subject project to the existing water system. The project site is within a deficient public water system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impacts to the deficient public water system, including, but not limited to upgrading of the existing water main(s) and/or construction of a new main(s).
- 2.26 Design and construct appropriate cross-connection protection for new potable water and fire service connections. Appropriate protection shall be based upon the degree of hazard per Title 17 of the California Code of Regulations. The minimum requirement is the installation of a backflow prevention device per current City standards. All existing potable water and fire services that do not meet the current minimum level of protection shall be upgraded (retrofitted) with the appropriate backflow protection assembly per current City standards.
- 2.27 Request a water flow test to be conducted, to determine if a water main upgrade is necessary to achieve required fire flow for the project. The application is available on the City website (www.ci.ontario.ca.us) or Applicant can contact the City of Ontario Fire Department at (909) 395-2029 to coordinate scheduling of this test. Applicant shall design and construct a water main upgrade if the water flow test concludes that an upgrade is warranted.
- 2.28 **Other conditions:**
a) Developer shall provide separate domestic, irrigation, and fire services.
b) Existing water laterals not utilized by the site must be abandoned per standard.

E. RECYCLED WATER

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



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

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

- 2.33 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

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

- 2.35 Other conditions:
- a) Driveways shall be in accordance with Standard Drawing No. 1204. Magnolia Avenue driveway shall be minimum 26 feet wide.
 - b) Traffic signs shall be installed to serve the proposed Mission Boulevard driveway, including, but not limited to, median island sign assembly typically installed across from right-turn-only driveways. In addition, appropriate signage shall be installed to clearly communicate intended driveway direction (outbound only). Signs shall be in accordance with all applicable standards and to the satisfaction of the City Engineer.
 - c) Magnolia Avenue within 40 feet of the project driveway shall be signed "No Parking Anytime." Mission Boulevard shall be signed "No Stopping Anytime" along entire project frontage. Signs shall be shown on the improvement plans, in conformance with all applicable standards, and to the satisfaction of the City Engineer.
 - d) The applicant/developer shall be responsible to design and construct infill public street lights along the project frontages of Magnolia Avenue and Mission Boulevard. A street lighting plan shall be prepared in accordance with all applicable standards and the City of Ontario Traffic and Transportation Design Guidelines Section 1.4 - "Street Light Plans." If ultimate design of proposed drainage structure (west side of Magnolia south of Mission) conflicts with placement of required street light as identified in said Guidelines, then Applicant Developer shall dedicate street light easement to the satisfaction of the City Engineer.
 - e) The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal, signing and striping and/or street lighting design to discuss items such as signal phasing, striping layout and tie-ins to existing or future street light circuits.
 - f) Construct a fiber optics system on Mission Avenue and Magnolia Avenue per attached exhibit.

G. DRAINAGE / HYDROLOGY

- 2.36 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.37 Design and construct a storm water detention facility on the project site. An adequate drainage



facility to accept additional runoff from the site does not currently exist downstream of the project. Post-development flows from the site shall not exceed 80% of pre-development flows, in accordance with the approved hydrology study and improvement plans.

- 2.38 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.39 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.40 **Other conditions:**
 - a) **The developer shall design and construct a drainage culvert and outlet at the southwest corner of Mission Boulevard and Magnolia Avenue. Design Q100 of 29 CFS is acceptable per the submitted preliminary drainage study.**

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

- 2.41 401 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.
- 2.42 **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>.**
- 2.43 **Other conditions:**
 - a) **On the cross sectional detail for the underground StormTech Chamber system, no geotextile fabric liner shall be shown covering the bottom of the trench to serve as a barrier between the subsoil and the gravel base, under the chambers. A geotextile fabric liner shall be indicated over the top layer of rock covering the chambers and along the earthen sides of the trench but not along the bottom, due to future clogging potential. Geotextile material from the trench sides may extend 12" into the bottom for securing the material, but no further. This design shall be clearly notated in the underground chamber detail.**
 - b) **Since there is no high-flow bypass mechanism proposed upstream of the connections into the underground chambers so that 100% of all storm intensities flow into the underground system (sump condition) and any overflows from the underground system "burp" out through an under-sidewalk drain at the southeast corner of the project, please provide a written explanation, in the WQMP, of any impacts of the overflow elevation on floating contaminants retained in the Water Quality Units, based upon the overflow invert and the water surface elevations in the WQUs, during a storm event intensity that produces overflow.**
 - c) **Although the PWQMP states that all trash enclosures constructed on this project will have a solid cover roof, the architectural details on Sheet A3.04 (Trash Enclosures)**



show only a trellis cover using tubular steel. A solid patio-type roof is required for each enclosure and this detail must be revised on the construction plans.

J. SPECIAL DISTRICTS

- 2.44 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.
- 2.45 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted three (3) months prior to, and the annexation shall be completed prior to, final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact the Management Services Department at (909) 395-2124, regarding this requirement.
- 2.46 Other conditions: _____

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

- 3.01 **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.**
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.04 **Submit electronic copies of all approved studies/reports (i.e. hydrology, traffic, WQMP, etc.).**
- 3.05 **Submit electronic copies on .pdf format of all approved/accepted improvement plans.**



EXHIBIT 'A'
ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV 15-026

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. **Three (3) sets of Public Storm Drain improvement plan**
12. **Three (3) sets of Public Street Light improvement plan**
13. **Three (3) sets of Signing and Striping improvement plan**
14. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Specifications available at <http://www.ci.ca.us/index.aspx?page=278>.
15. **Two (2) copies of Water Quality Management Plan (WQMP)**
16. **One (1) copy of Hydrology/Drainage study**
17. One (1) copy of Soils/Geology report
18. Payment for Final Map/Parcel Map processing fee
19. Three (3) copies of Final Map/Parcel Map
20. One (1) copy of approved Tentative Map
21. **One (1) copy of Preliminary Title Report (current within 30 days)**
22. One (1) copy of Traverse Closure Calculations
23. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**

Project File No. PDEV15-023
Project Engineer: Omar Gonzalez
Date: April, 18, 2016



24. Two (2) copies of Engineering Report and an electronic file (PDF format on a compact disc) for recycled water use

25. **Other: Three (3) sets of Fiber Optic Plans**

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV15-023
 Address: 1223 West Mission Blvd
 APN: 1011-371-12, 13 & 14
 Existing Land Use: Auto & RV sales
 Proposed Land Use: Multi-family residential 75 units
 Site Acreage: 2.67 Proposed Structure Height: 46 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: 8/10/15
 CD No.: 2015-028
 PALU No.:

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 checked="" type="checkbox"/> 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: 232ft | |
| <input type="radio"/> Zone 5 | | | |

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

- Zone A Zone B1 Zone C Zone D Zone E

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: 

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2015-028
PALU No.: _____

PROJECT CONDITIONS

1. New Residential land uses within the 60-65 dB CNEL noise impact zone must incorporate exterior-to-interior noise level reduction (NLR) design features and be capable of attenuating exterior noise to 45 dB interior noise level.
2. 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
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

PRELIMINARY PLAN CORRECTIONS

Sign Off



Jamie Richardson, Associate Landscape Planner

2/29/16
Date

Reviewer's Name:
Jamie Richardson, Associate Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV15-023 Rev 2

Case Planner:
 Luis Batres

Project Name and Location:
 Hallmark Apartment Homes
 SWC Mission and Magnolia
 Applicant/Representative:
 Pacific Coast Land Consultants – Travis Vincent Jr.
 25096 Jefferson 'D'
 Murietta, CA 92562

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan dated 2/2/16 meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated.) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

CORRECTIONS REQUIRED

PRELIMINARY PLAN CORRECTIONS – 7/29/2015

1. 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 10' of adjacent property that would be affected by new walls, footing or on-site tree planting. Add tree protection notes on construction and demo plans. *(Sheet L-5 was not submitted).*
2. Design spaces so utilities such as backflows and transformers are screened with 5' of landscape. *(Transformers shall be located behind the R.O.W. Shrubs and ground covers shall be no more than 18" high in parkways).*
3. Design spaces so light standards, fire hydrants, water and sewer lines do not conflict with required tree locations. Show utilities on landscape plans.
4. Show parkway landscape and street trees spaces 30' apart.
5. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
6. Show appropriate parking lot shade trees with min 30' canopy at maturity.
7. Call out type of proposed irrigation system and include preliminary MAWA calculation. *(Use updated water budget calculations based on ETAF of 0.45).*
8. Show 25% native trees in legend. *(Palm trees shall not be considered in tree percentage).*
9. Show small to medium ornamental trees in planters near covered parking.

PRELIMINARY PLAN CORRECTIONS – 11/30/2015

1. Show and identify play equipment type, manufacturer, dimensions and fall zones on plans. *(Fall zones shall be shown on conceptual site plan based on proposed play equipment).*
2. Use City of Ontario Standard-1213 Wheelchair Ramp Detail. *(Conceptual grading plan shall show engineering standard ramp detail 1213. Corner Wheelchair Ramps: Show a maximum of 10' for 66' R/W per Engineering Standard Detail 1213, (13' for 88-120' RW) to minimize expanse of concrete at*

corners. Correct corner ramps to 10' or 13' not 22').

3. Add landscape planters at tuck under parking to accommodate a trellis with a vine or large shrub; minimum 2' x 2'.

PRELIMINARY PLAN CORRECTIONS – 2/29/2016

1. Remove diseased or evasive plants such as Pyrus, Eriobotrya and Pennisetum.



PLANNING COMMISSION STAFF REPORT

May 24, 2016

SUBJECT: A City initiated request to amend the General Plan (**File No. PGPA16-03**) Housing Element Available Land Inventory (Appendix A) by updating the available sites inventory that meet California Housing and Community Development's (HCD) siting criteria, providing the current status of the sites and allowing periodic updating of the Land Inventory administratively as long as the number of units allocated to each income category does not fall below the City's Regional Housing Needs Assessment (RHNA) allocation. **City Initiated. City Council action is required.**

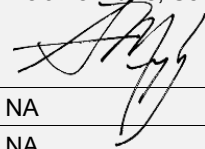
PROPERTY OWNER: Various

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of File No. PGPA16-003, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS:

[1] Background —The Housing Element is one of the seven mandated elements of the General Plan, which each city and county in the State is required to adopt and periodically update. The City adopted the current Housing Element on October 15, 2013. It covers the period from January 1, 2014 through October 31, 2021. The Housing Element is required to identify sites that can accommodate housing units for all income categories allocated to Ontario in the Regional Housing Needs Assessment (RHNA). The Land Inventory is included in the Appendix of the Housing Element. The inventory identifies specific parcels with density ranges, assumed densities and minimum number of units that are counted towards the City's RHNA obligation. Ontario's RHNA obligation is as follows:

	Lower Income	Moderate Income	Above Moderate Income	Total RHNA Need
Number of Units*	4,337	1,977	4,547	10,861
Density Range	25.1 DU/Acre or Higher	10 – 25 DU/Acre	Less than 10 DU/Acre	
*Only sites which are vacant or underutilized and can accommodate a minimum of 12 units on the site can be included on the inventory				

Case Planner:	Melanie Mullis, Senior Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	NA	NA	NA
Submittal Date:	NA	ZA	NA	NA	NA
Hearing Deadline:	NA	PC	May 24, 2016		Recommend
		CC			Final

All projects are reviewed to determine if they are on the Land Inventory. If they are, the sites must comply with the minimum number of units and minimum density specified in the inventory. If a project can't meet either the density or number of units, the inventory must be modified to reflect this change. If there are not a surplus number of units in the income category or a replacement site that meets the criteria, the project would be considered inconsistent with The Ontario Plan. In order to keep the Land Inventory current and accurate and ensure that the City's RHNA obligation can be met, it will need to be periodically modified in order to:

- remove sites that are found to be no longer suitable for the intensity assumed;
- adjust the assumed density and/or number of units on a site on the inventory to reflect the intensity that can feasibly be achieved; and
- add sites which are now vacant or underutilized to the inventory that were not available at the time the Housing Element was adopted.

Keeping the Land Inventory updated, as proposed, will help streamline the next update to the Housing Element.

(2) Proposed Changes – The proposed Housing Element amendment will update the Land Inventory, as shown in Exhibit A of the resolution, including:

- Removal of one site too small to accommodate the minimum number of units identified;
- Reduction of the density for HDR-45 zoned properties less than 2 acres to an assumed density of 25.1 du/acre;
- Modification of the density assumptions for Meredith Properties from 57 du/acre to 37 du/acre (however the number of affordable units will not change);
- Addition of properties that previously did not qualify to be on the inventory; and
- Update to the current status of the properties requiring zone changes.

In addition, future revisions to the inventory can be done administratively, without a General Plan Amendment, as long as the criteria specified in the table above is maintained. This will allow properties to be added or modified (the assumed density and/or number of units) in the inventory as long as the minimum number of units for each income category required by RHNA is maintained. This will allow staff to respond in a more fluid manner to projects that are not able to achieve consistency with Land Inventory assumptions made but are otherwise viable.

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

specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Priorities

Primary Goal: Regain Local Control of Ontario International Airport

Supporting Goals:

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

[2] Policy Plan (General Plan)

Housing Element — Housing Supply & Diversity

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-6: Infill Development. We support the revitalization of neighborhoods through the construction of higher-density developments on underutilized residential and commercial sites.

Compliance: The proposed amendment to the Housing Element will ensure the Land Inventory (which identifies sites that could be developed to meet the various income categories identified in the Regional Housing Needs Assessment) can be achieved while responding reasonably to market forces.

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

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was adopted by the City Council on October 15, 2013. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PGPA16-003, AN AMENDMENT TO THE HOUSING ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING AVAILABLE LAND INVENTORY (HOUSING ELEMENT APPENDIX) AND ALLOWING ADMINISTRATIVE MODIFICATIONS TO THE INVENTORY (SEE EXHIBIT A) (PART OF CYCLE 1 FOR THE 2016 CALENDAR YEAR).

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA16-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. On October 15, 2013, the City adopted a Housing Element Update which included a List of Available Land (Land Inventory) which identified sites available to satisfy the City's share of the region's future housing needs (RHNA); and

WHEREAS, the project sites are located within the Airport Influence Area of Ontario International Airport and the Project is consistent with the policies and criteria set forth within the Airport Land Use Compatibility Plan; and

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

WHEREAS, 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), which was adopted by the City Council on October 15, 2013. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

WHEREAS, on May 24, 2016 the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1. As the recommending body for the project, the Planning Commission has reviewed and considered the information contained in the previously adopted Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted on October 15, 2013, and the supporting documentation. Based upon the facts and information contained in the Addendum and supporting documentation, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- a. The previous Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- b. The previous Addendum was completed in compliance with CEQA and the Guidelines promulgated thereunder; and.
- c. The previous Addendum reflects the independent judgment of the Planning Commission; and
- d. The proposed project introduces no new significant environmental impacts beyond what was analyzed in the Addendum.

SECTION 2. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission and the specific findings set forth in Section 1 above, the Planning Commission hereby concludes as follows:

- a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:
 - Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-6: Infill Development. We support the revitalization of neighborhoods through the construction of higher-density developments on underutilized residential and commercial sites.
- b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;
- c. The Housing Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the first amendment to the Housing Element of the 2016 calendar year consistent with Government Code Section 65358;

d. Periodic updating and modifications to the Available Land Inventory of the Housing Element is prudent if the following criteria adopted as part of the 2013 Housing Element Update is maintained:

	Lower Income	Moderate Income	Above Moderate Income	Total RHNA Need
Number of Units*	4,337	1,977	4,547	10,861
Density Range	25.1 DU/Acre or Higher	10 – 25 DU/Acre	Less than 10 DU/Acre	
*Only sites which are vacant or underutilized and can accommodate a minimum of 12 units on the site can be included on the inventory				

e. During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of May 2016, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PGPA16-003
May 24, 2016
Page 5

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 24, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

**EXHIBIT A
List of Properties on the Housing Element Land Inventory**

APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
100852203	Mountain Corridor	1	Commercial	No	NC	0.172	CN	0-25									
100852202	Mountain Corridor	2	Commercial	No	NC	4.039	CN	0-25			31.0	177	177			Approved Mixed Use Senior Project 177 units	
100852201	Mountain Corridor	3	Commercial	No	NC	1.451	CN	0-25									
100851316	Mountain Corridor	4	Commercial	No	NC	0.135	CN	0-25									
101046203	Mountain Corridor	5	Commercial	No	HDR	1.543	HDR-45		HDR-45	25-45	25.1	38	38			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101046202	Mountain Corridor	6	Commercial	No	HDR	1.613	HDR-45		HDR-45	25-45	25.1	40	40			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101046201	Mountain Corridor	7	Commercial	No	HDR	0.983	HDR-45		HDR-45	25-45	25.1	24	24			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052126	Mountain Corridor	8	Parking Lot	No	HDR	0.519	HDR-45		HDR-45	25-45	25.1	13	13			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052127	Mountain Corridor	9	Commercial	No	HDR	0.346	HDR-45		HDR-45	25-45	25.1	9	9			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052128	Mountain Corridor	10	Commercial	No	HDR	1.241	HDR-45		HDR-45	25-45	25.1	31	31			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055216	Mountain Corridor	11	Commercial	No	HDR	0.68	HDR-45		HDR-45	25-45	25.1	17	17			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055210	Mountain Corridor	12	Commercial	No	HDR	0.406	HDR-45		HDR-45	25-45	25.1	10	10			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055237	Mountain Corridor	13	Commercial	No	HDR	0.392	HDR-45		HDR-45	25-45	25.1	10	10			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055232	Mountain Corridor	14	Vacant	No	HDR	0.463	HDR-45		HDR-45	25-45	25.1	12	12			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055233	Mountain Corridor	15	Auto Repair	No	HDR	0.463	HDR-45		HDR-45	25-45	25.1	12	12			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055234	Mountain Corridor	16	Vacant	No	HDR	0.421	HDR-45		HDR-45	25-45	25.1	11	11			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054332	Mountain Corridor	17	Parking Lot	No	HDR	0.414	HDR-45		HDR-45	25-45	25.1	10	10			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054314	Mountain Corridor	18	Commercial	No	HDR	0.441	HDR-45		HDR-45	25-45	25.1	11	11			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054313	Mountain Corridor	19	Commercial	No	HDR	0.353	HDR-45		HDR-45	25-45	25.1	9	9			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054309	Mountain Corridor	20	Vacant Building	No	HDR	0.46	HDR-45		HDR-45	25-45	25.1	12	12			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054330	Mountain Corridor	21	Commercial	No	HDR	0.873	HDR-45		HDR-45	25-45	25.1	22	22			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054307	Mountain Corridor	22	Retail	No	HDR	0.44	HDR-45		HDR-45	25-45	25.1	11	11			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054306	Mountain Corridor	23	Commercial	No	HDR	0.555	HDR-45		HDR-45	25-45	25.1	14	14			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054305	Mountain Corridor	24	Commercial	No	HDR	0.755	HDR-45		HDR-45	25-45	25.1	19	19			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054304	Mountain Corridor	25	Commercial	No	HDR	0.87	HDR-45		HDR-45	25-45	25.1	22	22			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054327	Mountain Corridor	26	Vacant Building	No	HDR	0.423	HDR-45	16-25	HDR-45	25-45	25.1	11	11			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054302	Mountain Corridor	27	Commercial	No	HDR	0.467	HDR-45		HDR-45	25-45	25.1	12	12			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054301	Mountain Corridor	28	Commercial	No	HDR	1.243	HDR-45		HDR-45	25-45	25.1	31	31			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052217	Mountain Corridor	29	Commercial	No	HDR	0.998	HDR-45		HDR-45	25-45	25.1	25	25			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052213	Mountain Corridor	30	Commercial	No	HDR	0.357	HDR-45		HDR-45	25-45	25.1	9	9			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052206	Mountain Corridor	31	Commercial	No	HDR	0.672	HDR-45		HDR-45	25-45	25.1	17	17			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050207	Mountain Corridor	32	Auto Sales	No	HDR	0.427	HDR-45		HDR-	25-45	25.1	11	11			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050178	Mountain Corridor	33	Commercial	No	HDR	0.349	HDR-45		HDR-45	25-45	25.1	9	9			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050177	Mountain Corridor	34	Auto Sales	No	HDR	0.349	HDR-45		HDR-45	25-45	25.1	9	9			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050176	Mountain Corridor	35	Commercial	No	HDR	1.476	HDR-45		HDR-45	25-45	25.1	37	37			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016

List of Properties on the Housing Element Land Inventory

APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
101049103	Mountain Corridor	36	Auto Sales	No	MDR	1.291	MDR-25		MDR- 25	18-25	20.0	26		26		Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101049102	Mountain Corridor	37	Auto Sales	No	MDR	0.532	MDR-25		MDR- 25	18-25	20.0	11		11		Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101049116	Mountain Corridor	38	Auto Sales	No	MDR	0.43	MDR-25		MDR- 25	18-25	20.0	9		9		Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
104860415	Mountain Corridor	39	Auto Sales	No	MDR	1.266	MDR-25		MDR- 25	18-25	20.0	25		25		Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
104860414	Mountain Corridor	40	Auto Sales	No	MDR	0.518	MDR-25		MDR- 25	18-25	20.0	10		10		Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
104860413	Mountain Corridor	41	Commercial	No	MDR	0.553	MDR-25		MDR- 25	18-25	20.0	11		11		Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
104905101	Downtown	42	Parking Lot	Yes	MU	0.286	MU-1	25-75	MU-1	25-75	25.1	7	7			Zone Change Required	
104905102	Downtown	43	Vacant	Yes	MU	0.79	MU-1	25-75	MU-1	25-75	25.1	20	20			Zone Change Required	
104905303	Downtown	44	Vacant Building	No	MU	0.392	MU-1	25-75	MU-1	25-75	25.1	10	10			Zone Change Required	
104905304	Downtown	45	Used Auto Sales	No	MU	0.387	MU-1	25-75	MU-1	25-75	25.1	10	10			Zone Change Required	
104905501	Downtown	46	Retail	No	MU	0.212	MU-1	25-75	MU-1	25-75	25.1	5	5			Zone Change Required	
104905509	Downtown	47	Auto Repair	No	MU	0.298	MU-1	25-75	MU-1	25-75	25.1	7	7			Zone Change Required	
104905204	Downtown	48	Vacant	Yes	MU	0.696	MU-1	25-75	MU-1	25-75	25.1	17	17			Zone Change Required	
104905406	Downtown	49	Retail	No	MU	0.231	MU-1	25-75	MU-1	25-75	25.1	6	6			Zone Change Required	
104905402	Downtown	50	Vacant	Yes	MU	0.455	MU-1	25-75	MU-1	25-75	25.1	11	11			Zone Change Required	
104905404	Downtown	51	Office	No	MU	0.498	MU-1	25-75	MU-1	25-75	25.1	12	12			Zone Change Required	
104905606	Downtown	52	Parking Lot	Yes	MU	0.35	MU-1	25-75	MU-1	25-75	25.1	9	9			Zone Change Required	
104905605	Downtown	53	Office	Yes	MU	0.354	MU-1	25-75	MU-1	25-75	25.1	9	9			Zone Change Required	
10485112	Downtown	54	Vacant	Yes	MU	0.488	PUD	25-75		25-75	65.0						
10485111	Downtown	55	Vacant	Yes	MU	0.683	PUD	25-75		25-75	65.0						
10485110	Downtown	56	Vacant	Yes	MU	1.06	PUD	25-75		25-75	65.0						
10485113	Downtown	57	Parking Lot	Yes	MU	0.146	PUD	25-75		25-75	65.0						
104855301	Downtown	58	Vacant	Yes	MU	0.17	PUD	25-75		25-75	65.0						
104855317	Downtown	59	Commercial	No	MU	0.184	PUD	25-75		25-75	65.0						
104855316	Downtown	60	Commercial	No	MU	0.089	PUD	25-75		25-75	65.0						
104855315	Downtown	61	Vacant Building	Yes	MU	0.089	PUD	25-75		25-75	65.0						
104855314	Downtown	62	Vacant	Yes	MU	0.089	PUD	25-75		25-75	65.0						
1048 5531 3	Downtown	63	Vacant Building	Yes	MU	0.177	PUD	25-75		25-75	65.0						
1048 5531 2	Downtown	64	Vacant	Yes	MU	0.089	PUD	25-75		25-75	65.0						
1048 5531 1	Downtown	65	Vacant	Yes	MU	0.089	PUD	25-75		25-75	65.0						
10485531 0	Downtown	66	Vacant	Yes	MU	0.06	PUD	25-75		25-75	65.0						
104855302	Downtown	67	Commercial	No	MU	0.19	PUD	25-75		25-75	65.0						
104855303	Downtown	68	Parking Lot	No	MU	0.19	PUD	25-75		25-75	65.0						
104855304	Downtown	69	Parking Lot	No	MU	0.19	PUD	25-75		25-75	65.0						
104855305	Downtown	70	Parking Lot	Yes	MU	0.132	PUD	25-75		25-75	65.0						
												153	153			Approved Town Center PUD C1 Block 153 units	
												156	156			PUD Amended in June 2011 to increase density range allowing 156 units A1 Block of approved Town Center PUD	

List of Properties on the Housing Element Land Inventory

APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
104855309	Downtown	71	Parking Lot	Yes	MU	0.079	PUD	25-75		25-75	65.0						
104855308	Downtown	72	Parking Lot	Yes	MU	0.149	PUD	25-75		25-75	65.0						
104855307	Downtown	73	Parking Lot	Yes	MU	0.093	PUD	25-75		25-75	65.0						
104855306	Downtown	74	Parking Lot	Yes	MU	0.084	PUD	25-75		25-75	65.0						
104847211	East Holt	75	Vacant	Yes	MU	3.368	MU-2		MU-2	14-40	30.0	101	101			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
104743222	Grove Corridor	76	Vacant	No	HDR	0.764	MDR-18		HDR-45	25-45	25.0	0	0			Zone Change Required	Site not large enough once existing flood control is accommodated
104744301	Grove Corridor	77	Vacant	No	HDR	3.786	MDR-18		HDR-45	25-45	25.1	95	95			Zone Change Required	
10846104	Grove Corridor	78	Vacant	No	MDR	7.962	CIV		MDR-18	11-18	16.2	129		129		Zone Change Required	
10846103	Grove Corridor	79	Vacant	No	MDR	1.14	CIV		MDR-18	11-18	16.2	18		18		Zone Change Required	
10846102	Grove Corridor	80	Vacant	No	MDR	1.928	CIV		MDR-18	11-18	16.2	31		31		Zone Change Required	
10846101	Grove Corridor	81	Vacant	No	MDR	2.712	CIV		MDR-18	11-18	16.2	44		44		Zone Change Required	
10851116	Grove Corridor	82	Vacant	No	HDR	1.422	MDR-11		HDR-45	25-45	25.1	36	36			Zone Change Required	
10851117	Grove Corridor	83	Vacant	No	HDR	0.966	MDR-11		HDR-45	25-45	25.1	24	24			Zone Change Required	
101136105	Mission Corridor	84	Vacant	No	HDR	1.334	HDR-45		HDR-45	25-45	25.1	33	33			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005) PDEV15-027 submitted for 54 DU's
101136104	Mission Corridor	85	Church	No	HDR	0.447	HDR-45	1-2	HDR-45	25-45	25.1	12	12			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136103	Mission Corridor	86	Church	No	HDR	0.499	HDR-45	1-2	HDR-45	25-45	25.1	13	13			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136102	Mission Corridor	87	Single Family	No	HDR	0.898	HDR-45	1-2	HDR-45	25-45	25.1	23	23			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136101	Mission Corridor	88	Single Family	No	HDR	1.216	HDR-45	1-2	HDR-45	25-45	25.1	31	31			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136127	Mission Corridor	89	Auto Repair	No	HDR	0.6	HDR-45		HDR-45	25-45	25.1	16	16			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136108	Mission Corridor	90	Commercial	No	HDR	0.421	HDR-45		HDR-45	25-45	25.1	11	11			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136110	Mission Corridor	91	Commercial	No	HDR	0.388	HDR-45		HDR-45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136128	Mission Corridor	92	Commercial	No	HDR	0.402	HDR-45		HDR-45	25-45	25.1	11	11			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136130	Mission Corridor	93	Commercial	No	HDR	0.392	HDR-45		HDR-45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136115	Mission Corridor	94	Single Family	No	HDR	0.883	HDR-45		HDR-45	25-45	25.1	23	23			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136107	Mission Corridor	95	Vacant	No	HDR	0.613	HDR-45	1-2	HDR-45	25-45	25.1	16	16			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136112	Mission Corridor	96	Vacant	No	HDR	0.38	HDR-45	1-2	HDR-45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136129	Mission Corridor	97	Vacant	No	HDR	0.419	HDR-45	1-2	HDR-45	25-45	25.1	11	11			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)

List of Properties on the Housing Element Land Inventory

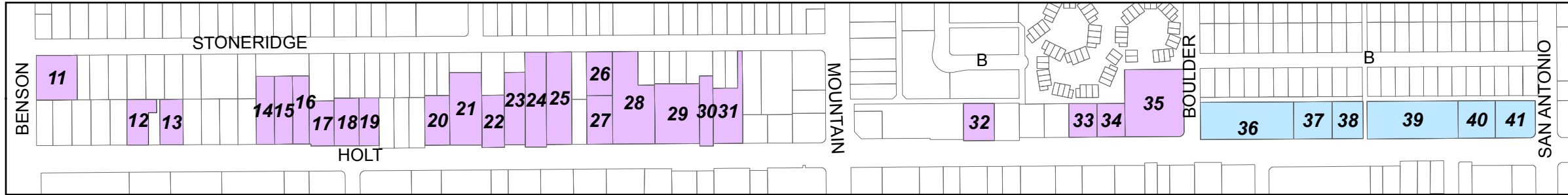
APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
101136131	Mission Corridor	98	Vacant	No	HDR	0.409	HDR-45	1-2	HDR- 45	25-45	25.1	11	11			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136123	Mission Corridor	99	Vacant	No	HDR	0.367	HDR-45	1-2	HDR- 45	25-45	25.1	12	12			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136125	Mission Corridor	100	Single Family	No	HDR	0.368	HDR-45	1-2	HDR- 45	25-45	25.1	10	10			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136126	Mission Corridor	101	Single Family	No	HDR	0.349	HDR-45	1-2	HDR- 45	25-45	25.1	9	9			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137113	Mission Corridor	102	Commercial	No	HDR	0.375	HDR-45		HDR- 45	25-45	25.1	10	10			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137112	Mission Corridor	103	Trailer Sales	No	HDR	1.58	HDR-45		HDR- 45	25-45	25.1	40	40			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137114	Mission Corridor	104	Trailer Sales	No	HDR	0.716	HDR-45	1-2	HDR- 45	25-45	25.1	18	18			Zone Change Required--	PDEV15-023 submitted for 75 DU's
101137115	Mission Corridor	105	Vacant	No	HDR	0.716	HDR-45	1-2	HDR- 45	25-45	25.1	18	18			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137116	Mission Corridor	106	Single Family	No	HDR	0.867	HDR-45	1-2	HDR- 45	25-45	25.1	22	22			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101138265	Mission Corridor	107	Vacant	No	HDR	0.867	HDR-45		HDR- 45	25-45	25.1	22	22			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101138204	Mission Corridor	108	Vacant	No	HDR	1.984	HDR-45		HDR- 45	25-45	25.1	60	50			Zone Change Required--	Zone Change to HDR completed 1-20-2015 (PZC14-005) PDEV14-040 submitted for 69 DU's
105038107	Euclid Corridor	109	Single Family	No	MDR	0.396	MDR-18	11-16		11-18	14.4	6		6			Zone Change to MDR completed 7-2-2013
105038108	Euclid Corridor	110	Single Family	No	MDR	0.607	MDR-18	11-16		11-18	14.4	9		9			Zone Change to MDR completed 7-2-2013
105038109	Euclid Corridor	111	Single Family	No	MDR	0.841	MDR-18	11-16		11-18	14.4	12		12			Zone Change to MDR completed 7-2-2013
105059110	Euclid Corridor	112	Single Family	No	MDR	0.834	MDR-18	11-16		11-18	14.4	12		12			Zone Change to MDR completed 7-2-2013
105059111	Euclid Corridor	113	Single Family	No	MDR	0.556	MDR-18	11-16		11-18	14.4	8		8			Zone Change to MDR completed 7-2-2013
105060101	Euclid Corridor	114	Single Family	No	MDR	1.895	MDR-18	11-16		11-18	14.4	27		27			Zone Change to MDR completed 7-2-2013
105060125	Euclid Corridor	115	Vacant	No	MDR	1.895	MDR-18	11-16		11-18	14.4	27		27			Zone Change to MDR completed 7-2-2013
105153105	Campus Site	116			MDR	9.452	MDR-18	11-16		11-18	14.4	136		136			
105153106	Campus Site	117			MDR	0.174	MDR-18	11-16		11-18	14.4	3		3			
	OAMC - Meredith	118	Vacant	No	MU	15.435 ac	SP	14-125		14-125	37.0	800	800			MEREDITH SPECIFIC PLAN 800 UNITS PROPOSED	
	OAMC - Festival	119	Vacant	No	MU	30.08	SP	10-25		10-25	10.0	302		302		FESTIVAL SP APPROVED 302 UNITS	
	OAMC - Guasti Plaza	120	Vacant	No	MU	7.813 ac	SP	25-60		25-60	60.0	468	468			APPROVED GUASTI SP RESIDENTIAL OVERLAY 468 UNITS	
21018209	OAMC - Wagner	121	Vacant	No	HDR	10.946 ac	SP	25-45		25-45	25.1	298	298			WAGNER SP APPROVED 298 UNITS	PDEV13-006 approved for 298 DU's on 4-20-2015
21020411	OAMC - Piemonte	122	Vacant	No	MU	4.311 ac	SP	25-75		25-75	43.0	185	185			APPROVED PIEMONTE SP 378 CONDOS	
21020410	OAMC - Piemonte	123	Vacant	No	MU	4.442 ac	SP	25-75		25-75	43.0	193	193			APPROVED PIEMONTE SP 378 CONDOS	

List of Properties on the Housing Element Land Inventory

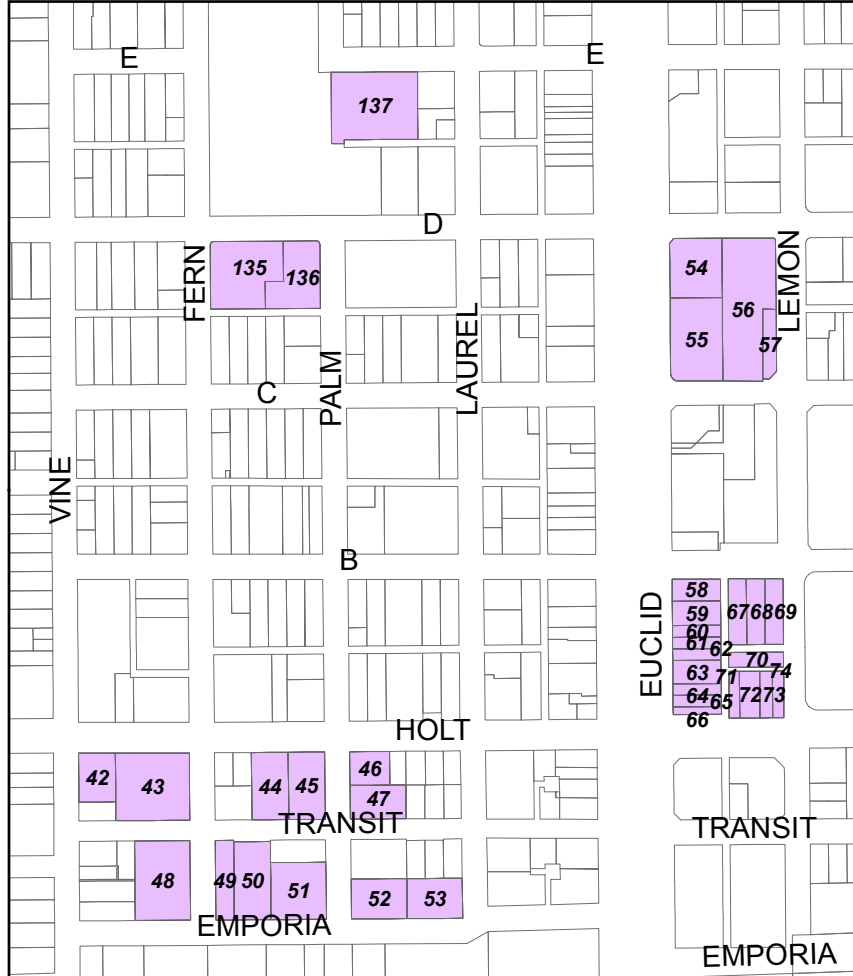
APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
2102 0416	OAMC - Piemonte	124	Vacant	No	MU	4.245 ac	SP	25-75		25-75	46.0	195	195			APPROVED SP PIEMONTE 428 UNITS OVER COMM ERICIAL	
21020419	OAMC - Piemonte	125	Vacant	No	MU	5.084 ac	SP	25-75		25-75	46.0	233	233			APPROVED SP PIEMONTE 428 UNITS OVER COMMERCIAL	
	NMC - Countryside	126	Agricultural/ Vacant	No	LDR	178	SP	5-9		5-9		819			819	NMC Approved Specific Plan	
	NMC - West Haven	127	Agricultural/ Vacant	No	LDRW C	199	SP	6		6		753			753	NMC Approved Specific Plan	
	NMC - Rich Haven	128	Agricultural/ Vacant	No	MU/M DR/L MDR/ LDR	510	SP	5-20		5-20		4,256		1524	2732	NMC Approved Specific Plan	
	NMC - Edenglen	129	Agricultural/ Vacant	No	LDR\ MDR\ BP\GC	160	SP	4-17		4-17		584		307	277	NMC Approved Specific Plan	
	NMC - The Avenue	130	Agricultural/ Vacant	No	LDR/ MDR/ LMDR	560	SP	2-12		2-12		2,552		532	2020	NMC Approved Specific Plan	
	NMC - Parkside	131	Agricultural/ Vacant	No	MDR/ NC/BP	249	SP	8-25		8-25		1,947		1510	437	NMC Approved Specific Plan	
	NMC - Subarea 29	132	Agricultural/ Vacant	No	LDR\N C\BP\ IND	532	SP	5		5		2,291			2291	NMC Approved Specific Plan	
	NMC - Esperanza	133	Agricultural/ Vacant	No	LDR\ MDR	23	SP	13-24		13-24		1,410		496	914	NMC Approved Specific Plan	
104743316	Grove Corridor	134	Parking Lot	No	HDR	1.081	P1	NA	HDR-45	25-45	25.1	28	28				Part iof PZC16-001 going to CC 5-3-2016
104857601	Downtown	135	Parking Lot	No	HDR	0.701	P1	NA	HDR-45	25-45	25.1	18	18				Part iof PZC16-001 going to CC 5-3-2016
104857602	Downtown	136	Parking Lot	No	HDR	0.467	P1	NA	HDR-45	25-45	25.1	12	12				Part iof PZC16-001 going to CC 5-3-2016
104835314	Downtown	137	Parking Lot	No	HDR	0.927	P1	NA	HDR-45	25-45	25.1	24	24				Part iof PZC16-001 going to CC 5-3-2016
105114103	Philadelphia & Cucamonga	138	Vacant	No	MDR	5.4	MDR-25	18.1-25			25.7	139	139				139 Apartments under Construction
10855101	Grove Corridor	139	Vacant	No	HDR	0.675	HDR-45	25 - 45		25 - 45	25.1	36	36			Former Church demolished in 2016	
10855134	Grove Corridor	140	Vacant	No	HDR	0.374	HDR-45	25 - 45		25 - 45	25.1						
10855135	Grove Corridor	141	Vacant	No	HDR	0.386	HDR-45	25 - 45		25 - 45	25.1						
TOTAL INVENTORY												19,952	4,474	5,225	10,243		
RHNA ALLOCATION												10,861	4,337	1,977	4,547		
NET BTWN RHNA AND INVENTORY												9,091	137	3,248	5,696		

NOTE: Words in Red are additions or modifications to the inventory. Words that are strikethrough are to be eliminated from the inventory.

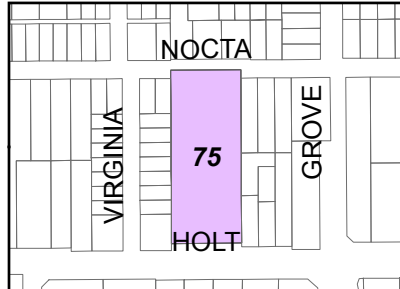
WEST HOLT BLVD



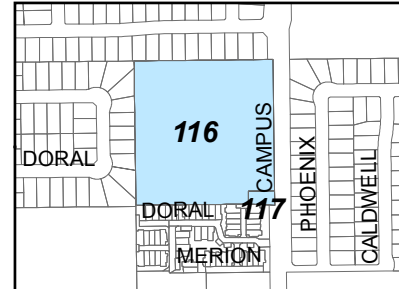
DOWNTOWN



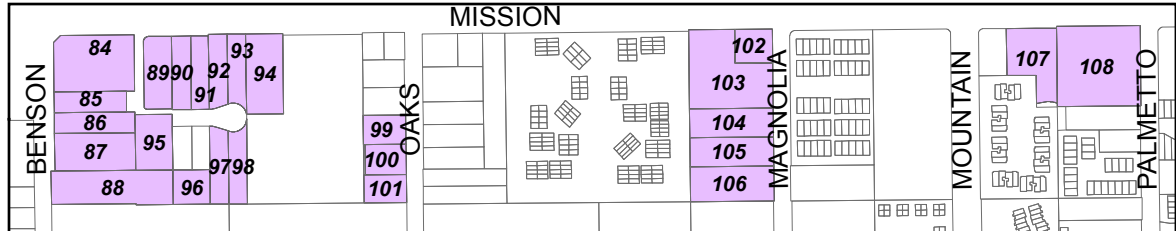
EAST HOLT BLVD.



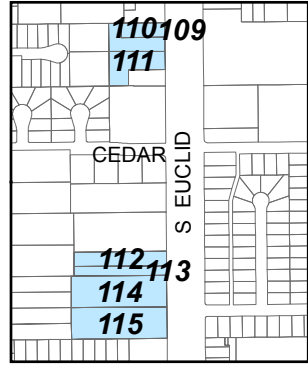
CAMPUS SITE



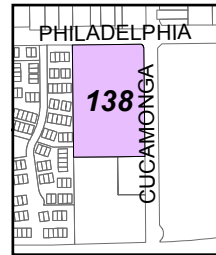
WEST MISSION BLVD



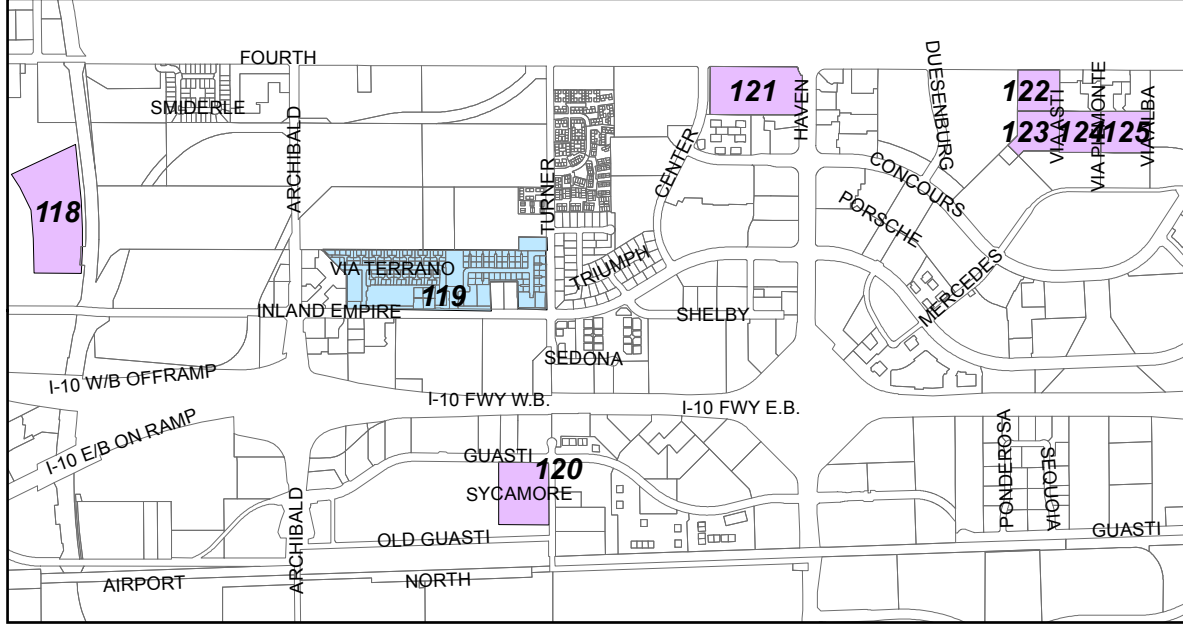
SOUTH EUCLID



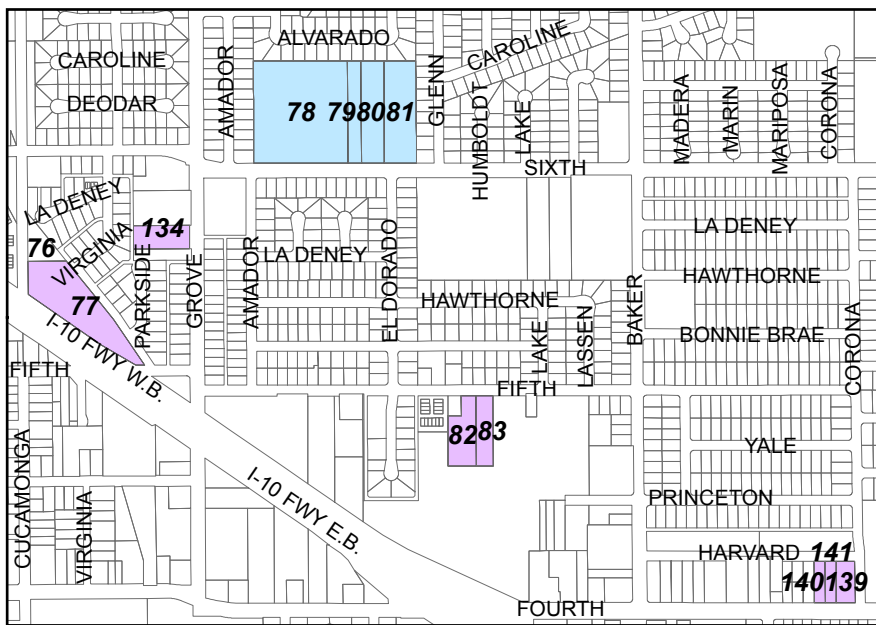
PHILADELPHIA & CUCAMONGA



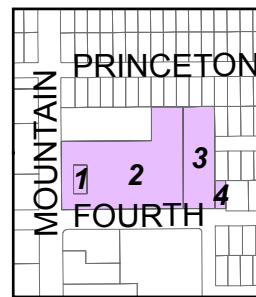
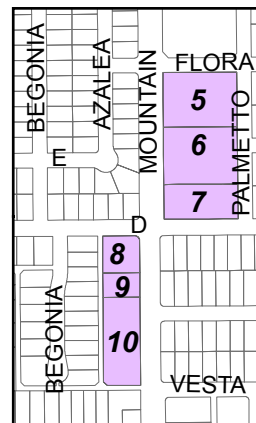
ONTARIO AIRPORT METRO CENTER



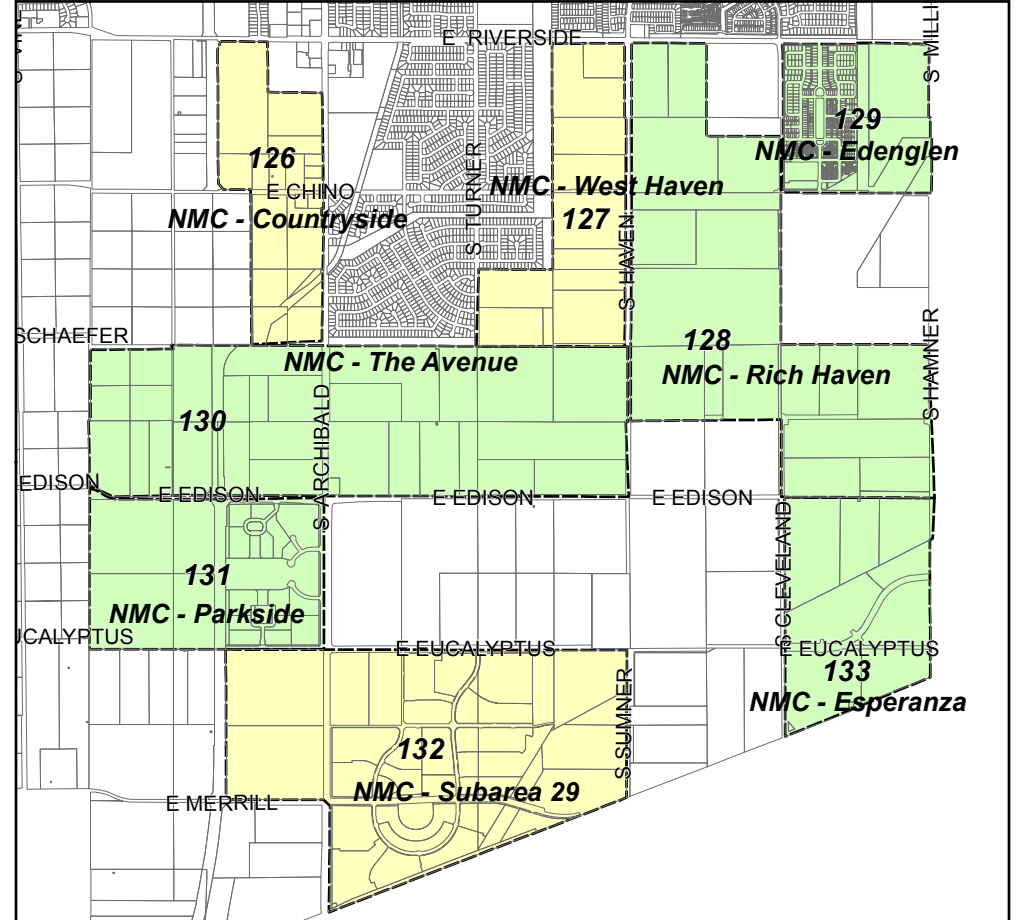
I-10 AND GROVE



MOUNTAIN CORRIDOR



NEW MODEL COLONY



Housing Element Land Inventory

Sites in Housing Element Land Inventory Income Categories

- Low Income (>25 DU/AC)
- Moderate Income (10 - 25 DU/AC)
- Moderate & Above-Moderate Income (See Inventory)
- Above-Moderate Income (<10 DU/AC)

Map ID (See Land Inventory for Details)

BACKGROUND INFORMATION

Each City in California is required to prepare a Housing Element every 5 - 10 years. The Housing Element must, in part, identify available sites that can accommodate the number and type of dwelling units that have been allocated to the City.

Projects on sites identified in the Available Land Inventory of the Housing Element (and shown on this map) must be consistent with the density range identified in the Land Inventory and the minimum number of units specified in order to be consistent with the City's General Plan (The Ontario Plan). State law requires all projects to be consistent with the General Plan.

If a site is identified on this map as being part of the Inventory, be sure to check the Land Inventory which is found in the appendix of the Ontario Housing Element which can be found at: <http://www.ontarioplan.org/index.cfm/27915/34473>



PLANNING COMMISSION STAFF REPORT

May 24, 2016

SUBJECT: A Development Code Amendment proposing various clarifications to the Ontario Development Code, as follows: **[1]** Amend Table 5.02-1 (Land Use Matrix) to prohibit “Used Car Sales” (NAICS441120) within the CC (Community Commercial) zone and ICC (Interim Community Commercial) Overlay district, allow “Fitness and Recreation Sport Centers” (NAICS71394), 10,000 square feet or more in area, as a conditionally permitted land use within the CN (Neighborhood Commercial) zone, and allow “Wireless Telecommunications Facilities” as a conditionally permitted land use in the AG (Agriculture) Overlay district; **[2]** Amend Section 5.03.150 (Drive-Thru Facilities) to prohibit drive-thru facilities within the MU-1 (Downtown Mixed-Use) zoning district; **[3]** Amend Section 5.03.420 (Wireless Telecommunications Facilities) to allow a maximum height of 75 feet for collocated antennas within the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zones; **[4]** Amend Section 6.01.035 (Overlay Zoning Districts) to clarify that medical offices are allowed on the first floor of buildings located within the EA (Euclid Avenue) Overlay district, except within the MU-1 (Downtown Mixed-Use) zone; **[5]** Amend Table 2.02-1 (Review Matrix) to clarify that public notification is not required for a Development Advisory Board recommendation to the Planning Commission; **[6]** Amend Section 8.01.020 (Sign Standards) to clarify that freestanding signs cannot encroach within the public right-of-way and must be wholly located behind the right-of-way line; **[7]** Amend Section 8.1.025 (Design Guidelines) to clarify that monument signs should be provided with a 12 to 18-inch high base; **[8]** Revise Section 9.01.010 (Terms and Phrases) to clarify the definition for “Density,” including rules for rounding density calculations; and **[9]** Amend Municipal Code Section 5-29.04 (Exterior Noise Standards) to correct the Allowed Equivalent Noise Level for Noise Zone IV (Residential Portion of Mixed Use), to be consistent with Noise Zone II (Multi-Family Residential and Mobile Home Parks); **City initiated.** City Council action required.

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of File No. PDCA16-003, based upon the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The proposed Development Code Amendment is of Citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and, Merrill Avenue and the San Bernardino County/Riverside County boundary on the south (see Figure 1 (Vicinity Map), below). The City of Ontario is substantially built-

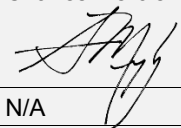
Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	N/A	PC	5/24/2016		Recommend
Hearing Deadline:	N/A	CC	6/21/2016		Introduction
		CC	7/5/2016		Final



Figure 1: Vicinity Map

out with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational land uses. According to the California Department of Finance, the City of Ontario's 2015 estimated population is 168,777 persons, and it is ranked the 29th largest city in the State.

PROJECT ANALYSIS: The Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens. On December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016. Staff is now initiating several minor alterations to the Development Code to adjust and clarify certain provisions of the Code, which are described below. Additionally, a draft copy of the Ordinance containing the below-described clarifications is included as Exhibit A of this report.

[1] Amend Table 5.02-1 (Land Use Matrix). Amend Development Code Table 5.02-1 (Land Use Matrix) of Division 5.02 (Land Use), as follows:

[a] Prohibit “Used Car Sales” (NAICS441120) within the CC (Community Commercial) zoning district and ICC (Interim Community Commercial) Overlay district. The Development Code currently allows used car sales in the IP (Industrial Park) and CC (Community Commercial) zoning districts, and in the ICC (Interim Community Commercial) Overlay district. The IP zoning district was created, in part, to focus the establishment of used car sales, and other motor vehicle related businesses, on the south side of West Holt Boulevard (area west of Euclid Avenue), and at various locations on Mission Boulevard, to ensure that motor vehicle related businesses would not be established adjacent to residential land uses, thereby avoiding land use conflicts that had been allowed to exist under the previous Development Code.

The CC zoning district and ICC Overlay district are located adjacent to residential zoning districts at numerous locations throughout the City. Allowing used car sales businesses within these districts could result in the establishment of the land use adjacent to residential land uses, thereby creating the land use conflict that the IP zoning district was intended to prevent. Therefore, it is staff’s recommendation that used car sales be prohibited in the CC zoning district and the ICC Overlay district.

[b] Allow “Fitness and Recreation Sport Centers” (NAICS71394), 10,000 square feet or more in area, as a conditionally permitted land use within the CN (Neighborhood Commercial) zoning district. Within the CN zoning district, fitness and recreation sport centers less than 10,000 square feet in area are currently permitted to be established by right, and facilities that are 10,000 square feet or more in area, are prohibited. However, in all other zoning districts in which facilities 10,000 square feet or more in area are allowed, the use is conditionally permitted. For this reason, staff believes the current prohibition against fitness and recreation sport centers greater 10,000 square feet in area is an oversight and, further, believes that the land use should be allowed as a conditionally permitted use in the CN zoning district.

[c] Allow “Wireless Telecommunications Facilities” (NAICS5172) as a conditionally permitted land use in the AG (Agriculture) Overlay district. Prior to the enactment of the comprehensive Development Code update earlier this year, wireless telecommunications facilities were conditionally permitted in the AG Overlay district. Upon enactment of the comprehensive update, wireless telecommunications facilities in the AG Overlay district are permitted by right of being in the correct zoning district. In processing wireless telecommunications facilities under the updated Development Code, staff has discovered the need to reinstate the Conditional Use Permit approval requirement in the AG Overlay district, as the need may exist to grant interim approval of the land use, generally for periods of 5 to 10 years. This is necessary because the ultimate use and design of the affected property, and surrounding properties, may not be

known at the time of wireless telecommunications facility approval. This may necessitate the need for the City to require changes to the wireless telecommunications facility, which could not otherwise be required as a permitted land use.

[2] Clarify that Drive-Thru Facilities Are Prohibited within the MU-1 (Downtown Mixed-Use) Zoning District. Amend the locational standards established by Development Code Section 5.03.150 (Drive-Thru Facilities), to prohibit drive-thru facilities within the MU-1 (Downtown Mixed-Use) zoning district. This addition will provide clarification as to the intent of the City Council concerning the establishment of drive-thru facilities in the City's historic downtown area, consistent with the previous Development Code.

[3] Allow a Maximum 75-Foot Height for Collocated Wireless Telecommunications Antennas in the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) Zoning Districts. Amend Development Code Section 5.03.420 (Wireless Telecommunications Facilities), increasing the maximum allowed height of collocated wireless telecommunications antennas, from 65 feet to 75 feet, in the IL, IG and IH zoning districts. This revision will eliminate nonconformities with the current Development Code standards for existing wireless facilities throughout the industrial areas that were previously approved at heights between 65 feet to 75 feet and be consistent with the previous Development Code.

[4] Clarify that Medical Offices are allowed on the First Floor of Buildings in the EA (Euclid Avenue) Overlay District, Except within the MU-1 (Downtown Mixed-Use) Zoning District. Amend Development Code Section 6.01.035 (Overlay Zoning Districts) to clarify that medical offices shall be allowed on the first floor of buildings located within the EA (Euclid Avenue) Overlay district, except within the MU-1 (Downtown Mixed-Use) zoning district. This amendment will provide clarification as to the intent of the City Council concerning the establishment of medical offices in the City's historic downtown area.

[5] Clarify Public Hearing Notification Requirements as they Pertain to Development Advisory Board Recommendation to the Planning Commission. Amend Development Code Table 2.03-1 (Notification Matrix) to clarify that public hearing notification is not required for a Development Advisory Board action when it is provided as a recommendation to the Planning Commission. This revision will serve to clarify the past Development Advisory Board procedure.

[6] Clarify that Freestanding Signs Cannot Encroach within the Public Right-of-Way. Amend Development Code Section 8.01.020 (Sign Standards) to clarify that freestanding signs cannot encroach within the public right-of-way and must be wholly located behind the right-of-way line. This addition will provide clarification consistent with past implementation of the City's locational standards for freestanding signs.

[7] Clarify that Monument Signs Should Include a Base to Accommodate the Growth of Landscaping Around the Sign Base. Amend Development Code Section 8.01.025 (Design Guidelines) to clarify that monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face. This addition will provide clarification consistent with past implementation of the City's freestanding sign design guidelines.

[8] Clarify the Definition for "Density," Including Rules for Rounding Density Calculations. Amend Development Code Section 9.01.010 (Terms and Phrases), adding a definition for "Density," which includes rules for rounding minimum and maximum density calculations, as follows:

"Density (Residential Density). A quantitative measure of the intensity with which residentially zoned land may be developed in terms of the minimum and maximum number of allowed dwelling units for each acre of land (lot area). In calculating the allowed minimum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded up to the higher whole number. In calculating the allowed maximum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded down, to the lower whole number."

[9] Correct the Allowed Equivalent Noise Level for Noise Zone IV (Residential Portion of Mixed Use). Amend Municipal Code Section 5-29.04 (Exterior Noise Standards), Subsection (a), revising the Allowed Equivalent Noise Level for Noise Zone IV (Residential Portion of Mixed Use), to read the same as Noise Zone II (Multi-Family Residential and Mobile Home Parks (65 dBA for 7:00AM to 10:00PM, and 50 dBA for 10:00PM to 7:00AM). This revision will correct an error in the City's current exterior noise standards.

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

[1] City Council Priorities.

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals:

- Invest in the Growth and Evolution of the City's Economy;

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

[2] Policy Plan (General Plan).

[a] Land Use Element – Balance:

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

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

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

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

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

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

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

[b] Land Use – Compatibility

- Goal LU2: Compatibility between wide ranges of uses.

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

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

[c] Land Use – Phased Growth

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

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

[d] Land Use – Airport Environs

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

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

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

[e] Community Design Element – Image & Identity:

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

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

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

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

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

[f] Community Design Element – Design Quality

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

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

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

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

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

➤ CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.

➤ CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.

➤ CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity,

and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

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

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

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

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

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

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

[g] Community Design Element – Pedestrian & Transit Environments

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

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

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

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

[h] Community Design Element – Protection of Investment

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

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

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

[i] Mobility Element – Roadway System:

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

➤ M1-1 Roadway Design and Maintenance. We require our roadways to:

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

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

[j] Mobility Element – Bicycles & Pedestrians:

- Goal M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

- M2-1 Bikeway Plan. We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.

- M2-2 Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances.

- M2-3 Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

[k] Housing Element – Housing Supply & Diversity:

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

- H2-1 Corridor Housing. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally, and aesthetically suited to corridors.

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

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

[l] Environmental Resources Element – Water & Wastewater:

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

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

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

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

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

[l] Environmental Resources Element – Energy:

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

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

[m] Environmental Resources Element – Air Quality:

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

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

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

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

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

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

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

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

[o] Community Economics Element – Complete Community:

- Goal CE1: A complete community that provides for all incomes and stages of life.
 - CE1-1 Jobs-Housing Balance. We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.
 - CE1-7 Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

[p] Community Economics Element – Place-Making:

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
 - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.
 - CE2-6 Public Maintenance. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. This Application introduces no new significant environmental impacts.

EXHIBIT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA16-003, A DEVELOPMENT CODE AMENDMENT PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE: [1] AMEND TABLE 5.02-1 (LAND USE MATRIX) TO PROHIBIT "USED CAR SALES" WITHIN THE CC (COMMUNITY COMMERCIAL) ZONE AND ICC (INTERIM COMMUNITY COMMERCIAL) OVERLAY DISTRICT, ALLOW "FITNESS AND RECREATION SPORT CENTERS", 10,000 SQUARE FEET OR MORE IN AREA, AS A CONDITIONALLY PERMITTED LAND USE WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONE, AND ALLOW "WIRELESS TELECOMMUNICATIONS FACILITIES" AS A CONDITIONALLY PERMITTED LAND USE IN THE AG (AGRICULTURE) OVERLAY DISTRICT; [2] AMEND SECTION 5.03.150 (DRIVE-THRU FACILITIES) TO PROHIBIT DRIVE-THRU FACILITIES WITHIN THE MU-1 (DOWNTOWN MIXED-USE) ZONING DISTRICT; [3] AMEND SECTION 5.03.420 (WIRELESS TELECOMMUNICATIONS FACILITIES) TO ALLOW A MAXIMUM HEIGHT OF 75 FEET FOR COLLOCATED ANTENNAS WITHIN THE IL (LIGHT INDUSTRIAL), IG (GENERAL INDUSTRIAL), AND IH (HEAVY INDUSTRIAL) ZONES; [4] AMEND SECTION 6.01.035 (OVERLAY ZONING DISTRICTS) TO CLARIFY THAT MEDICAL OFFICES ARE ALLOWED ON THE FIRST FLOOR OF BUILDINGS LOCATED WITHIN THE EA (EUCLID AVENUE) OVERLAY DISTRICT, EXCEPT WITHIN THE MU-1 (DOWNTOWN MIXED-USE) ZONE; [5] AMEND TABLE 2.02-1 (REVIEW MATRIX) TO CLARIFY THAT PUBLIC NOTIFICATION IS NOT REQUIRED FOR A DEVELOPMENT ADVISORY BOARD RECOMMENDATION TO THE PLANNING COMMISSION; [6] AMEND SECTION 8.01.020 (SIGN STANDARDS) TO CLARIFY THAT FREESTANDING SIGNS CANNOT ENCROACH WITHIN THE PUBLIC RIGHT-OF-WAY, AND MUST BE WHOLLY LOCATED BEHIND THE RIGHT-OF-WAY LINE; [7] AMEND SECTION 8.1.025 (DESIGN GUIDELINES) TO CLARIFY THAT MONUMENT SIGNS SHOULD BE PROVIDED WITH A 12- TO 18-INCH HIGH BASE; [8] REVISE SECTION 9.01.010 (TERMS AND PHRASES) TO CLARIFY THE DEFINITION FOR "DENSITY," INCLUDING RULES FOR ROUNDING DENSITY CALCULATIONS; AND [9] AMEND MUNICIPAL CODE SECTION 5-29.04 (EXTERIOR NOISE STANDARDS) TO CORRECT THE ALLOWED EQUIVALENT NOISE LEVEL FOR NOISE ZONE IV (RESIDENTIAL PORTION OF MIXED USE), TO BE CONSISTENT WITH NOISE ZONE II (MULTI-FAMILY RESIDENTIAL AND MOBILE HOME PARKS), AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA16-003, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, on December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016. City staff has initiated several minor alterations to the Development Code to adjust and further clarify the previously adopted comprehensive update; and

WHEREAS, pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, the Application was reviewed for consistency with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, and was found to be consistent with the Housing Element, as the project does not affect the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix; and

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

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140), previously prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (Resolution No. 2015-095) on September 1, 2015. The Addendum found that subject application will not introduce any new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures are a condition of project approval and are incorporated by this reference; and

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

WHEREAS, on May 24, 2016, the Planning Commission of the City of Ontario conducted a public hearing to consider the Application, and concluded the hearing on that

date. Upon conclusion of the public hearing, the Planning Commission voted ___-___ to approve/deny Resolution No. PC16-___, recommending that the City Council approve the Application; and

WHEREAS, on _____, 2016, the City Council of the City of Ontario conducted a public hearing to consider the Application, and concluded said hearing on that date. Upon conclusion of the public hearing, the City Council approved the introduction (first reading) of this Ordinance, and waived further reading of the Ordinance; and

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

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

SECTION 1. *Development Code Chapter 2.0 (Administration and Procedures)*. Amend Chapter 2.0 of the City of Ontario Development Code (Ordinance No. 3028), modifying Note 2 of Table 2.03-1 (Notification Matrix), to read as follows:

“Notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.”

SECTION 2. *Development Code Chapter 5.0 (Zoning and Land Use)*. Amend Chapter 5.0 of the City of Ontario Development Code (Ordinance No. 3028), as follows:

a. Amend Table 5.02-1 (Land Use Matrix) of Development Code Division 5.02 (Land Use), as follows:

1. Identify “Used Car Sales” (NAICS441120) as a prohibited land use within the CC (Community Commercial) zoning district and ICC (Interim Community Commercial) Overlay district;

2. Identify “Fitness and Recreation Sport Centers” (NAICS71394), 10,000 square feet or more in area, as a conditionally permitted land use within the CN (Neighborhood Commercial) zoning district; and

3. Identify “Wireless Telecommunications Facilities” as a conditionally permitted land use in the AG (Agriculture) Overlay district.

b. Amend Development Code Division 5.03 (Standards for Certain Land Uses, Activities, and Facilities), as follows:

1. Amend Section 5.03.150 (Drive-Thru Facilities), Subsection A (Location Standards), to read as follows:

“A. Location Standards.

1. The establishment of drive-thru businesses within the MU-1 (Downtown Mixed-Use) zoning district shall be prohibited.

2. Drive-thru businesses shall not disrupt the pedestrian activity of adjacent or nearby commercial uses or commercially zoned property.

3. Drive-thru businesses shall not interfere with the normal use of adjoining properties or potential for planned commercial development.”

2. Amend Section 5.03.420 (Wireless Telecommunications Facilities), Paragraph E.6, to allow a maximum height of 75 feet for collocated antennas within the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zoning districts;

SECTION 3. *Development Code Chapter 6.0 (Development and Subdivision Regulations)*. Amend Chapter 6.0 of the City of Ontario Development Code (Ordinance No. 3028), modifying Section 6.01.035 (Overlay Zoning Districts), Subparagraph C.2.c(2) (Medical Offices and Clinics, which Front Euclid Avenue) to read as follows:

“In the EA Overlay District, on property located within the MU-1 (Downtown Mixed-Use) zoning district, that portion of a medical office or clinic that directly fronts on to Euclid Avenue shall only be allowed on the second floor of a building or above (ground floor business frontage shall not be allowed).”

SECTION 4. *Development Code Chapter 8.0 (Sign Regulations)*. Amend Chapter 8.0 of the City of Ontario Development Code (Ordinance No. 3028), as follows:

a. Amend Section 8.01.020 (Sign Standards), Subsection C (Freestanding Signs), modifying Subparagraph 1.f to read as follows:

“No monument sign shall be located within a public right-of-way, and must be wholly located behind the right-of-way line (street property line) for its full height. Furthermore, such signs shall be located a minimum of 10 FT behind the adjacent curb face (public and private streets).”

b. Amend Section 8.01.025 (Design Guidelines), Subsection D (Freestanding Signs), adding Paragraph 6, to read as follows:

“Monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face.”

SECTION 5. *Development Code Chapter 9.0 (Definitions and Glossary)*. Amend Chapter 9.0 of the City of Ontario Development Code (Ordinance No. 3028), modifying Section 9.01.010 (Terms and Phrases), Subsection D (Definitions of Words Beginning with the Letter “D.”), adding the following in correct alphabetical order:

“Density (Residential Density). A quantitative measure of the intensity with which residentially zoned land may be developed in terms of the minimum and maximum number of allowed dwelling units for each acre of land (lot area). In calculating the allowed minimum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded up, to the higher whole number. In calculating the allowed maximum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded down, to the lower whole number.”

SECTION 6. Amend Municipal Code Section 5-29.04 (Exterior Noise Standards), Subsection (a), revising the Allowed Equivalent Noise Level for Noise Zone IV (Residential Portion of Mixed Use), to read the same as Noise Zone II (Multi-Family Residential and Mobile Home Parks (65 dBA for 7:00AM to 10:00PM, and 50 dBA for 10:00PM to 7:00AM).

SECTION 7. *Environmental Determination and Findings.* As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previously adopted Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140), previously prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (Resolution No. 2015-095) on September 1, 2015, and supporting documentation. Based upon the facts and information contained in the he previous Addendum to The Ontario Plan Environmental Impact Report, and supporting documentation, the City Council finds as follows:

- a. The previous Addendum contains a complete and accurate reporting of the environmental impacts associated with the Application; and
- b. The previous Addendum was completed in compliance with CEQA and the Guidelines promulgated thereunder; and.
- c. The previous Addendum reflects the independent judgement of the City Council; and
- d. All previously adopted mitigation measures, which are applicable to the Application, are a condition of Project approval, and are incorporated herein by this reference.

SECTION 8. *Housing Element Consistency.* Based upon the facts and information contained in the Application, and supporting documentation, the City Council finds that, at the time of Project implementation, the Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan.

SECTION 9. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* Based upon the facts and information contained in the Application, and supporting documentation, the City Council finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

SECTION 10. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the City Council hereby concludes as follows:

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

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

SECTION 11. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby approves the subject Development Code Amendment, File No. PDCA16-003.

SECTION 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 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 13. *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 14. *Severability.* If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 15. *Effective Date.* This Ordinance shall become effective 30 days following its adoption.

SECTION 16. *Publication and Posting.* The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

DRAFT

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

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

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PDCA16-003, A DEVELOPMENT CODE AMENDMENT PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE: [1] AMEND TABLE 5.02-1 (LAND USE MATRIX) TO PROHIBIT "USED CAR SALES" WITHIN THE CC (COMMUNITY COMMERCIAL) ZONE AND ICC (INTERIM COMMUNITY COMMERCIAL) OVERLAY DISTRICT, ALLOW "FITNESS AND RECREATION SPORT CENTERS", 10,000 SQUARE FEET OR MORE IN AREA, AS A CONDITIONALLY PERMITTED LAND USE WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONE, AND ALLOW "WIRELESS TELECOMMUNICATIONS FACILITIES" AS A CONDITIONALLY PERMITTED LAND USE IN THE AG (AGRICULTURE) OVERLAY DISTRICT; [2] AMEND SECTION 5.03.150 (DRIVE-THRU FACILITIES) TO PROHIBIT DRIVE-THRU FACILITIES WITHIN THE MU-1 (DOWNTOWN MIXED-USE) ZONING DISTRICT; [3] AMEND SECTION 5.03.420 (WIRELESS TELECOMMUNICATIONS FACILITIES) TO ALLOW A MAXIMUM HEIGHT OF 75 FEET FOR COLLOCATED ANTENNAS WITHIN THE IL (LIGHT INDUSTRIAL), IG (GENERAL INDUSTRIAL), AND IH (HEAVY INDUSTRIAL) ZONES; [4] AMEND SECTION 6.01.035 (OVERLAY ZONING DISTRICTS) TO CLARIFY THAT MEDICAL OFFICES ARE ALLOWED ON THE FIRST FLOOR OF BUILDINGS LOCATED WITHIN THE EA (EUCLID AVENUE) OVERLAY DISTRICT, EXCEPT WITHIN THE MU-1 (DOWNTOWN MIXED-USE) ZONE; [5] AMEND TABLE 2.02-1 (REVIEW MATRIX) TO CLARIFY THAT PUBLIC NOTIFICATION IS NOT REQUIRED FOR A DEVELOPMENT ADVISORY BOARD RECOMMENDATION TO THE PLANNING COMMISSION; [6] AMEND SECTION 8.01.020 (SIGN STANDARDS) TO CLARIFY THAT FREESTANDING SIGNS CANNOT ENCROACH WITHIN THE PUBLIC RIGHT-OF-WAY, AND MUST BE WHOLLY LOCATED BEHIND THE RIGHT-OF-WAY LINE; [7] AMEND SECTION 8.1.025 (DESIGN GUIDELINES) TO CLARIFY THAT MONUMENT SIGNS SHOULD BE PROVIDED WITH A 12- TO 18-INCH HIGH BASE; [8] REVISE SECTION 9.01.010 (TERMS AND PHRASES) TO CLARIFY THE DEFINITION FOR "DENSITY," INCLUDING RULES FOR ROUNDING DENSITY CALCULATIONS; AND [9] AMEND MUNICIPAL CODE SECTION 5-29.04 (EXTERIOR NOISE STANDARDS) TO CORRECT THE ALLOWED EQUIVALENT NOISE LEVEL FOR NOISE ZONE IV (RESIDENTIAL PORTION OF MIXED USE), TO BE CONSISTENT WITH NOISE ZONE II (MULTI-FAMILY RESIDENTIAL AND MOBILE HOME PARKS), AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. 16-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

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

WHEREAS, the Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan ("TOP"), which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision, and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, on December 1, 2015, the City Council approved Ordinance No. 3028, a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9), which became effective on January 1, 2016. The Development Code provisions as they existed prior to the January 1, 2016, effective date were repealed and superseded in their entirety; and

WHEREAS, the City has initiated several minor alterations to the Development Code, to adjust and clarify a number of its provisions, which are described in the ensuing statements; and

WHEREAS, modifications to Development Code Table 5.02-1 (Land Use Matrix) of Division 5.02 (Land Use) have been initiated, as follows:

a. Prohibit "Used Car Sales" (NAICS441120) within the CC (Community Commercial) zoning district and ICC (Interim Community Commercial) Overlay district. The Development Code currently allows used car sales in the IP (Industrial Park) and CC (Community Commercial) zoning districts, and in the ICC (Interim Community Commercial) Overlay district. The IP zoning district was created, in part, to focus the establishment of used car sales, and other motor vehicle related businesses, on the south side of West Holt Boulevard (area west of Euclid Avenue), and at various locations on Mission Boulevard, to ensure that motor vehicle related

businesses would not be established adjacent to residential land uses, thereby avoiding land use conflicts that had been allowed to exist under the previous Development Code.

The CC zoning district and ICC Overlay district are located adjacent to residential zoning districts at numerous locations throughout the City. Allowing used car sales businesses within these districts could result in the establishment of the land use adjacent to residential land uses, thereby creating the land use conflict that the IP zoning district was intended to prevent.

b. Allow “Fitness and Recreation Sport Centers” (NAICS71394), 10,000 square feet or more in area, as a conditionally permitted land use within the CN (Neighborhood Commercial) zoning district. Within the CN zoning district, fitness and recreation sport centers less than 10,000 square feet in area are currently permitted to be established by right, and facilities that are 10,000 square feet or more in area, are prohibited. However, in all other zoning districts in which facilities 10,000 square feet or more in area are allowed, the use is conditionally permitted. For this reason, the current prohibition against fitness and recreation sport centers greater 10,000 square feet in area, is believed to be an oversight; therefore, the land use should be allowed as a conditionally permitted use in the CN zoning district.

c. Allow “Wireless Telecommunications Facilities” (NAICS5172) as a conditionally permitted land use in the AG (Agriculture) Overlay district. Prior to the enactment of the comprehensive Development Code update on January 1, 2016, wireless telecommunications facilities were conditionally permitted in the AG Overlay district. Upon enactment of the comprehensive update, wireless telecommunications facilities in the AG Overlay district are permitted by right of being in the correct zoning district. In processing wireless telecommunications facilities under the updated Development Code, it has been found that the Conditional Use Permit approval requirement in the AG Overlay district should be reinstated, as the need may exist to grant interim approval of the land use, generally for periods of 5 to 10 years, because the ultimate use and design of affected properties, and surrounding properties, may not be known at the time of wireless telecommunications facility approval. This may necessitate the need for the City to require changes to the wireless telecommunications facility, which could not otherwise be required as a permitted land use; and

WHEREAS, modification to the locational standards established by Development Code Section 5.03.150 (Drive-Thru Facilities), to prohibit drive-thru facilities within the MU-1 (Downtown Mixed-Use) zoning district. This addition will provide clarification as to the intent of the City Council concerning the establishment of drive-thru facilities in the City’s historic downtown area, consistent with the previous Development Code; and

WHEREAS, modification to Development Code Section 5.03.420 (Wireless Telecommunications Facilities) has been initiated, which will increase the maximum allowed height of collocated wireless telecommunications antennas, from 65 feet to 75

feet, in the IL, IG and IH zoning districts. This revision will eliminate nonconformities with the current Development Code standards for existing wireless facilities throughout the industrial areas that were previously approved at height between 65 feet to 75 feet, consistent with the previous Development Code; and

WHEREAS, modification to Development Code Section 6.01.035 (Overlay Zoning Districts) has been initiated, which will clarify that medical offices shall be allowed on the first floor of buildings located within the EA (Euclid Avenue) Overlay district, except within the MU-1 (Downtown Mixed-Use) zoning district. This amendment will provide clarification as to the intent of the City Council concerning the establishment of medical offices in the City's historic downtown area; and

WHEREAS, modification to Development Code Table 2.03-1 (Notification Matrix) has been initiated, which will clarify that public hearing notification is not required for a Development Advisory Board action when it is provided as a recommendation to the Planning Commission. This revision will bring the Development Code into consistency with the current Development Advisory Board procedure; and

WHEREAS, modification to Development Code Section 8.01.020 (Sign Standards) has been initiated, which will clarify that freestanding signs cannot encroach within the public right-of-way, and must be wholly located behind the right-of-way line. This addition will provide clarification consistent with past implementation of the City's locational standards for freestanding signs; and

WHEREAS, modification to Development Code Section 8.01.025 (Design Guidelines) has been initiated, which will clarify that monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face. This addition will provide clarification consistent with past implementation of the City's freestanding sign design guidelines; and

WHEREAS, modification to Development Code Section 9.01.010 (Terms and Phrases) has been initiated, which adds a definition for "Density," which includes rules for rounding minimum and maximum density calculations; and

WHEREAS, modification to Municipal Code Section 5-29.04 (Exterior Noise Standards), Subsection (a), has been initiated, which will revise the Allowed Equivalent Noise Level for Noise Zone IV (Residential Portion of Mixed Use), to read the same as Noise Zone II (Multi-Family Residential and Mobile Home Parks (65 dBA for 7:00AM to 10:00PM, and 50 dBA for 10:00PM to 7:00AM)). This revision will correct an error in the City's current exterior noise standards; and

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

WHEREAS, the 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.

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. This Application introduces no new significant environmental impacts; and

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

WHEREAS, on May 24, 2016, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

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

SECTION 1. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140), and supporting documentation. Based upon the facts and information contained in the previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140), and supporting documentation, the Planning Commission finds as follows:

a. The previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

c. The previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) reflects the independent judgment of the Planning Commission; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

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

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

b. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City, as the proposed changes serve to clarify and adjust existing provisions, and would not result in changes to the Development Code that would alter its purpose, intent, or application.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby **RECOMMENDS CITY COUNCIL APPROVAL** of the herein described Development Code Amendment.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of May 2016, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PDCA16-003
May 24, 2016
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 24, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:


Marci Callejo
Secretary Pro Tempore



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Historic Preservation/Planning Commission

FROM: Scott Murphy, Planning Director 

BY: Sandra Schmitz, Planning Intern

DATE: May 24, 2016

SUBJECT: Item F - Presentation of "How do Historic Districts Add Value to Ontario?"

Since incorporating in 1891, Ontario has grown into a diverse city with many types of housing choices and neighborhoods, including master-planned communities, traditional suburbs, urban centers and historic districts. As Ontario celebrates 125 years of history, its historic resources help convey local heritage and continue to contribute to the City's economic vitality. Ontario currently has 7 designated historic districts (approximately 550 properties), residential neighborhoods that each possess their own distinct history, character, and features which tell a story about the City's history. According to real estate professionals, homes within historic districts generally sell for a premium in Ontario due to the limited market. The attached study tested this premise by defining a methodology and conducting three case studies to determine the tangible economic benefits that historic resources bring to Ontario.

Staff adopted a simplified case study approach and chose to conduct analysis through a value comparison using current property value estimates found on Zillow.com, a real estate website which uses a proprietary algorithm to calculate estimated property values. Using the information found on Zillow, current estimated value of homes inside and outside of historic districts were compared. Three historic properties located within Ontario's historic districts were chosen for evaluation and compared to properties outside of a historic district, one similar in age to the historic property and one constructed within the last 10 years.

The case studies found that houses located within historic districts have an estimated value comparable to, or greater than, new construction and homes located outside of these districts. The research also found that historic district designation seem to protect property values and maintain neighborhoods as intentional buyers choose houses that have features and neighborhood amenities they are interested in protecting. The economic value of historic resources is also noticeably bolstered by owner incentives, such as Mills Act contracts. The findings provide insight into how Ontario's existing historic resources, especially those in historic districts, continue to benefit the City and its residents today.

How do Historic Districts Add Value to Ontario?

3 Case Studies Examining the Financial Benefits of Ontario's Designated Historic Districts

Sandra Schmitz
City of Ontario Planning Department
Historic Preservation Program
May 24, 2016

Introduction

Since incorporating in 1891, Ontario has grown into a diverse city with many types of housing choices and neighborhoods including master planned communities, traditional suburbs, urban centers and historic districts. As Ontario celebrates 125 years of history, we recognize that our historic resources help convey our heritage and continue to contribute to the City's economic vitality. Ontario currently has 7 designated historic districts, residential neighborhoods that each possess their own distinct history, character, and features which tell a story about the City's history. Real estate professionals have stated that homes within historic districts generally sell for a premium in Ontario. This paper seeks to test this premise by defining a methodology and conducting three case studies to determine the tangible economic benefits that historic resources bring to Ontario. The findings provide insight into how Ontario's existing historic resources, especially those in historic districts, continue to benefit the City and its residents today.

Methodology

In 2011 the Advisory Council on Historic Preservation (ACHP), an independent Federal Agency, published a report on the economic impacts of historic preservation. This report compiled and assessed economic research on historic preservation from a number of states across the country. Although this report did not specifically address California, it foregrounded the most prevalent and useful methodological approaches to evaluating historic resources based on a number of criteria, including property value.

Based on their research, ACHP notes "most studies of the relationship between historic designation and property value look at the value of the affected properties, the rate of value change of the properties, or the contributory value of being within a local historic district." Additionally, three types of property value analysis were common within these studies: 1) value comparison of residences inside and outside of districts 2) value appreciation of residences in historic districts compared to those in other local neighborhoods and 3) mathematical appreciation and comparison analysis that accounts for significant variables that affect the price of property (i.e. size, number of bedrooms, etc.).

Using these basic principles as a starting point, we adopted a simplified case study approach and chose to conduct our analysis through value comparison. The majority of studies referenced by the ACHP based their findings on public data from the County Assessor. This strategy was not feasible in Ontario due to California's Proposition 13 which limits assessed property values from increasing more than 2% annually unless the property is sold. As a result, assessed property values could not provide an accurate picture of property value appreciation within a historic district. Instead, we chose to compare April 2016 property values using estimates found on Zillow.com, a real estate website which uses a proprietary algorithm to calculate estimated property values. Zillow also provides the last sale price of the property and date of the transaction, providing a basis for their estimated values.

Using the information found on Zillow, we compared the current estimated value of homes inside and outside of historic districts. We chose to evaluate three historic properties located within Ontario's historic districts and compare each of them to properties outside of a historic district, one similar in age to the historic property and one constructed within the last 10 years. Mathematically accounting for all

potential variables in property value (such as number of rooms, amenities, etc.) was beyond the scope of our project, therefore, we strove to account for such differences by choosing properties for each case study that were comparable in size (within 300 to 400 square feet). We compared square footage, lot size, and number of bedrooms and bathrooms. Per the ACHP's recommendations, we chose to account for variations in size of case study homes by comparing the value of each residence in terms of price per square feet. Where possible, we chose comparable residences that were also similar in architectural style.

The Zillow estimates provided should be considered within the larger context of Ontario's housing market as a whole. According to Zillow, the April 2016 median sale price of a house in Ontario (considering all houses on the market regardless of size) was \$354,400 or \$234 per square foot. Additionally, the median sale price for a 4 bedroom home was \$337,000 or \$226 per square foot.

The following three case studies reveal a number of interesting findings about the economic value of historic properties.

Case Study #1

The first case study compares a 1923 Spanish Colonial Revival residence in the La Denev Drive Historic District, a 1926 house in the potential Granada Historic District, and a 2013 house in Ontario Ranch. This residence at 115 La Denev Drive consists of a 1,989 square foot house that sits on 0.196 acres and contains 3 bedrooms and 3.5 bathrooms. The house was last sold in 1997 for \$115,000 and was listed in January 2016 for a sale at a price of \$479,000. Its current Zillow estimate is \$441,244, giving it a value of \$222 per square foot. The owners rehabilitated the residence interior in 2002, retaining the house's historic character and maintaining it in excellent condition.

We chose to compare this property to a residence at 131 Plaza Serena because both houses were built around the same time and have similar Spanish Colonial and Mediterranean influences. This Plaza Serena house is smaller than the one on La Denev Drive with an area of 1,593 square feet sitting on 0.153 acres of land but comparable in terms of age and architectural style. The house sold in 2010 for \$290,000 and Zillow estimates its current value at \$369,705 which is equivalent to \$232 per square foot. Although this residence is not within a historic district, it's located within the potential Granada Historic District.

We then compared these two historic residences with a house in "Ontario Ranch" where much of Ontario's new residential construction has taken place within the past 5 years within master planned neighborhoods. Due to its similarity in size and architectural style, we looked at 3997 E. Heritage lane, which was built in 2013. This two-year-old house is 1,898 square feet, contains 3 bedrooms and 2 bathrooms, and sits on 0.091 acres. The house sold for \$348,000 in 2013 and has an estimated Zillow value of \$473,204, equivalent to \$249 per square foot.

The house on Heritage Lane had the highest value, but the houses on Plaza Serena and Heritage Lane are both very similarly valued. Looking at this case study raised questions about the amenities offered in each location. What factors allow a historic home to maintain its value at a price comparable to that of new construction, especially within planned communities? Ontario Ranch, in this case study specifically the Edenglen neighborhood, promotes a number of amenities to potential homeowners including walkability,

community gathering spaces such as a neighborhood pool and clubhouse, and the incorporation of open spaces and parks. These concepts were inspired from the designs of many existing historic communities. Historic districts like La Deney Drive and Armsley Square were designed with walkability in mind, as well as a sense of community and established landscaping, including street trees. While homes in Ontario Ranch benefit from newer streetscapes and common landscapes maintained and funded through facilities districts and home owner associations, historic districts benefit from more mature landscaping maintained and funded by the City through sources such as property taxes. Additionally, where Ontario Ranch offers parks and open spaces, homes in historic districts, as seen in all three case studies, generally have larger yard and lot sizes. Although the house at 3997 E. Heritage Lane actually has a similar square footage to both historic homes, its lot is only half the size of the one located at 115 E. La Deney Drive. All three neighborhoods offer incentives and amenities that prompt homeowners to pay for a particular location, allowing historic homes to remain on par with new neighborhoods that incorporate features that have stood the test of time from neighborhoods of the past.

Case Study #2

The second case study compares a 1943 Mediterranean Revival residence in the Armsley Square Historic District, a 1914 Craftsman style residence near the Armsley Square Historic District, and a 2008 house in the Edenglen neighborhood of Ontario Ranch.

The house at 231 W. Armsley Square is 2,827 square feet, sits on a 0.294 acre lot, and contains 3 bedrooms and 3 bathrooms. Rehabilitated and restored in 2007, this house received a Model Colony Award for its renovations and also currently has a Mills Act contract. The house was most recently sold in 2013 for \$680,000 and has a current Zillow value of \$796,476, with a value per square foot of \$282.

Our first comparison is a house located several blocks away from Armsley Square at 550 W. Sixth Street. Built in 1914, this house is 2,864 square feet, contains 5 bedrooms and 3 bathrooms, and sits on 0.54 acres of land. The interior and exterior of the house have been well maintained. This house was sold in 2015 for \$555,000 and is currently valued on Zillow at \$597,758, which equates to \$209 per square foot, 25% less per square foot than the house located in Armsley Square.

We also compared 231 W. Armsley Square to another recently constructed house in Ontario Ranch at 3026 S. Edenglen Ave. This house, constructed in 2008, was designed with Spanish Colonial and Mediterranean style influences, similar to the house in Armsley Square, has a square footage of 3,015 square feet, contains 4 bedrooms and 4.5 bathrooms, and sits on a small lot of 0.108 acres. Zillow currently estimates the house at \$549,357, equivalent to \$182 per square foot which is 31% less than the home at Armsley Square, despite its larger square footage. As in our previous case study, the comparable residence located in Ontario Ranch sits on a much smaller lot than either historic residence despite the similar footprints of the houses.

The significant price different between the house in Ontario Ranch and the house on Armsley Square may be impacted by the historic house's Model Colony Award and Mills Act contract. These are among a number of incentives that encourage buyers to consider historic homes and also prompt appraisers to

place a higher value on such homes. Mills Act contracts incentivize the restoration, rehabilitation, and preservation of designated historic buildings by providing a reduction in property taxes in exchange for a list of agreed upon improvements to the home over 10 years. The average tax reduction is between 20% and 40% in the initial year of the contract and decreases each passing year. Mills Act contracts have been shown to significantly increase property values and, because they are transferable upon sale of the property, these contracts as a highly desirable for potential home buyers. A number of studies conducted by Professor of Economics Andrew Narwold at the University of California, San Diego, suggest that Mills Act contracts not only increase the value of the home that has entered into the contract but also the value of surrounding residences. An appraiser familiar with historic homes indicated that houses with contracts retain a higher value because their appraised price is determined based on other Mills Act homes. These houses also tend to sell faster than comparable homes without the contract. Both the Mills Contract and Model Colony Award were included in the Zillow ad for the property on Armsley Square and the ad for the residence on Sixth Street promoted the house based on its proximity to a historic district. These perceived incentives may account for the fact that the homes on Armsley Square and Sixth Street have a maintained a value higher than the newly constructed home on Edenglen Avenue.

Case Study #3

The third case study compares a 1925 Colonial Revival residence in the Armsley Square Historic District, a 1910 Craftsman style residence located south of Downtown Ontario and west of Euclid Avenue, and a 2007 house in the Edenglen neighborhood of Ontario Ranch.

The house located at 206 W. Armsley Square is a 1925 Colonial Revival style residence with 6 bedrooms and 4 bathrooms. The house is 3,700 square feet in size and sits on a property of 0.397 acres. The house sold in 2014 for \$742,500 and is currently valued on Zillow at the lower price of \$667,068, equivalent to \$180 per square foot. The amount of interior renovation and remodeling is unknown but the landscaping and exterior of the house appears well maintained and the historic character of the property is intact.

Our comparison is a historic property located at 1229 S. Palmetto Ave. This house is a 4,000 square foot Craftsman style residence with 4 bedrooms and 3 bathrooms, located on 0.57 acres of land. The home most recently sold in 2014 for \$450,000 and is currently estimated on Zillow at \$526,198, a value of \$132 per square foot. This value is significantly less than the value of the Armsley Square property with a difference of 21%. The building appears to have been well-maintained on the interior and exterior but unlike the property located in Armsley Square, this house is not located near historic downtown Ontario. Instead, this residence is isolated in the midst of residential construction built in the 1970s and 1980s.

Our final comparison is another Ontario Ranch property located at 3956 E. Lindenwood Drive. Built in 2007, this California Monterey style home has similar square footage to both the Armsley Square and Palmetto Avenue properties at 3,676 square feet and contains 4 bedrooms and 4 bathrooms. Like the other newer properties that have been examined, this residence sits on a very small parcel of land, only 0.14 acres. This residence is currently estimated on Zillow at \$561,432 which equates to \$153 per square foot, a 16% difference from the property on Armsley Square.

This comparison broaches the question of whether a historic home benefits from its proximity to other historic residences. Looking at all three case studies, historic district designations seem to protect property values and maintain neighborhoods as intentional buyers choose houses that have amenities that they are interested in protecting. Additionally, valuing houses based on other historic homes in the district means that an isolated historic resource does not benefit from a comparison to other high property values. In the case of our isolated Craftsman house on Palmetto Ave, the area around it was redeveloped, removing any historic character the neighborhood may have had and replacing it with multi-family housing built in the 1970s and 1980s. This seems to have tangibly decreased its desirability and therefore its estimated monetary value.

Findings and Conclusions

- Houses located within historic districts had an estimated value:
 - Comparable to or greater than similar historic houses located outside of these districts
 - Comparable to or greater than new construction.

- Houses located near historic districts had an estimated value:
 - Comparable in value to those in designated districts
 - Higher than an isolated historic resource

- Desirability of historic properties bolstered by a number of potential selling points:
 - In a historic district
 - Near a historic district
 - Model Colony Award Winner
 - Mills Act contract

- Possible reasons for maintained property value in and around historic districts:
 - Amenities (i.e. mature landscaping)
 - Larger lot size
 - Appraisal based on surrounding historic homes
 - Intentional buyers who value “character” & style of historic properties
 - Owner incentives (i.e. Model Colony Awards & Mills Act contracts)

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