



## **CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD**

### **AGENDA**

**April 16, 2018**

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

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

Scott Ochoa, City Manager  
Scott Murphy, Development Director  
John P. Andrews, Economic Development Director  
Kevin Shear, Building Official  
Cathy Wahlstrom, Assistant Planning Director  
Louis Abi-Younes, City Engineer  
Chief Derek Williams, Police Department  
Fire Marshal Paul Ehrman, Fire Department  
Scott Burton, Utilities General Manager  
Brent Schultz, Housing and Municipal Services Director

### **PUBLIC COMMENTS**

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

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

## **AGENDA ITEMS**

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

## **CONSENT CALENDAR ITEMS**

### **A. MINUTES APPROVAL**

Development Advisory Board Minutes of March 19, 2018, approved as written.

## **PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PDEV17-033 AND PCUP17-015:** A Development Plan (File No. PDEV17-033) and Conditional Use Permit (File No. PCUP17-015) to construct and establish a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 3,233 square feet on 0.81 acres of land, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. 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 CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1008-431-21); **submitted by Raising Cane's Chicken Fingers. Planning Commission action is required. Continued from March 19, 2018.**

#### **1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Sections §15332

#### **2. File No. PCUP17-015 (Conditional Use Permit)**

Motion to recommend Approval/Denial

#### **3. File No. PDEV17-033 (Development Plan)**

Motion to recommend Approval/Denial

C. **ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR17-008 AND PDEV17-055:** A Variance (File No. PVAR17-008) to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet in conjunction with a Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0110-202-46) **submitted by Atabak Youssefzadeh. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Sections §15305 & §15332

2. **File No. PVAR17-008** (Variance)

Motion to recommend Approval/Denial

3. **File No. PDEV17-055** (Development Plan)

Motion to recommend Approval/Denial

D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-060:** A Development Plan (File No. PDEV17-060) to construct 62 single-family homes on 7.65 acres of land located within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road. The environmental impacts of 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. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-412-02) **submitted by Brookfield Waverly, LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous addendum to an EIR

2. **File No. PDEV17-060** (Development Plan)

Motion to recommend Approval/Denial

E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-005**: A Development Plan (File No. PDEV18-005) to construct 60 single-family homes on 8.9 acres of land located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. The environmental impacts of this project were previously analyzed in the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on October 17, 2006. 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 was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT; (APN: 0218-014-05) **submitted by KB Home Southern California. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PDEV18-005** (Development Plan)

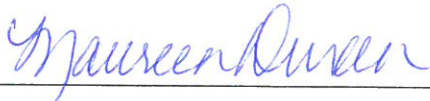
Motion to recommend Approval/Denial

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

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

The next **Development Advisory Board** meets on **May 7, 2018**.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **April 12, 2018**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.

  
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**CITY OF ONTARIO**

**Development Advisory Board**

**Minutes**

**March 19, 2018**

**BOARD MEMBERS PRESENT**

Khoi Do, Chairman, Engineering Department  
Kevin Shear, Building Department  
Charity Hernandez, Economic Development Agency  
Lora Gearhart, Fire Department  
Joe De Sousa, Housing and Municipal Services Agency  
Rudy Zeledon, Planning Department  
Doug Sorel, Police Department

**BOARD MEMBERS ABSENT**

Ahmed Aly, Municipal Utilities Agency  
Paul Ehrman, Fire Department

**STAFF MEMBERS PRESENT**

Jeanie Aguilo, Planning Department  
Antonio Alejos, Engineering Department  
Gwen Berendsen, Planning Department  
Maureen Duran, Planning Department  
Bryan Lirley, Engineering Department  
Charles Mercier, Planning Department  
Henry Noh, Planning Department  
Miguel Sotomayor, Engineering Department  
Alexis Vaughn, Planning Department

**PUBLIC COMMENTS**

No one responded from the audience.

**CONSENT CALENDAR ITEMS**

- A. APPROVAL OF MINUTES:** Motion to approve the minutes of the March 5, 2018, meeting of the Development Advisory Board was made by Mr. De Sousa; seconded by Mr. Shear; and approved unanimously by those present (7-0).

**PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PDEV17-033 AND PCUP17-015:** A Development Plan (File No. PDEV17-033) and Conditional Use Permit (File No. PCUP17-015) to construct and establish a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 3,233 square feet on 0.81 acres of land, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. 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 CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1008-431-21); **submitted by Raising Cane's Chicken Fingers. Planning Commission action is required.**

Mr. Do stated the item will be continued to a future meeting.

- C. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PCUP17-021 AND PDEV17-046:** Development Plan (File No. PDEV17-046) to construct a 4,500 square-foot self-service carwash (Fast 5 Xpress) in conjunction with a Conditional Use Permit (File No. PCUP17-021) to establish and operate the drive-thru carwash, on 0.93 acres of land, within the Commercial land use designation of the Grove Avenue Specific Plan, located at 2345 S. Grove Avenue. 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 CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0216-081-25) **submitted by Fast 5 Xpress Car Wash. Planning Commission action is required.**

Representative Thomas Utman of Fast 5 Express Car Wash was present and informed the board he had reviewed the conditions. He had no questions or concerns and agreed to the conditions of approval.

Motion recommending approval of **File Nos. PCUP17-021 & PDEV17-046** subject to conditions to the Planning Commission was made by Mr. Zeledon; seconded by Mr. Shear; and approved unanimously by those present (7-0).

- D. ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PDEV18-003 & PCUP18-001:** A Development Plan (File No. PDEV18-003) to construct a 5,781-square foot, 70-foot high commercial building in conjunction with a Conditional Use Permit (File No. PCUP18-001) to establish and operate an automotive sales facility (Carvana) on 2.34 acres of land located the terminus of Turner Avenue, south of Interstate 10, at 520 North Turner Avenue, within the CR (Regional Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-551-01) **submitted by Carvana, LLC. Planning Commission action is required.**

Representative Arwa Lulu, Entitlements Associate, of Carvana, LLC, was present. Mr. Do asked if she had any questions or concerns. Ms. Lulu informed the board that her concerns were being addressed with Mr. Mercier. Mr. Mercier informed the board that the conditions were not available at the time of printing but had since been provided for her review. Mr. Do asked Ms. Lulu if she agreed to the conditions and was comfortable moving forward to the Planning Commission. Ms. Lulu responded that she agreed to the conditions and was comfortable moving forward with the project.

Motion recommending approval of **File Nos. PCUP18-001 & PDEV18-003** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. De Sousa; and approved unanimously by those present (7-0).

- E. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NO. PDEV17-061 AND FILE NO. PCUP18-007:** A Development Plan (File No. PDEV17-061) and Conditional Use Permit (File No. PCUP18-007) to construct and establish a non-stealth wireless telecommunications facility for T-Mobile (65 feet high), attached to an existing SCE tower, and equipment enclosure totaling 484 square feet on 10.17 acres of land, located at 13434 South Ontario Avenue, within the SP/AG (Specific Plan/Agriculture Overlay) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-122-06) **submitted by T-Mobile. Planning Commission action is required.**

Representative Damien Pichardo of Coastal Business Group, Inc., was present. Mr. Do asked him if he had reviewed the conditions. Mr. Pichardo stated he did and had no questions or concerns. He agreed to the conditions of approval.

Motion recommending approval of **File Nos. PCUP18-007 & PDEV17-061** subject to conditions to the Planning Commission was made by Mr. De Sousa; seconded by Mr. Shear; and approved unanimously by those present (7-0).

- F. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-056:** A Development Plan (File No. PDEV17-056) to construct 229 single-family homes on 59.8 acres of land located within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan, located at the southeast corner of Archibald Avenue and Schaefer Avenue. The environmental impacts of 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. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-201-15 and 0218-201-44) **submitted by Western Pacific Housing, Inc., DBA: D.R. Horton. Planning Commission action is required.**

Applicant Rudy Provoost of D.R. Horton was present and agreed to the conditions of approval. There were no questions or concerns.

Motion recommending approval of **File No. PDEV17-056** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Zeledon; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran  
Recording Secretary





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Development Advisory Board Members

**FROM:** Jeanie Aguilo, Assistant Planner *ja*

**DATE:** April 16, 2018

**SUBJECT:** File Nos. PCUP17-015 & PDEV17-033

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The above referenced project will be continued indefinitely.



# Development Advisory Board Decision

April 16, 2018

**DECISION NO.:** [insert #]

**FILE NO.:** PVAR17-008

**DESCRIPTION:** A Variance (File No. PVAR17-008) request to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet in conjunction with a Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. APN: 0110-202-46; **submitted by Atabak Youssefzadeh.**

## Part I—BACKGROUND & ANALYSIS

ATABAK YOUSSEFZADEH, (herein after referred to as "Applicant") has filed an application requesting Variance approval, File No. PVAR17-008, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**Project Setting:** The project site is comprised of 0.46 acres of land located at 1440 E. Fourth Street, and is depicted in **Exhibit A: Project Location Map**, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Neighborhood Commercial (0.4 FAR)	Neighborhood Commercial	N/A
<i>North:</i>	I-10 Freeway	N/A	N/A	N/A
<i>South:</i>	Single-Family Residential	Low Density (2.1 – 5 du/ac)	Low-Density Residential (LDR-5)	N/A
<i>East:</i>	I-10 Freeway	N/A	N/A	N/A
<i>West:</i>	Single-Family Residential	Low Density (2.1 – 5 du/ac)	Low-Density Residential (LDR-5)	N/A

### Project Description:

[1] Background — The site was previously developed with a Texaco gas station and convenience mart that operated throughout the 1980s and 1990s. In November 2001, a demolition permit was filed to remove the gas station from the site. The site has remained vacant since demolition work was completed.

On November 8, 2017, the Applicant applied for a Development Plan (File No. PDEV17-055) and a Variance (PVAR17-008) to construct a 4,100 square-foot, multi-tenant commercial building and accompanying site improvements, such as landscaping, parking, and a trash enclosure. The Variance request would allow for a reduction in various setbacks to allow for a more economically-viable development. The Ontario Development Code requires the Development Advisory Board to review

Variances in conjunction with Development Plans and make a recommendation to the Planning Commission.

The applicant is requesting Variance approval in order to deviate from the minimum rear building setback from 15 feet to 10 feet, front parking setback from 20 feet to 10 feet, and from the building to the parking and drive aisle setback from 5 feet to 3 feet. The Variance application will facilitate the related Development Plan application to construct a 4,100 square-foot retail commercial building on approximately 0.46 acres of vacant land, located on Fourth Street near the I-10 eastbound on-ramp. The project site is surrounded by the I-10 freeway and on-ramp to the north and east, and by single-family residential to the south and west.

The project site is irregular and angular shape and is in close proximity to the I-10 freeway and onramp (see **Exhibit A: Project Location Map**); thus, the Variance to reduce various setbacks on site will permit development to occur, while still allowing the project to meet required parking and landscaping standards. Requiring the additional setbacks would impact the project site's ability to achieve a well-planned development and provide an economically-viable product that is consistent with the density, scale, and setbacks of the surrounding commercial developments.

[1] Site Design/Building Layout — The project proposes a 4,100 square-foot, multi-tenant commercial building, arranged in an east-west configuration along the southern portion of the parcel. The drive aisle and parking stalls are located toward the street, in front of the building. The proposed floor plan is speculative, and will provide flexibility for tenant improvements. Requiring the full building setback along the rear property line would inhibit the project from providing ample floor space for potential tenants.

The site location and the irregular, angular shape of the lot create complications for the development of an economically-viable building and requisite site improvements. While the lot meets the minimum Development Code standards for overall lot size and width, due to the angular shape of the lot, only a minimal portion of the project site meets the minimum depth standard of 100 feet. Due to the I-10 eastbound on-ramp running alongside the eastern property line, this portion of the project site is limited to landscaping and parking.

[2] Site Access/Circulation — Access to the site is provided by an existing 24-foot drive approach at the northwest corner of the project site. Due to the parcel's proximity to the I-10 Freeway and its eastbound on-ramp, there is no option of relocating the existing drive approach.

[3] Parking — The project has provided off-street parking pursuant to the "General and Convenience Retail" parking standards specified in the Development Code. The off-street parking calculations for the project are as follows:

Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
General and Convenience Retail	4,100 SF	Four spaces per 1,000 SF of GFA.	16	17
<b>TOTAL</b>	<b>4,100 SF</b>		<b>16</b>	<b>17</b>

The project is required to provide a minimum of 16 off-street parking spaces pursuant to the parking standards specified in the Development Code and has provided 17 spaces, exceeding the minimum standards. By reducing parking and drive aisle setbacks, the project is able to provide the minimum number of parking spaces for the building, a 25-foot drive aisle through the site, and ample truck turn-around space for municipal and emergency vehicles.

### **Part II—RECITALS**

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

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

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

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

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

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

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

WHEREAS, on April 16, 2018, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### **Part III—THE DECISION**

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, which consists of minor alterations in land

use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density; and, projects characterized as in-fill development.

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

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

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

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

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

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** The 0.46-acre site is an irregular-shaped parcel with a sharp angle along the east property line. The site location and the angular shape of the lot create complications for the development of an economically-viable building and requisite site improvements. While the lot meets the minimum Development Code standards for overall lot size and width, due to the angular shape of the lot, only a minimal portion of the project site meets the minimum depth standard of 100 feet. Due to the I-10 eastbound on-ramp running alongside the eastern property line, this portion of the project site is limited to landscaping and parking. In order for the applicant to be able to accommodate safety and municipal truck turn-arounds, required parking, and an economically-viable multi-tenant retail commercial building, reductions in the rear building setback, front parking setback, and building to parking and drive aisle setbacks are required. These reductions allow the project to provide the required amount of parking and landscaping, and to utilize the eastern portion of the project site on the east for parking and a trash enclosure. In addition, the TOP land use designation for the project site is Neighborhood Commercial, which allows a maximum Floor Area Ratio (FAR) of 0.4; therefore, the project as proposed with an FAR of 0.19 does not maximize the use of the site. Strict interpretation and enforcement of the

Development Plan's rear building, front parking, and interior building to parking and drive aisle setbacks would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code. Further, TOP Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision; and

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** The proximity of the site to the I-10 eastbound on-ramp and the irregular, angled shape of the lot pose a physical hardship inconsistent with the Development Code. Other developed properties along Fourth Street within the Neighborhood Commercial zoning district are not restricted by an irregularly-shaped lot or the current Development Code setback standards. Further, the Yum Yum Donuts located northwest of the project site along the I-10 freeway eastbound off-ramp was developed in the 1960s with an approximately 5-foot building setback to the street and 8-foot setback to the east property line along the off-ramp, and extremely limited landscaping on the site. The proposed project will improve upon the existing streetscape in the neighborhood with allowance of the proposed setback reductions; and

(3) ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief from the minimum rear building setback from 15 feet to 10 feet, front parking setback from 20 feet to 10 feet, and building to parking space and drive aisle setbacks from 5 feet to 3 feet will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same zoning district, located within the area of the project site. The setback deviations provide for the applicant to successfully accommodate other Development Code regulations, such as parking, landscaping, and safe and effective site circulation on top of substantial improvement of the existing vacant site. Therefore, the strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by owners of other properties in the same zoning district. The requested relief from the minimum setbacks will allow for greater design flexibility and assist the project in creating an economically-viable project; and

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

(5) ***The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.*** The proposed Project is located with the Neighborhood Commercial land use district of the Policy Plan Land Use Map, and the Neighborhood Commercial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The project will meet the following goals, policies, and plans:

- City Council Goals
  - Investing in the growth and evolution of the City's economy by providing more economic opportunities through the creation of jobs and revenue; and

- The operation of the City in a businesslike manner by working with the applicant to arrive at a project that meets the City's intent and the applicant's business needs; and
- Governance
  - GI-2 Long-term Benefit, by demonstrating how the project adds value to the community and supports the Ontario Vision; and
- Policy Plan (General Plan)
  - Goal LU3, which promotes flexibility in staff, regulations, and processes in order to respond to special conditions and circumstances in order to achieve the Vision; and
  - CE2-1 Development Projects, by requiring that new development creates unique, high-quality places that add value to the community; and
  - CE2-4 Protection of Investment, in that the new development shall protect existing investment by providing architecture and urban design of equal or greater quality; and
  - CD2-1 Quality Architecture, in that City staff have encouraged the development to convey visual interest and character through building volume, massing, and height to provide appropriate scale and proportion, and exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style; and
  - CD2-13 Entitlement Process, in that City staff is working collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

**General Site & Building Statistics, and Specific Plan and Development Code Regulations**

<i>Item</i>	<i>Provided (Ranges)</i>	<i>Development Code Required Min./Max.</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	0.46 acres	Neighborhood Commercial: 0.23 acres	Y
<i>Minimum lot depth (in FT):</i>	81-119 FT	100 FT	N
<i>Minimum lot width (in FT):</i>	168-253 FT	100 FT	Y
<i>Front setback (in FT):</i>	57 FT	20 FT	Y
<i>Interior side setback (in FT):</i>	15 FT	15 FT	Y
<i>Rear setback (in FT):</i>	10-15FT	15 FT	N
<i>Drive aisle or parking setback from front (in FT):</i>	10 FT	20 FT	N
<i>Drive aisle or parking setback from interior (in FT):</i>	10 FT	20 FT	N
<i>Minimum Landscape Coverage (in %):</i>	35%	15%	Y
<i>Parking:</i>	17	16	Y

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission

APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

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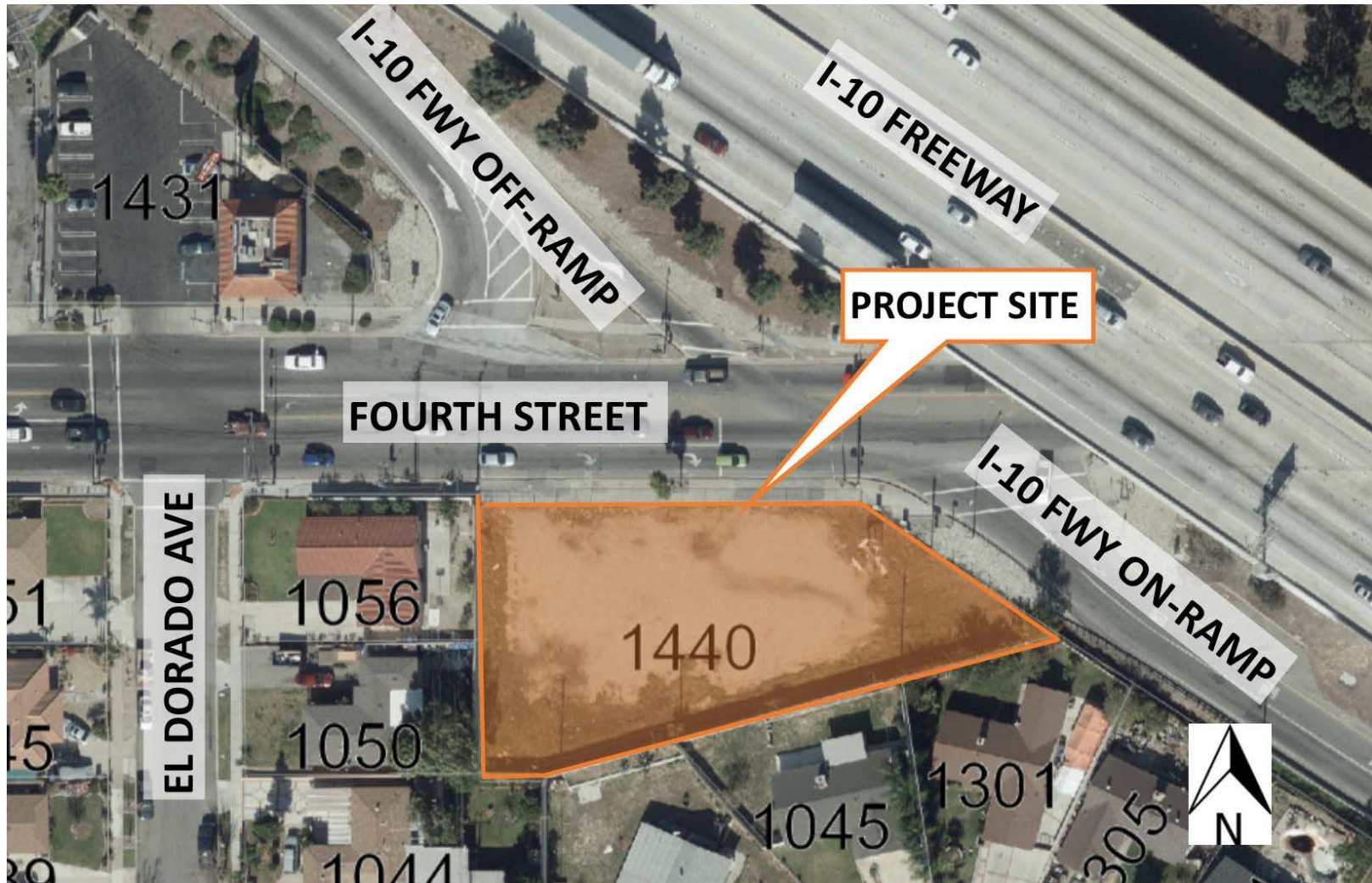
APPROVED AND ADOPTED this 16th day of April, 2018.

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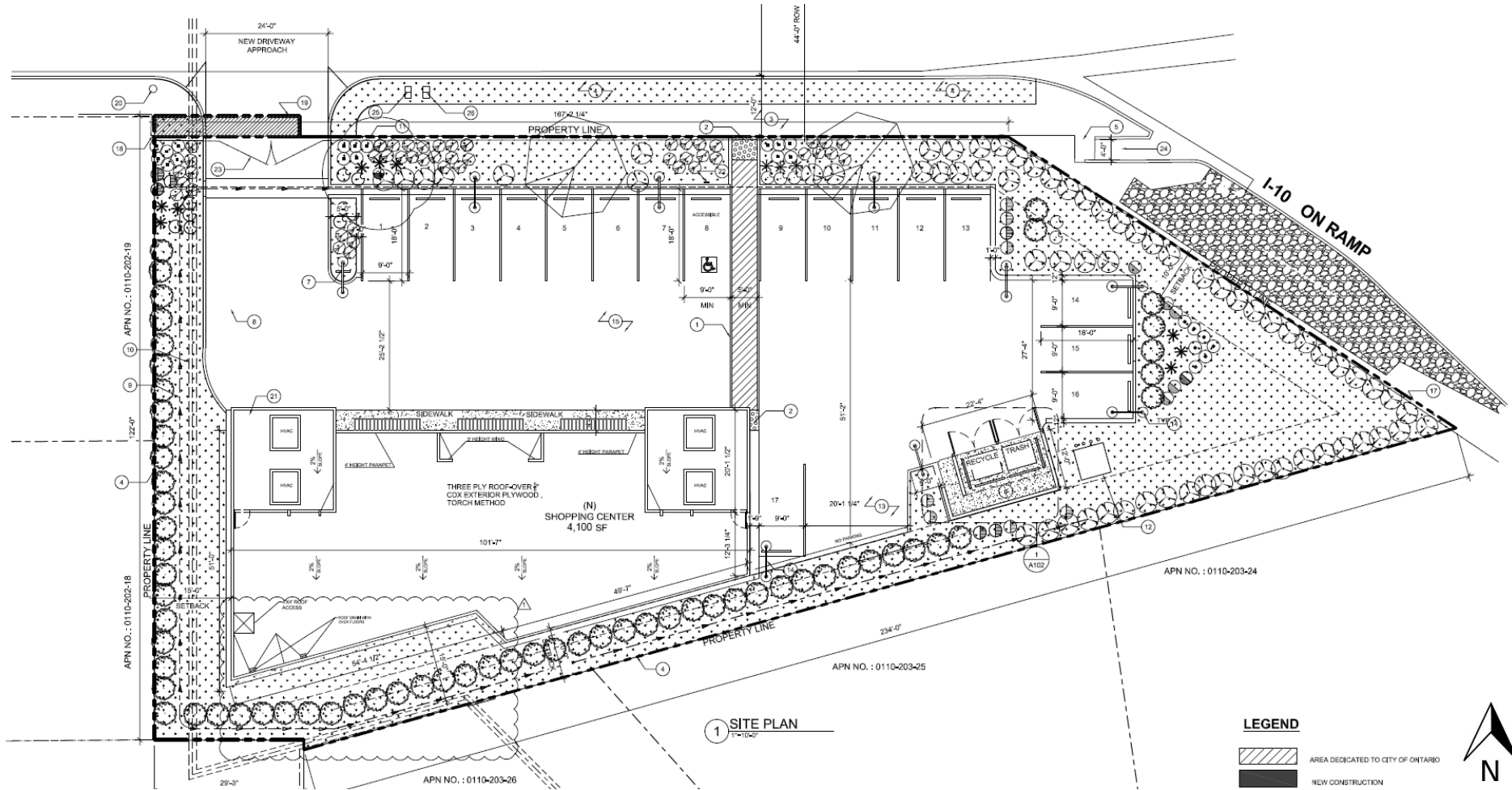
Development Advisory Board Chairman



Exhibit A—PROJECT LOCATION MAP



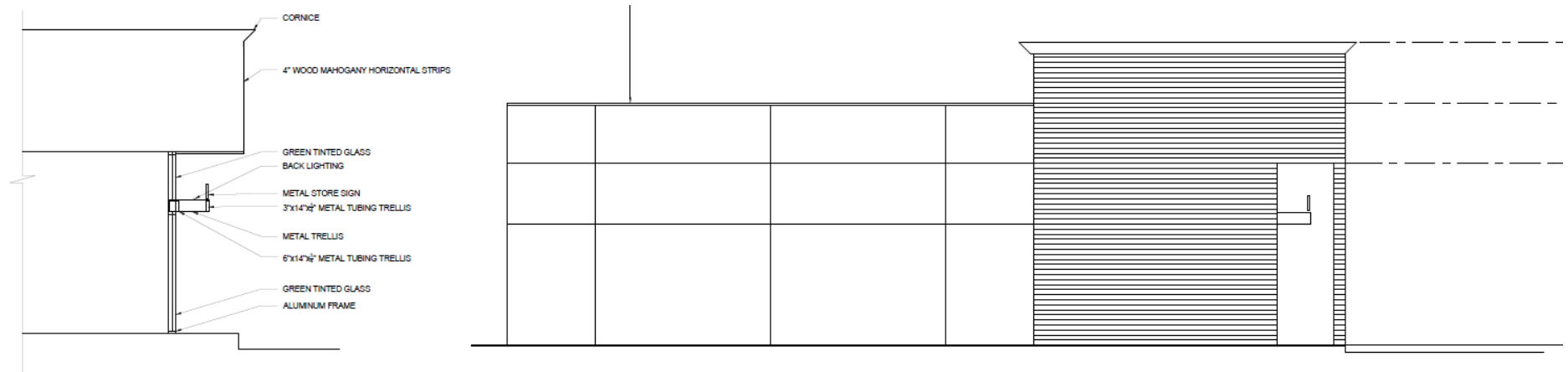
**Exhibit B—SITE PLAN**



**Exhibit C—ELEVATIONS**

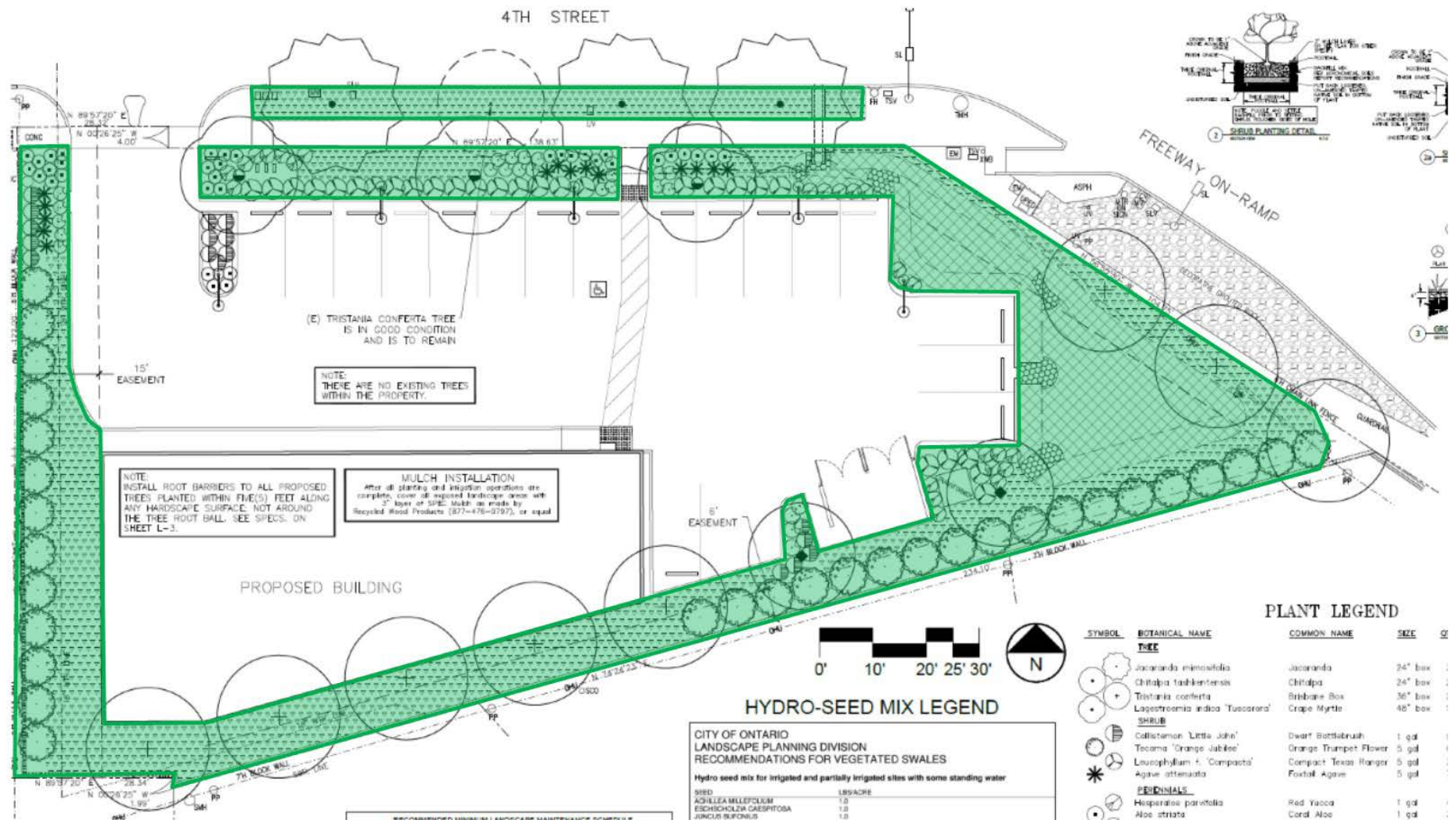


*Front (North) Elevation*



*Side (East) Elevation*

**Exhibit D—CONCEPTUAL LANDSCAPE PLAN**



## Attachment A—Departmental Conditions of Approval

*(Departmental conditions of approval follow this page)*



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

*Planning Department  
Land Development Division  
Conditions of Approval*

---

**Meeting Date:** April 16, 2018

**File No:** PVAR17-008

**Related Files:** PDEV17-055

**Project Description:** A Variance (File No. PVAR17-008) request to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet in conjunction with a Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. APN: 0110-202-46; **submitted by Atabak Youssefzadeh.**

**Prepared By:** Alexis Vaughn, Assistant Planner  
Phone: 909.395.2416 (direct)  
Email: [avaughn@ontarioca.gov](mailto:avaughn@ontarioca.gov)

---

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

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

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

**2.1 Time Limits.**

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

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

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

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

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

### **2.3** Landscaping.

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

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

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

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

**(e)** Landscape shall be planted along the rear of the building so as to discourage trespassing, vagrancy, loitering, or other criminal activity.

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

### **2.5** Parking, Circulation and Access.

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

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

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

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

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

**(f)** Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

**2.6** Site Lighting.

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

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property. All light standards located adjacent to residential developments shall be shielded so as to not cause a glare or illumination.

**2.7** Mechanical and Rooftop Equipment.

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

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

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

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

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

**2.11** Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines.

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

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

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



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

**2.13** Additional Fees.

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

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



# CITY OF ONTARIO

## MEMORANDUM

TO: Hassan Haghani, Development Director  
 Scott Murphy, Assistant Development Director (Copy of Memo only)  
 Cathy Wahlstrom, Principal Planner (Copy of memo only)  
 Charity Hernandez, Economic Development  
**Kevin Shear, Building Official**  
 Khoi Do, Assistant City Engineer  
 Carolyn Bell, Landscape Planning Division  
 Sheldon Yu, Municipal Utility Company  
 Doug Sorel, Police Department  
 Paul Ehrman, Deputy Fire Chief/Fire Marshal  
 Jay Bautista, T. E., Traffic/Transportation Manager  
 Lorena Mejia, Senior Planner  
 Steve Wilson, Engineering/NPDES  
 Joe De Sousa, Supervising Code Enforcement Officer  
 Jimmy Chang, IT Department  
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PVAR17-008

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 **Monday, November 27, 2017**.

- 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 Variance request to reduce the street side setback from the required 20 FT to 10 FT, on 0.46 acres of land located on 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46)

RELATED FILE: PDEV17-055

- 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.

*Burdina*

Department

Signature

Title

Date

# CITY OF ONTARIO

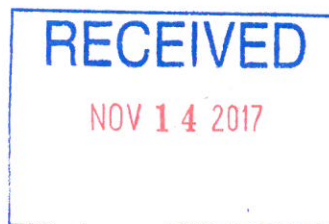
## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Alexis Vaughn  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** November 14, 2017  
**SUBJECT:** PVAR17-008

---

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

KS:lm





# CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director  
 Scott Murphy, Assistant Development Director (Copy of Memo only)  
 Cathy Wahlstrom, Principal Planner (Copy of memo only)  
 Charity Hernandez, Economic Development  
 Kevin Shear, Building Official  
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 Steve Wilson, Engineering/NPDES  
 Joe De Sousa, Supervising Code Enforcement Officer  
 Jimmy Chang, IT Department  
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PVAR17-008 Finance Acct#:

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- 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 Variance request to reduce the street side setback from the required 20 FT to 10 FT, on 0.46 acres of land located on 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46)

RELATED FILE: PDEV17-055

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

POLICE  
Department

DOUGLAS SOREL  
Signature

MANAGEMENT ANALYST  
Title

11/26/17  
Date



# CITY OF ONTARIO

## MEMORANDUM

TO: Hassan Haghani, Development Director  
Scott Murphy, Assistant Development Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
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Steve Wilson, Engineering/NPDES  
Joe De Sousa, Supervising Code Enforcement Officer  
Jimmy Chang, IT Department  
David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PVAR17-008

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 **Monday, November 27, 2017**.

- 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 Variance request to reduce the street side setback from the required 20 FT to 10 FT, on 0.46 acres of land located on 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46)

RELATED FILE: PDEV17-055

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.

Department: Airport Planning      Signature: *[Handwritten Signature]*      Title: Senior Planner      Date: 12/11/17

# AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-055 & PVAR17-008  
 Address: 1440 East Fourth Street  
 APN: 0110-202-46  
 Existing Land Use: Vacant  
 Proposed Land Use: 4,500 square foot commercial building  
 Site Acreage: 0.46 Proposed Structure Height: 18 ft  
 ONT-IAC Project Review: N/A  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Alexis Vaughn  
 Date: 12/11/17  
 CD No.: 2017-080  
 PALU No.: n/a

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

- | Safety                        | Noise Impact                          | Airspace Protection   | Overflight Notification  |
|-------------------------------|---------------------------------------|---|--|
| <input type="radio"/> Zone 1  | <input type="radio"/> 75+ dB CNEL     | <input checked="" type="checkbox"/> 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: 30 ft   |  |
| <input type="radio"/> Zone 5  |                                       |   |  |

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_



# CITY OF ONTARIO

## MEMORANDUM

TO: Hassan Haghani , Development Director  
Scott Murphy, Assistant Development Director ( Copy of memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Ahmed Aly, Municipal Utility Company  
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Jay Bautista, T. E. , Traffic/Transportation Manager  
Lorena Mejia, Senior Planner  
Steve Wilson, Engineering/NPDES  
Joe De Sousa, Code Enforcement (Copy of memo only)  
Jimmy Chang , IT Department  
David Simpson , IT Department ( Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: March 07, 2018

SUBJECT: FILE #: PVAR17-008 Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, March 21, 2018**.

**PROJECT DESCRIPTION:** A Variance for a reduction in the street side setback, from 20 FT to 10 FT, in conjunction with the construction of a 4,500 SF commercial building on 0.46 acres of land located at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46).  
Related File: PDEV17-055.

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

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

The plan does not adequately address the departmental concerns.

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

Landscape Planning *Carolyn Bell* Sr. Landscape Architect  
Department Signature Title Date 3/14/18



# Development Advisory Board Decision

April 16, 2018

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV17-055

**DESCRIPTION:** A Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, in conjunction with a Variance (File No. PVAR17-008) request to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. APN: 0110-202-46; **submitted by Atabak Youssefzadeh.**

## **Part I—BACKGROUND & ANALYSIS**

ATABAK YOUSSEFZADEH, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV17-055, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**Project Setting:** The project site is comprised of 0.46 acres of land located at 1440 E. Fourth Street, and is depicted in **Exhibit A: Project Location Map**, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Neighborhood Commercial (0.4 FAR)	Neighborhood Commercial	N/A
<i>North:</i>	I-10 Freeway	N/A	N/A	N/A
<i>South:</i>	Single-Family Residential	Low Density (2.1 – 5 du/ac)	Low-Density Residential (LDR-5)	N/A
<i>East:</i>	I-10 Freeway	N/A	N/A	N/A
<i>West:</i>	Single-Family Residential	Low Density (2.1 – 5 du/ac)	Low-Density Residential (LDR-5)	N/A

### **Project Description:**

[1] **Background** — The site was previously developed with a Texaco gas station and convenience mart that operated throughout the 1980s and 1990s. In November 2001, a demolition permit was filed to remove the gas station from the site. The site has remained vacant since demolition work was completed.

On November 8, 2017, the Applicant applied for a Development Plan (File No. PDEV17-055) and a Variance (PVAR17-008) to construct a 4,100 square-foot multi-tenant commercial building. The Variance request would allow for a reduction in various setbacks to allow for a more economically-viable development. The Ontario Development Code requires the Development Advisory Board to review Variances in conjunction with Development Plans and make a recommendation to the Planning Commission.



[2] Site Design/Building Layout — The project proposes a 4,100 square-foot, multi-tenant commercial building, arranged in an east-west configuration along the southern portion of the parcel. The drive aisle and parking stalls are located toward the street, in front of the building. The proposed floor plan is speculative, and will provide flexibility for tenant improvements.

[3] Site Access/Circulation — Access to the site is provided by an existing 24-foot drive approach at the northwest corner of the project site. Due to the parcel's proximity to the I-10 Freeway and its eastbound on-ramp, there is no option of relocating the existing drive approach.

[4] Parking — The project has provided off-street parking pursuant to the "General and Convenience Retail" parking standards specified in the Development Code. The off-street parking calculations for the project are as follows:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
General and Convenience Retail	4,100 SF	Four spaces per 1,000 SF of GFA.	16	17
<b>TOTAL</b>	<b>4,100 SF</b>		<b>16</b>	<b>17</b>

The project is required to provide a minimum of 16 off-street parking spaces pursuant to the parking standards specified in the Development Code and has provided 17 spaces, exceeding the minimum standards.

[5] Architecture — The project features a modern commercial style, utilizing the following architectural treatments (see **Exhibit C: Elevations**):

- Smooth stucco body with vertical reveal lines, painted a neutral tan color;
- Varying roof and parapet heights with a decorative cornice treatment;
- Tower elements at the building's ends incorporate horizontal mahogany wood paneling;
- Steel trellises above the tenant doors with stainless steel signage; and
- Clerestory windows along shop frontages.

[6] Landscaping — The project provides landscaping along the street frontage and the perimeter of the site. A substantial landscape area has been provided along the eastern portion of the site, where a water quality detention basin has been proposed. The Development Code requires a minimum of 15% landscape coverage, and the project is proposing approximately 35% landscaping, which exceeds requirements (see **Exhibit D: Conceptual Landscape Plan**). There are no existing trees within the property lines; however, one *Tristania Conferta* tree in the parkway is in good condition and is listed to remain. The project will introduce a variety of shrubs, perennials, and groundcovers, and a total of eight new trees will be planted on-site, including:

- 3 Jacaranda (24" box)
- 2 Chitalpa (24" box)
- 2 Brisbane Box (36" box)
- 1 Crape Myrtle (48" box)

### **Part II—RECITALS**

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

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

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

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

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

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

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

WHEREAS, on April 16, 2018, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### **Part III—THE DECISION**

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, which consists of minor alterations in land

use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density; and, projects characterized as in-fill development.

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

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

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

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

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Neighborhood Commercial land use district of the Policy Plan Land Use Map, and the Neighborhood Commercial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed commercial retail building will provide the neighborhood with an additional convenience, promoting a variety of land uses and building types in the area, per LU1-6 (Complete Community). Additionally, the project will be well-landscaped, and will contribute to the overall streetscape along Fourth Street, per CD2-9 (Landscape Design) and CD3-6 (Landscaping); and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Neighborhood

Commercial zoning district, including standards relative to the particular land use proposed (commercial retail building), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The project site is bordered by the I-10 Freeway to the north and east, and by single-family residential to the south, and is currently vacant. The proposed one-story building will not impose on any privacy or view issues, as it will not incorporate windows or accommodate pedestrian activity along the south or west elevations. Further, an existing 7' block wall along the south property line and an existing 6' block wall along the west property line will continue to provide adjacent residences with privacy. With approval of the Variance request, the project will be consistent with the Development Code and TOP; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Development Code. The proposed project is complementary to the surroundings in terms of use, massing, and architecture, and will install an extensive landscape buffer along Fourth Street and the I-10 on-ramp. Conditions have also been imposed on the project to promote safety, by means of appropriate site lighting, and the implementation of plantings along the building's west and south elevations to discourage any potential loitering or criminal activities behind the building; and

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

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

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

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

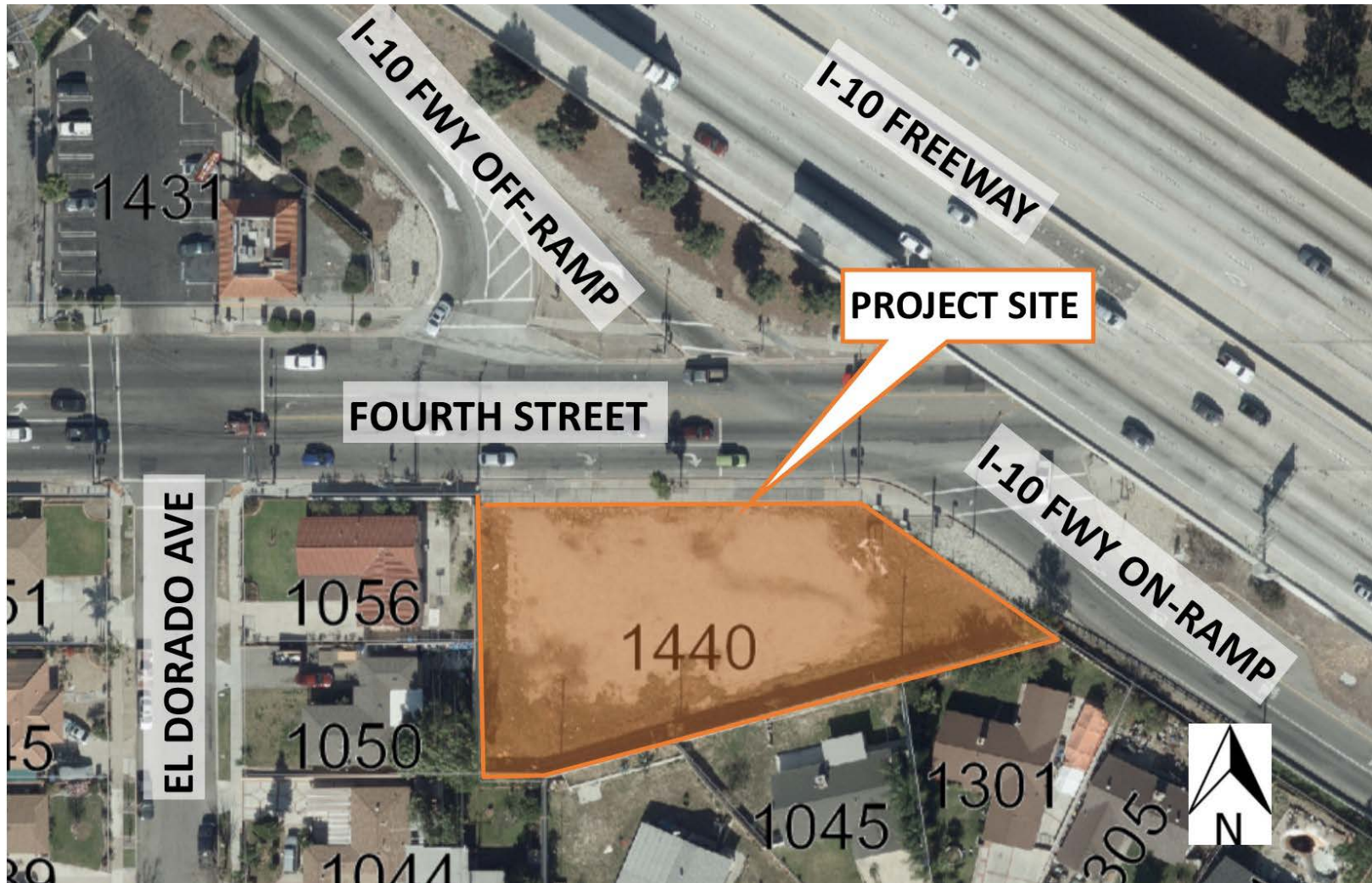
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APPROVED AND ADOPTED this 16th day of April, 2018.

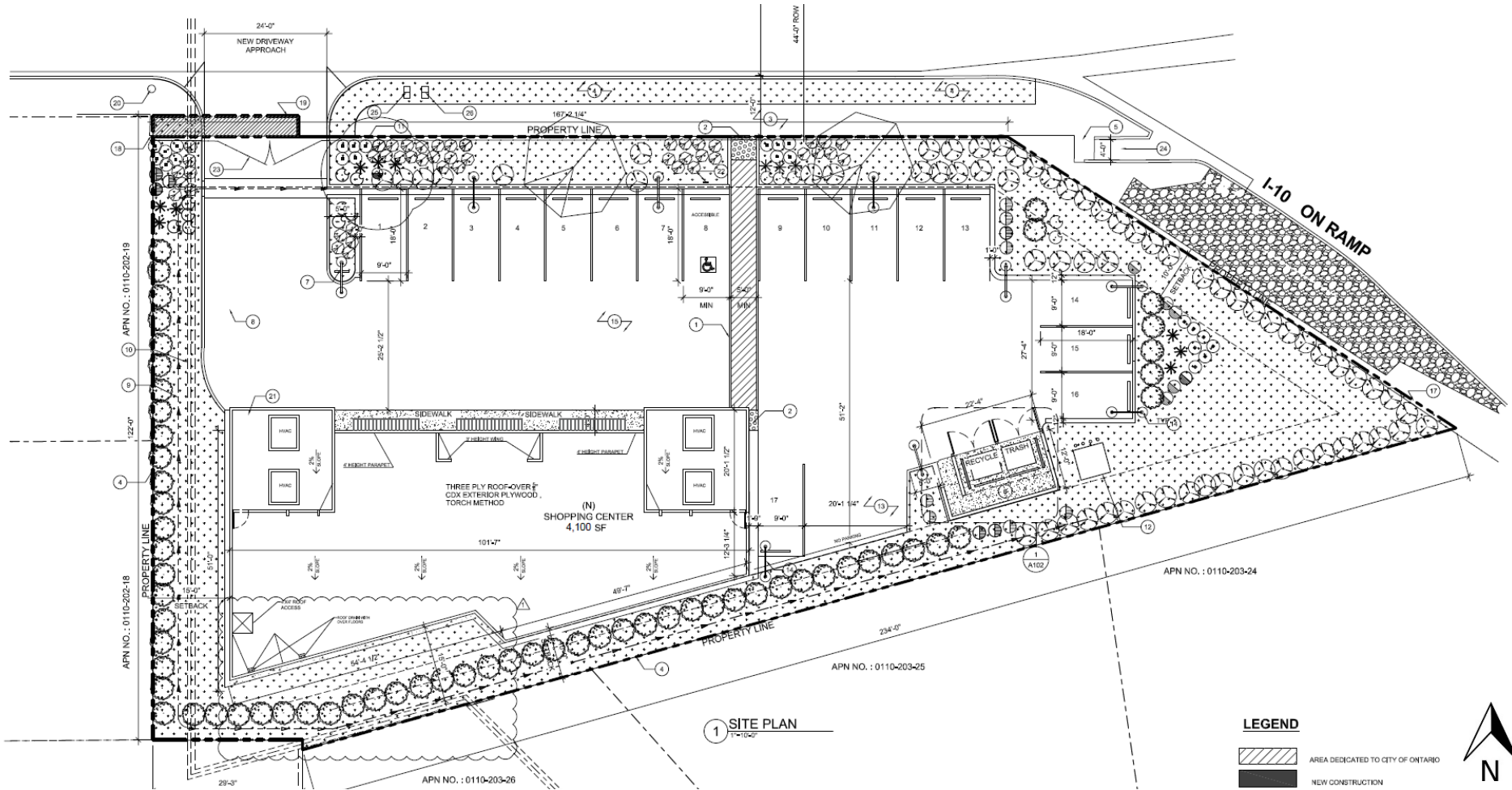
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Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



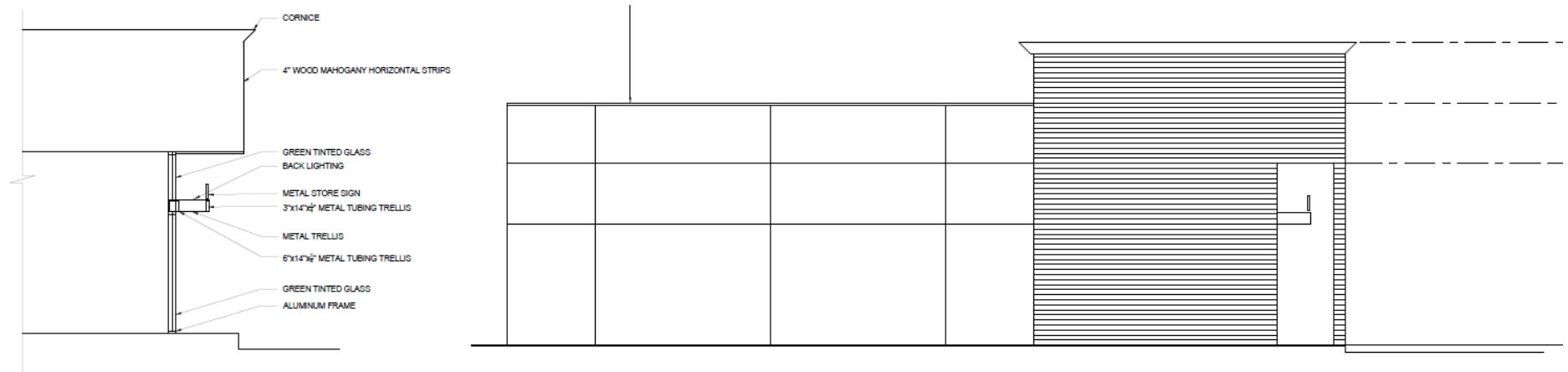
**Exhibit B—SITE PLAN**



**Exhibit C—ELEVATIONS**

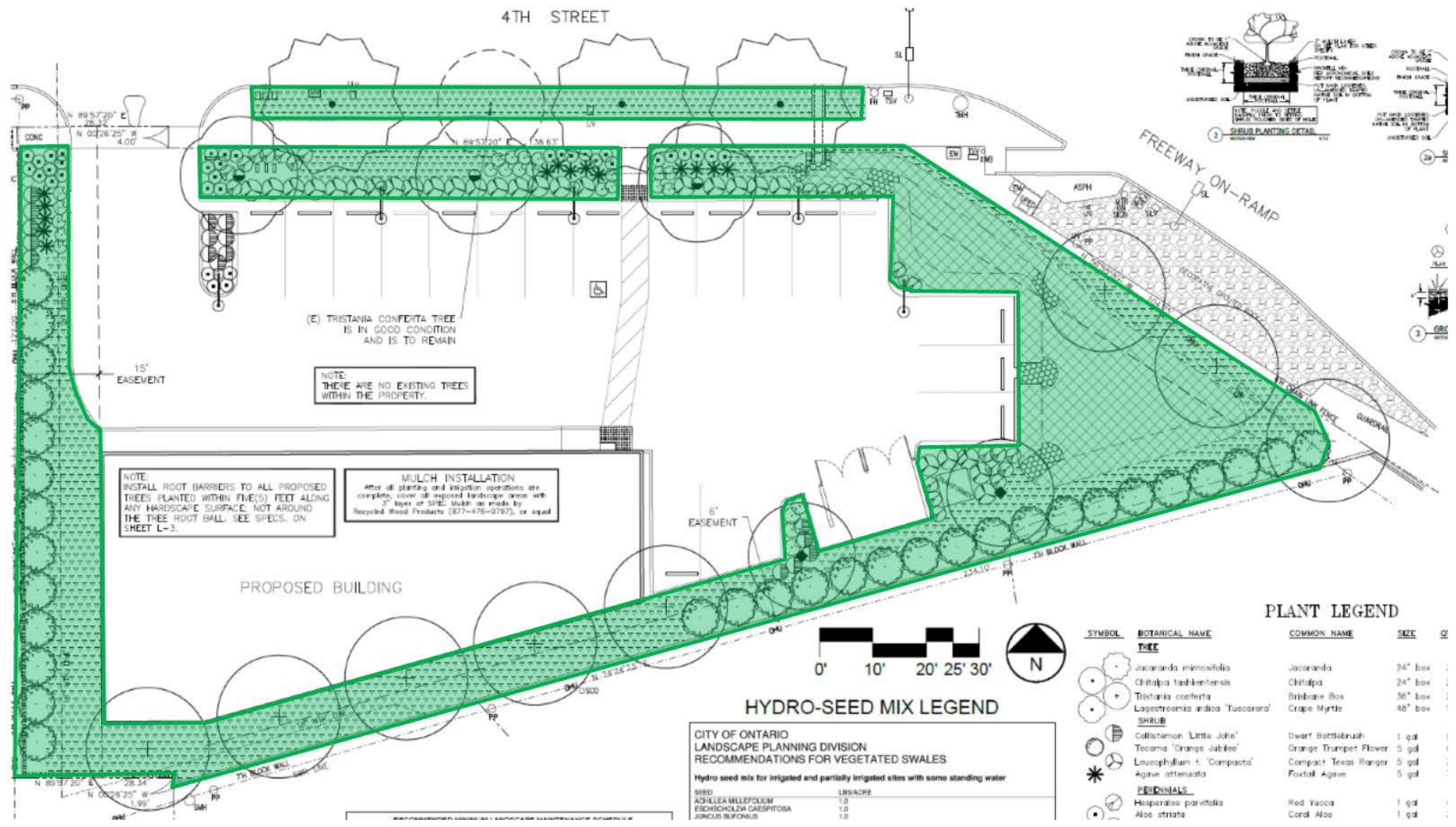


*Front (North) Elevation*





**Exhibit D—CONCEPTUAL LANDSCAPE PLAN**



## Attachment A—Departmental Conditions of Approval

*(Departmental conditions of approval follow this page)*



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

*Planning Department  
Land Development Division  
Conditions of Approval*

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**Meeting Date:** April 16, 2018

**File No:** PDEV17-055

**Related Files:** PVAR17-008

**Project Description:** A Development Plan (File No. PDEV17-055) to construct a 4,100 square-foot commercial building, in conjunction with a Variance (File No. PVAR17-008) request to reduce the: 1) Rear building setback from 15 feet to 10 feet; 2) Front parking setback from 20 feet to 10 feet; and, 3) Setbacks from the building to the parking and drive aisles from 5 feet to 3 feet, on 0.46 acres of land, within the Neighborhood Commercial zoning district, located at 1440 E. Fourth Street. APN: 0110-202-46; **submitted by Atabak Youssefzadeh.**

**Prepared By:** Alexis Vaughn, Assistant Planner  
Phone: 909.395.2416 (direct)  
Email: [avaughn@ontarioca.gov](mailto:avaughn@ontarioca.gov)

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

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

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

**2.1 Time Limits.**

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

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

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

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

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

**2.3** Landscaping.

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

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

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

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

(e) Landscape shall be planted along the rear of the building so as to discourage trespassing, vagrancy, loitering, or other criminal activity.

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

**2.5** Parking, Circulation and Access.

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

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

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

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

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

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

**2.6** Site Lighting.

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

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property. All light standards located adjacent to residential developments shall be shielded so as to not cause a glare or illumination.

**2.7** Mechanical and Rooftop Equipment.

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

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

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

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

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

**2.11** Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines.

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

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

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

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

**2.13** Additional Fees.

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

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



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company  
Information Technology and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b>	<input type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP
<input type="checkbox"/> OTHER	<input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
<b>PROJECT FILE NO. <u>PDEV17-055</u></b>		
<b>RELATED FILE NO(S). <u>PVAR17-008</u></b>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u>  </u> / <u>  </u> / <u>  </u>		

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

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn (909) 395-2416

DAB MEETING DATE: April 16<sup>th</sup>, 2018

PROJECT NAME / DESCRIPTION: PDEV17-055, a Development Plan to construct a 4,500 square foot Commercial building on 0.46 acres of land.

LOCATION: 1440 East Fourth Street

APPLICANT: Fusion International Holdings, LLC

REVIEWED BY: *[Signature]* 4/13/18  
Bryan Lirley, P.E. Date  
Principal Engineer

APPROVED BY: *[Signature]* 4-4-19  
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. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.**

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

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





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

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Tract No. 6522.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_.
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified



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

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

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

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

2.10 **Dedicate to the City of Ontario the right-of-way described below:**

1. **44-feet on Fourth Street along the entire property frontage.**

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

1. **15-foot wide Public Utility Easement (PUE) along a portion of the southerly property line.**

2.12 **New Model Colony (NMC) Developments:**

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

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

2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**



- 2.15** Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$18,000.00 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
  
- 2.16** Other conditions: 
  1. The Applicant/Developer shall process a vacation to vacate all easements within the property no longer needed.
  
  2. The Applicant/Developer shall relocate the existing guy wire for the Edison power pole outside of the proposed building foundation.



**B. PUBLIC IMPROVEMENTS**

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

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

Improvement	Fourth St	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> Replace Damaged Curb & Gutter <input checked="" type="checkbox"/> In-fill Existing Easterly Curb-Cut with New Curb & Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.F)	<input checked="" type="checkbox"/> Replace Existing Westerly Curb-Cut with a New Commercial Type Driveway Approach <input checked="" type="checkbox"/> Install Right-turn Only Ingress/Egress Median on Driveway Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> Replace Damaged Sidewalk Panels <input checked="" type="checkbox"/> In-fill Existing Easterly Curb-Cut with New Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> Replace Existing Wheel Chair Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



<b>Parkway</b>	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Fire Hydrant</b>	<input checked="" type="checkbox"/> Upgrade and Equip Existing Fire Hydrant with a Break-Off Valve	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
<b>Sewer (see Sec. 2.C)</b>	<input checked="" type="checkbox"/> Extend Sewer Main <input checked="" type="checkbox"/> New Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water (see Sec. 2.D)</b>	<input checked="" type="checkbox"/> New Service for Domestic Use and equip with a backflow device <input checked="" type="checkbox"/> New Service for Irrigation Use and equip with a Backflow Device <input checked="" type="checkbox"/> New Service for Fire Use and equip with a DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Traffic Signing and Striping (see Sec. 2.F)</b>	<input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify Existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Storm Drain (see Sec. 2G)</b>	<input checked="" type="checkbox"/> New Parkway Drain	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	<input checked="" type="checkbox"/> Abandon Laterals & Services no longer to be used <input checked="" type="checkbox"/> Remove concrete within parkway landscape area			
Other Improvements				

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

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

**C. SEWER**

- 2.23 An 8-inch sewer main is available for connection by this project in Fourth Street. (Ref: Sewer plan bar code: S12951)
- 2.24 **Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 130 feet away in Fourth Street.**
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: \_\_\_\_\_



**D. WATER**

- 2.27 An 18-inch water main is available for connection by this project in Fourth Street. (Ref: Water plan bar code: W10881)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 Other conditions: \_\_\_\_\_

**E. RECYCLED WATER**

- 2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_. (Ref: Recycled Water plan bar code: \_\_\_\_\_)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.   

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.
- 2.34 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions: 
  - 1. The I-10 High Occupancy Toll (HOT) Lane project will construct modifications to the bridge at I-10 and Fourth Street in the future. At the time of construction, it is likely that San Bernardino County Transportation Authority (SBCTA) will require a temporary construction easement.
  - 2. The applicant/developer shall design and construct the proposed driveway on Fourth Street to be right-turn ingress/egress only. The driveway shall incorporate appropriate signage. In addition, the applicant/developer shall be responsible to modify the striped median on Fourth Street to include yellow diagonal crosshatch markings in order to emphasize the restriction of westbound left-turn ingress.



### G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.  
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Other conditions: \_\_\_\_\_

### J. SPECIAL DISTRICTS

- 2.47 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.





2.48 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

2.49 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on Fourth Street, see Fiber Optic Exhibit herein.

2.50 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

**L. Solid Waste**

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

2.52 Other conditions:   
1. The Applicant/Developer shall construct a new 2-bin trash enclosure with a solid roof and pedestrian access per the Refuse & Recycling Planning Manual.



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

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



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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Project Number: PDEV17-055, and/or Parcel Map/Tract Map No. \_\_\_\_\_

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

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



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





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner  
Planning Department

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

**DATE:** November 21, 2017

**SUBJECT:** PDEV17-055 - A Development Plan to construct a 4,500 square foot commercial building, located on 0.46 acres of land at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46). RELATED FILE: PVAR17-008

- 
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
- 

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: Not Listed (V)
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 4,500 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 4,500 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): B

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

### **3.0 WATER SUPPLY**

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1750 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

#### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

#### **5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 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 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.



## 6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** November 28, 2017

**SUBJECT:** PDEV17-055: A DEVELOPMENT PLAN TO CONSTRUCT A  
COMMERCIAL BUILDING AT 1440 EAST FOURTH STREET

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

- Required lighting for walkways, driveways, doorways and other areas used by the public shall be provided and shall operate on photosensor. Photometrics shall be provided and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting fixtures.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- 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.

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



# CITY OF ONTARIO

## MEMORANDUM

TO: Hassan Haghani, Development Director  
Scott Murphy, Assistant Development Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Paul Ehrman, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Senior Planner  
Steve Wilson, Engineering/NPDES  
Joe De Sousa, Supervising Code Enforcement Officer  
Jimmy Chang, IT Department  
David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PDEV17-055

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 **Monday, November 27, 2017**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct a 4,500 square foot commercial building, located on 0.46 acres of land at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46).

RELATED FILE: PVAR17-008

- 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.

Department

Airport Planning  
*[Signature]*

Signature

Title

Senior Planner  
12/11/17

Date

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-055 & PVAR17-008

Address: 1440 East Fourth Street

APN: 0110-202-46

Existing Land Use: Vacant

Proposed Land Use: 4,500 square foot commercial building

Site Acreage: 0.46 Proposed Structure Height: 18 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 12/11/17

CD No.: 2017-080

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input checked="" type="checkbox"/> 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: 30 ft	
<input type="radio"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature:



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

**PRELIMINARY PLAN CORRECTIONS**

**Sign Off**

*Carolyn Bell*  
 Carolyn Bell, Sr. Landscape Planner

3/14/18  
 Date

Reviewer's Name:  
**Carolyn Bell, Sr. Landscape Planner**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
 PDEV17-055 Rev 1

Case Planner:  
 Alexis Vaughn

Project Name and Location:  
 Commercial Building  
 1440 E Fourth St

Applicant/Representative:  
 Atabak Youssefzder atabak@sbcglobal.net  
 10100 Empyrean Way #202  
 Los Angeles, CA 90067

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 3/7/18 ) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**CORRECTIONS REQUIRED**

Civil/ Site Plans

- Show or note backflow devices shall be located in planter areas, and set back min 3' from paving, located on level grade. Coordinate with landscape plans.
- Change gravel under basin to engineered soil per the Landscape Development Guidelines. Note 65% sand, 20% clay and silt and 15% compost by volume.
- Reduce the 4' wide storm water curb openings and rip rap width to max 24" wide.

Landscape Plans

- Show landscape screening for backflows, min 3' high such as Dietes, Dianella tasmanica or similar. Screen trash enclosures sides with a tall narrow shrub such as Nandina, dwarf fruitless olive, etc. Screen transformers sides and show low groundcovers in front for access.
- Show parking lot island planters with trees at each row end. Missing 2 at NE parking lot edge.
- Add tall narrow, evergreen shrubs 15 gallon to property line planters such as Arbutus, Toyon, Tristania laurina, Ligustrum confusum, etc. Change Tristania c.to Tristania laurina. Change Tecoma to a neat, low maintenance shrub such as ligustrum or Elaeagnus with Arbutus or Toyon 25' oc. Change Chitalpa to an evergreen shade tree such as Tristania conferta or Quercus ilex.
- Provide 5QB or 5HB 5' stream spray bubblers for trees with pc screens instead of MSBN 1' radius
- Add note for contractor to take additional agronomical soil test after amendments are installed to verify improved condition.
- Show 25% of trees as California native (Quercus agrifolia, Quercus wislizenii, Quercus douglasii, , etc.) in appropriate locations such as in the east corner or along the east PL.
- After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

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

Landscape construction plans with building permit number for plan check may be emailed to:  
[landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)



# CITY OF ONTARIO

## MEMORANDUM

TO: Hassan Haghani, Development Director  
Scott Murphy, Assistant Development Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
**Kevin Shear, Building Official**  
Khoi Do, Assistant City Engineer  
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Lorena Mejia, Senior Planner  
Steve Wilson, Engineering/NPDES  
Joe De Sousa, Supervising Code Enforcement Officer  
Jimmy Chang, IT Department  
David Simpson, IT Department (Copy of memo only)



FROM: Alexis Vaughn, Assistant Planner

DATE: November 13, 2017

SUBJECT: FILE #: PDEV17-055

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 **Monday, November 27, 2017**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct a 4,500 square foot commercial building, located on 0.46 acres of land at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46).

RELATED FILE: PVAR17-008

- 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:** PLANNING DEPARTMENT, Alexis Vaughn  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** November 14, 2017  
**SUBJECT:** PDEV17-055

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

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### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





# TOP-Zoning Consistency Determination



File No.: PDEV17-055, PVAR17-008

Location: 1440 East Fourth Street

Project Description:

A Development Plan to construct a 4,500 square foot commercial building on 0.46 acres of land located at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-202-46). Related File: PVAR17-008.

Prepared By:

Clarice Burden

Date:

12/5/17

Signature:

*Clarice Burden*

This project has been reviewed for consistency with The Ontario Plan Zoning Consistency project. The following was found:

- The existing TOP land use designation of the property is: **Neighborhood Commercial**  
The existing zoning of the property is: **CN, Neighborhood Commercial**
  
- A change to the TOP land use designation has been proposed which would change the land use designation of the property to:  
This proposed TOP land use change will:
  - Make the existing zoning of the property consistent with the proposed General Plan Amendment;
  - Make the proposed project consistent with The Ontario Plan.
  
- The zoning of the property will need to be changed in order to be consistent with The Ontario Plan. Through the TOP-Zoning Consistency effort, the zoning of the property is proposed to be changed to:  
This proposed zone change will:
  - Make the zoning of the property consistent with The Ontario Plan;
  - Without the Zone Change described above, the proposed project is not consistent with The Ontario Plan. A finding of consistency with The Ontario Plan is required in order to approve this project.
  
- Additional Comments:  
Zoning and General Plan designations are consistent with each other.



# Development Advisory Board Decision

April 16, 2018

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV17-060

**DESCRIPTION:** A Development Plan (File No. PDEV17-060) to construct 62 single-family homes on 7.65 acres of land located within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road. (APNs: 0218-412-02); **submitted by Brookfield Waverly, LLC.**

## **Part I—BACKGROUND & ANALYSIS**

BROOKFIELD WAVERLY, LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV17-060, as described in the subject of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The project site is comprised of 7.65 acres of land located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Mass Graded	Low Density Residential	The Avenue Specific Plan	Planning Area 11 - LDR
<i>North</i>	Vacant	Neighborhood Commercial	The Avenue Specific Plan	Planning Area 10B – Retail
<i>South</i>	Vacant	Medium Density Residential	Grand Park Specific Plan	Planning Area 2 – LDR
<i>East</i>	Vacant	Mixed Use – NMC East	Rich Haven Specific Plan	Planning Area 9A – Commercial and Residential
<i>West</i>	Multi-Family Residential	Medium Density Residential	The Avenue Specific Plan	Planning Area 11 – LMDR

(2) **Project Description:** A Development Plan (File No. PDEV17-060) to construct 62 single-family homes on 7.65 acres of land located within the Low Density Residential district of Planning Area 11 of The Avenue Specific Plan (**See Exhibit B – Site Plan**).

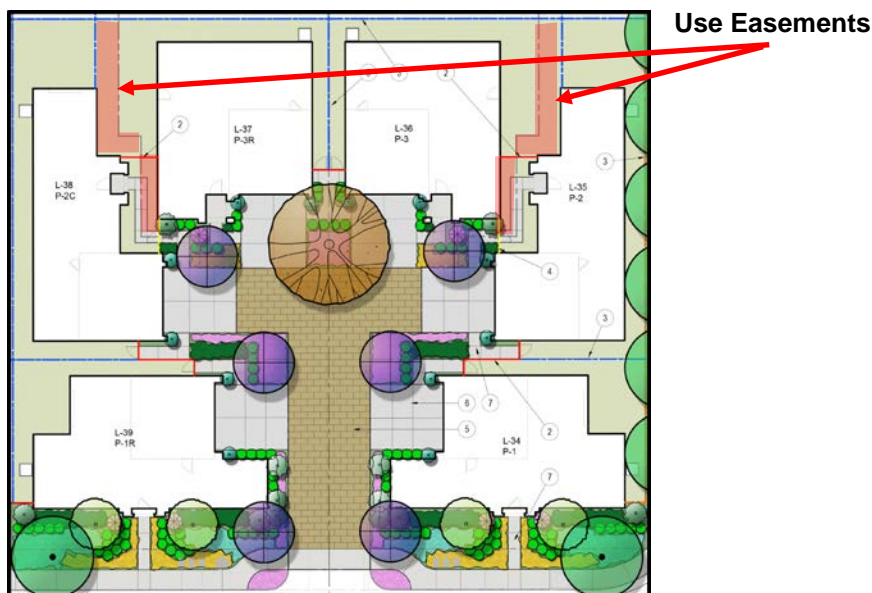
The project proposes the development of 62 single-family homes (6-Pack Cluster Product) within Planning Area 11 of The Avenue Specific Plan. The project includes three floor plans and three architectural styles per plan. The three floor plans include the following:

- Plan 1: 2,158 square feet, 4 bedrooms, great room and 3 baths.
- Plan 2: 2,275 square feet, 4 bedrooms, great room and 3 baths.

- Plan 3: 2,513 square feet, 4 bedrooms (option for 5<sup>th</sup> bedroom), great room and 3 baths.

All plans incorporate various design features, such as single and two-story massing, varied entries and a great room. The 6-pack cluster product is characterized by a decorative paved private lane that provides both garage and front entry access to each unit (**Figure 2: Typical Plotting**). Each unit will provide a two-car garage and a two-car driveway for a total of four parking spaces per unit.

The Plan 1 is oriented toward the public street (architecture forward), with the front entry and walkway fronting the street and garage access being provided from the private lane. The Plan 2 (center units) and Plan 3 (rear units) are marginally visible from the public street and both floor plans front onto the private lane. The Plan 2 and Plan 3 will provide front entry and garage access from the private lane. Additionally, use easements extend into the Plan 2 lots to provide a more useable yard area for the Plan 3 lots.



**Figure 2: Typical 6-Pack Cluster Plotting**

Site Access/Circulation — The project street frontage improvements along New Haven Drive and Haven Avenue were constructed as part of the adjacent New Haven Community (Tract Map 18922 (“A” Map) and various “B” Maps). The project site will have access from New Haven Drive, which runs north and south along the western frontage of the project site and has direct access to Ontario Ranch Road. The applicant is required to construct the interior tract private drive (loop) that will provide access to the future single-family residential development. Additionally, an emergency access road will be constructed within the southeastern portion of the project site that will connect to Haven Avenue.

Parking – The proposed 6-pack cluster single-family homes will provide a two-car garage and a standard two-car driveway, the proposed development meets The Avenue Specific Plan and Development Code requirements.

Architecture — The architectural styles proposed include Spanish Colonial, California Ranch and American Farmhouse. The styles complement one another through the overall scale, massing, proportions and details. The proposed home designs are consistent with the design guidelines of the Specific Plan. Each architectural style will include the following details (**Exhibit C – Floor Plans and Elevations**):

Spanish Colonial: Varying gable and shed roofs with “S” concrete roof tiles; stucco finish; arched entries; cantilevered elements with corbels; decorative foam eaves; decorative barrel tile elements below gable ends; decorative shutters and window framing.

California Ranch: Varying gable roofs with flat concrete roof tiles, wooden knee braces and vertical siding below gable ends, a combination of horizontal siding, stone veneer and stucco exterior, cantilevered elements with corbels; gable front entries treated with horizontal siding and stone veneer bases; decorative shutters and window framing.

American Farmhouse: Varying gable and shed roofs with flat concrete roof tiles, vertical siding below gable ends, a combination of vertical siding, brick veneer and stucco exterior; cantilevered elements with corbels; gable front entries with either vertical siding and brick veneer bases or square columns; decorative shutters and window framing.

Open Space — The related Tentative Tract Map (File No. PMTT17-001/TT 20076) will facilitate the construction of sidewalks, parkways, and open space areas within the project site. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 0.47 acre park to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 1.75 acre neighborhood park that is centrally located within the adjacent tract (TT 20061) to the west (**Exhibit D – Park Renderings**). In total, TT 20061 and TT 20076 are required to construct a 1.71 acre park to meet the minimum TOP private park requirement, therefore the 1.75 acre park would satisfy the minimum TOP private park requirement. The park will include various amenities such as, a pool, restroom and shower facilities, two tot lots (Age 2-5 and 5-12), BBQ’s, picnic tables, picnic table shade structures and open turf play areas. In addition, a 6.8 acre park, as part of the existing New Haven community (located north of Ontario Ranch Road) was constructed at the center of Planning Area 10A. The park features an 8,348 square foot club house, two pools and a spa, open lawn area and other recreational amenities. The future residents of the proposed development will have access to the existing parks and all park amenities.

## **Part II—RECITALS**

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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

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

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

WHEREAS, on April 16, 2018, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### ***Part III—THE DECISION***

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

**SECTION 1: *Environmental Determination and Findings.*** As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation. Based upon the facts and information contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014.

(2) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109), and all mitigation measures previously adopted with the addendum to The Avenue Specific Plan EIR (SCH# 2005071109), are incorporated herein by this reference.

**SECTION 2: Subsequent or Supplemental Environmental Review Not Required.** Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental addendum to The Avenue Specific Plan EIR (SCH# 2005071109) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was prepared, that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); or

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

(d) Mitigation measures or alternatives considerably different from those analyzed in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

**SECTION 3: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the proposed project is consistent with the maximum number of dwelling units (62) and density (8.10 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,552 dwelling units with an overall density range of 2-12 DU/AC

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

and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, Low Density Residential (Planning Area 11) land use district of The Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Development Plan has been required to comply with all provisions of Product Type 3 Residential Development Standards of The Avenue Specific Plan. Future neighborhoods within The Avenue Specific Plan and surrounding area will provide for diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Low Density Residential (Planning Area 11 - Product Type 3) land use district of The Avenue Specific Plan, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of The Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and The Avenue Specific Plan. Additionally, the environmental impacts of this project were previously reviewed in conjunction with an addendum to The Avenue Specific Plan Environmental Impact Report (SCH#2005071109). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of The Avenue Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (6-Pack Cluster single-family residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in The Avenue

Specific Plan. Additionally, the Development Plan complies with all provisions of Product Type 3 Residential Development Standards of The Avenue Specific Plan.

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

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

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

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APPROVED AND ADOPTED this 16<sup>th</sup> day of April 2018.

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Development Advisory Board Chairman



Exhibit A—PROJECT LOCATION MAP

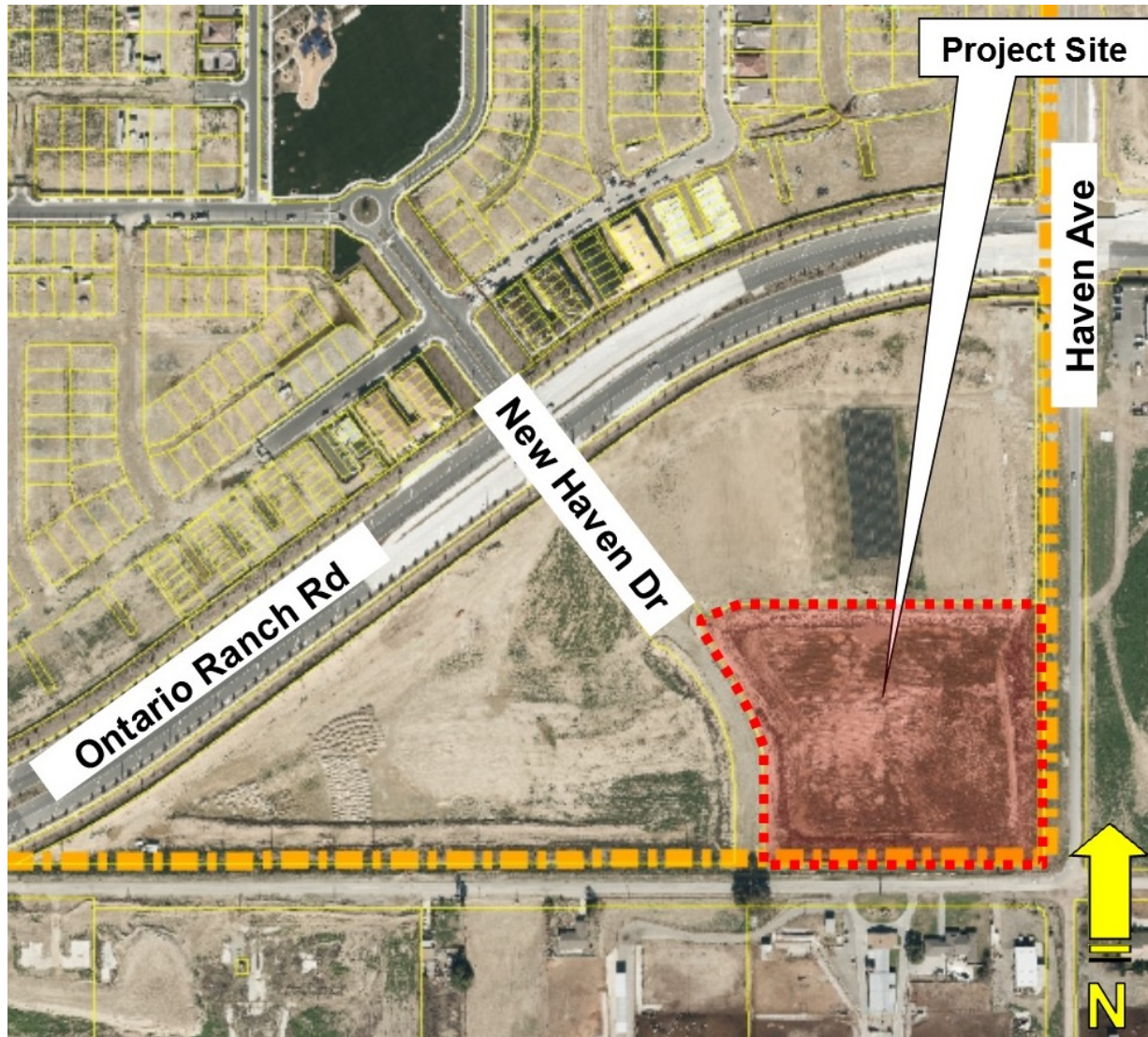


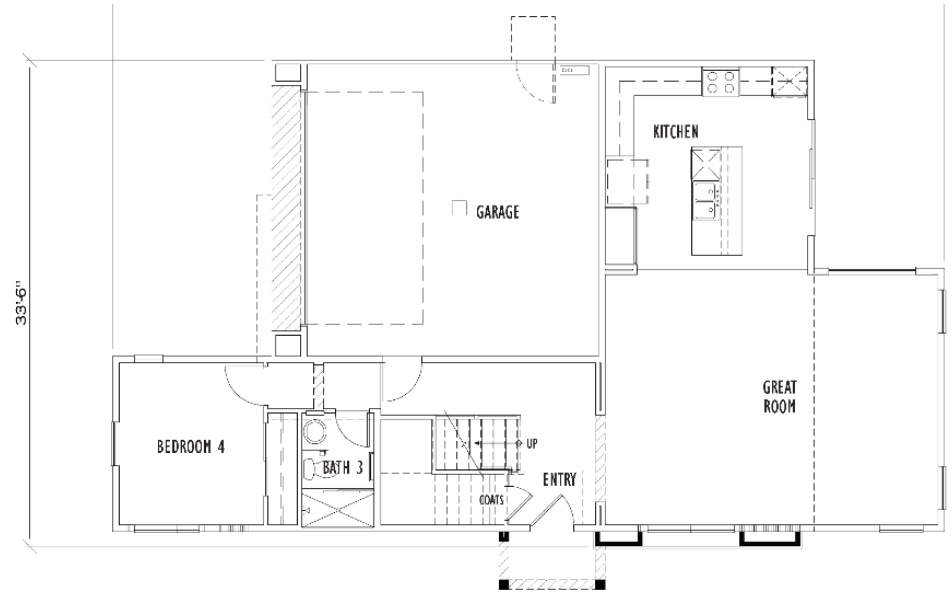
Exhibit B—SITE PLAN



**Exhibit C— FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 1**



UPPER LEVEL



LOWER LEVEL

**Exhibit C— FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 1**



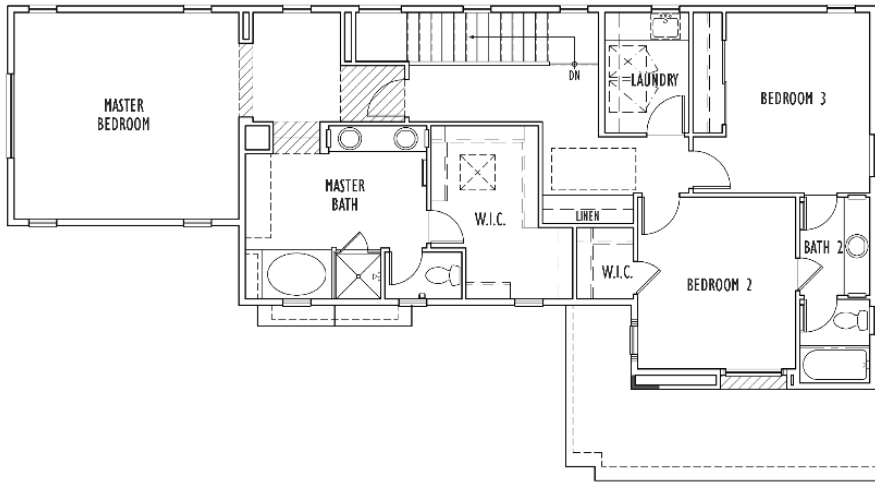
**ELEVATION 1A - CALIFORNIA RANCH**



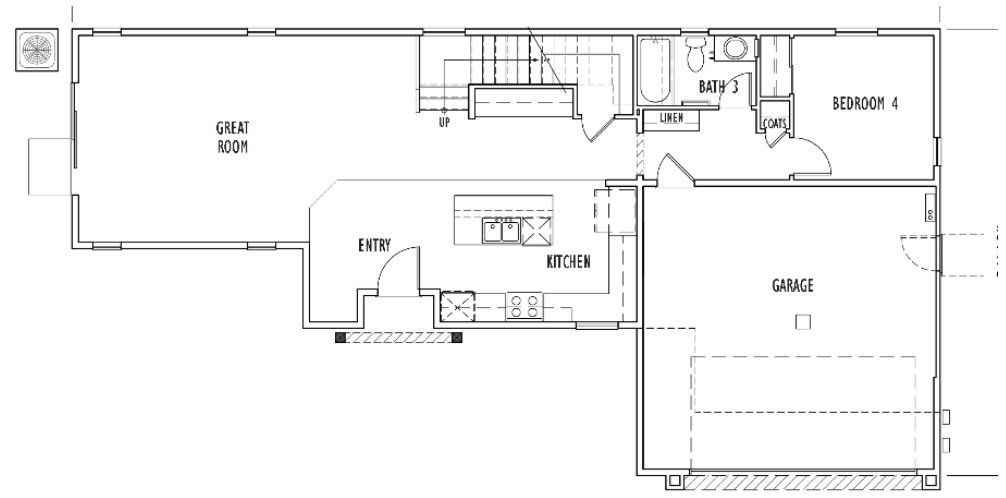
**ELEVATION 1B - AMERICAN FARMHOUSE**

**ELEVATION 1C - SPANISH COLONIAL**

**Exhibit C— FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 2**



UPPER LEVEL



LOWER LEVEL

**Exhibit C— FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 2**



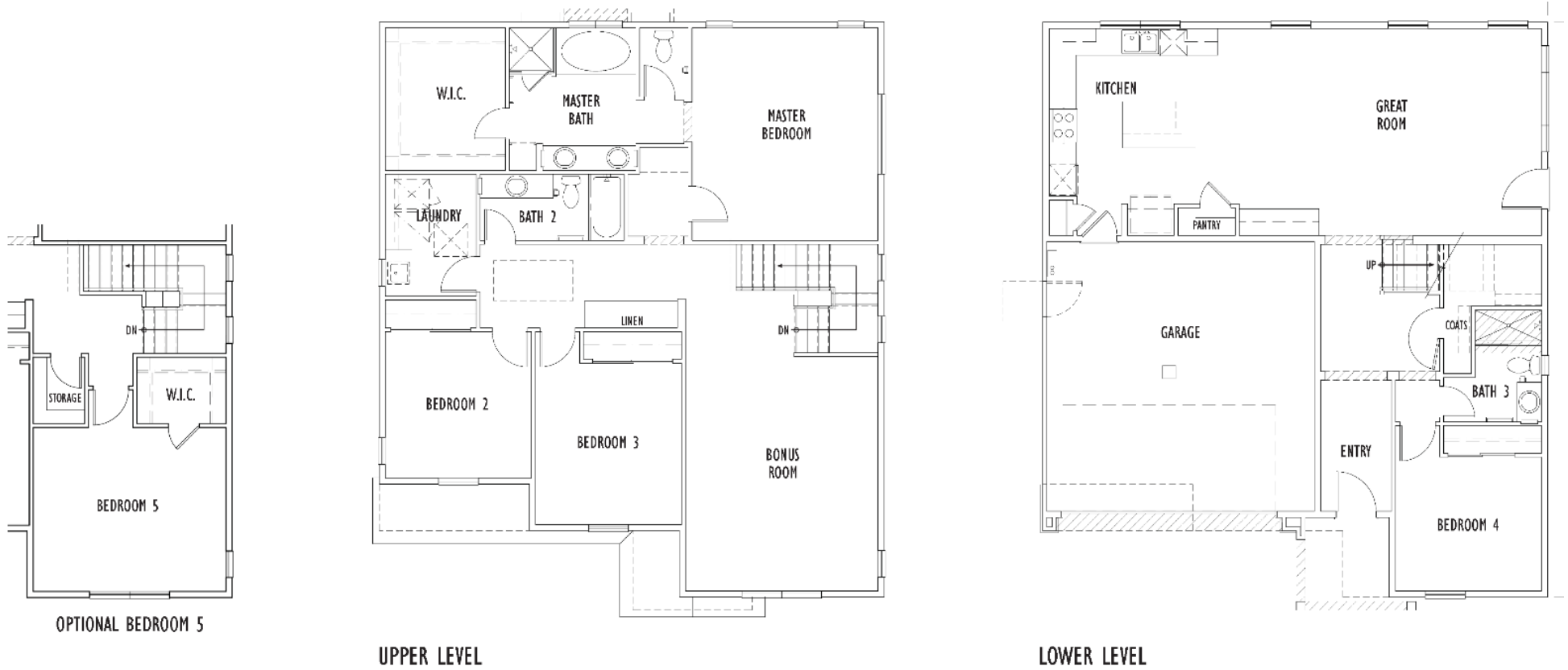
ELEVATION 2A - CALIFORNIA RANCH



ELEVATION 2B - AMERICAN FARMHOUSE

ELEVATION 2C - SPANISH COLONIAL

**Exhibit C— FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 3**



**Exhibit C— FLOOR PLANS AND EXTERIOR ELEVATIONS – PLAN 3**



**ELEVATION 3A - CALIFORNIA RANCH**



**ELEVATION 3B - AMERICAN FARMHOUSE**

**ELEVATION 3C - SPANISH COLONIAL**



**Exhibit D—PARK RENDERINGS**



**Exhibit D—PARK RENDERINGS**



**Exhibit D—PARK RENDERINGS**



## Attachment A—Departmental Conditions of Approval

*(Departmental conditions of approval follow this page)*



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

## ***Planning Department Land Development Division Conditions of Approval***

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**Meeting Date:** April 16, 2018  
**File No:** PDEV17-060  
**Related Files:** PMTT17-001/TT20076

**Project Description:** A Development Plan (File No. PDEV17-060) to construct 62 single-family homes on 7.65 acres of land located within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road. (APNs: 0218-412-02); **submitted by Brookfield Waverly, LLC.**

**Prepared By:** Henry K. Noh, Senior Planner  
Phone: 909.395.2429 (direct)  
Email: hnoh@ontarioca.gov

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

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

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

**2.1 Time Limits.**

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

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

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

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

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

**2.3** Landscaping.

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

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

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

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

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

**2.5** Parking, Circulation and Access.

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

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

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

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

**2.8** Disclosure Statements.

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

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

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

**2.9** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, a(n) Amendment to The Avenue Specific Plan for which a(n) addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

**2.11** Additional Fees.

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

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

**2.12** Additional Requirements.

(a) 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. By electing to utilize the Screening Tables the applicant shall be required to garner a minimum 100 points to be consistent with the reduction quantities outlined in the CAP. The applicant shall identify on the construction plans the items identified in the attached industrial Screening Tables.

(b) Off-Site Subdivision Signs.

The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program

uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

(c) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(d) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(e) Dairy Separation Requirement for Residential Development.

The following separation requirements from existing dairies/feed lots shall apply to new residential development or structures used for public assembly purposes from existing dairies/feed lots.

A minimum 100' separation shall be required between a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map.

(f) Final architecture for the proposed project shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

(g) All applicable conditions of approval of Development Agreement (File No. PDA10-002) shall apply to this tract.

(h) All applicable conditions of approval of The Avenue Specific Plan shall apply to this tract.

(i) All applicable conditions of approval of the "A" Map TT 18922 (File No. PMTT13-010) and "B" Map (File No. PMTT17-001/TT20076) shall apply to this development.

(j) Prior to the issuance of the 1<sup>st</sup> home certificate of occupancy within TT 20076, the Open Space Lot Z (Emergency Access) shall be fully constructed.

(k) The street entry into the development shall be constructed with enhanced pavement and shall be reviewed and approved by the Planning Department prior to the issuance of grading permits.





# CITY OF ONTARIO MEMORANDUM

## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DATE: **April 2, 2018**

DAB MEETING DATE: **April 16, 2018**

PROJECT ENGINEER: **Naiim Khoury, Associate Engineer** *NK*  
**909.395.2152**

PROJECT PLANNER: **Henry Noh, Senior Planner**  
**909.395.2429**

PROJECT: **PDEV17-060; a development project to build 52 SFR (alley loaded) by Brookfield Residential within Planning Area PA-11 of The Avenue SP. Related Files; Tract Map Nos. TM18922-4/PMTT13-010 (A-Map) and TM20076/PMTT17-001 (B-Map).**

APPLICANT: **BrookCal Ontario, LLC – Brookfield Residential**

LOCATION: **Northwest corner of Haven Avenue and Edison Avenue**

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This project shall comply with the requirements set forth in the General Standard Conditions of Approval adopted by the City Council (Resolution No. 2017-027) and the Project Specific Conditions of Approval specified herein. The Applicant shall be responsible for the completion of all conditions prior to issuance of permits and/or occupancy clearance.

- 1) The applicant/developer shall be responsible for completing all the Conditions of Approval for TM18922-4 and TM20076, and the Development Agreement by and between City of Ontario and BrookCAL Ontario, LLC.
- 2) The applicant/developer shall dedicate a public utility easement for fiber optic purposes within the private alleys.
- 3) Proposed retaining walls shall 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).
- 4) The Applicant/Developer shall be responsible to install a marked pedestrian crosswalk across the south leg of the intersection of New Haven Drive and the residential/commercial driveways



immediately south of Ontario Ranch Road. The installation shall include pedestrian crossing signs at the crosswalk and in advance of the crosswalk.

- 5) This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation.
- 6) The applicant shall comply with each of the following requirements in order to receive recycled water service:

Prior to Building Permits Issuance:

- i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
- ii. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.

Prior to Occupancy Release/Finalizing:

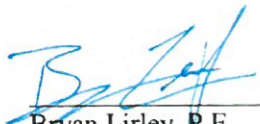
- i. Pass start-up and cross-connection test successfully.
  - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.
- 7) Solid Waste Collections: The Developer shall provide all residential unit buyers an informational disclosure with map exhibit showing the designated can placement locations for solid waste collections of that residential unit, based upon the designated collections locations on the Residential Refuse & Recycling Plan, to be revised. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
  - 8) Solid Waste Handling Plan (SWHP): The Trash Truck Turning Study, revision dated 3/22/2018, shall be updated and revised in to a SWHP and be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company. The SWHP shall follow the SWHP Guidance Document available from OMUC and shall have at minimum all the following elements:
    - a. SWHP Content and Format: The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>) and shall contain, at a minimum, the following elements:
      - i. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/ Commercial with bins, etc.) and describing the solid waste handling operation (*for instance, will there be scouting services, etc.*)
      - ii. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.).
      - iii. An Engineering Site Plan drawn to scale that shows :

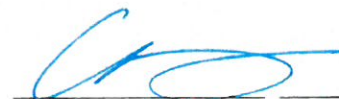


- A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
- The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
- All parking stalls and parallel parking spaces along all streets, alleys, or aisles.
- All proposed curbs and areas designated and striped/signed as “No Parking”.
- All designated solid waste collection locations:
  1. A minimum of two collection locations (one for refuse and one for recycling) for each residential unit;
  2. The collection location shall be represented as a 26-inch by 26-inch square;
  3. The collection locations shall be spaced 20-inches from other collection location squares and that is spaced a minimum of 40-inches from parking, group mailboxes, and other potential obstructions that could prevent the solid waste vehicle from accessing the can; and,
  4. Each collection location shall be placed along the solid waste vehicles accessible path of travel.

9) Tract map shall provide a CC&R document that includes the following provisions:

- a. Common Use and Private Utilities: Identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance responsibilities of the HOA of these facilities.
- b. Solid Waste Collections: The Residential Refuse & Recycling Plan, revision 2-28-18, shall be included in the CC&R's with a provision that the HOA will enforce the can collections placement requirements of this Plan.
- c. Repair of Private Pavement: In the event that private pavement replacement is needed due to the repair of any public utilities within PUEs, the replacement will only include AC paving and no other type of hardscape or paving (e.g. decorative, etc.).

  
Bryan Lirley, P.E.  
Principal Engineer  
4/3/18  
Date

  
Khoi Do, P. E.  
Assistant City Engineer  
4-4-18  
Date

- c: Khoi Do, P.E., Engineering/Land Development  
Stephen Wilson, Engineering/Environmental  
Steve Latino, Engineering/Transportation  
Jeff Krizek, Ontario Municipal Utility Company



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Henry Noh, Senior Planner  
Planning Department

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

**DATE:** January 15, 2018

**SUBJECT:** PDEV17-060 - A Development Plan to construct 62 single-family dwellings (court yard style home sites) on 7.65 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the The Avenue Specific Plan (APN: 0218-211-03). Related File: PMTT17-003 (TM 20076).

- 
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
- 

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 1,000 Sq. Ft.
- D. Number of Stories: Two
- E. Total Square Footage: 1,500 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

### **3.0 WATER SUPPLY**

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

#### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

#### **5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



# CITY OF ONTARIO

## MEMORANDUM

TO: Hassan Haghani, Development Director  
Scott Murphy, Assistant Development Director ( Copy of memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
**Carolyn Bell, Landscape Planning Division**  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Paul Ehrman, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Senior Planner  
Steve Wilson, Engineering/NPDES  
Joe De Sousa, Supervising code Enforcement Officer  
Jimmy Chang , IT Department  
David Simpson, IT Department (Copy of memo only)

FROM: Henry Noh, Senior Planner

DATE: December 20, 2017

SUBJECT: FILE #: PDEV17-060

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, January 3, 2018**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct 62 single-family dwellings (court yard style home sites) on 7.65 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the The Avenue Specific Plan (APN: 0218-211-03).  
Related File: PMTT17-003 (TM 20076).

- 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.

Department: Landscape Planning Signature: Carolyn Bell Title: Senior Landscape Planner Date: 1/25/18

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

**CONDITIONS OF APPROVAL**

**Sign Off**

*Carolyn Bell*  
 Carolyn Bell, Sr. Landscape Planner

1/25/18  
 Date

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

D.A.B. File No.: PDEV17-060 Case Planner: Henry Noh

Project Name and Location:  
 New Haven Waverly II  
 NEC Haven and Ontario Ranch Road

Applicant/Representative:  
 Brookfield Waverly LLC  
 3200 Park Center Drive ste 1000 Danielle Reppen  
 Costa Mesa, CA 92626

- A Preliminary Landscape Plan (dated 12/20/17) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
- A Preliminary Landscape Plan (dated ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

**CORRECTIONS REQUIRED**

Civil/ Site Plans

1. Extend landscape planter island on Caymus privado to min 30' long instead of 15'
2. Show transformers located in planter areas, and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Located on level grade. Coordinate with landscape plans.
3. Show and dimension backflow devices located in planter areas, and set back min 3' from paving on level grade. Coordinate with landscape plans.
4. Locate utilities including light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans. Move storm drain out of landscape planters on south side of Paraduxx privado.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension with 12" wide curbs, or 6" curbs with 12" wide pavers or DG paving with edging at parking spaces adjacent to planters.
7. Show lot drainage to include a catch basin with gravel sump below each before exiting property.

Landscape Plans

8. Match civil plans. Base is different; see less parking spaces and a larger planter area on Paraduxx privado.
9. Add a concrete mow strip to separate HOA landscape areas from private landscape areas
10. Show backflows and transformers, with a 4' set back from paving with landscape screening.
11. Show all utilities (sewer, storm drain, water, etc) on the landscape plans. Coordinate so utilities are clear of required tree locations.



12. Show appropriate parking lot shade tree with min 30' canopy at maturity and evergreen screen tree. Change dwarf Magnolia Alta to Magnolia Samuel Sommers, Podocarpus gracilior or Quercus virginiana. Change Platanus acerifolia (damaged by borers) to another large accent tree such as Quercus agrifolia, Olea wilsonii, etc. Show ¾ mature size of all trees: Tabebuia at 23' (30 at maturity, shown at 15') or change to a narrow tree where located near buildings. Space Tristanias min 20' oc instead of 6 or change to a tall evergreen shrub 10-15' height.
13. Show, and note or dimension trees to be located no closer than 50% the mature width. Add mature width to construction plans.
14. Change grasspave at lot Z to turf grass instead of DG, or low water turf substitute, Orchard grass (Agrostis pallens) or Kurapia
15. Call out type of proposed irrigation system and include preliminary MAWA calculation.
16. Show landscape hydrozones to separate low water from moderate water landscape or add low, med, high, to plant legend call out.
17. Note to provide separate irrigation systems for trees with stream bubblers with pc screens.
18. Replace short lived, high maintenance or poor performing plants: Hemerocallis, Arctostaphylos, Hibiscus Sinensis, Phormium, Escallonia, Fescue, Lantana, Lavendula,
19. Note for agronomical soil testing and include report on landscape plans. For phased projects, a new report is required for each phase or a min every 6 homes in residential developments.
20. Note to include a stub-out for future back yard irrigation systems with anti-siphon valves.
21. Show 25% of trees as California native (Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis (small accent), Sambucus Mexicana, Heteromeles (Lg shrub) etc.) in appropriate locations.
22. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
23. Provide phasing map for multi-phase projects prior to inspection.
24. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 

Plan Check—5 or more acres .....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase) .....	\$278.00
Total.....	\$2,604.00

Landscape construction plans with building permit number for plan check may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-060  
 Address: NWC of Haven Avenue & Edison Avenue  
 APN: 0218-412-03  
 Existing Land Use: Vacant  
 Proposed Land Use: 62 Single Residential Family Homes  
 Site Acreage: 7.65 ac Proposed Structure Height: 26 FT  
 ONT-IAC Project Review: N/A  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Henry Noh  
 Date: 2/20/18  
 CD No.: 2017-089  
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input 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 type="radio"/> 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: 200 FT +	
<input type="radio"/> Zone 5			

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

Zone 1   
  Zone 2   
  Zone 3   
  Zone 4   
  Zone 5   
  Zone 6  
 Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See Attached Condition.

Airport Planner Signature: 

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2017-089  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

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 Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

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

# CITY OF ONTARIO MEMORANDUM

**TO:** PLANNING DEPARTMENT, Henry Noh  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** January 8, 2018  
**SUBJECT:** PDEV17-060

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

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### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





# Development Advisory Board Decision

April 16, 2018

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV18-005

**DESCRIPTION:** A Development Plan (File No. PDEV18-005) to construct 60 single-family homes on 8.9 acres of land located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. (APN: 0218-014-05); **submitted by KB Home Southern California.**

## Part I—BACKGROUND & ANALYSIS

KB HOME SOUTHERN CALIFORNIA, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-005, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 8.9 acres of land generally located at the northeast corner of Parkplace Avenue and Parkview Street, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 19 (Single-Family Lane-Loaded)
<i>North</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 20 (Conventional Medium Lot)
<i>South</i>	Vacant	Low Density and Public School	Subarea 29 Specific Plan	PA 17 (Conventional Small Lot) and PA 18 (School)
<i>East</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 23 (Conventional Small Lot)
<i>West</i>	Vacant	Low Density	Subarea 29 Specific Plan	PA 3 (Conventional Medium Lot)

### Project Description:

[1] **Background** — The Subarea 29 Specific Plan (539 acres) and the Environmental Impact Report (EIR) were approved by the City Council on November 7, 2006. The Specific Plan established the land use designations, development standards, and design guidelines for Subarea 29, which includes the potential development of 2,293 single-family units and 87,000 square feet of commercial space.

On January 23, 2007, the Planning Commission approved Tentative Tract Map 18081 (PMTT06-022) which subdivided 8.9 acres of Planning Area 19 (3,150 square-foot lots – Lane Loaded) into 60 numbered lots (single-family, lane-loaded) and six lettered lots (landscape buffers, paseos, private lanes, and public utility

easements). The lots range in size from 3,145 square feet to 5,398 square feet, with an average lot size of 3,610 square feet.

On January 23, 2018, KB Homes Southern California submitted a Development Plan application for the construction of the 60 single-family units.

[2] Site Design/Building Layout — The project proposes the development of 60 single-family alley-loaded homes within Planning Area 19 of the Subarea 29 Specific Plan. The homes are all oriented toward the streets (architectural forward) or front onto the landscaped paseos or pocket park. Three, two-story floor plans are proposed, each with three elevations per plan. The three plans include the following:

- Plan 1: 2,280 square feet, 3 bedrooms, loft/optional fourth bedroom, and 2.5 baths
- Plan 2: 2,335 square feet, 3 bedrooms, loft, and 2.5 baths
- Plan 3: 2,479 square feet, 4 bedrooms, loft, and 2.5 baths

All plans incorporate various design features, such as single- and second-story massing, varied entries, front porches, covered patios, 2<sup>nd</sup>-floor laundry facilities, and a great room. All homes will have a two-car garage that will be accessed from an alley. To minimize visual impacts of garages and avoid a “canyon-like” effect along the alleys, varied massing, second-story projections over garages, and varied rooflines are proposed.

[3] Site Access/Circulation — On August 27, 2013, the Planning Commission approved Tentative Tract 17821 (“A” Map) to facilitate the construction of the backbone streets within the Specific Plan, which include the primary access points to the Subarea 29 community from Archibald Avenue and Eucalyptus Avenue. The developer will construct the private lanes and interior neighborhood streets of Travertine Street, Parkplace Avenue, Parkview Street, and Celebration Avenue.

[4] Parking — Each unit has a two-car garage, for a total of 120 enclosed parking spaces. Nine additional parking spaces will be provided at the south end of the pocket park (Lot B) for visitors and park users. Parking will be also be available on-street along Parkplace Avenue, Parkview Street, and Celebration Avenue (approximately 63 parking spaces).

[5] Architecture —The proposed architectural design of the homes reflects function and tradition, simplicity in the massing plan and roof forms, and authenticity of homes found within Ontario’s historic neighborhoods. The architectural styles proposed include Spanish Colonial, Cottage, and Traditional. The styles complement one another through the overall scale, massing, proportions, and details. The proposed home designs are consistent with the design guidelines of the Specific Plan.

The three architectural styles proposed will include the following (See **Exhibit C: Exterior Elevations** for all plans proposed):

- Spanish Colonial: Low- and shallow-pitched “S” tile roof, stucco exterior, arched entry openings, square windows with wood shutters or stucco trim, wrought-iron details below gables, decorative clay pipes below gables and second-story projections.
- Cottage: Varying hipped roofs with intersecting gables, decorative gable end vents, recessed arched windows, decorative shutters, porches with braced columns, stone veneer, and stucco trim.
- Traditional: Gable roofs with intersecting decorative vented gables, horizontal siding, stucco exterior, covered porch with square columns and wood railing, and vertical multi-paned windows with stucco trim and key windows with wood trim and shutters.

[6] Landscaping/Park and Paseos — The Development Plan features sidewalks separated by landscaped parkways along the project’s perimeter, which provides visual interest and promotes pedestrian

mobility. All homes within will be provided with front lawn landscaping (lawn, shrubs, and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for front, side, and rear yard landscaping maintenance and for side and rear landscape improvements, and the homeowner's association will be responsible for the maintenance of landscaping and irrigation within all common areas and parkways of all local streets.

Decorative 6' split-face walls with pilasters are proposed for all public-facing front, side, and rear walls, and the interior property line privacy fencing will be 5'-6" colored masonry block material to match. The homes that will front onto the public park or paseo areas may include a low wall or hedge to provide a physical separation from the park or paseo.

The alleys will be designed to provide a comfortable sense of function and character within the neighborhood. To accomplish this, all alleys will be enhanced with landscaped pockets that encroach into the drive aisle between garages. Accent trees (24" box minimum) will be planted within the planting pockets to anchor the architecture along the alley. Entries into the alleys will be enhanced with accent trees and large planting areas, consistent with the overall streetscape feel of the neighborhood. Lighting will be provided to maintain visibility and greater security for the residents.

The Development Plan does not propose the construction of a neighborhood park. The residents will have access to the public park (Celebration Park) to the south of the development. In addition, residents will have access to a private, 16,000 square-foot recreation facility, located on the northeast corner of Parkplace Avenue and Merrill Avenue, featuring a clubhouse, pool and cabana, tennis courts, and playground area.

### **Part II—RECITALS**

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSP03-003, the Subarea 29 Specific Plan for which a(n) Environmental Impact Report (SCHO#2004011009) was adopted by the City Council on November 7, 2006, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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



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

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

WHEREAS, on April 16, 2018, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### **Part III—THE DECISION**

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP03-003, the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCHO#2004011009) was adopted by the City Council on November 7, 2006.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Low Density land use district of the Policy Plan Land Use Map, and Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan, including standards relative to the particular land use proposed (single-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The site is physically suitable for the proposed development of 60 single-family homes. The related Tentative Tract Map 18079, which subdivided the land, was approved by the Planning Commission in November of 2006; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Subarea 29 Specific Plan. The Development Plan will facilitate the construction of 60 single-family homes. The environmental impacts of this project were analyzed in the EIR (SCH#2004011009), prepared for the Subarea 29 Specific Plan (File No. PSP03-003). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (single-family homes). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Subarea 29 Specific Plan.

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

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

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

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

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APPROVED AND ADOPTED this 16th day of April, 2018.

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Development Advisory Board Chairman

**Exhibit A—PROJECT LOCATION MAP**

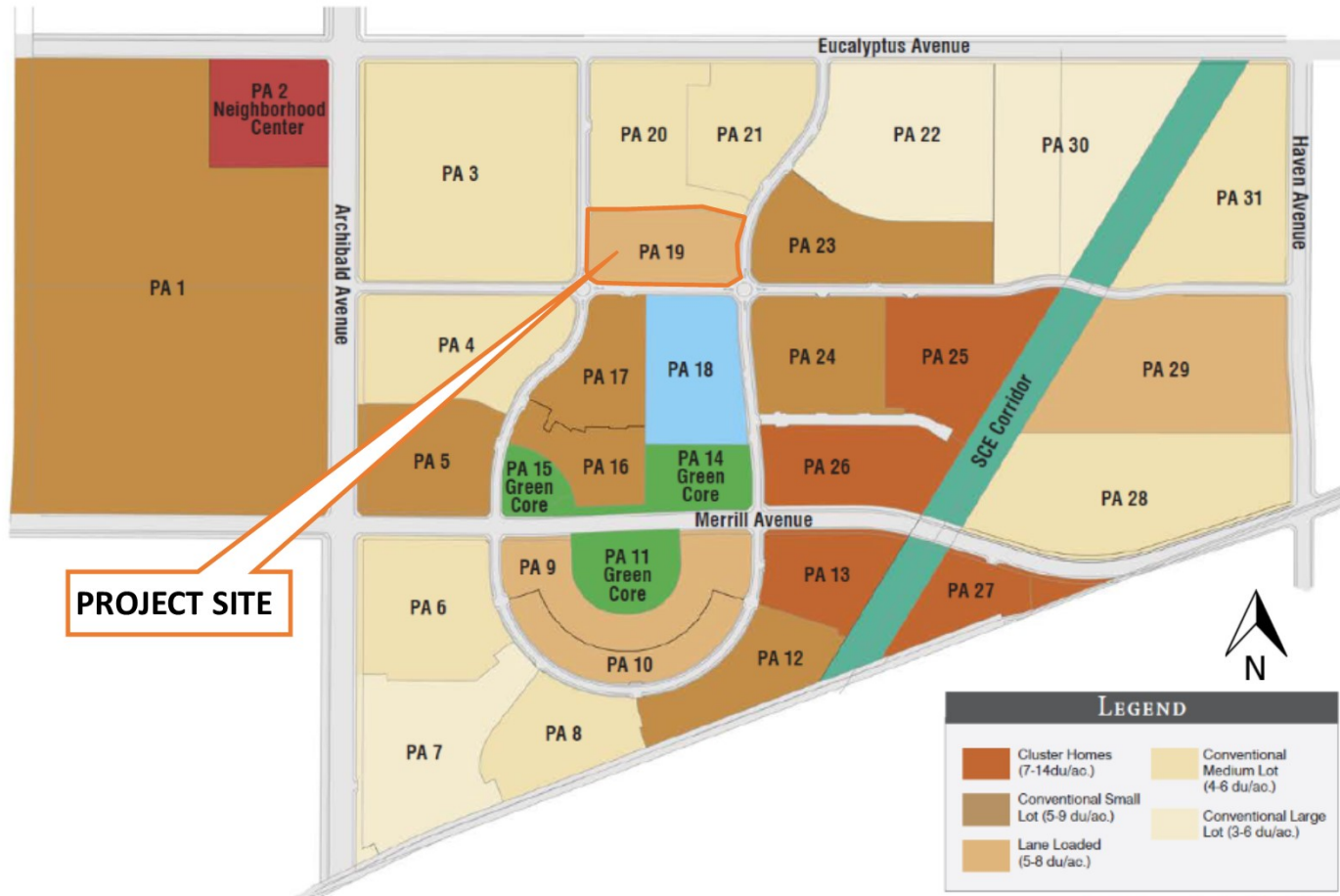
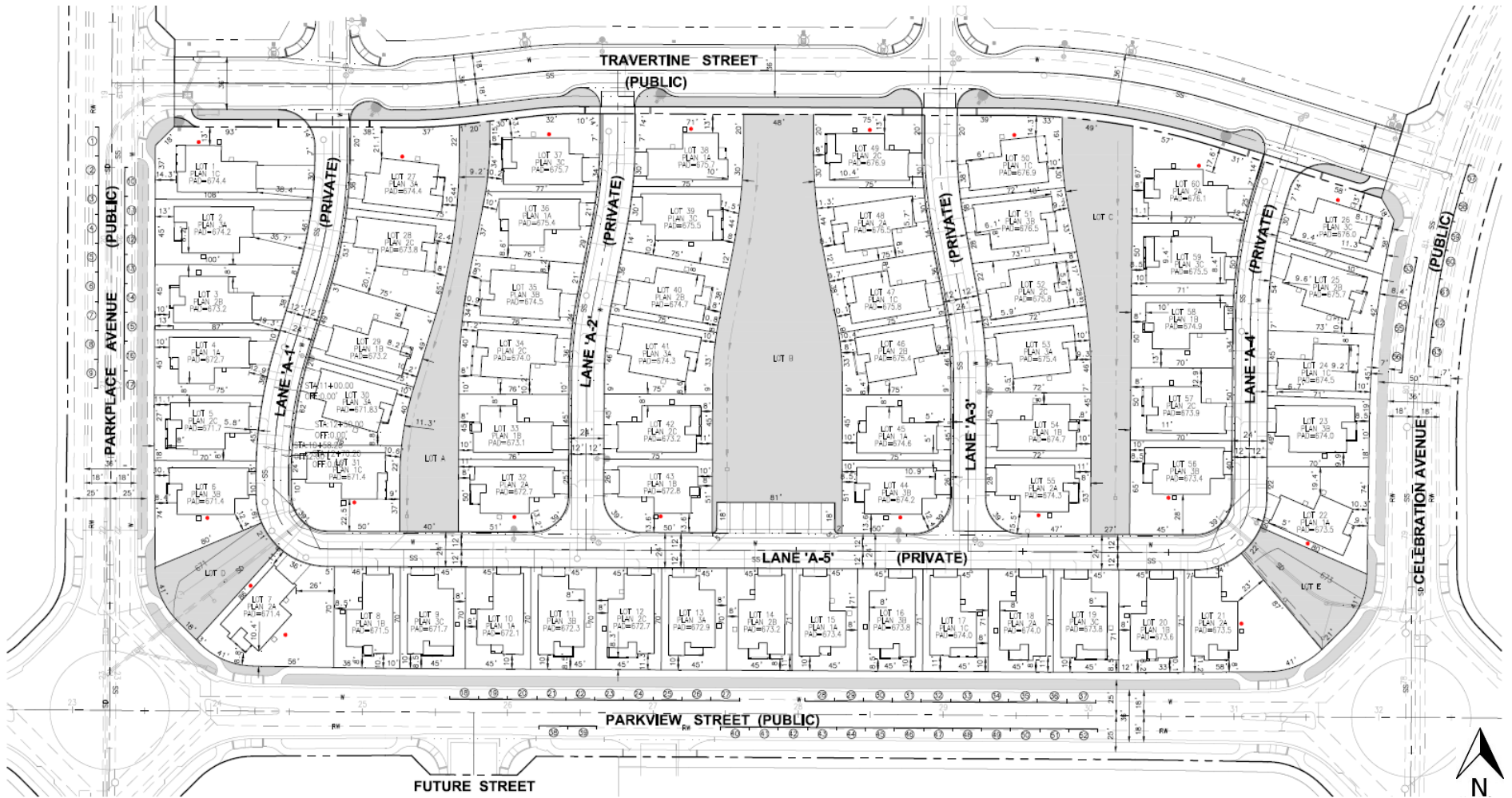


EXHIBIT 3—LAND USE PLAN

Exhibit B—SITE PLAN



**Exhibit C—EXTERIOR ELEVATIONS**



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Cottage)



Elevation 'C' (Traditional)

**PLAN 1**



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Cottage)



Elevation 'C' (Traditional)

PLAN 2





Elevation 'A' (Spanish Colonial)



Elevation 'B' (Cottage)



Elevation 'C' (Traditional)

**PLAN 3**



## Attachment A—Departmental Conditions of Approval

*(Departmental conditions of approval follow this page)*



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

*Planning Department  
Land Development Division  
Conditions of Approval*

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**Meeting Date:** April 16, 2018

**File No:** PDEV18-005

**Related Files:** PMTT06-022 (Tentative Tract Map 18081)

**Project Description:** A Development Plan (File No. PDEV18-005) to construct 60 single-family homes on 8.9 acres of land located at the northeast corner of Parkplace Avenue and Parkview Street, within Planning Area 19 (single-family lane loaded residential district) of the Subarea 29 Specific Plan. (APN: 0218-014-05); **submitted by KB Home Southern California.**

**Prepared By:** Alexis Vaughn, Assistant Planner  
Phone: 909.395.2416 (direct)  
Email: [avaughn@ontarioca.gov](mailto:avaughn@ontarioca.gov)

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

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

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

**2.1** Time Limits.

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

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

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

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

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

(d) The development of this project shall conform to the City's Development Code and the regulations of the Subarea 29 Specific Plan.

(e) All applicable conditions of approval of the Subarea 29 Specific Plan (File No. PSP03-003) shall apply to this Development Plan.

(f) All applicable conditions of approval of the related TT18081 (File No. PMTT06-022) shall apply.

### **2.3** Landscaping.

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

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

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

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

(e) Each single-family dwelling/lot shall be provided with front yard landscaping and a permanent automatic irrigation in the front yard of each lot. At a minimum, a seeded turf lawn, appropriate shrubs and trees, and an automatic irrigation system shall be provided. Furthermore, a variety of typical landscape designs shall be provided for use on each lot within the subdivision.

(f) The owner or assigns of the project site shall be responsible for the maintenance of the project site in good condition, so as to present a healthy, neat, and orderly landscape area.

(g) Any removal of mature landscaping shall require the replacement of such with landscaping of similar size and maturity.

(h) Irrigation systems shall be constantly maintained to eliminate wastewater due to loss of heads, broken pipes or misadjusted nozzles.

### **2.4** Walls and Fences.

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

(b) Decorative 6-foot high masonry block walls shall be constructed at the following locations (per approved site plan):

(i) Rear and interior side property lines (walls not exposed to public view may be constructed of tan precision block); and

(ii) Side property line wall returns to the dwelling unit, with appropriate gates.

**(c)** Walls located within a required front yard setback shall be reduced to 3 feet in height. On any lots that front onto the park/paseos, front yard walls or hedgerows may not exceed a height of 3 feet from finished grade.

**(d)** All new and existing walls shall be provided with a decorative cap. The use of a mortar and/or metal flashing cap shall not be permitted.

**(e)** The height of a wall or fence shall be measured from the highest point of the natural ground or finished grade at the base of the fence or wall to the top of the fence or wall above the same base point.

**(f)** Prior to the issuance of a building permit, a Wall Plan shall be reviewed and approved by the Planning and Building Departments. The plans shall indicate materials, colors and height of proposed and existing walls/fences and shall include a cross-section of walls/fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development and shall be constructed of tilt-up concrete, brick, or split-face or slump block.

## **2.5** Parking, Circulation and Access.

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

**(b)** Each single-family home shall maintain a minimum 20' x 20' (clear area) two-car garage.

**(c)** No recreational vehicle storage (RV's) in front or corner side yards. No RV street parking for more than 72 hours.

**(d)** Driveway (aprons) shall be designed and constructed per City of Ontario Standards.

## **2.6** Site Lighting.

**(a)** Site lighting shall be reviewed and approved by the Planning and Police Departments prior to the issuance of building permits.

**(b)** Along pedestrian movement corridors, the use of low-mounted bollard light standards, which reinforce pedestrian scale, shall be used. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures.

## **2.7** Mechanical and Rooftop Equipment.

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

## **2.8** Architectural Treatment.

**(a)** Exterior building elevations showing building wall materials, roof types, exterior colors, and appropriate vertical dimensions shall be included in the development construction drawings.

**(b)** Front elevation base (wainscot) materials shall wrap (where applicable) around to the left and right elevations and terminate at a logical point (return wall) or inside corner.

(c) Cultured, precast, or fabricated stone products shall be constructed of an integral color material.

**2.9** Graffiti Removal.

(a) Owners to remove graffiti. Conditions, covenants and restrictions, or separate covenants recorded against individual lots, prior to resale of same, which covenants shall run with the land and shall be for the benefit of the City, in a form satisfactory to the City, that the owner of the lots shall remove any graffiti placed thereon within 7 days after notice thereof.

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

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

(a) Off-Site Subdivision Signs:

(i) The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signage is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.)

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

(h) Adequate safeguards shall be incorporated into the CC&Rs to guarantee the property owner's association maintains adequate cash reserves for long-term project maintenance, such as, but not limited to, requiring that reserve funding studies are performed at regular intervals by the homeowner's association and that the association's reserves do not fall below the level initially approved by the State of California Department of Real Estate.

#### 2.14 Disclosure Statements.

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

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

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

#### 2.15 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP03-003, the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCHO#2004011009) was previously adopted by the City Council on November 7, 2006. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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



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

**2.17** Additional Fees.

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

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

**2.18** Additional Requirements.

(a) The private parks and paseos (Lots A, B, C, D, and E) shall be constructed prior to the issuance of the certificate of occupancy of the 30<sup>th</sup> home.

(b) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(c) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(d) Final architecture for the proposed project shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

(e) Prior to the issuance of precise grading plans for the Private Park (Lot B), the applicant shall provide a tot lot facility within the Private Park that shall be reviewed and approved by the Assistant Planning Director. The applicant shall coordinate with adjacent play areas to provide a variety of play experiences within the Ontario Ranch community.



# CITY OF ONTARIO MEMORANDUM

## ENGINEERING DEPARTMENT

### CONDITIONS OF APPROVAL

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

**DATE:** April 5, 2018

**DAB MEETING DATE:** April 16, 2018

**PROJECT ENGINEER:** Miguel Sotomayor, Associate Engineer *MS*  
909-395-2108

**PROJECT PLANNER:** Alexis Vaughn, Assistant Planner  
909-395-2416

**PROJECT:** PDEV18-005 - A Development Plan to construct 60 single-family dwellings on 8.9 acres of land within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).

**APPLICANT:** KB Home California, LLC.  
**LOCATION:** NEC of Park Place Avenue and Parkview Street

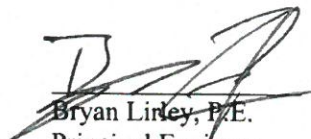
This project shall comply with the requirements set forth in the General Standard Conditions of Approval adopted by the City Council (Resolution No. 2017-027) and the Project Specific Conditions of Approval specified herein. The Applicant shall be responsible for the completion of all conditions prior to issuance of permits and/or occupancy clearance.


1. The applicant/developer shall be responsible for the completion of all conditions of approval for TM-18081 and the Development Agreement.
2. The applicant/developer shall 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>.
3. The applicant/developer shall 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.

4. The applicant/developer shall design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
5. The following are requirements because of immediate recycled water use:
  - a. Prior to Building Permits
    - i. Provide copies of both on-site and off-site utilities layout (both hard copies and digital files in PDF and AutoCAD format).
    - ii. Submittal of Engineering Report (ER) for recycled water usage for approval by the City and State. Review and approval process of ER is approximately 3 months.
  - b. Prior to Occupancy Release
    - i. State shall approve ER.
    - ii. Successfully pass start-up, cross connection and overspray test.
  - c. Provide Engineering Report (ER) for use of recycled water for review and approval by Ontario Municipal Utilities Company (If not already done so).  
Please contact:  
Cynthia Heredia-Torres  
P (909) 395-2647  
F (909) 395-2608  
ctorres@ontarioca.gov
6. Please reference the City's "SOLID WASTE DEPARTMENT REFUSE AND RECYCLING PLANNING MANUAL".  
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
7. Provide Solid Waste Handling Plan which includes trash truck turning template.

  
Bryan Lirley, P.E.  
Principal Engineer  
Date 4/5/18

  
Khoi Do, P. E.  
Assistant City Engineer  
Date 4-5-18

- c. Khoi Do, P.E., Engineering/Land Development  
Bryan Lirley, P.E., Engineering/Land Development





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Miguel Sotomayor, ENGINEERING DEPARTMENT  
**FROM:** Stephen Wilson  
**DATE:** February 27, 2018  
**SUBJECT:** File No. PDEV18-005 (TM-18081) ("Subarea 29" SP)

The Development plan for this project is not approved for DAB. Prior to approval, the following issues must be addressed to the satisfaction of the Engineering Department:

1. There is no approved Water Quality Management Plan on file with the City of Ontario, for TM-18081. Prior to approval of this Development Plan, the applicant shall submit a completed WQMP using the current County template, to the Engineering Department. The WQMP shall describe the Mill Creek Wetland as the regional bio-treatment BMP that will treat 85<sup>th</sup> percentile storm event runoff from this project in Section 1 of the document. Descriptions of all Source Control BMPs that will be implemented at the project site shall also be provided in Section 4.1-1 and 4.1-2, to meet the County-wide Stormwater Runoff Permit New Development requirements
2. A copy of the Certificate of Conditional Storm Water Treatment Capacity Availability for the Net Acreage of this project from the Ontario Development Company, LLC, is required to be attached to the WQMP and described in Section 1 of this document. The City has provided an attached scanned copy of the original, ink-signed Certificate which shall be attached to Section 1 of both copies of the WQMP
3. Please have the Engineer of work submit two printed copies of the draft WQMP document to the Engineering Department, at their earliest convenience.

EXHIBIT C-4

FORM OF CERTIFICATE OF STORM WATER TREATMENT CAPACITY AVAILABILITY

Pursuant to Section 3.8 of that certain First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to serve an Easterly Portion of the New Model Colony dated August 12, 2012 between the City of Ontario, a California municipal corporation, and NMC Builders, LLC, a California limited liability corporation, hereinafter called "Developer", the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called "Agreement", the City of Ontario hereby certifies based upon the completion of Improvements in the Phasing Plan, that Developer is entitled to the following Storm Water Treatment Capacity Availability.

Acres of Storm Water Treatment Capacity Availability

TM 18913-5	- 32.97 Acres	(TM-18067 + TM-18068)
TM 18913	- 30.51 Acres	(TM-18065 + 18066 + TM-18081)
<b>Total</b>	<b>- 63.48 Acres</b>	

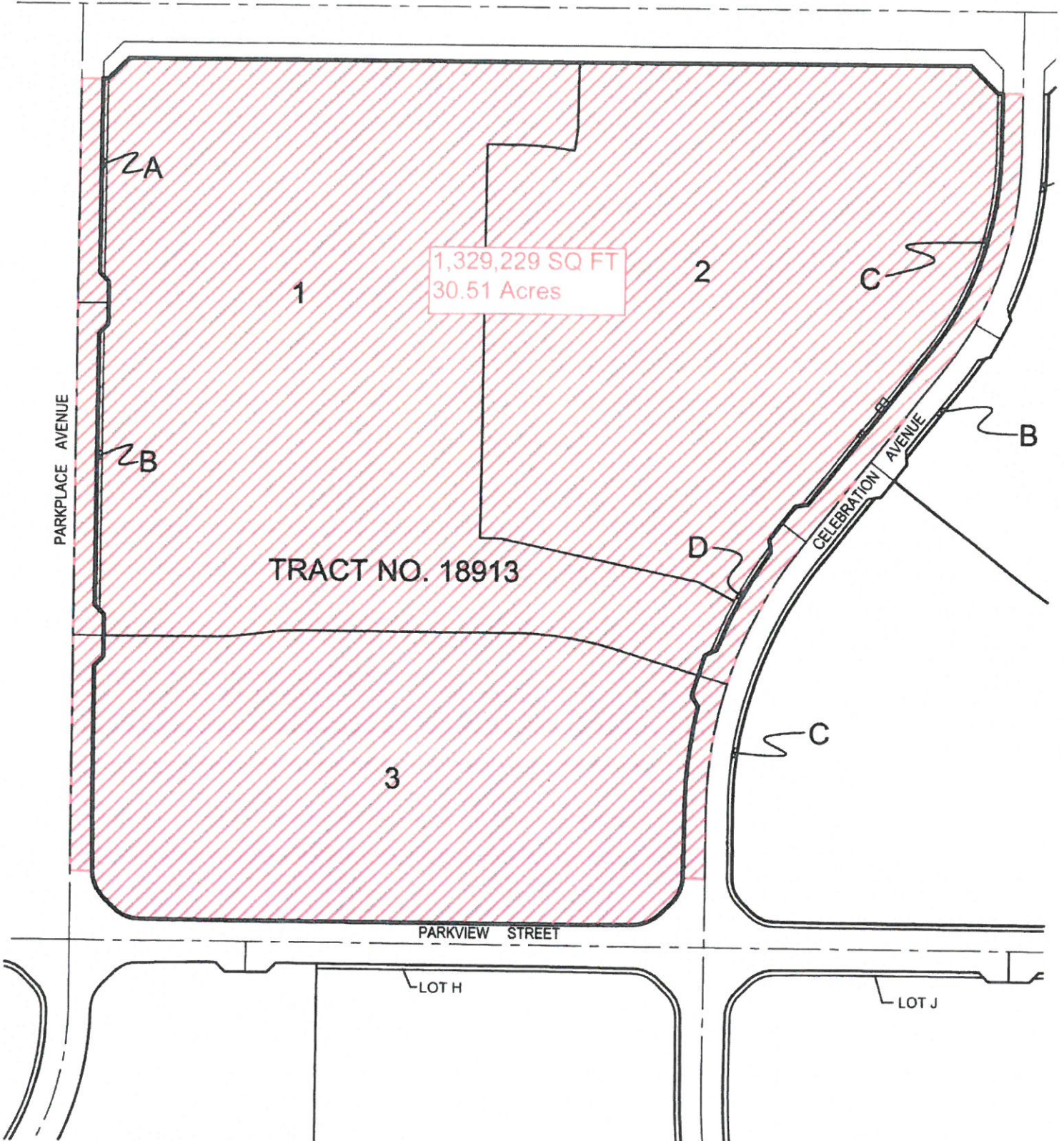
1. City and Developer agree that this Certificate of Storm Water Treatment Capacity may be assigned to any Member within Phase I of the development "Project", as defined in that certain Development Agreement between the City and **SL Ontario Development Company, LLC a Delaware limited liability company**, in the same manner and subject to the same limitations as provided for in Sections 3.4 and Section 3.1.8 of the Construction Agreement and this Certificate. All such Certificate of Storm Water Treatment Capacity issued to members by Developer shall restate, and be subject to, the conditions contained herein.
2. As provided in Section 3.4 of the Construction Agreement City and Developer agree that possession of any Certificate of Storm Water Treatment Capacity is evidence only of stormwater treatment capacity and does not satisfy any other conditions applicable to a particular development project.

  
 \_\_\_\_\_  
 Scott Ochoa, City Manager

Dated: 2/9/17

Tract No. 18913  
SWQ Area Exhibit

EUCALYPTUS AVENUE





## CITY OF ONTARIO MEMORANDUM

**Date:** February 12, 2018  
**To:** Miguel Sotomayor, Engineering Dept.  
**Cc:**  
**From:** Peter Tran, Utilities  
**Subject:** DAB #1 (#5219)  
**Project No.:** PDEV18-005 (60 SFR for KB Homes on 8.9 acres within the Subarea 29 Specific Plan)

<b>Project</b>	Project Location: NEC Park Avenue & Parkview Street Project Description: Applicant:  <b>Note: All Utility design shall meet the City's Design Development Guidelines and Specifications Design Criteria.</b>
<b>Brief Description</b>	<i>A Development Plan to construct 60 single-family dwellings on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).</i>
<b>General Comments</b>	<ol style="list-style-type: none"><li>1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:</li><li>2. Follow "A" Map conditions.</li><li>3. Label all PUE on plans.</li></ol>
<b>Solid Waste</b>	<ol style="list-style-type: none"><li>4. Please reference the City's "SOLID WASTE DEPARTMENT REFUSE AND RECYCLING PLANNING MANUAL".  <a href="http://www.ontarioca.gov/municipal-utilities-company/solid-waste">http://www.ontarioca.gov/municipal-utilities-company/solid-waste</a></li><li>5. Provide Solid Waste Handling Plan which includes trash truck turning template and volumetric calculation for the number of trash bins.</li></ol>





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner  
Planning Department

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

**DATE:** February 1, 2018

**SUBJECT:** PDEV18-005 - A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

- 
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
- 

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 100 Sq. Ft.
- D. Number of Stories: Two
- E. Total Square Footage: 2300 Sq. Ft
- F. 2016 CBC Occupancy Classification(s): R

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

### **3.0 WATER SUPPLY**

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

#### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard ~~Choose an item.~~ All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

#### **5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



# CITY OF ONTARIO MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018

SUBJECT: FILE #: PDEV18-005

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, February 8, 2018**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

- 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:** PLANNING DEPARTMENT, Alexis Vaughn  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** January 29, 2018  
**SUBJECT:** PDEV18-005

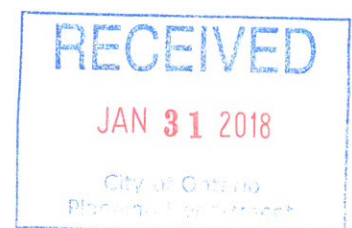
- 
- The plan **does** adequately address the departmental concerns at this time.
- No comments
- Report below.

---

### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:1m





# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: March 15, 2018

SUBJECT: FILE #: PDEV18-005

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, March 29, 2018**.

**PROJECT DESCRIPTION:** A Development Plan to construct 60 single-family dwellings on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).

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

3/22/18

Landscape Planning Carolyn Bell Sr landscape Architect  
Department Signature Title Date

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

**PRELIMINARY PLAN CORRECTIONS**

Sign Off

*Carolyn Bell*  
 Carolyn Bell, Sr. Landscape Planner

3/22/18  
 Date

Reviewer's Name:  
**Carolyn Bell, Sr. Landscape Planner**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
 PDEV18-005 Rev 1

Case Planner:  
 Alexis Vaughn

Project Name and Location:  
 60 SF Homes TM 18061 – Hadleigh II  
 NEC Park Place and Park View St  
 Applicant/Representative:  
 KB Homes- Heidi McBroom, Kim Lonigro (klonigro@w-d-g.com)  
 36310 Inland Valley Drive  
 Wildomar, CA 92525

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 3/15/18) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**CORRECTIONS REQUIRED**

Civil/ Site Plans

1. Group utilities to the min. setback or side clearance to not conflict with required tree locations 8' space 30' oc. (light standards, fire hydrants, water meter, water lines and sewer lines). Coordinate civil plans with landscape plans.
2. Show transformers located in planter areas, set back 3' from paving.
3. Show backflow devices located in planter areas, set back min 3' from paving.
4. Show lot drains to include a catch basin with gravel sump below each before exiting property.
5. Note and show on construction plans: all AC units shall be located in residential side yards, near utility area and away from proposed patio space. **Identify 2 symbols shown on each lot, should be adjacent? both AC units or label other utility.**

Landscape Plans

6. Parkways and right of way areas shall be separated from private homeowner land with a 6" concrete mowstrip along the property line and irrigated with recycled water and maintained by the HOA. **Not corrected show to separate recycled water at Paseos from potable water private property.**
7. Show swales per grading plans sections GG, HH and II, incorporated into the landscape design and locate catch basins to not conflict with picnic tables, trees, benches and mow strips. **Show swales missing on landscape plans and sections A, B and C.**
8. Add a tot lot in to the park design per City Council recommendations. Coordinate with adjacent play areas to provide different play experiences. Provide large shade trees on the south and west sides. **Not corrected. Do not use the same play equipment as proposed for North Park. Play equipment layout is sparse. Add equipment or play features. Show ADA accessibility.**

- 9. Show backflows (for parks and common area) and transformers, located with setbacks noted above.
- 10. Show utilities: light standards, fire hydrants, water and sewer lines to not conflict with required tree locations 30' oc. Coordinate civil plans with landscape plans
- 11. Revise common area theme tree. Remove poor shade trees Cercidium and Geijera; replace with Gingko, Pistache, Tabebuia or similar.
- 12. Add shade plants for north/east sides of buildings and sun plants for south / west sides.
- 13. Note agronomical soil test report to be on construction plans and note contractor to take second test to verify amendments were installed prior to planting.
- 14. Note residential projects shall include a stub-out for future back yard irrigation systems.
- 15. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
- 16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 17. Add to landscape and grading construction plans: Landscape areas where compacted has occurred due to grading activities and where trees area located, a 12x12' area shall be loosened by soil fracturing. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. A layer of Compost is spread over the soil before fracturing is begun and the Compost falls into the spaces between the soil chunks created by the effort. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing will help create an A horizon soil and/or imported or reused Topsoil can be added on top of the fractured soil. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.
- 18. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

Plan Check—5 or more acres .....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase) .....	\$278.00

Landscape construction plans with building permit number for plan check may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)





# CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director  
 Scott Murphy, Assistant Development Director ( Copy of memo only)  
 Cathy Wahlstrom, Principal Planner (Copy of memo only)  
 Charity Hernandez, Economic Development  
 Kevin Shear, Building Official  
 Khoi Do, Assistant City Engineer  
 Carolyn Bell, Landscape Planning Division  
 Ahmed Aly, Municipal Utility Company  
 Doug Sorel, Police Department  
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 Jay Bautista, T. E., Traffic/Transportation Manager  
 Lorena Mejia, Senior Planner  
 Steve Wilson, Engineering/NPDES  
 Robin Lucera, Code Enforcement (Copy of memo only)  
 Jimmy Chang, IT Department  
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018

SUBJECT: FILE #: PDEV18-005 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, February 8, 2018**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct 60 single-family dwellings for KB Home on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05. Related File: PMTT06-022 (TM 18081).

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

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

The plan does not adequately address the departmental concerns.

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

POLICE  
Department

DOUGLAS SOREL  
Signature

MANAGEMENT  
ANALYST  
Title

2/14/18  
Date



# CITY OF ONTARIO

## MEMORANDUM

TO: Hassan Haghani, Development Director  
Scott Murphy, Assistant Development Director ( Copy of memo only)  
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  - No comments
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- 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/TRAFFIC  
Department

Signature

Title

Date



# CITY OF ONTARIO MEMORANDUM

## Development Plan Review

Project: PDEV18-005

Date: February 6, 2018

Location: NEC of Park Place Ave and Parkview St

By: Jay Bautista  
Steve Latino

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*The following comments on the subject project are provided for the benefit of city engineering and planning staff and the applicant. These are not the conditions of approval which will be submitted under separate cover.*

**Comments:**

1. Install chokers at the following locations:
  - a. On Travertine Street, west of Lane A-4, and
  - b. On Travertine Street, on the east and west side of Lane A-2.
2. Comply with the previously approved conditions of approval for Tract 18081 and 18913.

**CITY OF ONTARIO**  
**BROADBAND OPERATIONS**  
 303 East "B" Street, Ontario, CA 91764

**PLAN CHECK SHEET**

Sign Off

Broadband Operations

02/27/2018

Reviewer's Name:

**Anna Vaca, Senior Systems Analyst**

Phone:

**909-395-2349**

D.A.B. File No.:

PDEV18-005 (TM-18081-PA19)

Plan check #:

Project Engineer:

Project Name and Location:

Parkview Street, Parkplace Avenue, Travertine Street, Celebration Avenue

Sent to:

Miguel Sotomayor, Associate Engineer

<input type="checkbox"/>	Plan does adequately address the departmental concerns at this time.
<input type="checkbox"/>	Plan does not adequately address the departmental concerns at this time.
<input checked="" type="checkbox"/>	<b>It is recommended that the following conditions be incorporated into the Project's conditions of approval.</b>

**CONDITIONS OF APPROVAL – PDEV18-005 (TM-18081-PA19)**

<input checked="" type="checkbox"/>	1.	The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
<input checked="" type="checkbox"/>	2.	Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
<input checked="" type="checkbox"/>	3.	Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
<input checked="" type="checkbox"/>	4.	Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include: <ul style="list-style-type: none"> <li>• Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance</li> <li>• Allows for uniform receipt &amp; distribution of technology services</li> </ul>

**CONDITIONS OF APPROVAL – PDEV18-005 (TM-18081-PA19)**

		<ul style="list-style-type: none"><li>• Ensures scalability of wiring for future technology advances</li><li>• Provides consistent &amp; identical wiring protocols throughout developments</li><li>• Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity</li><li>• Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services</li></ul>
<input checked="" type="checkbox"/>	5.	Building Entrance (Multi-family) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
<input checked="" type="checkbox"/>	6.	Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
<input checked="" type="checkbox"/>	7.	A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.

# TOP-Zoning Consistency Determination



File No.: PDEV18-005

Prepared By:

Clarice Burden

Location: NEC Park Place Ave. and Parkview St.

Date:

2/13/18

Project Description:

A Development Plan to construct 60 single-family dwellings on 8.9 acres of land located at the northeast corner of Park Place Avenue and Parkview Street, within Planning Area 19 of the Subarea 29 Specific Plan (APN: 0218-014-05). Related File: PMTT06-022 (TM 18081).

Signature:

This project has been reviewed for consistency with The Ontario Plan Zoning Consistency project. The following was found:

- The existing TOP land use designation of the property is: **Low Density Residential**  
The existing zoning of the property is: **PA19 Subarea 29 SP, Lane Loaded**
  
- A change to the TOP land use designation has been proposed which would change the land use designation of the property to:  
This proposed TOP land use change will:
  - Make the existing zoning of the property consistent with the proposed General Plan Amendment;
  - Make the proposed project consistent with The Ontario Plan.
  
- The zoning of the property will need to be changed in order to be consistent with The Ontario Plan. Through the TOP-Zoning Consistency effort, the zoning of the property is proposed to be changed to:  
This proposed zone change will:
  - Make the zoning of the property consistent with The Ontario Plan;
  - Without the Zone Change described above, the proposed project is not consistent with The Ontario Plan. A finding of consistency with The Ontario Plan is required in order to approve this project.
  
- Additional Comments:  
The density of the project in conjunction with the balance of Subarea 29 Specific Plan, falls within the allowed density of the General Plan. No changes in Specific Plan land use or General Plan are required.



# CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director  
 Scott Murphy, Assistant Development Director ( Copy of memo only)  
 Cathy Wahlstrom, Principal Planner (Copy of memo only)  
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 Robin Lucera, Code Enforcement (Copy of memo only)  
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 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: January 25, 2018

SUBJECT: FILE #: PDEV18-005 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, February 8, 2018**.

- Note:**
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  - 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.

Airport Planning Department      Signature: *Lorena Mejia*      Title: Senior Planner      Date: 3/7/18

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-005  
 Address: NEC Park Place Ave & Parkview Street  
 APN: 0218-014-05  
 Existing Land Use: Vacant  
 Proposed Land Use: 60 Single Family Residential Homes  
 Site Acreage: 8.9 Proposed Structure Height: 28 FT  
 ONT-IAC Project Review: N/A  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Alexis Vaughn  
 Date: 3/7/2018  
 CD No.: 2018-006  
 PALU No.: n/a

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

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

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

Zone 1   
  Zone 2   
  Zone 3   
  Zone 4   
  Zone 5   
  Zone 6  
 Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure Required - See Attached

Airport Planner Signature: 



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2018-006

PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

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 Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

**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.