

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

August 24, 2021

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

6:30 PM

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

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

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

ROLL CALL

Anderson __ Dean __ DeDiemar __ Gage __ Lampkin __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of July 27, 2021, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV21-003: A Development Plan to construct a 26,000-square-foot industrial building on 1.28 acres of land located at 1486 East Holt Boulevard, within the BP (Business Park) zoning district. 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); (APNs: 0110-121-04 & 0110-121-05) **submitted by M & M Development.**

A-03. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR

FILE NO. PMTT18-010: A one-year Time Extension for Tentative Parcel Map No. 20087, previously approved by Planning Commission on July 23, 2019, subdividing 17.92 acres of land into two parcels located at 4900 East Fourth Street, within the Commercial/Office land use district of the Ontario Mills (formerly California Commerce Center North) Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15: Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-014-05) **submitted by Retail Properties of America Inc.**

PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak, unless there are a number of person's wishing to speak and then the Chairperson will allow only three (3) minutes, to accommodate for more persons. The Planning/Historic Preservation Commission may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

PLANNING COMMISSION ITEMS

B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-007 (TTM 20399): A Tentative Tract Map to subdivide 24.51 acres of land into 30 number lots and 6 letter lots, for property located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within the High Density Residential (18.0-25.0 du/ac) land use district (Planning Areas 7 & 8) of the Grand Park Specific Plan. The environmental impacts of this project were previously analyzed in the Grand Park Specific Plan (PSP12-001) Environmental Impact Report (State Clearinghouse No. 2012061057), certified by City Council on January 21, 2014. This application introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. 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). The project site is also located within the Airport Influence area of Chino Airport and is consistent with the policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN: 218-241-32) **submitted by Ronald & Kristine Pietersma Family Trust & Loyola Properties I, L.P.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PMTT21-007 (TTM 20399) (Tentative Tract Map)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND VARIANCE REVIEW FOR FILE NOS. PMTT21-008 AND PVAR21-002: A Tentative Parcel Map (File No. PMTT21-008/TPM 20376) to subdivide 0.998-acre of land into 2 parcels in conjunction with a Variance (File No. PVAR21-002) to reduce the corner lot width dimension from 120 feet to 117.8 feet, located at the northwest corner of Oaks Avenue and Spruce Court, at 2112 South Oaks Avenue, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitation) 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: 1014-561-30) **submitted by Paul Kien.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15305

2. File No. PVAR21-002 (Variance)

Motion to Approve/Deny

3. File No. PMTT21-008 (TPM 20376) (Tentative Parcel Map)

Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

1) Old Business

- Reports From Subcommittees

- Historic Preservation (Standing): Did not meet this month.

2) New Business

- Historic Preservation Subcommittee Appointments

3) Nominations for Special Recognition

DIRECTOR'S REPORT

1) Monthly Activity Report

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


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



CITY OF ONTARIO PLANNING/HISTORIC PRESERVATION COMMISSION August 24, 2021

I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, August 20, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.


Gwen Berendsen, Secretary Pro Tempore


Rudy Zeledon, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

July 27, 2021

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

MINUTES

July 27, 2021

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Gage at 6:30 PM

COMMISSIONERS

Present: Chairman Gage, Vice-Chairman Willoughby, Anderson, Dean, DeDiemar, Lampkin, and Ricci

Absent: None

OTHERS PRESENT: Planning Director Zeledon, City Attorney Maldonado, Senior Planner Mejia, Senior Planner Grahn, Senior Planner Hutter, Associate Planner Aguilo, Assistant Planner Morales, Planning Intern Lomen, Assistant City Engineer Lee and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Ricci.

SPECIAL CEREMONIES

Presentation to Robert Gregorek for his services as a Planning Commissioner for the last 25 years.

Mr. Zeledon spoke regarding Mr. Gregorek's 25 years of service on the Planning Commission and the unique perspective his geology background added, his love for the community and it's quality of life for all the citizens. He expressed his thanks for all the many major projects Mr. Gregorek has overseen in those 25 years, and recognized the major contribution he gave to the Historic Preservation Subcommittee and the preservation of the history of the city.

Mr. Murphy, Executive Director of the Community Development Agency, spoke about Mr. Gregorek's history on the Commission and expressed his appreciation of Bob's contribution to the city. Mr. Murphy wished him and his wife well.

Mr. Blum, a former Planning Director for the City of Ontario, spoke about Mr. Gregorek's love of poker and wine and expressed his admiration of the qualities that contributed to him being a successful Commissioner and his focus on the city and his good planning practices.

Mr. Zeledon presented a video in Mr. Gregorek's honor.

Several of the Commissioners expressed their appreciation for Mr. Gregorek's years of service and the example he set and how much he will be missed.

Mr. Gregorek spoke and thanked everyone and stated that was his fun job and how much he enjoyed serving the community and accomplished a lot.

There was a short recess for a reception to honor Mr. Gregorek.

ANNOUNCEMENTS

Mr. Zeledon stated there are revised redlined Engineering conditions for Item C. He also welcomed Commissioner Guadalupe Anderson and gave a little background about her.

PUBLIC COMMENTS

A worker for the D'Andre Lampkin Foundation spoke and informed the Commission of a backpack back-to-school drive coming up, through the D'Andre Lampkin Foundation.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of June 22, 2021, approved as written.

It was moved by DeDiemar, seconded by Ricci, to approve the Planning Commission Minutes of June 22, 2021, as written. The motion was carried 5 to 0. Mr. Willoughby and Ms. Anderson recused themselves, as they were not present at the last meeting.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND APPEAL OF CONDITIONAL USE PERMIT FOR FILE NO. PCUP21-002:** An appeal of the Zoning Administrator's approval of a Conditional Use Permit to establish and construct a second floor 574 square foot Accessory Dwelling Unit (ADU) above an existing covered patio exceeding 16 feet in height on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE-2 (Rural Estate—0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-031-44) **submitted by Won Jun Choi. The Zoning Administrator approved this item on May 17, 2021.**

Mr. Gage reviewed the procedures for the appeal.

Planning Intern Lomen, presented the staff report. She described the location and surrounding area and the history of the item, and the decision of the Zoning Administrator. She described the site plan, floor plan, elevations, architectural design, height of the project, the appellant's issues and staff response to them, and the conditions surrounding the project. She stated that staff is recommending the Planning Commission uphold the Zoning Administrator's decision to approve File No. PCUP21-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Lampkin wanted to know the dimension of the second story landing, in front of the door.

Mr. Zeledon stated it would be 6 feet.

Mr. Willoughby wanted clarification that the zoning allows for homes to be up to 35 feet in height.

Mr. Zeledon stated yes that is correct, the code allows up to 35 feet.

PUBLIC TESTIMONY

The appellant, Mr. Roldan spoke and expressed the reason he purchased this home 20 years ago was because it was a large lot and expressed that his wife is a realtor and that this addition will affect the value of the homes. He stated the proposed ADU on the plans sits on top of the existing patio and looks like a treehouse and appears like some of the hotels on Holt. He stated the existing patio height is 17 feet and the proposed ADU will take it up by 10 feet. He expressed that the windows that are facing north will have privacy glass but there is a door and a staircase that faces them and there will be no privacy from those. He stated he brought pictures from his master bathroom and sketched what it would look like and all they would see is stucco and that this ADU would be a huge overshadowing where they have barbecues and family time. He stated the area is a single story area and all I see is house, because the gable of the house is already huge and this is going above it and directly in our line of site. He expressed that they could have converted the garage or enclosed the patio, but the neighbor wants it above so they can enjoy their open area, but at our expense and we are discussed by it. He stated the neighbors gave him a deceitful letter that stated it was for his elderly in-laws and he knows that you don't put elderly people upstairs, so the story has changed. He stated the pictures puts in place what we will be looking at and he has shown the facts and impacts on their family. He stated the wall has a grade, their property sits like a stage the wall looks much taller on the neighbors side and this addition will look right into our master bathroom and it will be in front of our kitchen and patio views.

Mr. Willoughby wanted to see Mr. Roldan's pictures and wanted to clarify what was to the right of his lattice patio covered structure.

Mr. Roldan stated that it is the master bathroom area and bedroom.

Mr. Willoughby wanted to clarify that to the east of that is a storage area with sheds.

Mr. Roldan stated that is correct.

Mr. Lampkin sent well wish to Mr. Roldan's wife and wanted clarification on the grade difference.

Mr. Roldan stated that when the pool was being put in, they had to add two more sections so the wall would be high enough on their side. He stated the neighbors patio is the same level as his house and when you stand in the neighbors backyard you are eye level with his covered patio.

Mr. Lampkin wanted to clarify that if picture number 3 of the presentation gives an accurate idea of how the wall compares.

Mr. Roldan stated yes, the window that is showing is the bathroom window, and the patio is exposed and the aerial view where the corner meets the house, that is the kitchen window and we can see all that sky, but all we will see is building when the addition goes in.

Tamara Soussan, the representative for the applicant and designer for the project was present and stated they designed the structure to meet the zoning requirements, and the entire project is 26 x 22 feet and will sit where the open patio is and the height will be about 8 foot higher and with the corner and angle of the house the occupants won't see the pool which is 80 feet away. She stated they have included privacy glass in the kitchen and the small window at the entrance, so the occupant won't be able to see out onto the neighbor's property.

Mr. Willoughby wanted to clarify it would be the same footprint as the existing patio.

Ms. Soussan stated yes.

Mr. Willoughby wanted to know the height of the ADU.

Ms. Soussan stated it would be 24.7 feet above the existing patio and you would see a 3 foot difference from San Antonio.

Mr. Gage wanted to clarify that this project is south of the appellant's property and doesn't hinder a mountain view.

Ms. Soussan stated it didn't appear to hinder a mountain view.

Mr. Lampkin wanted to know if the privacy glass would be a film over the glass or a permanent glass.

Ms. Soussan stated it would be a permanent solution as it is a type of glass and there are several designs to choose from.

Mr. Lampkin wanted to know why the stairway would be placed on the north side versus the east.

Ms. Soussan stated that was the only place, because of the 10 foot setback from the south, and because of the fence and pool, so it was the logical place to put it.

Mr. Lampkin wanted to know what would stop the occupant from hanging out on the landing overlooking the appellant's property.

Ms. Soussan stated it is only 3 foot deep and meant for access only, and the open patio below is the area they would hang out at.

Mr. Lampkin wanted to know if the applicant informed the neighbors that the in-laws would live there.

Ms. Soussan stated that originally when we spoke it was for his elderly in-laws or parents.

Mr. Gage wanted to know why they didn't build it where the patio currently is.

Ms. Soussan stated it would block the windows from the bedrooms below and they wanted to maintain the place to sit for the pool area.

Mr. Willoughby wanted to clarify that if it was built on ground level, if it created a safety access issue for the house.

Ms. Soussan stated they would have to redesign the interior to exit from the backyard door to the patio.

Mr. Gage wanted to know if there was anywhere else a detached ADU could go on the property.

Ms. Soussan stated that for the amount of space needed, she doesn't think so and based on the setbacks and the pool, the answer is no.

Mr. Lampkin wanted clarification regarding the two exits to the rear and if you put the it on the floor level, would all exits be blocked.

Ms. Soussan stated the sliding glass door that is currently below the patio would be blocked

Mr. Lampkin wanted the clarify that not all the exits would be blocked.

Ms. Soussan stated only one would be blocked.

The daughter of the appellant, Aimee Roldan spoke and stated she has spent her life in this home before the neighbor's home was there, once the home goes up and different people are coming in and out of the

home over the years, she started to see men's faces over the wall and could see from our patio, which sits higher because of the grade and she could see into their home and see what was going on. She stated as she grew older, she could see men's faces looking longer, and staring. She stated that because of their raised grade with the entire backyard facing the neighbor's entire side yard, you can see into the neighbor's house and the aerial doesn't show how high our patio sits and how much you can see, unless you are there. She stated that where this intended structure is going to be, people are going to be on the landing, where they will be able to look directly down into the single bathroom in the house, that we all use.

Mr. Willoughby wanted clarification regarding the one bathroom everyone uses.

Ms. Roldan stated there are multiple bathrooms but that is the bathroom everyone uses for showering, because this is the safe place.

Mr. Gage wanted clarification regarding the privacy concerns before the ADU and after the ADU, with the windows you can't see out of.

Ms. Roldan stated there is an uncomfotability she has grown up with because of the position of the house and her bedroom and now this ADU would be taking away any privacy for the yard and this structure would look over from the back corner and you can have privacy glass, but you can't make the staircase private.

Mr. Lampkin wanted to know if typically, when people come over to use the pool, if that is the bathroom primarily used.

Ms. Roldan stated not when other people come over, but more by the family, in the homes daily activities.

Mr. Roldan stated the master bath has a nicer shower for daily use, and his family of four uses that shower. He stated he has the letter from the neighbor regarding his elderly in-laws. He expressed that the neighbors want to keep the patio for their enjoyment, but at his family's expense. He expressed that even though the footprint is 600 square feet, it's straight up, and the footprint upwards is very large. He stated because San Antonio slopes he can see from the kitchen windows past the dairies and stated the value of his home and the neighbor's home and when you put something like this next to a million dollar home it just doesn't function right and doesn't have the flow.

Mr. Willoughby wanted to clarify that because of the slope they can see past the dairies from the kitchen looking across down San Antonio.

Mr. Roldan stated no, that from the back side of the house our view you can currently see to Fern and the picture he brought is our view and it will block everything. He stated he took the picture from the bathroom and looking from the patio and stated his daughter does outdoor gardens in that area.

Mr. Zeledon wanted to give some context that the RE zone does allow for 35 feet structures, but a conditional use permit is required to mitigate impacts. He stated this site was once vacant and people have the ability to develop their property. He stated that the applicant had to meet the 10 foot setbacks, and wanted to utilize the space to the best of their ability. He stated that if they convert the garage, then you have nowhere to park and we looked at the context of the neighborhood and yes it's going to sit above the patio and the appellant states it's going to look like stilts, but we are going to make sure it is designed well and there is a 5 foot wall limiting visibility. He stated the grades do go from north to south which makes the applicant's visibility more limited and we looked at it carefully because we wanted to make sure that the structure above the patio maintained the 10 foot setback which is required and a 35 foot setback from the wall and house would block the view of the neighbor's pool, and second we added the frosted glass. He expressed that we understand that privacy is an important issue and we have mitigated to the best of the ability, but people can enjoy their property and the applicant wanted access to his pool and

when it comes to ADUs we are regulated by the state. He explained that ADUs are to provide additional housing and it doesn't matter who lives or rents there. We hope the new owners are respectful of their neighbors, but we can't control that and this project is consistent with the neighborhood and with the state guidelines. He stated staff still supports the project.

Mr. Willoughby wanted to clarify that it is a five foot wall on the applicant's side.

Mr. Zeledon stated that is correct.

Mr. Willoughby wanted to know if it could be raised a foot.

Mr. Zeledon stated it could be raised a foot to a 6 foot block wall out the house from applicant's side.

Mr. Willoughby wanted to clarify that if it was taken to 6 feet it would block the applicant's view of the house.

Mr. Zeledon stated yes.

Mr. Willoughby stated he wanted to address the concern of the appellant's daughter regarding people looking over.

Mr. Zeledon stated that with the grade as is, at 5 feet, walking back and forth, it would take an effort to look over the wall. He stated that this is becoming pretty common to only have 4 foot setbacks in Ontario Ranch which is why they frost the windows for privacy.

Mr. Dean wanted to confirm that this project follows all state, city and county codes.

Mr. Zeledon stated yes it does.

Mr. Lampkin wanted to know if the project was built on the first floor, could it be consistent with code and state laws.

Mr. Zeledon stated yes, but there would be some issues because of the pool, and the required setbacks from it, or they would have to eliminate the pool and put a detached ADU or covert the garage, but the property is a smaller lot for the area so they are very limited. He stated it would be a challenge.

Mr. Lampkin wanted to know if there are other properties with second story additions to the rear and if staff had aerial shots of those and what is adjacent to that.

Mr. Zeledon stated that because of the high vaulted pitch of the roofs in the area, it is only going to be 3 feet above the existing roof line and staff feels pretty confident the project will maintain the values of the neighborhood.

Mr. Lampkin wanted to know staff was aware if the house down the street with an addition had access from the outside or interior.

Mr. Zeledon stated no, it might be just a regular addition and explained that there are different types of ADUs and most ADUs will have an access from the outside. He explained that the landing is 6 feet wide, but that it is 3 feet at the landing and then 3 feet to the door, this is not a 6 foot area to congregate.

Mr. Lampkin stated that you could put a chair out there.

Mr. Zeledon stated yes.

Mr. Gage wanted to clarify that the applicant wanted to build above the patio, to have access to the pool and is there room north to build it and still have access.

Mr. Zeledon stated that bedroom one and bedroom three currently have access to the backyard area, they would have to redesign the existing access but they could possibly put a smaller unit there, however for functionality and the ability to gather underneath it, next to the pool, going above is a lot easier.

Mr. Gage wanted to know with the state laws regarding ADUs do we have a choice to deny this.

Attorney Maldonado stated it weighs in favor of you not having an option to deny, because it meets all the standards and the decision is based on what is raised in the appeal, so if you deny it you would have to agree with one of the three reasons as to why he wanted you to deny it.

Mr. Lampkin wanted to clarify if we were to ask the designer to place the ADU on the first floor, would that put us within compliance with state law regarding the need to approve or deny.

Attorney Maldonado stated no, because that would require a denial, you have to approve or deny based on the reasons the appellant raised.

Mr. Lampkin wanted clarification on the three reasons the appellant gave for denial.

Mr. Zeledon went over the three reasons.

Mr. Lampkin wanted to clarify that on the appeal form the statement that additional square footage can be obtained by enclosing the patio, is not a bullet point for denial.

Mr. Zeledon stated yes, they could convert the patio and access to the pool is an issue, but as is they meet all state and development codes and it is consistent with the neighborhood.

Mr. Lampkin wanted to clarify it is also within homeowner's right.

Mr. Zeledon stated yes.

Ms. Soussan stated she thinks the staff did an excellent job of presenting the project and she did design it within the parameters of the code and feels they are in compliance.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Mr. Lampkin stated that the new state law requires at cities to look at options for ADUs and we have to look at it and if it meets the conditions and it is the right of the property owners, and we need to entertain such projects.

Mr. Gage stated that when something like this goes up next to your house, privacy is an issue when it is above a patio. He stated he can understand the reservations of the appellant and he they want access to pool and access from the house and laws regulate how close to the pool and the city has mitigated what they can and it won't be 35 feet high and only 3 feet from the current house, with privacy windows and if this was on the north property line, he would have more objections and wanted to know if there were any complaints from southern neighbors.

Mr. Zeledon stated there are no other complaints from the south.

Mr. Gage stated that they would have to depend on the planning department so it is designed to not look like a tree house above a patio. He stated he understands both sides.

Mr. Ricci stated he understands couple thoughts because his property sits the same way and think mitigate all the concerns and could there be an enclosed staircase, or for upper portion to be enclosed. However, he understands we have to abide by the state and make accommodation for ADUs and one thing we need to do is trust my neighbor to be mindful of other neighbors, when you live in a community and you adapt and trust people don't take advantage.

Mr. Zeledon stated no we haven't, not sure how it would work with a lattice or full enclosure and designed with stucco as you go up and he wanted to remind them that the staircase is 35 feet away from property line.

Mr. Ricci stated he understands and we really have to consider this.

Mr. Lampkin clarified that we have to pay attention to the laws and what we have to do and we sympathize with Mr. Roldan and we have to evaluate it on what the state laws says.

Mr. Willoughby stated that as staff has indicated they have met all the codes, regulations and have tried to mitigate as much as possible and he know we all have to deal with privacy issues and he understands.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Dean, to adopt a resolution to uphold the Zoning Administrator's decision to approve the Conditional Use Permit, File No., PCUP21-002, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

Mr. Zeledon stated they have 10 days to appeal the Planning Commission decision to City Council.

- C. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-010 AND PCUP20-008:** A Development Plan (File No. PDEV20-010) to construct a 3,306 square foot convenience store, a 953 square foot carwash and fueling station in conjunction with a Conditional Use Permit (File No. PCUP20-008) to establish alcoholic beverage sales for a Type 21 ABC License (Off-Sale General) on 0.97 acres of land located on the southeast corner of Holt Boulevard and Grove Avenue, within the Business Park zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the 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; (APNs: 0110-131-01 and 0110-131-19) **submitted by Mr. Amer Chris Sabbah.**

Senior Planner Mejia, presented the staff report. She described the location and surrounding area and current condition of the parcel. She described the site plan and the street widening for BRT that will be coming in the next 3 – 7 years, access and internal circulation, parking, elevations and architectural design, interim landscaping, the convenience store and it's floor plan, and the CUP requested for alcohol sales and the location of the alcohol items. She stated that staff is recommending the Planning Commission approve File Nos. PCUP20-008 and PDEV20-010, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

The applicant, Chris Sabbah was present and stated this is an awkward shaped property in an under-served area and with development on the rise in the area, the design will bring a lot of character to that corner.

Mr. Willoughby wanted to know if he had a timeline for the project.

Mr. Sabbah stated they would like to start it right away.

Mr. Ricci wanted to know if there would be security cameras at the back of the car wash as it will be an obscured area.

Mr. Sabbah stated there will be a lot of security and lighting that will be in place throughout the whole property.

Mr. Ricci stated this was one of his concerns.

Mr. Zeledon stated that this is a condition of approval from the police department to have surveillance cameras.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Mr. Willoughby stated this would be the only gas station from Vineyard to Mountain.

Mr. Zeledon stated yes that is correct, because the north side doesn't allow for gas stations.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Lampkin, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP20-008, and the Development Plan, File No., PDEV20-010, subject to the amended conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV20-017 AND PCUP20-014: A Development Plan (File No. PDEV20-017) and Conditional Use Permit (File No. PCUP20-014) to construct and establish a 60-foot tall stealth (AT&T) wireless telecommunications facility (mono-eucalyptus) with a 1,040 square foot equipment enclosure/lease area on 1.71 acres of land located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-121-04) **submitted by AT&T.**

Mr. Ricci recused himself from this item, as he works for the applicant.

Associate Planner Aguilo, presented the staff report. She described the location and the surrounding area and existing condition of the property. She described the site plan, landscaping, elevations and photo stimulation. She stated that staff is recommending the Planning Commission approve File Nos. PCUP20-

014 and PDEV20-017, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Willoughby wanted to know who owns the property.

Ms. Aguilo stated Southern California Edison.

PUBLIC TESTIMONY

Mr. John Pappas representing AT&T was present and stated he was here to answer any questions.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Mr. Lampkin stated he thinks with this design, this will blend nicely into the community

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Dean, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP20-014 and the Development Plan, File No., PDEV20-017, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, and Willoughby; NOES, none; RECUSE, Ricci; ABSENT, none. The motion was carried 6 to 0.

- E. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-029 AND PCUP20-019:** A Development Plan (File No. PDEV20-029) and Conditional Use Permit (File No. PCUP20-019) to construct and establish an outdoor trailer truck storage facility on 3.44 acres of land located at 5601 East Santa Ana Street, within the Utility Corridor (UC) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) 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: 238-081-64) **submitted by EPD Solutions.**

Assistant Planner Morales, presented the staff report. He described the location, surrounding area, and existing condition of the property. He described the elevations, landscape, and internal circulation. He stated that staff is recommending the Planning Commission approve File Nos. PCUP20-019 and PDEV20-029, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Dean wanted to know if they would use the current address of the existing building.

Mr. Morales stated that is correct.

Mr. Zeledon stated that once the project is built the building will probably be issued a separate address.

PUBLIC TESTIMONY

Mr. Jeremy Krout representing the applicant, was present and stated he was here to answer any questions.

Mr. Lampkin security plan for the site and how while there be access.

Mr. Krout stated during the daytime the gates will be open to allow access and there would be CC TV that

will be monitoring the site and the ingress and egress on a regular basis and for night access there will be key fobs that will be used.

Mr. Willoughby wanted to clarify that there would not be on site supervision.

Mr. Krout stated security personnel would be rotating through, but would not be on the site.

Mr. Willoughby wanted to know if the 55 spaces would allow for a 53 feet truck and trailer to park there.

Mr. Krout stated the parking is for the trailer portion only.

As there was no one else wishing to speak, Chairman Gage closed the public testimony

Mr. Lampkin stated this would be a vast improvement to the area.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Ricci, to adopt a resolution approving the Conditional Use Permit, File No., PCUP20-019 and the Development Plan, File No. PDEV20-029, subject to the Conditions of Approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Gage, Lampkin, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet.

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

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Zeledon stated the Monthly Activity Reports are included in their packet and once again acknowledged Mr. Gregorek's service on the Planning Commission.

ADJOURNMENT

Mr. Willoughby motioned to adjourn the meeting, seconded by Mr. Ricci. The meeting was adjourned at 9:41 PM to the next meeting on August 24, 2021.

Secretary Pro Tempore

Chairman, Planning Commission

FILE NO: PDEV21-003

SUBJECT: A Development Plan to construct a 26,000 square foot industrial building on 1.28 acres of land located at 1486 East Holt Boulevard, within the BP (Business Park) zoning district; (APNs: 0110-121-04 & 0110-121-05) **submitted by M & M Development.**

PROPERTY OWNER: Thomas G. and Judith L. Matlock, Matlock Living Trust

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV21-003, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.


PROJECT SETTING: The Project site is comprised of 1.28 acres of land located at 1486 East Holt Boulevard, within the BP (Business Park) zoning district, and is depicted in Figure 1: Project Location, below. The property north of the Project site (across Holt Boulevard) is within the Business Park zoning district and is developed with an office building. The properties abutting the Project site to the east and west are located within the Business Park zoning district and are developed with industrial land uses. The property abutting the Project site to the south is within the Rail Corridor zoning district and is developed with a Union Pacific Railroad rail line. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — In 1997, South Walker Street was vacated by the City of Ontario. South Walker Street ran north to south along the eastern portion of the project site and terminated north of the



Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	2/2/21

Hearing Body	Date	Decision	Action
DAB	8/16/21	Approval	Recommend
PC	8/24/21		Final
CC			

existing railroad right-of-way, which adjoins the Project site along the south property line. As a result of the street vacation, half of the vacated street was transferred to the owner of the Project site and the other half, went to the adjacent property owner to the east.

On February 2, 2021, the Applicant submitted the subject Development Plan Application requesting approval to construct a 26,000-square-foot industrial building on the Project site, which has a floor area ratio ("FAR") of 0.49. As the building exceeds a FAR of 0.45, the Development Advisory Board is the Recommending Authority and the Planning Commission is the Approving Authority for this Project.

On August 16, 2021, the Development Advisory Board conducted a hearing regarding the subject Application and recommended the Planning Commission approve the Project, subject to the conditions of approval appended to the attached resolution.

(2) Site Design/Building Layout — The proposed building is situated along the south and west property lines of the subject site, and is set back 25 feet from the Holt Boulevard (north) property line (provided in addition to 20 feet of street right-of-way that will be dedicated to the City for the future widening of Holt Boulevard), 45 feet from the east property line, one-foot from the west property line, and 15 feet from the south property line (rear); and

The building is designed to accommodate a single tenant, with the office located at the northeast corner of the building. Off-street parking is located along the east side of the building, adjacent to the office element. Parking spaces located along the rear portion of the site (16 spaces), will be secured and screened by decorative 9-foot-tall tilt-up walls and decorative wrought iron gates, designed to match the building architecture.

Two dock-high loading doors and one at-grade loading door are located on the east side of the building, which will be screened from Holt Boulevard by a portion of the building and a 9-foot-tall decorative screen wall, that has been designed to match the building architecture (see Exhibit B—Site Plan, attached).

(3) Site Access/Circulation — The Project is proposed with one point of vehicular access from Holt Boulevard. The 28-foot-wide driveway is located within the previously vacated Walker Street and will be shared with the adjoining property to the east. Pedestrian access to the building from Holt Boulevard, is provided by a 5-foot-wide sidewalk that will run along the east side of the proposed building.

(4) Parking — Off-street parking has been provided pursuant to the "Warehouse and Distribution Speculative" parking standards specified in the Ontario Development Code. The Project requires 23 parking spaces and one truck trailer parking space. The Project will provide a total of 26 parking spaces and one truck trailer parking space, therefore, exceeding the minimum off-street parking requirements.

(5) Architecture — The proposed industrial building will be of concrete tilt-up construction and designed in a Contemporary Architectural style that exemplifies the

type high-quality architecture promoted by the Ontario Development Code and The Ontario Plan. Special attention has been given to the use of color, massing, building form, exterior finish materials, and architectural details (see Figure 2: Building Perspective, below, and Exhibit C—Northeast View Building Perspective and Exhibit D—Exterior Building Elevations, attached). This is exemplified by:

- Extensive use of glazing (north, east, and west exterior building elevations);
- Decorative architectural tower elements fronting Holt Boulevard;
- Decorative aluminum cornices along the edge of the architectural towers fronting Holt Boulevard;
- Articulation in the building's footprint and parapet line;
- Incorporation of multiple horizontal and vertical reveal lines;
- Decorative entry canopies;
- Decorative sconce lighting along the main storefront entry area
- Decorative aluminum eyebrows areas above office window areas;
- Freestanding architectural elements along the north elevation, fronting Holt Boulevard; and
- Use of color-blocking at key areas around the building.

(6) Landscaping — The BP (Business Park) zoning district requires a minimum 15



Figure 2: Building Perspective

percent landscape coverage for interior lots and 16 percent has been proposed. The Project provides a 20-foot landscaped setback along Holt Boulevard (front) and a 15-foot landscaped setback along the south property line (rear). In addition, landscaping will be provided within the interior area of the parking lot. The proposed landscape plan incorporates a combination of 48-inch, 36-inch, and 24-inch box trees, in addition to a variety of shrubs and ground cover. Proposed trees include Raywood Ash, Brisbane Box, Palo Verde, Western Redbud, Coast Live Oak, Chinese Elm, Italian Cypress and California Sycamore (see Exhibit E—Landscape Plan, attached).

The front office area and the entry driveway have been designed with decorative paving to enhance the office entries. In addition, a 30-foot by 12-foot outdoor employee patio area has been incorporated toward the southeast corner of the building. The patio area

will include decorative outdoor furniture, enhanced paving, decorative umbrellas, and accent shade trees.

(7) Utilities (drainage, sewer) — All necessary public utilities (water and sewer) are available to serve the Project. Additionally, the applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes an underground infiltration basin located beneath the rear employee parking lot. The basin is designed to accept runoff from the building's roof and parking lot.

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner; and
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

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

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

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

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

Community Economics Element:

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

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

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

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The 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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: 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, which consists of projects characterized as infill development, and meets all of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Vacant	Business Park	BP (Business Park)	N/A
North	Office	Business Park	BP (Business Park)	N/A
South	Rail Line	Rail	RC (Rail Corridor)	N/A
East	Industrial	Business Park	BP (Business Park)	N/A
West	Industrial	Business Park	BP (Business Park)	N/A

General Site & Building Statistics

Item	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	1.28 Acres	N/A	Y
Building Area:	26,000 SF	N/A	Y
Floor Area Ratio:	0.49	.55 (Max.)	Y
Building Height:	42 Feet	45 Feet (Max.)	Y

Off-Street Parking:

Type of Use	Building Area (SF)	Parking Ratio	Spaces Required	Spaces Provided
Office	2,500 SF	Office (BP Zone allows for 10% Office Area)	0	0
Warehouse	23,500 SF	0-20,000 SF (1 space per 1,000 SF)	20	26
		>20,000 SF (1 space per 2,000 SF)	4	
TOTAL	26,000 SF		24	26

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

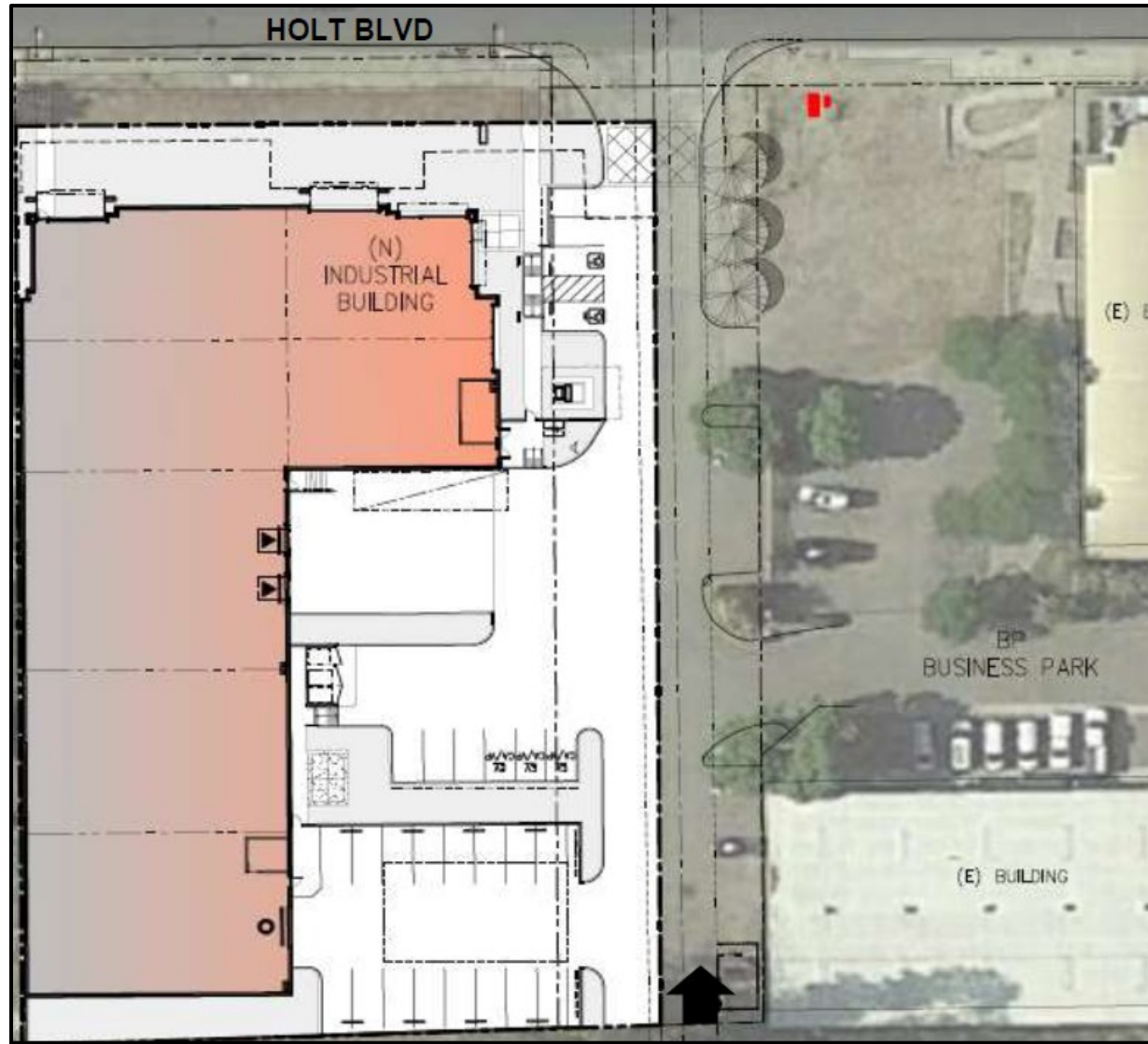


Exhibit C—NORTHEAST VIEW BUILDING PERSPECTIVE



Exhibit D—EXTERIOR BUILDING ELEVATIONS



NORTH ELEVATION



EAST ELEVATION

Exhibit D—ELEVATIONS (CONTINUED)



SOUTH ELEVATION



WEST ELEVATION

Exhibit E—LANDSCAPE PLAN



Exhibit F—COLORS AND MATERIAL BOARD

INSPIRATION IMAGE

G1 GLAZING
 MEDIUM PERFORMANCE
 COLOR: BLUE

M1 ENTRY CANOPY
 ALUMINUM
 CLEAR ANODIZED

M2 MULLIONS
 ALUMINUM
 CLEAR ANODIZED

M3 CORNICE
 ALUMINUM
 CLEAR ANODIZED

M4 EYEBROW
 ALUMINUM
 CLEAR ANODIZED

P1 MAIN BUILDING COLOR
 GLIDDEN - UNIVERSAL GREY A2004

P2 BUILDING BASE COLOR
 GLIDDEN - GRANITE GREY A2005

P3 DARK BAND COLOR
 GLIDDEN - GREY TABBY A2008

LIGHTING FIXTURE

HOLT & WALKER INDUSTRIAL BUILDING

GIAIA ARCHITECTS
 2011 Research Drive

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV21-003, A DEVELOPMENT PLAN TO CONSTRUCT A 26,000 SQUARE FOOT INDUSTRIAL BUILDING ON 1.28 ACRES OF LAND LOCATED AT 1486 EAST HOLT BOULEVARD, WITHIN THE BP (BUSINESS PARK) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0110-121-04 AND 0110-121-05.

WHEREAS, Thomas G. and Judith L. Matlock, Matlock Living Trust ("Applicant"), has filed an application for the approval of a Development Plan, File No. PDEV21-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.28 acres of land located at 1486 East Holt Boulevard, within the BP (Business Park) zoning district, and is presently vacant; and

WHEREAS, the property north of the Project site (across Holt Boulevard) is within the Business Park zoning district and is developed with an office building. The properties abutting the Project site to the east and west are located within the Business Park zoning district and are developed with industrial land uses. The property abutting the Project site to the south is within the Rail Corridor zoning district and is developed with a Union Pacific Railroad rail line; and

WHEREAS, on February 2, 2021, the Applicant submitted the subject Development Plan Application requesting approval to construct a 26,000-square-foot industrial building on the Project site, which has a floor area ratio ("FAR") of 0.49. As the building exceeds a FAR of 0.45, the Development Advisory Board is the Recommending Authority and the Planning Commission is the Approving Authority for this Project; and

WHEREAS, the proposed building is situated along the south and west property lines of the subject site, and is set back 25 feet from the Holt Boulevard (north) property line (provided in addition to 20 feet of street right-of-way that will be dedicated to the City for the future widening of Holt Boulevard), 45 feet from the east property line, one-foot from the west property line, and 15 feet from the south property line (rear); and

WHEREAS, the Project is proposed with one point of vehicular access from Holt Boulevard. The 28-foot-wide driveway is located within the previously vacated Walker Street and will be shared with the adjoining property to the east. Pedestrian access to the building from Holt Boulevard, is provided by a 5-foot-wide sidewalk that will run along the east side of the proposed building; and

WHEREAS, off-street parking has been provided pursuant to the “Warehouse and Distribution Speculative” parking standards specified in the Ontario Development Code. The Project requires 23 parking spaces and one truck trailer parking space. The Project will provide a total of 26 parking spaces and one truck trailer parking space, therefore, exceeding the minimum off-street parking requirements; and

WHEREAS, the BP (Business Park) zoning district requires a minimum 15 percent landscape coverage for interior lots and the Project has provided 16 percent landscape coverage; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 16, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-037, recommending that the Planning Commission approve the Application subject to conditions, which are included as Attachment A of this Resolution; and

WHEREAS, on August 24, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) 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 and meets all of the following conditions:

- The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations.
 - The proposed development occurs within city limits, on a project site of no more than five acres and is substantially surrounded by urban uses.
 - The Project site has no value as habitat for endangered, rare, or threatened species.
 - Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
 - The Project site can be adequately served by all required utilities and public services.

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission 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 Business Park land use district of the Policy Plan Land Use Map, and the BP (Business Park) zoning district. The development standards and conditions under

which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed development is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1). Furthermore, the Project will promote the City's policy to take actions that are consistent with the City being a leading urban center in Southern California, while recognizing the diverse character of our existing viable neighborhoods (Policy CD1-1); 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 Business Park zoning district, including standards relative to the particular land use proposed (industrial 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 is proposing a 0.49 FAR, which is compatible with other similar industrial projects that have been reviewed, and approved by the Development Advisory Board and Planning Commission; 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 Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

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

guidelines specifically related to the particular land use being proposed (industrial building having a 0.49 FAR). As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 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.

SECTION 8: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of August 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 24, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV21-003
Departmental Conditions of Approval**

(Departmental conditions of approval to 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: August 24, 2021

File No: PDEV21-003

Related Files: N/A

Project Description: A Development Plan (File No. PDEV21-003) to construct a 26,000 square foot industrial building on 1.28-acres of land located at 1486 East Holt Boulevard, within the BP (Business Park) zoning district; (APNs: 0110-121-04 & 0110-121-05) **submitted by M & M Development.**

Prepared By: Luis E. Batres, Senior Planner
Phone: (909) 395-2431
Email: Lbatres@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated 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 using landscaping and/or decorative low garden walls. They shall also be painted a dark green color so that they blend/camouflage with site landscaping.

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

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

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

2.12 Environmental Review.

(a) 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).

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

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

2.14 Additional Fees.

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

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

2.15 Additional Requirements.

(a) Project shall be developed per the revised color elevations provided to staff and included with the DAB staff report.

(b) Applicant shall work with the adjacent property owner(s) to the east to fully pave, slurry- seal and stripe the remaining portion of Walker Street, vacated by the City, so that we have orderly development.

(c) All decorative paving areas shall feature a dark earth tone color.

(d) Applicant shall work with staff during the plan check process to increase the height of the proposed center tower along the west elevation.

(e) If the backside of towers is visible from public views, the towers shall be fully enclosed and completed to look like the front of the towers.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV21-003</u> RELATED FILE NO(S). _____		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

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

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

DAB MEETING DATE: August 2nd, 2021

PROJECT NAME / DESCRIPTION: PDEV21-003, a Development Plan to construct a 23,100 square foot industrial building on 2.29 acres of land.

LOCATION: 1486 East Holt Boulevard

APPLICANT: M & M Development

REVIEWED BY: *Raymond Lee* 7/21/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *Khloi Do* 7.21.21
 Khoi Do, P.E. Date
 City Engineer



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

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

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

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) 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 Investment and Revenue Resources at (909) 395-2341 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 PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

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

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

- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: Non-interference Letter required from each easement holder listed in the title report**

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

20-feet on the Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street centerline.

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

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

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



maximum 3-foot high retaining wall.

- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$30,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
 - a. **Provide a copy of an executed reciprocal access easement to be used for the shared driveway approach, between the project site parcel (APN 0110-121-05) and neighboring parcel (APN 0110-111-01).**



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	Holt Bl	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> Remove and replace; 36-ft from Street C/L	<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"/> Replacement	<input type="checkbox"/> Replacement	<input type="checkbox"/> Replacement
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Services	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing



Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

- a. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City standards. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.
- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
- a. Holt Boulevard - Minimum limits of construction shall be along the entire property frontage, a minimum of 12-feet adjacent to lip of the new curb/gutter. Additional width may be required per accepted public improvement plans.
- 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 7-7.302.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 Holt Boulevard. (Ref: Sewer DWG No.: **S12884**)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. The applicant/developer shall provide an on-site dual pump (privately owned & maintained) in order to sewer to the existing public sewer main in Holt Boulevard.
 - b. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>)

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov
 Phone: (909) 395-2661

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water DWG No.: **W11985**)
- 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 _____ recycled water main is available for connection by this project in _____. (Ref: Recycled Water DWG No.: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

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

- 2.34 Other conditions: _____



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - a. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 60-inch storm drain main is available to accept flows from this project in Holt Boulevard. (Ref: Storm Drain plan bar code: D10801)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**
 - a. **Due to the elevation difference between the proposed project site and the existing storm drain main in Holt Boulevard, the applicant/developer shall 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.**

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

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



- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial 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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system along the entire property frontage to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. The applicant/developer shall construct at minimum two (2) OntarioNet handholes with two (2) conduits in between each hand-hole and one (1) conduit from the closest hand hole constructed along the project frontage in the ROW to the main telecommunications room in the building.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at: <https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
 - a. Prior to the Issuance of a Building Permit, the applicant/developer shall comply with the following:
 - i. Submit a Solid Waste Handling Planning (SWHP) and Integrated Waste Management Report (IWMR) with the Precise Grading Plan for the Ontario Municipal Utilities Company (OMUC) to review and approve.
 - ii. Include on the SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections. This site shall comply with the Requirements of State Assembly Bill AM1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - iii. Size the trash enclosure for a minimum of three (3) 4CY bins (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics).

For questions on the SWHP and IWMR submittal requirements, please contact:
Peter Tran, Associate Engineer
ptran@ontarioca.gov
Phone: (909) 395-2677



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.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV21-003

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. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **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).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **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)**
10. **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)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping Improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **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 repaved per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **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.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



- 21. Payment for Final Map/Parcel Map processing fee
- 22. Three (3) copies of Final Map/Parcel Map
- 23. One (1) copy of approved Tentative Map
- 24. One (1) copy of Preliminary Title Report (current within 30 days)
- 25. One (1) copy of Traverse Closure Calculations
- 26. 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.
- 27. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 28. Other:
 - a. **Three (3) copies of the Certificate of Compliance Form (include all items in the Certificate of Compliance Application Checklist)**
 - b. **Three (3) copies of the Right-of-Way Dedication Form (include all items in the Right-of-Way Dedication Application Checklist)**
 - c. **Three (3) copies of the Lot Line Adjustment Form (include all items in the Lot Line Adjustment Application Checklist)**



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: February 23, 2021

SUBJECT: PDEV21-003 - A Development Plan to construct a 23,100 square foot industrial building, on 2.29 acres of land located at 1486 E Holt, within the Business Park zoning district (APN: 110-121-04,05).

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: IIIB
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 23,100 Sq. Ft.
- D. Number of Stories: 1 with Mezzanine
- E. Total Square Footage: 25,500 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): B, S

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/Fire/Prevention.
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-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 2019 California Fire Code, Appendix B, is 1750 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

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

5.0 BUILDING CONSTRUCTION FEATURES

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

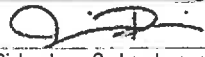
6.0 OTHER SPECIAL USES

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

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

CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

6/2/2021
 Date

Reviewer's Name: **Jamie Richardson, Sr. Landscape Planner** Phone: **(909) 395-2615**

D.A.B. File No.: **PDEV21-003** Case Planner: **Luis Batres**

Project Name and Location: **Industrial Building**
1486 E Holt Blvd

Applicant/Representative: **GAA Architects – Roger Deitos**
8811 Research Drive, Suite 200
Irvine, CA 92618

- A Preliminary Landscape Plan (dated 5/12/2021) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
- A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Confirm any required improvements to the east that may be involved with the vacation of Walker Street.
2. Show backflow devices set back 4' from paving all sides. Locate on level grade, dimension on plan.
3. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
4. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.

Landscape Plans

5. Limit Muhlenbergia and Aloe to accent areas. Use Lantana 'New Gold' in planter areas 8' and wider in all directions.
6. Detail irrigation dripline outside of mulched root zone.
7. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
8. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner

FROM: Officer Bill Lee, Police Department

DATE: March 10, 2021

SUBJECT: PDEV21-003- A DEVELOPMENT PLAN TO CONSTRUCT AN INDUSTRIAL BUILDING TOTALING 23,100 SQUARE FEET, LOCATED AT 1486 EAST HOLT BOULEVARD.

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 all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns regarding these conditions.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-003

Address: 1486 East Holt Blvd

APN: 110-121-04 & 05

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct a 23,100 SF industrial building

Site Acreage: n/a Proposed Structure Height: 45 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Luis Batres

Date: 4/5/2021

CD No.: 2021-011

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="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 110 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: 

FILE NO: PMTT18-010

SUBJECT: A one-year Time Extension for previously approved Tentative Parcel Map No. 20087, subdividing 17.92 acres of land into two parcels located at 4900 East Fourth Street, within the Commercial/Office land use district of the Ontario Mills Specific Plan; (APN: 0238-014-05) **submitted by Retail Properties of America Inc.**

PROPERTY OWNER: Inland Western Ontario 4th Street, LLC

RECOMMENDED ACTION: That the Planning Commission consider and approve a one-year Time Extension of the expiration date for the approval for File No. PMTT18-010 (PM 20087), to July 23, 2022.

PROJECT SETTING: The Project site is comprised of 17.92 acres of land generally located at the southwest corner of Fourth Street and Ontario Mills Drive, at 4900 East Fourth Street, within the Commercial/Office land use district of the Ontario Mills Specific Plan, and is depicted in Figure 1: Project Location, below. The project site is surrounded by commercial/retail land uses to the north, south, east, and west. The subject site was developed in 1997 with a 124,600-square-foot movie theatre building for Edwards 22 Cinema and IMAX Theatre. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On July 23, 2019, the Planning Commission approved a Tentative Parcel Map (File No. PMTT18-010) to subdivide the Project site into two parcels.

(2) Time Extension Request — Under the State Subdivision Map Act, tentative parcel map approvals may be extended up to five years beyond their initial



Figure 1: Project Location

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	4/12/2021

Hearing Body	Date	Decision	Action
DAB	N/A	N/A	N/A
PC	8/24/2021		Final
CC			

approval date. The Applicant is now requesting a one-year time extension of the expiration date for Tentative Parcel Map No. 20087, pursuant to the State Subdivision Map Act and the requirements of Ontario Development Code Section 2.02.025.B (Time Extensions). If approved, the requested one-year Time Extension would extend the tentative parcel map expiration date to July 23, 2022.

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

(1) City Council Goals.

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

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Community Economics Element:

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

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

Community Design Element:

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

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

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The 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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15: Minor Land Divisions) of the CEQA Guidelines, which consists of division of property in

urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variance or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within 2 years, and the parcel does not have an average slope greater than 20 percent.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

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

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	None	0.76 to 17.16 Acres	N/A
<i>Minimum Parcel size (in SF):</i>	None	33,105 to 747,489 SF	N/A
<i>Parcel 1 (in SF)</i>	None	747,489 SF (17.16 Acres)	N/A
<i>Parcel 2 (in SF)</i>	None	33,105 SF (0.76 Acres)	N/A
<i>Minimum lot depth (in FT):</i>	None	N/A	N/A
<i>Minimum lot width (in FT):</i>	None	N/A	N/A

Exhibit A—TENTATIVE PARCEL MAP (TPM 20087)



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED TENTATIVE PARCEL MAP, FILE NO. PMTT18-010 (TPM 20087), A SUBDIVISION OF 17.92 ACRES OF LAND INTO TWO PARCELS LOCATED AT 4900 EAST FOURTH STREET, WITHIN THE COMMERCIAL/OFFICE LAND USE DISTRICT OF THE ONTARIO MILLS SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0238-014-05

WHEREAS, Retail Properties of America, Inc. ("Applicant") has filed an Application for the approval of a one-year time extension for a Tentative Parcel Map, File No. PMTT18-010 (TPM 20087), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 17.92 acres of land generally located at the southwest corner of Fourth Street and Ontario Mills Drive, at 4900 East Fourth Street, within the Commercial/Office land use district of the Ontario Mills Specific Plan, and is presently improved with a movie theatre building and parking lot; and

WHEREAS, on July 23, 2019, the Planning Commission approved a Tentative Parcel Map (File No. PMTT18-010) to subdivide the subject site into two parcels; and

WHEREAS, under the State Subdivision Map Act, tentative parcel maps may be extended up to five years beyond their initial approval. The Applicant is now requesting a one-year time extension of the expiration date for Tentative Parcel Map approval pursuant to the requirements of Ontario Development Code Section 2.02.025.B (Time Extensions); and

WHEREAS, the one-year Time Extension request would extend the Tentative Parcel Map approval from July 23, 2021, to July 23, 2022; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on July 15, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-034, recommending the Planning Commission approve the Project; and

WHEREAS, on July 23, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Resolution No. PC19-047; and

WHEREAS, on August 24, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Tentative Parcel Map Time Extension request, and concluded said hearing on that date; and

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

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

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

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15315 (Class 15 - Minor Land Divisions) of the CEQA Guidelines. Class 15 allows for the division of property in urbanized areas for commercial use into four or fewer parcels when: (a) the division is in conformance with the General Plan and zoning, (b) no variances or exceptions are required, (c) all services and access to the proposed parcels to local standards are available, (d) the parcel was not involved in a division of a larger parcel within the previous two years, and (e) the parcel does not have an average slope greater than 20 percent. The project is in full compliance with each of the aforementioned stipulations; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands

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

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

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

(2) ***The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and the Commercial/Office land use designation of the Ontario Mills Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are

attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

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

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

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

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

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through,***

or use of property within, the proposed subdivision. The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports 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.

SECTION 8: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of August 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 24, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

FILE NO.: PMTT21-007 (TTM 20399)

SUBJECT: A Tentative Tract Map to subdivide 24.51 acres of land into 30 numbered lots and 6 lettered lots, for property generally located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within the High Density Residential (18-25 du/ac) land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan; (APNs: 0218-241-51, 0218-241-52, 0218-241-53, and 0218-241-54) **submitted by Ronald and Kristine Pietersma Family Trust and Loyola Properties I, LP.**

PROPERTY OWNER: Ronald & Kristine Pietersma Family Trust & Loyola Properties I, L.P.

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PMTT21-007 (TTM 20399), pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval recommended by the Development Advisory Board and included as Attachment A of the resolution.

PROJECT SETTING: The Project site is comprised of 24.51 acres of land generally located at the southeast corner of Ontario Ranch Road and Archibald Avenue, within the High Density Residential (18-25 du/ac) land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan, and is depicted in Figure 1: Project Location, below. The property is currently developed with a single-family home and structures used in conjunction with a former dairy farm on the site.

The property north of the Project site (across Ontario Ranch Road) is within the Low-Medium Density Residential and SCE Substation land use districts of the Avenue Specific Plan and is developed with an SCE Substation and multiple-family residential development. The property abutting the Project site to the south is within the Great Park land use district of the Grand Park Specific Plan and is currently vacant. The property abutting the Project site to the east is within the Elementary/High School land use district of the Grand Park Specific

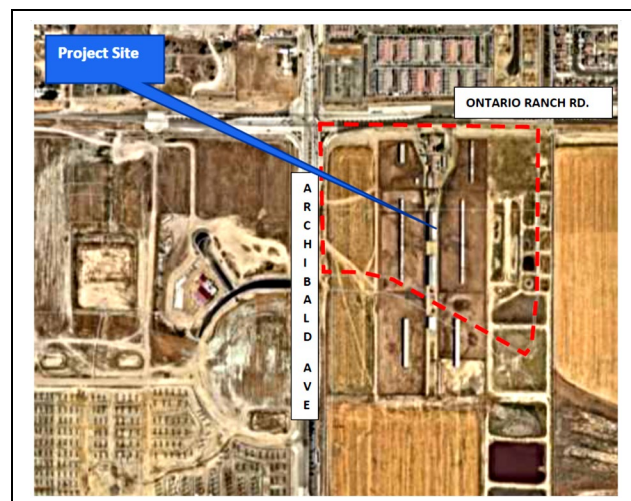



Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	3/22/21

Hearing Body	Date	Decision	Action
DAB	8/16/21	Approval	Recommend
PC	8/24/21		Final
CC	n/a		

Plan and is currently vacant. The property to the west of the Project site (across Archibald Avenue) is within the Commercial (PA 21) land use district of the Parkside Specific Plan and includes land developed with Fire Station No. 9, as well as vacant land. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — In 2017, the Planning Commission approved a Tentative Tract Map, File No. PMTT16-021, for the project area to subdivide 76.68-acres of land into four parcels and two lettered lots for public road purposes. The subdivision, referred to as an "A Map," was to facilitate the backbone infrastructure improvements for such items as streets, sewer, water, and storm drain facilities. The approved map allowed the extension of Grand Park Street, from Archibald Avenue, along the westerly edge of the Project, to the easterly edge of the site. With the approved map, "A" Street was also extended from Ontario Ranch Road, southerly, until it meets Grand Park Street.

On March 22, 2021, the Applicant submitted the subject Tentative Tract Map Application, File No. PMTT21-007 (TTM 20399), to subdivide the 24.51-acre Project site into 30 numbered lots and 6 lettered lots.

(2) Site Design/Building Layout — The proposed tentative tract map will accommodate the future development of 362 multiple-family dwellings and associated recreation and landscape amenities, such as neighborhood edges, parks, landscape buffers, and private streets. (see Figure 2: Tentative Tract Map No. 20399, right).

The proposed subdivision complies with the 5,000 square foot minimum lot size required by the Grand Park Specific Plan (see Exhibit E—Tentative Tract Map Lot Numbers and Exhibit F—Tentative Tract Map Letter Lots, attached).

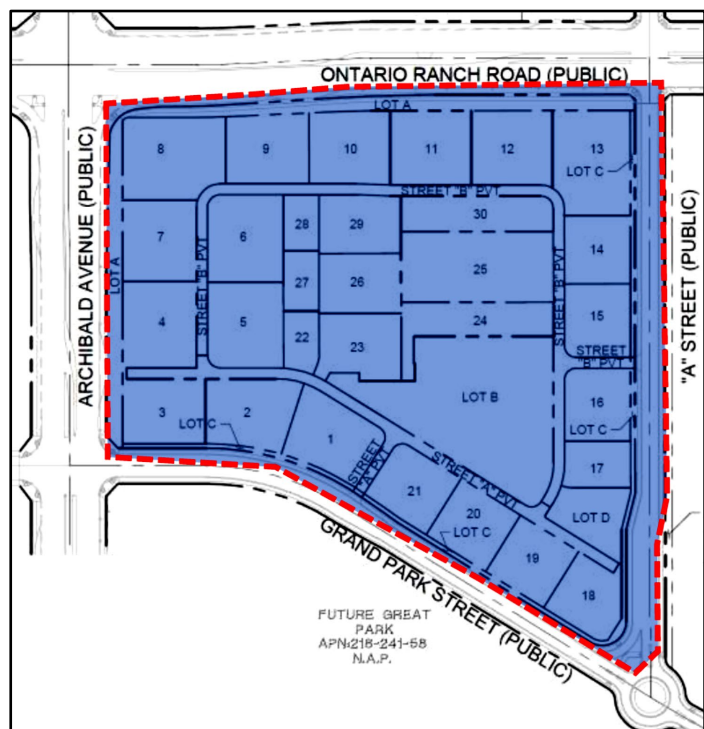


Figure 2: Tentative Tract Map No. 20399

As shown in Figure 3, right, the Conceptual Site Plan for the Project anticipates the development of 180 dwellings of the Single-Family Attached (“SFA”) Rowhomes/Condominiums product and 182 dwellings of the SFA Greencourt Townhomes product. The north and west portions of the Project site will be developed with the SFA Greencourt Townhome product and the south, east, and central portions of the Project site will consist of the SFA Rowhomes/Condominiums product. Two community parks comprised of 2.93-acres (minimum required 2.44-acres) are situated along the southeast corner of the Project site and will provide access to recreational facilities for all future residents. Substantial landscape areas will also be provided around the project site (Archibald Avenue and Ontario Ranch street frontage) in the form of a 35-foot-wide landscaped neighborhood edge and interior greenbelt pedestrian pathways and linkages.



Figure 3: Conceptual Site Plan

(3) Site Access/Circulation — The Project site will be accessible along its southerly edge from Grand Park Street and along its easterly edge from “A” Street, both of which are future public streets. No vehicular access will be provided from Ontario Ranch Road or Archibald Avenue.

All streets internal to the Project site will be private. Additionally, a system of private alleys and drives will connect to the private streets, providing vehicular access to parking areas and individual unit garages.

(4) Parking — Future development of the site will be required to meet all Development Code and Grand Park Specific Plan requirements. The conceptual unit plotting shown on the Conceptual Site Plan provides for two-car garages for both the SFA Greencourt Townhomes and SFA Rowhomes/Condominiums products. On-street parking spaces will also be provided throughout the Project, along the private streets. The off-street parking breakdown is as follows:

Table 1: Off-Street Parking Summary		
Product Type	Required	Provided
Greencourt Townhomes (182 DUs)	410	338
<ul style="list-style-type: none"> ▪ 1.75 spaces/DU (26 1-Bedroom DUs) 		

Table 1: Off-Street Parking Summary		
Product Type	Required	Provided
<ul style="list-style-type: none"> ▪ 2.0 spaces/DU (52 2-Bedroom DUs) ▪ 2.5 Spaces/DU (104 3-Bedroom DUs) 		
Rowhomes/Condominiums (180 DUs) <ul style="list-style-type: none"> ▪ 2.5 Spaces/DU (180 3-Bedroom DUs) 	450	360
Driveway Spaces	0	89
Street Parking	0	73
Guest Parking (one space/6 DUs)	60	60
Total	920	920

(5) Architecture — Development of the Project site is subject to Planning Commission review and approval of a Development Plan application, which will be submitted at a future date. All future development of the site will be required to meet all Development Code and Grand Park Specific Plan design guidelines and standards regarding building architecture.

(6) Landscaping — Future development of the Project site will be required to meet all Development Code and Grand Park Specific Plan standards regarding landscaping. The Policy Plan component of The Ontario Plan requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide 2.44 acres of private park space, the project will provide 2.93 acres of park space, therefore, exceeding the minimum required (see Exhibit D—Conceptual Site Plan, attached).

The project will include a green neighborhood edge along Ontario Ranch Road and Archibald Avenue, parkways within some interior private streets, green pedestrian links, and small front landscape areas, which will all be maintained by the Homeowners Association. The final Landscape Plan, including the park amenities and planting plan, will be reviewed and approved as part of the Development Plan process.

(7) Signage — No signage is proposed at this time; however, any signage for the Project will be required to comply with the applicable requirements of the Grand Park Specific Plan and the City's Development Code and is subject to Planning Department Staff review.

(8) Utilities (drainage, sewer) — The Preliminary Water Quality Management Plan ("PWQMP") establishes project compliance with storm water discharge/water quality requirements and includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration,

biotreatment, and evapotranspiration. The subject property was part of a larger subdivision map (File No. PMTT16-021/TPM 19787) and a related Development Agreement (File No. PDA17-001) for the area. The Project site will be required to install all major backbone improvements, in addition to the internal improvements, as set forth in the related Development Agreement. In addition, the project will be required to undergo a more extensive PWQMP review as part of the Development Plan review process.

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

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.
 - H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.
- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.
 - H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
 - CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
 - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
 - CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
 - CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
 - S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

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

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

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

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

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

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

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

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

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

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

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

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

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

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

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

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

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

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

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

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The 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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with the Grand Park Specific Plan Environmental Impact Report (State Clearinghouse No. 2012061057), which was certified by the City of Ontario City Council on January 21, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Single-Family Home, and Dairy Farm Structures	Medium Density Residential (11.1-25 du/ac)	SP (Specific Plan)	Grand Park Specific Plan Planning Areas 7 and 8 High Density Residential (18-25 du/ac)
<i>North</i>	Electric Utilities Transfer Station & Residential Development	Low Density Residential (2.1-5 du/ac)	SP (Specific Plan)	The Avenue Specific Plan Low Medium Density Residential & SCE Easement
<i>South</i>	Vacant	Open Space-Parkland	SP (Specific Plan)	Grand Park Specific Plan Great Park
<i>East</i>	Vacant	Public School	SP (Specific Plan)	Grand Park Specific Plan High/Elementary School
<i>West</i>	Vacant Land & New Fire Station No. 9	Neighborhood Commercial (0.4 FAR)	SP (Specific Plan)	Parkside Specific Plan PA 21 (Commercial)

General Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Minimum Lot Size</i>	5,000 SF	10,000 SF to 106,884 SF	Y
<i>Project density (dwelling units/ac):</i>	18 to 25 DU/AC	18.8 DU/AC	Y

Exhibit A—PROJECT LOCATION MAP

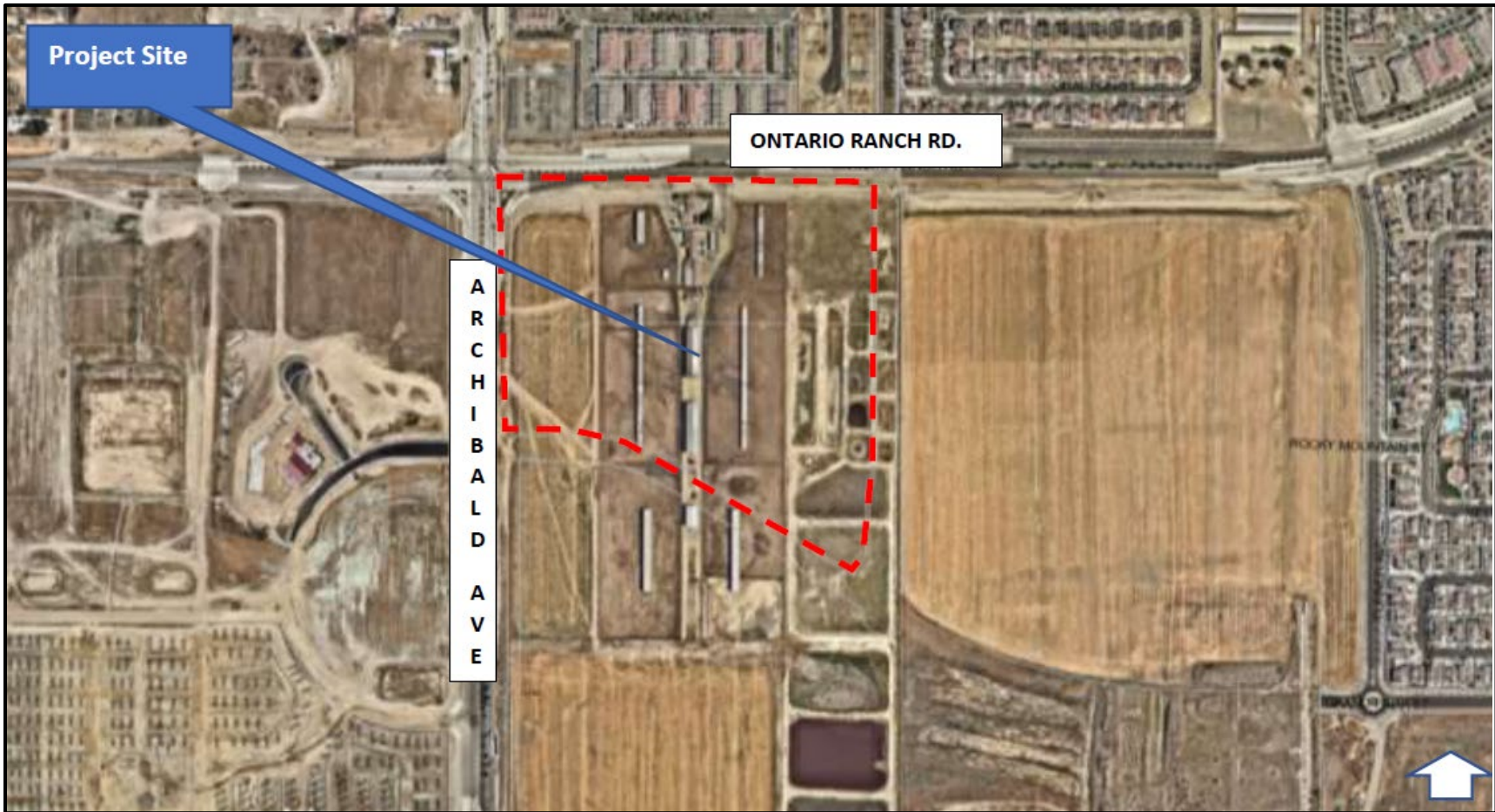


Exhibit B—SPECIFIC PLAN LAND USE MAP

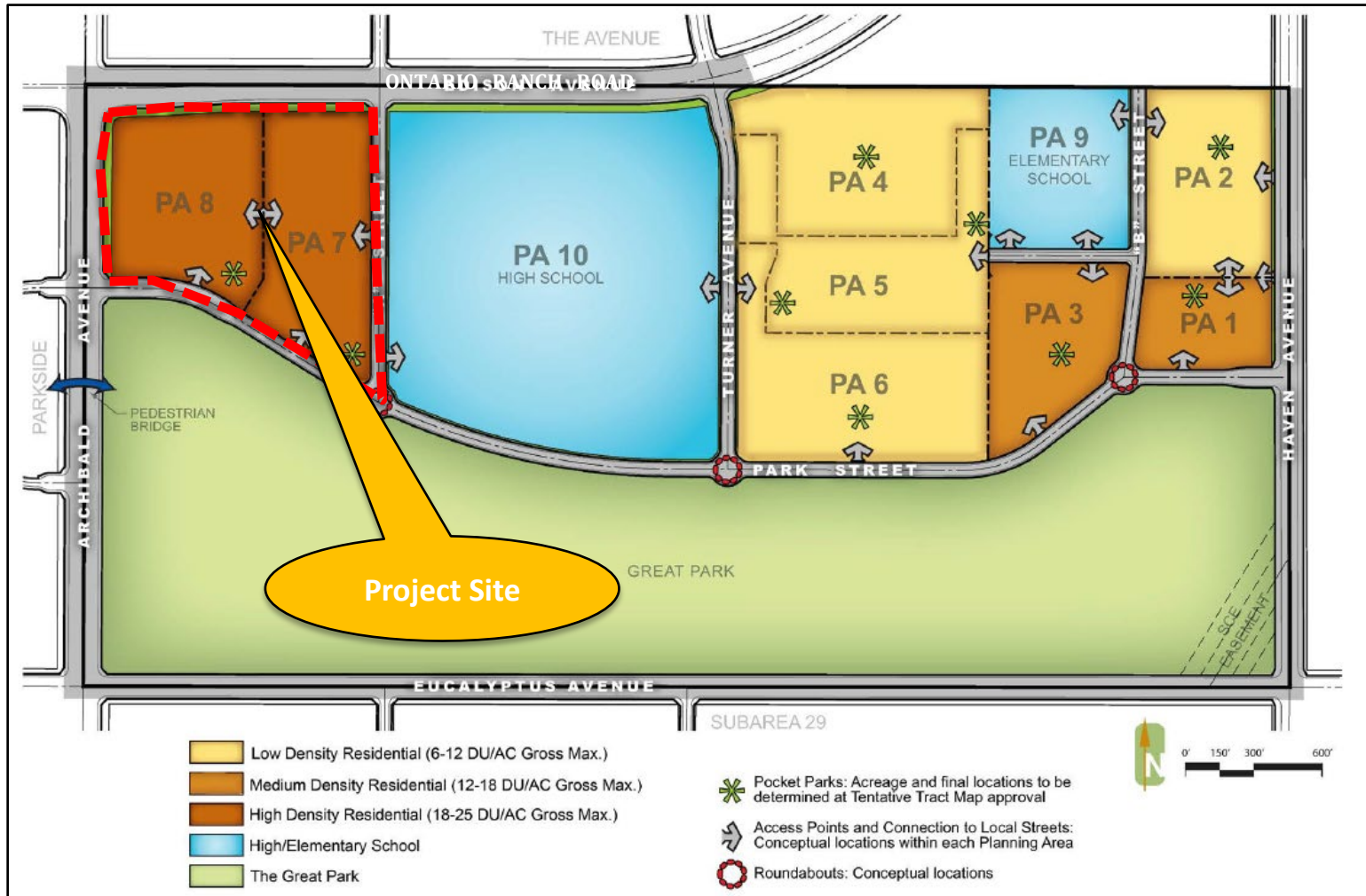


Exhibit C—TENTATIVE TRACT MAP NO. 20399



Exhibit D—CONCEPTUAL SITE PLAN



Exhibit E—Tentative Tract Map Number Lots

Lot No.	Area (in square feet)	Area (in acres)
1	29,208	0.67
2	29,114	0.67
3	25,826	0.59
4	31,092	0.71
5	31,189	0.72
6	31,854	0.73
7	28,957	0.66
8	39,453	0.91
9	27,645	0.63
10	28,311	0.65
11	28,996	0.67
12	29,061	0.67
13	38,108	0.87
14	21,749	0.50
15	23,153	0.53
16	23,063	0.53
17	14,899	0.34
18	21,427	0.49
19	21,924	0.50
20	22,344	0.52
21	23,285	0.53
22	10,116	0.23
23	25,694	0.59
24	27,901	0.64
25	51,860	1.19
26	23,580	0.54
27	10,296	0.24
28	95,94	0.22
29	23,026	0.53
30	25,929	0.60
TOTAL	778,635	17.87

Exhibit F—Tentative Tract Map Letter Lots

Lot	Purpose	Area (in square feet)	Area (in acres)
Lot A	Neighborhood Edge	57,747	1.33
Lot B	Park	106,884	2.45
Lot C	Landscape Buffer	24,056	0.55
Lot D	Park	19,561	0.45
Private Street "A"	Private Street	33,876	0.78
Private Street "B"	Private Street	47,128	1.08
TOTAL		289,221	6.64

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT21-007 (TTM 20399), A TENTATIVE TRACT MAP TO SUBDIVIDE 24.51 ACRES OF LAND INTO 30 NUMBERED LOTS AND 6 LETTERED LOTS, FOR PROPERTY GENERALLY LOCATED AT THE SOUTH EAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD, WITHIN THE HIGH DENSITY RESIDENTIAL (18-25 DU/AC) LAND USE DISTRICT (PLANNING AREAS 7 AND 8) OF THE GRAND PARK SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-241-51, 0218-241-52, 0218-241-53, AND 0218-241-54.

WHEREAS, Ronald and Kristine Pietersma Family Trust and Loyola Properties I LP ("Applicant"), has filed an application for the approval of a Tentative Tract Map, File No. PMTT21-007 (TTM 20399), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 24.51 acres of land generally located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within the High Density Residential (18-25 du/ac) land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan, and is presently improved with a single-family home and dairy farm structures; and

WHEREAS, the property north of the Project site (across Ontario Ranch Road) is within the Low-Medium Density Residential and SCE Substation land use districts of the Avenue Specific Plan and is developed with an SCE Substation and multiple-family residential development. The property abutting the Project site to the south is within the Great Park land use district of the Grand Park Specific Plan and is currently vacant. The property abutting the Project site to the east is within the Elementary/High School land use district of the Grand Park Specific Plan and is currently vacant. The property to the west of the Project site (across Archibald Avenue) is within the Commercial (PA 21) land use district of the Parkside Specific Plan and includes land developed with Fire Station No. 9, as well as vacant land; and

WHEREAS, in 2017, the Planning Commission approved a Tentative Tract Map, File No. PMTT16-021, for the project area to subdivide 76.68-acres of land into four parcels and two lettered lots for public road purposes. The subdivision, referred to as an "A Map," was to facilitate the backbone infrastructure improvement for such items as streets, sewer, water, and storm drain facilities. The approved map allowed the extension of Grand Park Street, from Archibald Avenue, along the westerly edge of the Project, to the easterly edge of the site. With the approved map, "A" Street was also extended from Ontario Ranch Road, southerly, until it meets Grand Park Street; and

WHEREAS, on March 22, 2021, the Applicant submitted the subject Tentative Tract Map Application, File No. PMTT21-007 (TTM 20399), to subdivide the 24.51-acre Project site into 30 numbered lots and 6 lettered lots; and

WHEREAS, the proposed tentative tract map will accommodate the future development of 362 multiple-family dwellings and associated recreation and landscape amenities, such as neighborhood edges, parks, landscape buffers, and private streets; and

WHEREAS, the proposed subdivision complies with the 5,000 square foot minimum lot size required by the Grand Park Specific Plan. The proposed parcels will range from 10,000 square feet to 106,884 square feet; and

WHEREAS, the Project site will be accessible along its southerly edge from Grand Park Street and along its easterly edge from "A" Street, both of which are future public streets. No vehicular access will be provided from Ontario Ranch Road or Archibald Avenue. All streets internal to the Project site will be private. Additionally, a system of private alleys and drives will connect to the private streets, providing vehicular access to parking areas and individual unit garages; and

WHEREAS, the Project proposes a density of 18.8 units per acre, which complies with the permitted density range of 18 to 25 units per acre allowed by the High Density Residential land use designation (Planning Areas 7 and 8) of the Grand Park Specific Plan; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with the Grand Park Specific Plan Environmental Impact Report (State Clearinghouse No. 2012061057), which was certified by the City of Ontario City Council on January 21, 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, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 16, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-038, recommending that the Planning Commission approve the Application subject to conditions, which are included as Attachment A of this Resolution; and

WHEREAS, on August 24, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation.

Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the Grand Park Specific Plan Environmental Impact Report (State Clearinghouse No. 2012061057), which was certified by the City of Ontario City Council on January 21, 2014; and

(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

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

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, 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 Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

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

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

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 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 decision-making authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is located within the Medium Density Residential (11.1-25 du/ac) land use district of the Policy Plan Land Use Map, and the High Density Residential (18-25 du/ac) land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is located within the Medium Density Residential (11.1-25 du/ac) land use district of the Policy Plan Land Use Map, and the High Density Residential (18-25 du/ac) land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while

maintaining acceptable fire protection and traffic flows;

- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*) and
- Provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.***

The project site meets the minimum lot area and dimensions of the High Density Residential (18-25 du/ac) land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions. The proposed parcels range in size from 0.22-acre to 2.45 acres. The parcels proposed, exceed the Specific Plan’s minimum parcel requirement of 5,000 square feet.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 18.8 du/acre. The project site meets the minimum lot area and dimensions of the High Density Residential (18-25 du/ac) land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan and is physically suitable for the proposed density/ intensity of development.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed

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

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

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as “Attachment A,” and incorporated herein by this reference.

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

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of August 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 24, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT21-007 (TTM 20399)
Departmental Conditions of Approval**

(Departmental conditions of approval to 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: August 24, 2021
File No: PMTT21-007 (TTM 20399)
Related Files: PMTT16-021 & PDA17-001

Project Description: A Tentative Tract Map (File No. PMTT21-007) to subdivide 24.51-acres into 30 number lots and 6 letter lots, for property located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within the High Density Residential (18.0-25.0 du/ac) land use district (Planning Areas 7 & 8) of the Grand Park Specific Plan. (APN: 218-241-32); **submitted by Ronald & Kristine Pietersma Family Trust & Loyola Properties I, L.P.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431
Email: Lbatres@ontarioca.gov

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

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

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

2.1 Time Limits.

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

2.2 Subdivision Map.

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

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

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

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

2.3 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions) and Grand Park Specific Plan.

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

2.5 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.

2.6 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction to the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) adopted by the City Council on February 4, 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. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(a) 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).

(b) 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.

1.2 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.

1.3 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.

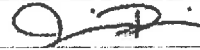
(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

**CITY OF ONTARIO
LANDSCAPE PLANNING
DIVISION**

303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

07/09/2021

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PMTT21-007

Related Files:

Case Planner:

Luis Batres

Project Name and Location:

Subdivide 24.52 acres

TM20399, SE corner of Archibald and Ontario Ranch Road

Applicant/Representative:

Distinguished Homes – Jason Lee jasonl@distinguishedhomes.com

8101 E. Kaiser Blvd., Suite 140

Anaheim Hills, CA 92808



A Tentative Tract Map (dated 6/19/2021) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CORRECTIONS REQUIRED

Provide conceptual plans that address the following items prior to approval of the Tract Map if Development plan is not submitted concurrently:

1. Locate utilities to minimum clearances to allow parkway trees. Parkway trees are to be 30' apart. Show and note a 10' parkway tree space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines and driveways; and min. 10' clear from street lights.
2. Lots along Grand Park Street shall not include a wall but rather be open to the street.
3. Note decorative paving for all motor courts including the lots facing the parking rows aisles.
4. DG trails and parkways at corners (Archibald Ave.) shall have the trail curve into the sidewalk rather than out to the corner ramp; OK to end parkway landscape before corner utilities.
5. Show and identify any on-site storm water infiltration areas or storm water infiltration devices proposed in parkways or other landscape areas.

On future Grading or Utility Construction Plans:

6. Storm water infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved prior to permit approval or installation.
7. New residential projects shall use recycled water for HOA maintained property (parks, parkways, neighborhood edges, common areas). Potable water with a backflow shall only be used on single family detached properties even if HOA maintained.
8. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 ½" below finished surfaces; landscaped slopes to be max 3:1.

9. Show infiltrating catch basins with two ¾" dia. holes in bottom set on 12" square of filter fabric wrapped gravel, located 5' or greater from buildings and 24" from sidewalk, add detail.
10. Show or note transformers shall be 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. Locate on level grade. Coordinate with landscape plans.
11. Show or note backflow devices shall be located in planter areas, and set back min 3' from paving. Locate on level grade. Coordinate with landscape plans.
12. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum spacing to allow space for street trees.
13. Show light standards 15' away from required tree locations.
14. Wall footings shall not restrict landscape; max 12" in front of footing with 12" of cover.
15. Show on plans step outs at parking spaces adjacent to planters; 12" wide monolithic curb, 12" compacted decomposed granite or pavers adjacent to the 6" curb.
16. Wall openings for drainage overflow shall be max 4" wide.
17. Provide a solid surface path from driveway to side yard gate for entry and trash bin access.
18. AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side added for access.
19. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans.
20. Add notes for any tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures.
21. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council.

Once items are complete you may email an electronic set to:
landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT21-007

Address: SEC of Ontario Ranch Road & Archibald Avenue

APN: 218-241-51, 52, 53 & 54

Existing Land Use: Vacant

Proposed Land Use: Tentative Tract Map to subdivide 24.52 acres into 30 numbered lots and 8 lettered lots for 362 residential units

Site Acreage: 24.52 Proposed Structure Height: N/A

ONT-IAC Project Review: n/a

Airport Influence Area: ONT, Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Luis Batres

Date: 5/11/2021

CD No.: 2021-019

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="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> 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="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 Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino Airport.

Real Estate Transaction Disclosure

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2021-019

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: Luis Batres, Senior Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: March 29, 2021

SUBJECT: PMTT21-007 - A Tentative Tract Map (TTM 20399) to subdivide 24.52 acres of land into 30 numbered lots and 8 lettered lots, located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within the High Density Residential land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan (APN: 0218-241-32).

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type V
- B. Type of Roof Materials: Non-Rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2019 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario website at www.ontarioca.gov/Fire/Prevention.
- 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.
- 2.7 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 2019 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 public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. 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.

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. Homes that do not front street shall be provided with an address entry sign at the street. 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: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Robin Lucero, Code Enforcement (Copy of memo only) *Elda Zavala*
Jimmy Chang, IT Department

FROM: Luis Batres, Senior Planner

DATE: March 19, 2021

SUBJECT: FILE #: PMTT21-007 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 .

- 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 Tentative Tract Map (TTM 20399) to subdivide 24.52 acres of land into 30 numbered lots and 8 lettered lots, located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within High Density Residential land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan (APN(s): 218-241-32). Related File(s): [insert File #s].

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

WILLIAM LEE

POLICE OFFICER

4/14/21

Department

Signature

Title

Date



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input checked="" type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-20399</u> RELATED FILE NO(S). <u>PMTT21-007</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor 909-395-2108 *MS*

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

DAB MEETING DATE: August 16, 2021

PROJECT NAME / DESCRIPTION: A Tentative Tract Map to subdivide 24.52 acres of land into 30 numbered lots and 8 lettered lots, within the High Density Residential land use district (Planning Areas 7 and 8) of the Grand Park Specific Plan.

LOCATION: SEC Archibald Avenue and Ontario Ranch Road

APPLICANT: RCCD, Inc.

REVIEWED BY: *Raymond Lee* *8/9/21*
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *[Signature]* *8-11-21*
 Khoi Do, P.E. Date
 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 APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL 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):
 - a. Various width public utility easement along Private Street "A" (as shown on the approved tentative tract map).
 - b. Various width public utility easement along Private Street "B" (as shown on the approved tentative tract map).
 - c. 50' public utility easement along a portion of private Lot B (as shown on the approved tentative tract map). No permanent structure shall be located within easement.
 - d. 30.5' public utility easement along private Lot E (as shown on the approved tentative tract map).
 - e. 50' public utility easement along private Lot F (as shown on the approved tentative tract map).
 - f. 26' public utility easement along private Lot G (as shown on the approved tentative tract map).
 - g. 26' public utility easement along private Lot H (as shown on the approved tentative tract map).
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.



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

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.

- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.

- 1.11 Provide a preliminary title report current to within 30 days.

- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) 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 Investment and Revenue Resources at (909) 395-2341 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:
 - a. The final map and dedications shall comply with the approved Grand Park Specific Plan, Development Agreement (PDA17-001), and the conditions of approval for this tentative tract map and PM-19787.
 - b. The applicant/developer shall execute an Assignment Agreement to the existing Development Agreement (PDA17-001).



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

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

- 2.01 Record Tract Map No. 20399 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario Per PM-19787.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____



- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- _____ feet on _____
- Property line corner 'cut-back' required at the intersection of _____
and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- _____
- 2.12 **New Model Colony (NMC) Developments:**
- 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
- 2) **Make a formal request to the Ontario Municipal Utilities Company (OMUC) 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 _____% 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 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
- a. **All the required improvements for this tract shall be subject to completion of the required public improvements including public utilities beyond the tract limits as specified in the Grand Park Specific Plan, the Development Agreement and the Conditions of Approval for PM-19787.**
- b. **The applicant/developer shall vacate a portion of Lot C (dedicated on PM-19787) for the proposed ingress/egress at Private Streets "A" and "B". Required portion to be vacated is along Grand Park Street and "A" Street (public).**
- c. **The applicant/developer shall submit a legal and plat for the dedication of Grand Park Street from "A" Street to Turner Avenue.**



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	Street "A" (private)	Street "B" (private)	Lot E and F	Lot G and H
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't Transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify Existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input 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)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)



Improvement	Street "A" (private)	Street "A" (private)	Lot E and F	Lot G and H
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____



Improvement	A Street (Public)	Ontario Ranch Road	Street	Street
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't Transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify Existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input 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)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Improvement	A Street (Public)	Ontario Ranch Road	Street	Street
Water (see Sec. 2.D)	<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
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing Signal @ "A" Street (public)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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):**
- a. The applicant/developer shall design and construct a 2" grind and overlay on Archibald Avenue (median curb to new proposed lane, 28' wide) from Eucalyptus Avenue to PCC south of Grand Park Street.



- 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).**
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 36 inch sewer main is available for connection by this project in Archibald Avenue. (Ref: Sewer plan bar code: S13534)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **The applicant/developer shall design and construct the sewer throughout the tract map required to service this project and to the satisfaction of the City Engineer. Design and construction shall include all downstream sewer connection as specified in the Grand Park Specific Plan, the Development Agreement (PDA17-001) and the Conditions of Approval for PM-19787.**

D. WATER

- 2.27 **A 24 inch and 12 inch water main is available for connection by this project in Archibald Avenue and Ontario Ranch Road respectively. (Ref: Water plan bar code: W13405 and W15603)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - a. **The applicant/developer shall design and construct the domestic water throughout the tract map required to service this project and to the satisfaction of the City Engineer. Design and construction shall include all domestic water connection as specified in the Grand Park Specific Plan, the Development Agreement (PDA17-001) and the Conditions of Approval for PM-19787.**
 - a. **The applicant/developer shall provide a master meter with a backflow device for each building complex and submetering for each unit.**



E. RECYCLED WATER

2.30 A 16 inch and 12 recycled water main is available for connection by this project in Archibald Avenue and Ontario Ranch Road respectively. (Ref: Recycled Water plan bar code: P10149 and P11409)

2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.

2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.

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

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

2.34 Other conditions:
b. The applicant/developer shall design and construct the recycled water throughout the tract map required to service this project and to the satisfaction of the City Engineer. Design and construction shall include all recycled water connection as specified in the Grand Park Specific Plan, the Development Agreement (PDA17-001) and the Conditions of Approval for PM-19787.

F. TRAFFIC / TRANSPORTATION

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

2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.

2.37 Other conditions:
a. Pedestrian crossings across Grand Park Street at Street "A" (private) shall not be allowed. Directional pedestrian ramps shall be required to cross Street "A" (private) to discourage crossings across Grand Park Street.
b. The applicant/developer shall design and construct a pedestrian access between Lots 8 and 9 to the bus stop on Ontario Ranch Road.
c. The applicant/developer shall be responsible to design and construct modifications to the existing traffic signal on Ontario Ranch Road and "A" Street (public). The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location. The applicant/developer shall design and construct the ultimate signing and striping improvements necessary to accommodate "A" Street (public) at the traffic signal.



- d. The applicant/developer shall design and construct the ultimate signing and striping improvements along the property frontage of Ontario Ranch Road including the eastbound section of Ontario Ranch Road west of Archibald Avenue to install the required 3 eastbound thru lanes. Interim striping may be required beyond the easterly property line to transition back to the existing roadway width.
- e. The applicant/developer shall design and construct the ultimate signing and striping improvements along the property frontage of Archibald Avenue including the northbound section of Archibald Avenue north of Park View Street to Ontario Ranch Road to install the required 3 northbound thru lanes.
- f. The applicant/developer shall design and construct an enhanced pedestrian crossing (rectangular rapid flashing beacon or in-roadway warning light system) with chokers for the proposed mid-block crossing on Grand Park Street between Turner Avenue and the roundabout at "A" Street (public) that will serve the Grand Park.

G. DRAINAGE / HYDROLOGY

- 2.38 A 78 inch storm drain main is available to accept flows from this project in Archibald Avenue. (Ref: Storm Drain plan bar code: D11913)
- 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:
 - c. The applicant/developer shall design and construct the storm drain throughout the tract map required to service this project and to the satisfaction of the City Engineer. Design and construction shall include all downstream storm drain connection as specified in the Grand Park Specific Plan, the Development Agreement (PDA17-001) and the Conditions of Approval for PM-19787.
 - d. The applicant/developer shall mitigate the historical runoff from APN: 0218-241-48 and 0218-241-36 due to the construction of Grand Park Street. Hydrology study per 2.39 above shall be submitted for review and approval.
 - e. The applicant/developer shall enter into an agreement with the property owner(s) of APN:0218-241-48 and 0218-241-36 for the construction, maintenance and future removal of the temporary basin (including inlets) being proposed on said property. The agreement shall be reviewed and approved by the City Engineer and City Attorney. City Attorney fees shall be paid by the applicant/developer.



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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 **File an application, together with an initial 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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.**
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on Archibald Avenue (east side) south of Grand Park Street and Grand Park Street (north side) west of Turner Avenue.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**



L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:

<https://www.ontarioca.gov/OMUC/IntegratedWaste>

- 2.53 Other conditions:

1. **Trash Enclosure (TE):** Each TE to have three 4-cy bins.

a. **Organics Separation and Collection:** This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.

- Include on SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections
- In order to comply with these requirements, revise site plans, and all related sheets, to have a three (3) 4CY bin per trash enclosure (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics) with a solid roof.



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.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04** Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: Tract Map No. 20399

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. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **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).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **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)**
10. **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)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **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)**
17. **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.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **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.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. **Other:**
 - i. **Vacation**
 - ii. **Legal and plat for dedication of Grand Park Street**

FILE NOS: PMTT21-008 (TPM 20376) and PVAR21-002

SUBJECT: A Tentative Parcel Map (File No. PMTT21-008/TPM 20376) to subdivide 0.998-acre of land into 2 parcels in conjunction with a Variance (File No. PVAR21-002) to reduce the corner lot width dimension from 120 feet to 117.8 feet, located at the northwest corner of Oaks Avenue and Spruce Court, at 2112 South Oaks Avenue, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district; (APN: 1014-561-30) **submitted by Paul Kien.**


PROPERTY OWNER: Investment City, LLC

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PVAR21-002 and PMTT21-008, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The Project site is comprised of 0.998-acre of land located at 2112 South Oaks Avenue, within the AR-2 (Residential Agricultural – 0 to 2.0 du/ac) zoning district and is depicted in Figure 1: Project Location. The Project site is in an established residential neighborhood, north of Philadelphia Street and west of Oaks Avenue. Homer F. Briggs Park is east of the Project site. The site is developed with a single-family residence, 2 detached two-car garages, a secondary residence, a storage shed, and a pool with 2 pool houses. The one-story primary single-family residence was constructed in the 1930s. The vernacular residence is square in plan, with a stucco exterior finish with wood trim, and a cross-gabled roof with composition shingles. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning &



Figure 1: Project Location

Case Planner:	Elly Antuna, Associate Planner
Planning Director Approval:	
Submittal Date:	04/19/2021

Hearing Body	Date	Decision	Action
DAB	08/16/2021	Approval	Recommend
PC	08/24/2021		Final
CC			

Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — The Project site is located within an established residential neighborhood, north of Philadelphia Street and west of Oaks Avenue. The area surrounding the Project site began to develop as a single-family neighborhood from the 1950s to the 2000s. The site was originally known as "The Jertberg's Ranch," which covered a total of 10 acres full of walnut and peach trees. By the 1980s, most of the 10 acres were subdivided and sold, and Oaks Avenue was extended, leaving the existing 0.998-acre site. The current property owner acquired the Project site in December 2020, and in April 2021, submitted Variance (File No. PVAR21-002) and Tentative Parcel Map (File No. PMTT21-008/TPM20376) applications to subdivide the site into 2 lots.

(2) Tentative Parcel Map (TPM 20376) — The proposed Tentative Parcel Map (TPM 20376) will subdivide the Project site into 2 rectangular-shaped lots, consisting of one interior lot and one corner lot. Parcel 1 is an interior lot and is 20,000 square feet in size, with a lot width of 100 feet and a lot depth of 200 feet. Lot 2 is a corner lot and is 23,474 square feet in size, with a lot width of 117.8 feet and a lot depth of 200 feet. The Development Code requires lots within the AR-2 zoning district to have a minimum lot size of 18,000 square feet, a minimum lot width of 100 feet for interior lots and 120 feet for corner lots, and a minimum lot depth of 135 feet. Lot 1 exceeds these requirements. The Applicant has submitted a Variance application (File No. PVAR21-002) in conjunction with the Tentative Parcel Map (File No. PMTT21-008) to allow for a 2.2-foot reduction in the minimum lot width for Lot 2, from 120 feet to 117.8 feet. Vehicular access to Lot 1 will be taken from Spruce Court and vehicular access to Lot 2 will be taken from Oaks Avenue. Any accessory buildings or structures located within the setback area along the newly created interior property line will be demolished or removed prior to final map recordation. Approval of the Tentative Parcel Map will facilitate the future construction of a new single-family dwelling on Lot 1. The development of the lot will require separate approval through the City's Building Plan Check process.

(3) Variance — The Applicant is requesting approval of a Variance to reduce the minimum corner lot width from 120 feet to 117.8 feet to facilitate the related Tentative Parcel Map application (File No. PMTT21-008/TPM 20376). Existing corner lots in the project vicinity have lot widths ranging from 79 to 110 feet, which is significantly less than the 120-foot minimum corner lot width required by the Development Code. The corner lot at the northwest corner of Philadelphia Street and Oaks Avenue does meet the minimum lot width at 166 feet; however, this lot is irregularly shaped and does not meet the minimum lot depth of 200 feet required by the AR-2 zoning district. Moreover, existing lots throughout the area surrounding the Project site are inconsistent with the 120-foot corner lot width required by the Development Code.

The Variance request is consistent with The Ontario Plan's Policy Plan Land Use Element Goal LU3, which promotes flexibility to respond to special conditions and circumstances

in order to achieve The Ontario Plan's Vision. Furthermore, the strict interpretation and enforcement of the minimum corner lot width for this site would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Development Code.

The Planning Commission must consider and clearly establish certain findings of facts for all Variance applications. To this end, Staff has established the following findings in support of the subject Variance application:

- ***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 Variance request is to allow for a reduction in the minimum corner lot width from 120 feet to 117.8 feet. The Variance will facilitate the related Tentative Parcel Map application (File No. PMTT21-008) to subdivide the project site into 2 rectangular-shaped lots, consisting of one interior lot and one corner lot. The existing one-acre parcel measures 217.8 feet wide and 200 feet deep. The parcel is oversized for the AR-2 zoning district, however it is 2.2 feet too narrow to create 2 parcels that meet the minimum lot widths for the zoning district. The lot width of existing corner lots throughout the area surrounding the Project site range between 79 feet and 110 feet; therefore, enforcement of the minimum corner lot width would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Development Code; and

- ***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 Variance request is to reduce the minimum corner lot width from 120 feet to 117.8 feet. The area surrounding the project site began to develop as a single-family neighborhood from the 1950s to the 2000s. The site originally covered a total of 10 acres full of walnut and peach trees. By the 1980s, most of the 10 acres were subdivided and sold, and Oaks Avenue was extended, leaving the existing one-acre subject site. Existing corner lots in the project vicinity have lot widths ranging from 79 to 110 feet, significantly less than the 120-foot minimum corner lot width required by the Development Code. The corner lot at the northwest corner of Philadelphia Street and Oaks Avenue does meet the minimum lot width at 166 feet; however, this lot is irregularly shaped and does not meet the minimum lot depth of 200 feet required by the AR-2 zoning district. The 120-foot corner lot width required by the Development Code is inconsistent with the existing corner lots surrounding the project area; therefore, Variance approval is necessary to subdivide the project site as granted on other properties in the area surrounding the Project site, which are within the AR-2 zoning district; and

- ***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 lot width 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. Existing corner lots in the project vicinity have lot widths ranging from 79 to 110 feet, significantly less than the 120 minimum corner lot width required by the Development Code. A Variance is necessary to subdivide the project site as granted on other properties in the surrounding area within the AR-2 zoning district; and
- ***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 a requirement for future development of Lot 1 to include a single-story design and the removal of existing structures and buildings within the public right-of way and along interior and rear setback areas, so as to circumvent the establishment of further zoning inconsistencies; and
- ***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 Rural Residential land use district of the Policy Plan Land Use Map, and the AR-2 (Residential Agricultural-0 to 2.0 du/ac) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

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

(1) City Council Goals.

- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

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

- H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.

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

Community Economics Element:

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

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

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

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

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

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

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

Community Design Element:

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

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

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

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

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

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

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

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

- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.
- CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.
- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks, or public open spaces.
- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces, and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The 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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolutions.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5, Minor Alterations in Land Use Limitations) and 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The Project consists of the division of property in an urbanized area and is zoned for residential use. The subject site will be divided into 2 parcels. The subdivision does not result in any changes in land use or density. The subject site was not involved in a division of a larger parcel within the past 2 years and the subject site does not have an average slope greater than 20 percent.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Single Family Residential	RR (Rural Residential)	AR-2 (Residential Agricultural-0 to 2.0 du/ac)	N/A
North	Single Family Residential	RR (Rural Residential)	AR-2 (Residential Agricultural-0 to 2.0 du/ac)	N/A
South	Single Family Residential	RR (Rural Residential)	AR-2 (Residential Agricultural-0 to 2.0 du/ac)	N/A
East	Park	OS-R (Open Space Parkland)	OS-R (Open Space-Recreation)	N/A
West	Single Family Residential	RR (Rural Residential)	AR-2 (Residential Agricultural-0 to 2.0 du/ac)	N/A

General Site & Building Statistics

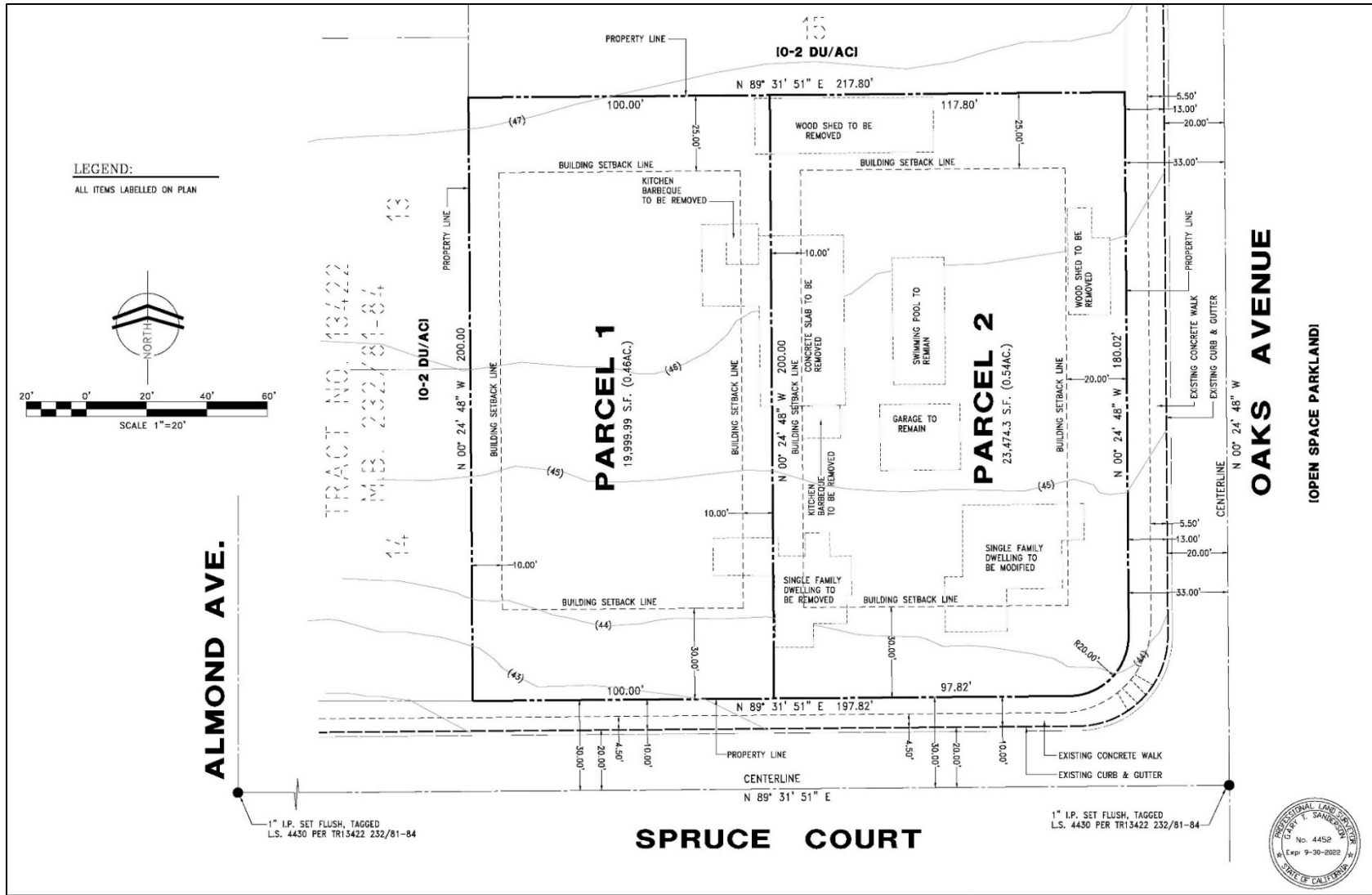
Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Maximum project density (dwelling units/ac):	0 to 2.0	2.0	Y
Minimum lot size (in SF):	18,000 SF	20,000 – 23,474 SF	Y
Minimum lot depth (in FT):	135 FT	200 FT	Y
Minimum lot width (in FT):	Interior Lots 100 FT Corner Lots 120 FT	Interior Lot 100 FT Corner Lot 117.8 FT**	Y N**

Note: ** The minimum standard will be achieved by the granting of the proposed Variance application (File No. PVAR21-002).

Exhibit A-PROJECT LOCATION MAP



Exhibit B—PARCEL MAP



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR21-002, A VARIANCE TO REDUCE THE CORNER LOT WIDTH DIMENSION FROM 120 FEET TO 117.8 FEET, LOCATED AT THE NORTHWEST CORNER OF OAKS AVENUE AND SPRUCE COURT, AT 2112 SOUTH OAKS AVENUE, WITHIN THE AR-2 (AGRICULTURAL RESIDENTIAL – 0 TO 2.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1014-561-30.

WHEREAS, Paul Kien ("Applicant") has filed an Application for the approval of a Variance, File No. PVAR21-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.998-acre of land located at the northwest corner of Oaks Avenue and Spruce Court, at 2112 South Oaks Avenue within the AR-2 (Agricultural Residential – 0 to 2.0 du/ac) zoning district, and is presently improved with a single-family residence, 2 detached two-car garages, a secondary residence, a storage shed, and a pool with 2 pool houses; and

WHEREAS, the properties to the north, south, and west of the Project site are within the AR-2 (Agricultural Residential – 0 to 2.0 du/ac) zoning district and are developed with single-family residences. The property to the east is within the OS-R (Open Space-Recreation) zoning district and is developed with a park; and

WHEREAS, the Variance was submitted in conjunction with a Tentative Parcel Map (File No. PMTT21-008) that proposes to subdivide the 0.998-acre parcel of land into 2 parcels, and all Conditions of Approval attached to the related Tentative Parcel Map shall apply to the Variance; and

WHEREAS, the Variance proposes to deviate from the minimum corner lot width of 120 feet, allowing a minimum width of 117.8 feet. Existing corner lots in the project vicinity have lot widths ranging from 79 to 110 feet, significantly less than the 120 minimum corner lot width required by the Development Code. The 120-foot corner lot width required by the Development Code is inconsistent with the existing lots surrounding the project area. The proposed Project, with the Variance request, will support a lot size and configuration consistent with the existing lots surrounding the project area; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 16, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-039, recommending that the Planning Commission approve the Application; and

WHEREAS, on August 24, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Sections 15305 (Class 5, Minor Alterations in Land Use Limitations) and 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The Project consists of the division of property in an urbanized area and is zoned for residential use. The subject site will be divided into two parcels. The subdivision does not result in any changes in land use or density. The subject site was not involved in a division of a larger parcel within the past two years and the subject site does not have an average slope greater than 20 percent; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and

development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval attached to related File No. PMTT21-008, 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 Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission 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 Variance request is to allow for a reduction in the minimum corner lot width from 120 feet to 117.8 feet. The Variance will facilitate the related Tentative Parcel Map application (File No. PMTT21-008) to subdivide the project site into 2 rectangular-shaped lots, consisting of one interior lot and one corner lot. The existing one-acre parcel measures 217.8 feet wide and 200 feet deep. The parcel is oversized for the AR-2 zoning district, however it is 2.2 feet too narrow to create 2 parcels that meet the minimum lot widths for the zoning district. The lot width of existing corner lots throughout the area surrounding the Project site range between 79 feet and 110 feet; therefore, enforcement of the minimum corner lot width would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Development Code; 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 Variance request is to reduce the minimum corner lot width from 120 feet to 117.8 feet. The area surrounding the project site began to develop as a single-family neighborhood from the 1950s to the 2000s. The neighborhood originally covered a total of 10 acres full of walnut and peach trees. By the 1980s, most of the 10 acres were subdivided and sold, and Oaks Avenue was extended, leaving the existing one-acre subject site. Existing corner lots in the project vicinity have lot widths ranging from 79 to 110 feet, significantly less than the 120-foot minimum corner lot width required by the Development Code. The corner lot at the northwest corner of Philadelphia Street and

Oaks Avenue does meet the minimum lot width at 166 feet; however, this lot is irregularly shaped and does not meet the minimum lot depth of 200 feet required by the AR-2 zoning district. The 120-foot corner lot width required by the Development Code is inconsistent with the existing corner lots surrounding the project area; therefore, Variance approval is necessary to subdivide the project site as granted on other properties in the area surrounding the Project site, which are within the AR-2 zoning district; 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 lot width 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. Existing corner lots in the project vicinity have lot widths ranging from 79 to 110 feet, significantly less than the 120 minimum corner lot width required by the Development Code. A Variance is necessary to subdivide the project site as granted on other properties in the surrounding area within the AR-2 zoning district; 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 a requirement for future development of Lot 1 to include a single-story design and the removal of existing structures and buildings within the public right-of way and along interior and rear setback areas, so as to circumvent the establishment of further zoning inconsistencies; 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 Rural Residential land use district of the Policy Plan Land Use Map, and the AR-2 (Residential Agricultural-0 to 2.0 du/ac) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set

forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 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.

SECTION 8: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of August 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 24, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT21-008 (TPM 20376), A TENTATIVE PARCEL MAP TO SUBDIVIDE 0.998-ACRE OF LAND INTO 2 PARCELS, LOCATED AT THE NORTHWEST CORNER OF OAKS AVENUE AND SPRUCE COURT, AT 2112 SOUTH OAKS AVENUE, WITHIN THE AR-2 (AGRICULTURAL RESIDENTIAL – 0 TO 2.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1014-561-30.

WHEREAS, Paul Kien ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT21-008 (TPM 20376), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.998-acre of land located at the northwest corner of Oaks Avenue and Spruce Court, at 2112 South Oaks Avenue within the AR-2 (Agricultural Residential – 0 to 2.0 du/ac) zoning district, and is presently improved with a single-family residence, 2 detached two-car garages, a secondary residence, a storage shed, and a pool with 2 pool houses; and

WHEREAS, the properties to the north, south, and west of the Project site are within the AR-2 (Agricultural Residential – 0 to 2.0 du/ac) zoning district and are developed with single-family residences. The property to the east is within the OS-R (Open Space-Recreation) zoning district and is developed with a park; and

WHEREAS, the Tentative Parcel Map was submitted in conjunction with a Variance (File No. PVAR21-002) application to allow a reduction in the minimum corner lot width dimension from 120 feet to 117.8 feet; and

WHEREAS, the Tentative Parcel Map proposes to subdivide the project site into 2 rectangular-shaped lots, consisting of one interior lot and one corner lot. Parcel 1 is an interior lot and is 20,000 square feet in size, with a lot width of 100 feet and a lot depth of 200 feet. Lot 2 is a corner lot and is 23,474 square feet in size, with a lot width of 117.8 feet and a lot depth of 200 feet; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 16, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-040, recommending that the Planning Commission approve the Application; and

WHEREAS, on August 24, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral

evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Sections 15305 (Class 5, Minor Alterations in Land Use Limitations) and 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The Project consists of the division of property in an urbanized area and is zoned for residential use. The subject site will be divided into 2 parcels. The subdivision does not result in any changes in land use or density. The subject site was not involved in a division of a larger parcel within the past 2 years and the subject site does not have an average slope greater than 20 percent; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2)

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

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the Rural Residential land use district of the Policy Plan Land Use Map, and the AR-2 (Residential Agricultural - 0 to 2.0 du/ac) zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the Project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the Rural Residential land use district of the Policy Plan Land Use Map, and the AR-2 (Residential Agricultural - 0 to 2.0 du/ac) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the Project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

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

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the AR-2 (Residential Agricultural - 0 to 2.0 du/ac) zoning district and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at [a density of 2 DUs/acre. The project site meets the minimum lot area and dimensions of the AR-2 (Residential Agricultural - 0 to 2.0 du/ac) zoning district and is physically suitable for this proposed density / intensity of development.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the residential improvements existing or proposed on the project site, are not likely to cause serious public health problems, as the Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to

the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

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

SECTION 5: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 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.

SECTION 8: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of August 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 24, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT21-008 (TPM 20376)
Departmental Conditions of Approval**

(Departmental conditions of approval to 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 Conditions of Approval

Meeting Date: August 24, 2021

File No: PMTT21-008 (TPM 20376)

Project Description: A Tentative Parcel Map (File No. PMTT21-008/TPM 20376) to subdivide 0.998-acre of land into 2 parcels, located at the northwest corner of Oaks Avenue and Spruce Court, at 2112 South Oaks Avenue, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district. (APN: 1014-561-30); **submitted by Paul Kien.**

Prepared By: Elly Antuna, Associate Planner
Phone: 909.395.2414 (direct)
Email: eantuna@ontarioca.gov

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

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

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

2.1 Time Limits.

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

2.2 Subdivision Map.

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

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

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission

or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 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.

2.4 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.

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

(a) Existing side yard wall/fence on corner Lot 2 shall be relocated from the right-of-way to within the property boundaries. Area between the wall/fence and sidewalk shall be fully landscaped.

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.

2.9 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Sections 15305 (Class 5, Minor Alterations in Land Use Limitations) and 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The Project consists of the division of property in an urbanized area and is zoned for residential use. The subject site will be divided into two parcels. The subdivision does not result in any changes in land use or density. The subject site was not involved in a division of a larger parcel within the past two years and the subject site does not have an average slope greater than 20 percent.

(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 Exemption (NOE) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which 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) All accessory buildings or structures located within the setback area along the newly created interior property line shall be demolished or removed prior to final map recordation.

(b) Development of Lot 1 shall feature a single-story design and shall be constructed in a style compatible within the existing single-family neighborhood.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) 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 Investment and Revenue Resources at (909) 395-2341 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. 20376 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____ .
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

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

- 2.08 Submit a soils/geology report.

- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____

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

_____ feet on _____

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

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

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



- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% 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 _____, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.

- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

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

Improvement	Oaks Avenue	Spruce Court	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<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
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.302.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 Spruce Court. (Ref: Sewer plan bar code: S11240)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: _____

D. WATER

- 2.27 **An 8-inch water main is available for connection by this project in Spruce Court. (Ref: Water plan bar code: W10238)**
- 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 **No recycled water main is available for connection by this project. (Ref: Recycled Water plan bar code: N/A)**
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - a) **Remove existing drive approaches not used and install full height curb and gutter.**
 - b) **Design and construct residential drive approaches in accordance with City of Ontario Standard Drawing No. 1203.**
 - c) **The Developer/Applicant shall be responsible to design and construct an in-fill public streetlight and a potential new service along the project frontage on Oaks Avenue.**

G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.



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

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial 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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall be installed along the frontages of Oaks Avenue and Spruce Court. Hand holes shall be located at each end of the property, one at the westerly property limit on Spruce Court and one at the northerly property limit on Oaks Avenue.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at: <https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions: _____



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: Parcel Map No. 20376

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. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. 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).
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. Three (3) sets of Private Street improvement plan with street cross-sections
9. 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)
10. 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)
11. Four (4) sets of Public Sewer improvement plan
12. Five (5) sets of Public Storm Drain improvement plan
13. **Three (3) sets of Public Street Light improvement plan**
14. Three (3) sets of Signing and Striping improvement plan
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. 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)
17. 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.
18. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
19. One (1) copy of Hydrology/Drainage study
20. One (1) copy of Soils/Geology report



- 21. **Payment for Final Map/Parcel Map processing fee**
- 22. **Three (3) copies of Final Map/Parcel Map**
- 23. **One (1) copy of approved Tentative Map**
- 24. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 25. **One (1) copy of Traverse Closure Calculations**
- 26. **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.**
- 27. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 28. Other: _____



CITY OF ONTARIO MEMORANDUM



DATE: April 28, 2021
TO: Eric Woosley, Engineering
CC: Elly Antuna, Planning
FROM: Heather Young, Utilities Engineering
Peter Tran, Utilities Engineering
SUBJECT: DPR #1 – Conditions of Approval - Utilities Comments (#7592 & 7593)
PROJECT NO.: PMTT21-008, PVAR21-002 (A Tentative Parcel Map to subdivide 0.998 acres of land into two
Parcels)

BRIEF DESCRIPTION

A Tentative Parcel Map (TPM20376) to subdivide 0.998 acres of land into two Parcels (Parcel 1: 0.46 AC and Parcel 2: 0.54 AC), in conjunction with a Variance Application request to reduce the corner lot width dimension from 120 feet to 117.8 feet, within the Agriculture Residential (AR2) zoning district, located at the NWC of Oaks Avenue and Spruce. (APN(s): 1014-561-30).

THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

General Conditions:

1. Standard Conditions of Approval: 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:

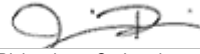
Potable Water Conditions:

2. Existing Fire Hydrant: Upgrade the existing fire hydrant at the northwest corner of Oaks Avenue and Spruce Street to the current Ontario Standard including a breakaway check valve.

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

DAB CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

07/09/21

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PMTT21-008

Related Files:

Case Planner:

Elly Antuna

Project Name and Location:

Tract Map to Subdivide 0.998 Acres
 NW corner of Oaks Ave. and Spruce

Applicant/Representative:

Sanderson-Gutierrez C.E. & L.S., Inc.
 9668 Milliken Ave., Suite 104-149
 Rancho Cucamonga, CA 91730



A Tentative Tract Map (dated 6/21/21) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CORRECTIONS REQUIRED

1. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed; mitigation may be required. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting.
2. Show and identify any on-site storm water infiltration areas or storm water infiltration devices proposed in parkways or other landscape areas.
3. Show existing utilities: Relocate utilities to minimum clearances to allow parkway trees. Parkway trees are to be 30' apart and where residential driveways occur, a maximum 45' apart. Show and note a 10' parkway tree space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines and driveways; and min. 10' clear from street lights.

Grading or Utility Construction Plans shall address the following:

4. Storm water infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved prior to permit approval or installation.
5. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 1/2" below finished surfaces; landscaped slopes to be max 3:1.
6. Show infiltrating catch basins with two 3/4" dia. holes in bottom set on 12" square of filter fabric wrapped gravel, located 5' or greater from buildings and 24" from sidewalk, add detail.
7. Show or note transformers shall be 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. Locate on level grade. Coordinate with landscape plans.

8. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum spacing to allow space for street trees.
9. Show light standards 15' away from required tree locations.
10. Wall footings shall not restrict landscape; max 12" in front of footing with of 12" of cover.
11. Provide a solid surface path from driveway to side yard gate for entry and trash bin access.
12. AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side added for access.
13. Storm water infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division prior to installation.
14. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans.
15. Add notes for any tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures.
16. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council.



PLANNING DEPARTMENT ACTIVITY REPORT

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Chairman and Members of the Planning Commission
FROM: Rudy Zeledon, Planning Director *RZ*
DATE: August 24, 2021

Attached, you will find the Planning Department Monthly Activity Report for the month of July 2021. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site at: <https://www.ontarioca.gov/Planning/Reports/MonthlyActivity>.



Monthly Activity Report: Actions

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

CITY COUNCIL/HOUSING AUTHORITY MEETING July 6, 2021

ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW FOR FILE NO. PUD21-001: An Amendment to the Emporia Family Housing Planned Unit Development to expand the project boundary area from approximately 2.80 acres of land to 4.95 acres of land, establish minimum building setbacks, modify minimum parking requirements, allow on-street loading, and update the planting palette. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and this application 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: 1049-051-04, 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC.**

Action: The City Council adopted the ordinance approving the Amendment to the Emporia Family Housing Planned Unit Development.

DEVELOPMENT ADVISORY BOARD MEETING July 7, 2021

Meeting Cancelled

ZONING ADMINISTRATOR MEETING July 7, 2021

Meeting Cancelled

DEVELOPMENT ADVISORY BOARD MEETING July 19, 2021

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-010 AND PCUP20-008: A Development Plan (File No. PDEV20-010) to construct a 3,306 square foot convenience store, a 953 square foot carwash and fueling station, and a Conditional Use Permit (File. No. PCUP20-008) to establish alcoholic beverage sales, including beer, wine, and distilled spirits (Type 21, Off-Sale General, ABC License) on 0.97-acre of land located at the southeast corner of Holt Boulevard and Grove Avenue, within the BP (Business Park) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill



Monthly Activity Report: Actions

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

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; (APNs: 0110-131-01 and 0110-131-19) **submitted by Amer Chris Sabbah. Planning Commission action is required.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the Development Plan and Conditional Use Permit, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV20-017 AND PCUP20-014:

A Development Plan (File No. PDEV20-017) and Conditional Use Permit (File No. PCUP20-014) to construct and establish a 60-foot tall stealth (AT&T) wireless telecommunications facility (mono-eucalyptus) with a 1,040 square foot equipment enclosure/lease area on 1.77 acres of land, located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-121-04) **submitted by AT&T. Planning Commission action is required.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the Development Plan and Conditional Use Permit, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-029 AND PCUP20-019:

A Development Plan (File No. PDEV20-029) and Conditional Use Permit (File No. PCUP20-019) to construct and establish an outdoor tractor/trailer storage facility on 3.44 acres of land, located at 5601 East Santa Ana Street, within the UC (Utility Corridor) 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); (APN: 238-081-64) **submitted by EPD Solutions. Planning Commission action is required.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the Development Plan and Conditional Use Permit, subject to conditions.

ZONING ADMINISTRATOR MEETING July 19, 2021

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP18-039: A Conditional Use Permit to establish a 491-square foot addition to an existing place of worship (Prayer and Praise Ministries Church of God in Christ) on 0.34-acre of land located at 130 West Phillips Street, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district. The



Monthly Activity Report: Actions

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1049-552-10) **submitted by Dorothy Porter.**

Action: The Zoning Administrator conducted a public hearing for this Conditional Use Permit and is preparing the final decision.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP20-015: A Conditional Use Permit (File No. PCUP20-015) to establish a restaurant with live entertainment (DBA: Barrel House Saloon) in conjunction with alcoholic beverage sales (Type 47 ABC License; Beer, Wine & Distilled Spirits) on 1.73 acres of land, located at 3660 East Porsche Way, within the Urban Commercial land use designation of the Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-211-44) **submitted by Ryan Maderios.**

Action: The Zoning Administrator adopted a decision approving the Conditional Use Permit, subject to conditions.

CITY COUNCIL/HOUSING AUTHORITY MEETING July 20, 2021

A RESOLUTION CERTIFYING THE GROVE AVENUE CORRIDOR FINAL ENVIRONMENTAL IMPACT REPORT: The consideration of a resolution of the City Council of the City of Ontario, certifying the Grove Avenue Corridor Final Environmental Impact Report (State Clearinghouse No. 2014101071) and adopting a Mitigation Monitoring Program for the widening of Grove Avenue from four to six lanes, between Fourth Street and State Street/Airport Drive; **City Initiated.**

Action: The City Council adopted the Resolution approving the adoption of the 2021 City of Ontario Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) and the California Environmental Quality Act Guidelines (California Code of Regulations §§ 15000 et seq.).

A RESOLUTION ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT: A resolution of the City Council of the City of Ontario, amending and adopting local guidelines for implementing the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the California Environmental Quality Act Guidelines (California Code of Regulations Section 15000 et seq.); **City Initiated.**

Action: The City Council adopted the resolution certifying the Grove Avenue Corridor Project Final Environmental Impact Report (State Clearinghouse No. 2014101071) and adopting a Mitigation Monitoring Program



Monthly Activity Report: Actions

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV18-022 AND PCUP18-021: An appeal of the Planning Commission's approval of a Development Plan (File No. PDEV18-022) to construct a 6,870 square-foot industrial building, in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) zoning district. 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); (APNs: 1049-491-01, 1049-491-02 and 1049-491-03) **submitted by Four Sisters Enterprises LLC. The Planning Commission approved this item on May 25, 2021, with a vote of 5 to 1.**

Action: This item was continued to the August 17, 2021 City Council meeting.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-003: An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). This application 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: 0211-222-66) **submitted by Vogel Properties, Inc. The Planning Commission recommended approval of this item on June 22, 2021 with a vote of 6-0.**

Action: The City Council adopted resolutions approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and approving the Specific Plan Amendment.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING July 27, 2021

AN APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT FOR FILE NO. PCUP21-002: An appeal of the Zoning Administrator's approval of a Conditional Use Permit to establish and construct a second floor 574 square foot Accessory Dwelling Unit (ADU) above an existing covered patio exceeding 16 feet in height on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE-2 (Rural Estate—0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land



Monthly Activity Report: Actions

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Use Compatibility Plan (ALUCP); (APN: 1050-031-44) **submitted by Won Jun Choi. The Zoning Administrator approved this item on May 17, 2021.**

Action: The Planning Commission adopted a resolution upholding the Zoning Administrators decision and approving the Conditional Use Permit, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR

FILE NOS. PDEV20-010 AND PCUP20-008: A Development Plan (File No. PDEV20-010) to construct a 3,306 square foot convenience store, a 953 square foot carwash and fueling station in conjunction with a Conditional Use Permit (File. No. PCUP20-008) to establish alcoholic beverage sales for a Type 21 ABC License (Off-Sale General) on 0.97 acres of land located on the southeast corner of Holt Boulevard and Grove Avenue, within the Business Park zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the 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; (APNs: 0110-131-01 and 0110-131-19) **submitted by Amer Chris Sabbah.**

Action: The Planning Commission adopted resolutions approving the Development Plan and Conditional Use Permit, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT REVIEW

FOR FILE NOS. PDEV20-017 AND PCUP20-014: A Development Plan (File No. PDEV20-017) and Conditional Use Permit (File No. PCUP20-014) to construct and establish a 60-foot tall stealth (AT&T) wireless telecommunications facility (mono-eucalyptus) with a 1,040 square foot equipment enclosure/lease area on 1.71 acres of land located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-121-04) **submitted by AT&T.**

Action: The Planning Commission adopted resolutions approving the Development Plan and Conditional Use Permit, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR

FILE NOS. PDEV20-029 AND PCUP20-019: A Development Plan (File No. PDEV20-029) and Conditional Use Permit (File No. PCUP20-019) to construct and establish an outdoor trailer truck storage facility on 3.44 acres of land located at 5601 East Santa Ana Street, within the Utility Corridor (UC) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) 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: 238-081-64) **submitted by EPD Solutions.**



Monthly Activity Report: Actions

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Action: The Planning Commission adopted resolutions approving the Development Plan and Conditional Use Permit, subject to conditions.



Monthly Activity Report: New Applications

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

PCUP21-012: Submitted by Wood Investments Company, Inc.

A Conditional Use Permit to establish alcoholic beverage sales for consumption off the premises, including beer, wine and distilled spirits, in conjunction with a grocery store and three restaurant tenants on 17.13 acres of land located at the southwest corner of Hamner Avenue and Ontario Ranch Road, within the Regional Commercial land use district of the Rich Haven Specific Plan (APN: 0218-211-25). Related File: PDEV21-025. **Planning Commission action is required.**

PCUP21-013: Submitted by Seven's Market Plus

A Conditional Use Permit to establish alcoholic beverage sales (Type 20 ABC License), including beer and wine, for consumption off the premises, in conjunction with an existing 1,000-square-foot convenience store on 0.12-acre of land located at 656 East D Street, within the CS (Corner Store) zoning district (APN: 1048-534-06). **Zoning Administrator action is required.**

PCUP21-014: Submitted by Dios International Missionary Church, Inc.

A Conditional Use Permit to establish a religious assembly land use in an existing 2,529-square-foot historic eligible building, with a proposed 499-square-foot addition, for a total of 3,028 square feet on 0.51-acre of land located at 422 North Monterey Avenue, within the LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac) zoning district (APN: 1048-394-32). **Zoning Administrator action is required.**

PDA-21-006: Submitted by Euclid Land Venture, LLC

A Development Agreement with Euclid Land Venture, LLC, associated with the development of property bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Campus Avenue to the east, and Sultana Avenue to the west, within the Ontario Ranch Business Park Specific Plan (Phase 2). **City Council action is required.**

PDA-21-007: Submitted by Alere Property Group, LLC

A Development Agreement with Marchris Corporation to establish the terms and conditions of development associated with File No. PDEV21-024, a Development Plan to construct three industrial buildings on 10.2 acres of land, located at the northeast corner of Remington Avenue and Cucamonga Creek Flood Control Channel, within the PA-3 (Industrial) land use district of the Colony Commerce Center East Specific Plan. Related File: PDEV21-024. **City Council action is required.**

PDEV21-024: Submitted by Clark Neuhoff

A Development Plan to construct three industrial buildings totaling 198,496 square feet on 10.2 acres of land located at northeast corner of Remington Avenue and Cucamonga Creek Flood Control Channel, within the Industrial (PA-3) land use district of the Colony Commerce Center East Specific Plan (APNs: 0218-311-07 and 0218-311-13). Related File: PDA-21-007. **Planning Commission action is required.**

PDEV21-025: Submitted by Wood Investments Company, Inc.

A Development Plan to construct eight commercial buildings totaling 204,500 square feet on 17.13 acres of land located at the southwest corner of Hamner Avenue and Ontario Ranch Road, within



Monthly Activity Report: New Applications

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

the Regional Commercial land use district of the Rich Haven Specific Plan (APN: 0218-211-25). Related File: PCUP21-012. **Planning Commission action is required.**

PDEV21-026: Submitted by Holt LPIV 8, LLC

A Development Plan to construct one industrial building totaling 45,000 square feet on 2.03 acres of land located at 1030 and 1042 East Holt Boulevard, within the IP (Industrial Park) zoning district (APNs: 1049-131-13 and 1049-131-14). **Planning Commission action is required.**

PDEV21-027: Submitted by Lennar Homes of California, Inc

A Development Plan to construct 235 single-family dwellings on approximately 31.5 acres of land located at the southwest corner of Archibald Avenue and Chino Avenue, within the Planning Area 2 (Neighborhoods 5 & 6) land use district of the Countryside Specific Plan (APNs: 0218-131-12, 0219-131-22, 0218-131-11, 0218-131-40 and 0218-131-43). Related Files: Tracts 17449 & 17450. **Planning Commission action is required.**

PDEV21-028: Submitted by Phelan Development Company

A Development Plan to construct a 32,425-square-foot industrial building on 1.3 acres of land located at 1108 and 1120 East California Street, within the IL (Light Industrial) zoning district (APNs: 1049-382-01 and 1049-382-02). **Planning Commission action is required.**

PGPA21-002: Submitted by City of Ontario

A General Plan Amendment for The Ontario Plan (2050) comprehensive land use update (citywide). **City Council action is required.**

PSGN21-073: Submitted by Bender Sign Company

A Sign Plan for the installation of an illuminated wall sign for Kings Ink, located at 628 West Holt Boulevard, Suite E, within the LUA-3 (Holt Boulevard District) of the MU-1 (Downtown Mixed Use) zoning district (APN:1048-591-31). **Staff action is required.**

PSGN21-074: Submitted by Swain Sign

A Sign Plan for the installation of replacement signage, including three wall signs and one monument sign for THE 99 STORE, located at 430 North Mountain Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) and the ICC (Interim Community Commercial) zoning districts (APN: 1010-462-02). **Staff action is required.**

PSGN21-075: Submitted by Signs of Success

A Sign Plan for the installation of one nonilluminated wall sign for LEGACY SUPPLY CHAIN SERVICES, located at 1000 South Cucamonga Avenue, within the IL (Light Industrial) zoning district (APN: 1049-391-01). **Staff action is required.**

PSGN21-076: Submitted by CAI Safety Systems

A Sign Plan for the installation of one wall-mounted sign for CAI SAFETY SYSTEMS, located at 1609 South Grove Avenue, within the Grove Avenue Specific Plan (APN: 0113-361-08). **Staff action is required.**



Monthly Activity Report: New Applications

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

PSGN21-077:

Submitted by Eagle Signs Inc

A Sign Plan for the installation of two illuminated wall signs and two monument signs for CULICHI TOWN, located at 4423 East Mills Circle, within the Ontario Mills Specific Plan (APN: 0238-014-45). **Staff action is required.**

PSGN21-078:

Submitted by Reyner Sign and Lighting

A Sign Plan for the installation of two illuminated wall signs and one monument sign for 99 STORE, located at 1714 South Euclid Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1050-284-01). **Staff action is required.**

PSGN21-079:

Submitted by Alcon Signs

A Sign Plan for the installation of one nonilluminated wall sign for CMG FINANCIAL, located at 3491 East Concourses Street, Ste 101, within The Ontario Center Specific Plan (APN: 0210-182-70). **Staff action is required.**

PSGN21-080:

Submitted by TFN Architectural Signage

A Sign Plan for the installation of six illuminated monument signs for COLONY COMMERCE CENTER WEST, located at 2510 thru 2680 East Merrill Avenue and 5050 thru 5170 South Archibald Avenue, within the Colony Commerce Center West Specific Plan (APNs: 0218-311-16, 0218-311-17, 0218-311-18, 0218-311-19, 0218-311-20, 0218-311-21, 0218-311-22, 0218-311-23, and 0218-311-24). **Staff action is required.**

PSGN21-081:

Submitted by TFN Architectural Signage

A Sign Plan for the installation of three illuminated monument signs for COLONY COMMERCE CENTER WEST, located at 2221 East Remington Avenue, within the Colony Commerce Center West Specific Plan (APN: 0218-292-20). **Staff action is required.**

PSGN21-082:

Submitted by Stellar Installations

A Sign Plan for the installation of one illuminated monument sign for PUBLIC STORAGE, located at 2249 South Grove Avenue, within the Grove Avenue Specific Plan (APN: 0216-081-22). **Staff action is required.**

PSGN21-083:

Submitted by Kuzina Development, LLC

A Sign Plan for the installation of one 45-foot-tall freeway pylon sign for CHEVRON AND 7-ELEVEN, located at 2380 South Archibald Avenue, adjacent to the CA-60 Freeway, within the Support Commercial District of the Archibald Center Specific Plan (APN: 1083-011-01). **Staff action is required.**

PSGN21-084:

Submitted by Platinum Coast Management

A Sign Plan for the installation of one nonilluminated sign for ONTARIO AIRPORT HOTEL, located at 700 North Haven Avenue, within the Ontario Center Specific Plan (APN: 0210-211-33). **Staff action is required.**



Monthly Activity Report: New Applications

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

PTUP21-037: **Submitted by Church in the Valley**

A Special Event Permit for Church in the Valley to have outdoor church services at Celebration Park North, 4980 South Celebration Avenue. Event to be held 10/3/2021 thru 11/28/2021 (Sundays only), 10:00AM to 12:30PM (setup at 8:00AM). **Staff action is required.**

PTUP21-038: **Submitted by Hispanic Chamber of Commerce**

A Special Event Permit for the Ontario Hispanic Chamber of Commerce to hold a Hispanic Heritage Month event at De Anza Park, 1405 South Fern Avenue. Event to be held 9/12/2021, 1:00pm to 8:00PM (setup at 5:00AM). **Staff action is required.**

PTUP21-039: **Submitted by Malo - Motivating Action Leadership Opportunity**

A Special Event Permit for a drive-thru backpack distribution event at John Galvin Park (south of Jay Littleton Ballpark), located at 1072 North Grove Avenue. Event to be held 7/30/2021, 12:00PM to 6:00PM (setup at 10:00AM). **Staff action is required.**

PTUP21-040: **Submitted by American Legion Post 112**

A Temporary Use Permit for a Holiday Toy Run hosted by American Legion Post 112, located at 310 West Emporia Street, within the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-054--04). Event to be held on 12/01/2019. **Staff action is required.**

PTUP21-041: **Submitted by Mestiza Cakehouse and Cafe**

An Outdoor Dining Permit for Mestiza Cakehouse and Café, for outdoor dining on the sidewalk, within the public right-of-way, located at 200 South Euclid Avenue, Suite A, Within the MU-1 (Downtown Mixed Use) zoning district. Permit duration is 7/27/2021 to 10/27/2021. **Staff action is required.**

PTUP21-042: **Submitted by Majestic Cycling**

A Temporary Use Permit for USA sanctioned cycling race located at 1841 South Business Parkway. Event to be held on 2/21/2021, 6:00AM to 5:00PM. **Staff action is required.**

PVER21-037: **Submitted by AEI Consultants**

A Zoning Verification for property located at 3410 East Fourth Street, Ontario, CA (APN: 0210-661-01). **Staff action is required.**

PVER21-038: **Submitted by Lakisha Ellis**

A Zoning Verification for property located at 1516 South Bon View Avenue, within the IG (General Industrial) zoning district (APNs: 1050-121-05 and 1050-211-08). **Staff action is required.**

PVER21-039: **Submitted by PZR**

A Zoning Verification for property located at 13832 South Milliken Avenue, within the Rich-Haven Specific Plan (APN: 0218-211-15). **Staff action is required.**



Monthly Activity Report: New Applications

Month of July 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

PVER21-040: **Submitted by Nova Group, GBC**

A Zoning Verification for property located at 3120 East Mission Boulevard, within the California Commerce Center South Specific Plan (APN: 0211-275-33). **Staff action is required.**

PVER21-041:

A Zoning Verification for property located at 511 North Palmetto Avenue within the MDR-25 (Medium Density Residential – 18.1 to 25.0 du/ac) zoning district. **Staff action is required.**

PVER21-042: **Submitted by Susan Smith**

A Zoning Verification for property located at 536 East Maitland Street, within the IL (Light Industrial) zoning district (APNs: 1049-501-21). **Staff action is required.**

PVER21-043: **Submitted by Rexford Industrial**

A Zoning Verification for property located at 1010 East Belmont Avenue (APN 1049-431-08). **Staff action is required.**

PVER21-044: **Submitted by Rexford Industrial**

A Zoning Verification for 500 South Dupont Avenue (APN 0211-222-39). **Staff action is required.**

PVER21-045: **Submitted by Global Zoning**

A Zoning Verification for property located at 1041 Mildred Street (APN 0113-431-08). **Staff action is required.**