

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
March 7, 2017**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, March 7, 2017 at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council/Housing Authority meetings to order at 6:35 p.m., and requested the City Clerk call the roll.

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chairman	Debra Dorst-Porada
	Council/Authority Members:	Alan D. Wapner, Jim W. Bowman, and Ruben Valencia

ABSENT: Council/Authority Member: None

Also present were City Manager/Executive Director Al C. Boling, City Attorney/Legal Counsel John Brown and City Clerk/Secretary Sheila Mautz.

The National Anthem was sung by *Luna*, representing *Unidos Por La Musica*.

Chairman Richard Andre, Baha'i Faith of Ontario provided the Invocation.

PUBLIC COMMENTS

Oscar Ayon, President/CEO of Unidos Por La Musica invited the public to attend their Open House Mixer at UPLM Community Resource Center on March 9, 2017 from 6:00 p.m. to 9:00 p.m. He also announced their benefit concert that will be held at the Citizens Business Bank Arena September 30, 2017.

AGENDA REVIEW/ANNOUNCEMENTS

None.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Council Member Valencia to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

Approved the Minutes for the regular meeting of the City Council and Housing Authority of February 7, 2017, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** for the period of January 22, 2017 through February 4, 2017, in the amount of \$3,611,561.38 and **Payroll** for the period of January 22, 2017 through February 4, 2017, in the amount of \$2,771,401.24, when audited by the Finance Committee.

3. AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 3002 LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE I)

City Council adopted Ordinance No. 3068 amending and restating Ordinance No. 3002 levying special taxes within City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on February 21, 2017.

ORDINANCE NO. 3068 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND RESTATING ORDINANCE NO. 3002, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE I).

4. A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-005) ON 51 PROPERTIES AS FOLLOWS: 1) 34 PROPERTIES FROM MDR-18 (MEDIUM DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), 2) 16 PROPERTIES FROM MDR-25 (MEDIUM-HIGH DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), AND 3) ONE PROPERTY FROM CN (NEIGHBORHOOD COMMERCIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL WITH ICC (INTERIM COMMUNITY COMMERCIAL OVERLAY), FOR PROPERTIES GENERALLY LOCATED SOUTH OF D STREET, WEST OF VINE AVENUE, NORTH OF VESTA STREET AND EAST OF SAN ANTONIO AVENUE, IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES

City Council considered and adopted Ordinance No. 3069 approving a Zone Change (File No. PZC16-005) to create consistency between the zoning and the General Plan land use designations of the subject properties. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on February 21, 2017.

ORDINANCE NO. 3069 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-005, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-005) ON 51 PROPERTIES AS FOLLOWS: 1) 34 PROPERTIES FROM MDR-18 (MEDIUM DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), 2) 16

PROPERTIES FROM MDR-25 (MEDIUM-HIGH DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), AND 3) ONE PROPERTY FROM CN (NEIGHBORHOOD COMMERCIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL) WITH ICC (INTERIM COMMUNITY COMMERCIAL OVERLAY), FOR PROPERTIES GENERALLY LOCATED SOUTH OF D STREET, WEST OF VINE AVENUE, NORTH OF VESTA STREET AND EAST OF SAN ANTONIO AVENUE, IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: AS SHOWN IN EXHIBIT A (ATTACHED).

MOTION UNANIMOUSLY CARRIED. Mayor Leon declared Ordinance No. 3068 and 3069 unanimously adopted.

PUBLIC HEARINGS

5. **A PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT (FILE NO. PGPA16-006) TO: (1) MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATIONS SHOWN ON THE LAND USE PLAN MAP (EXHIBIT LU-1) FOR VARIOUS PARCELS LOCATED THROUGHOUT THE CITY, INCLUDING: A) THE AREA GENERALLY LOCATED FROM EUCLID TO BON VIEW AVENUES BETWEEN STATE AND PHILADELPHIA STREETS, B) THE AREA SOUTH OF THE I-10 FREEWAY, GENERALLY LOCATED NEAR FOURTH STREET AND GROVE AVENUE, C) THE PROPERTIES ON THE WEST SIDE OF VINEYARD AVENUE BETWEEN PHILADELPHIA STREET AND SR-60 FREEWAY, AND D) THE ELIMINATION OF THE SOCALF OVERLAY WITHIN THE ONTARIO RANCH AREA; (2) MODIFY THE TEXT IN THE LAND USE DESIGNATION SUMMARY TABLE (EXHIBIT LU-02) TO ELIMINATE THE SOCALF OVERLAY AND ALLOW THE COMMERCIAL TRANSITIONAL OVERLAY IN NON-RESIDENTIAL LOCATIONS; (3) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; (4) AND MODIFY THE ENVIRONMENTAL RESOURCES ELEMENT TEXT IN SECTION ER5, BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES TO ELIMINATE ALL REFERENCES TO SOCALF**

City Council adopted a Resolution No. 2017-011 approving an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, and adopted Resolution No. 2017-012 approving General Plan Amendment File No. PGPA16-006 to change the land use designation of certain properties and modify certain text of The Ontario Plan (Amending Exhibits LU-01, LU-02 & LU-03 and Section ER5).

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

There were 10 written communications filed with the City Clerk's Office.

Mayor Leon opened the public hearing.

Ivan Albarran spoke about Group E24 currently designated as Medium Density and asked the City Council to consider rejecting staff's proposal for zone change to Low Density.

Gina Duong spoke about the consequences of the proposed the zone change of the Zoning Plan from Medium Density to Low Density. She stated that her property value will diminish due to the limitations of residences that can be built on her property in Group E24.

Maria Mojica expressed her support for Medium Density zoning for the properties in Group E24 under consideration.

Julie Duong commented regarding her request for zoning as Medium Density for the properties located in Group E24.

Planning Director Murphy, provided a brief presentation on the proposed changes. He clarified the comments made by the public were specifically about Group E24 and stated that the current General Plan designated the properties as Medium Density, but the current Zoning Plan designated the properties as Low Density. The proposal before the City Council is to make the General Plan consistent with the Zoning Plan by changing the General Plan designation of the properties to Low Density.

Council Member Wapner asked about the proposed change, and asked if there were other factors considered when proposing amendments to the General Plan.

Mr. Murphy stated that multiple factors such as the surrounding impact to the community and potential property management issues were considered when developing recommendations for changes to the General Plan.

Council Member Wapner stated that social factors and property management issues are oftentimes policy level considerations that should made at the Council level when developing recommendations for updating the General Plan. He asked the City Manager if he concurred.

City Manager Boling stated that staff understands when policy decisions need to be addressed by Council.

Council Member Wapner asked that future recommendations be based on technical issues and the law, and he is concerned about basing the recommendations on social issues unless departments specializing in the specific issues, like the Police Department, are involved when developing staff recommendations. He also questioned the number of proposed General Plan updates that the City is allowed to do each year.

Mr. Murphy replied that the City is allowed four changes to the General Plan each year.

Mayor pro Tem Dorst-Porada made a motion to accept and proceed with staff recommendations. She expressed her concerns regarding multi-family units in an area that is mainly single family residential.

Mayor Leon seconded the motion to proceed with staff's recommendations. He agreed with the comments made by Council Member Wapner regarding staff making the technical recommendations and Council making the social impact determinations. He spoke about older neighborhoods in the City that have a lack of transition between land uses which he believes causes a negative impact. He also commented on the lack of parking with older multi-family residential units and has observed the overflow of vehicles into adjacent single family residential neighborhoods.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Mayor Leon to approve Resolution No. 2017-011 and Resolution No. 2017-012.

RESOLUTION NO. 2017-011 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PGPA16-006.

RESOLUTION NO. 2017-012 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA16-006, A CITY INITIATED REQUEST TO: (1) MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATIONS SHOWN ON THE LAND USE PLAN MAP (EXHIBIT LU-1) FOR VARIOUS PARCELS LOCATED THROUGHOUT THE CITY, INCLUDING: A) THE AREA GENERALLY LOCATED FROM EUCLID TO BON VIEW AVENUES BETWEEN STATE AND PHILADELPHIA STREETS, B) THE AREA SOUTH OF THE I-10 FREEWAY, GENERALLY LOCATED NEAR FOURTH STREET AND GROVE AVENUE, C) THE PROPERTIES ON THE WEST SIDE OF VINEYARD AVENUE BETWEEN PHILADELPHIA STREET AND SR-60 FREEWAY, AND D) THE ELIMINATION OF THE SOCALF OVERLAY WITHIN THE ONTARIO RANCH AREA; (2) MODIFY THE TEXT IN THE LAND USE DESIGNATION SUMMARY TABLE (EXHIBIT LU-02) TO ELIMINATE THE SOCALF OVERLAY AND ALLOW THE COMMERCIAL TRANSITIONAL OVERLAY IN NON-RESIDENTIAL LOCATIONS; (3) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND (4) MODIFY THE ENVIRONMENTAL RESOURCES ELEMENT TEXT IN SECTION ER5, BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES TO ELIMINATE ALL REFERENCES TO SOCALF AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: AS SHOWN IN EXHIBIT A (ATTACHED) (LAND USE ELEMENT CYCLE 1 FOR THE 2017 CALENDAR YEAR AND ENVIRONMENTAL RESOURCES ELEMENT CYCLE 1 FOR THE 2017 CALENDAR YEAR).

6. A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-004) ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN (TOP) LAND USE DESIGNATIONS OF THE PROPERTIES

City Council introduced and waived further reading of Ordinance No. 3070 approving a Zone Change (File No. PZC16-004) to create consistency between the zoning and the General Plan land use designations of the subject properties.

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

There were no written communications.

Mayor Leon opened the public hearing.

Gina Duong thanked Council for the decisions they have made and stated her appreciation for the work staff done to accommodate her.

David Miller asked Council about the impact their decision will have on the value of his property.

Al Marechetti and Josephine Buchmuth commented on Area 8 where a property developed by Josephine's grandfather was zoned Heavy-Industrial. Mr. Marchetti stated that the property is currently proposed to be changed to be consistent with existing residential use. He asked Council to consider compromising and change the zoning to Light Industrial instead.

Hearing no further requests to speak, Mayor Leon closed the public hearing.

Planning Director Murphy, stated that there are a series of zone changes that would make the properties consistent with the General Plan. He stated that previous zoning designation inconsistencies of properties had single family homes within an Industrial zoned area which made it difficult for the existing homeowners to get financing on their homes. The adoption of the General Plan in 2010 changed the General Plan to Low Density Residential and applied an Industrial Overlay over those properties with the idea that if the blocks were purchased by industrial builders, they would be able to come in to request a zone change to Industrial. The goal, after learning from a similar past instance, was to provide the flexibility for existing homeowners to potentially refinance their homes if they need to make improvements on their properties. In this case, however, the property owner is now asking to bring her property into nonconforming circumstances. The remainder of the properties in question are proposed to make them consistent with the General Plan adopted in 2010. He agreed that specific areas that would be worth discussing would be the AR-zoned properties. He stated that a few members of the public attended the Planning Commission meeting to voice their concerns regarding the potential loss of animal keeping

properties. He stated that staff is recommending removal of the AR-zoned properties bounded north by Locust Street (north side of street), south by Cedar Street, east by Monterey Avenue, and west by Euclid Avenue and bring the item back to Council for further review.

Council Member Wapner stated he would like to have more time to study the entire proposal and requested it be brought back during the next meeting.

Council Member Bowman asked if it was possible to remove the one property from discussion and action today.

City Attorney Brown stated the property may be removed for their consideration.

Mayor pro Tem Dorst-Porada stated that she would like to accept staff's recommendations with the exception of the following: exclude consideration of the property on Woodland Avenue and exclude the agricultural properties bounded on the north by Locust Street (north side of street), south by Cedar Street, east by Monterey Avenue, and west by Euclid Avenue and bring those items back at a future meeting.

Council Member Valencia concurred with Mayor pro Tem Dorst-Porada regarding the agricultural properties. He commented on his attendance at a City of Chino Planning Commission meeting the previous night regarding agricultural properties near his home being converted into multi-unit residential properties. He stated he would like to preserve the agricultural properties located in the City of Ontario.

Council Member Wapner would like the General Plan to match the Zoning Plan.

Mayor Leon stated that if there are no problems arising from the AR properties then there is no need to change it.

Mayor pro Tem Dorst-Porada moved to approve staff's recommendation with the exception of the property on Woodlawn Avenue from Campus to Bon View Avenue and the AR-zoned properties bounded north by Locust Street (north side of street), south by Cedar Street, east by Monterey Avenue, and west by Euclid Avenue, which is to be brought back to Council for further review.

Council Member Bowman seconded the motion.

Council Member Wapner proposed a substitute motion to continue the item to the next meeting and allow staff to provide more information regarding the properties mentioned.

Mr. Murphy stated that staff could go back and see if the proposed amendments warrant changes to the General Plan or changes to the Zoning Plan for the AR properties and the property on Woodlawn Avenue in order to make the properties conforming.

Council Member Wapner withdrew his substitute motion.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman approving the Zone Change, subject to the removal of one property on Woodlawn Avenue and the AR-zoned properties bounded north by Locust Street (north side of street), south by Cedar Street, east by Monterey Avenue, and west by Euclid Avenue.

ORDINANCE NO. 3070 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-004, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN (TOP) LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF-APN: AS SHOWN IN EXHIBIT A (ATTACHED).

STAFF MATTERS

None.

COUNCIL MATTERS

Mayor pro Tem Dorst-Porada thanked Museum staff for all their work and reminded the public that the exhibits at the museum by Sheets, Sheets and Caughman entitled “Art for Living and Living for Art” are still on display until March 26, 2017. The Museum is open Thursday – Sunday from 12:00 p.m. to 4:00 p.m.

Council Member Wapner requested Council concurrence to add the appointment of two at-large commissioner positions, one for the Planning Commission and another for the Recreation and Parks Commission to the Agenda for the March 21, 2017 meeting.

Council Member Bowman invited the public to join in the “Tip the Firefighter” fundraiser on March 17, at the Ontario El Torito, from 11:00 a.m. to 9:00 p.m. with proceeds from the event benefitting the Megan’s Wings Foundation.

Council Member Valencia spoke about Little League opening day ceremonies he attended. He commented on how proud he was of the facilities the City offered the community. He also asked the public to slow down when driving specifically near places children are playing and reiterated the importance of watching out for the kids crossing the streets.

Mayor Leon shared a memory about his youth regarding the smell of grass and playing baseball. He expressed his love for sports in the community. He commented on Unidos Por La Musica and stated what a great program it was to have in the community.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:33 p.m. and announced the next regular meetings on Tuesday, March 21, 2017.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN