



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

October 17, 2022

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764 and on the city’s website at ontarioca.gov/Agendas/DAB**

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

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Community Development Agency
Jennifer McLain Hiramoto, Economic Development Director
James Caro, Building Official
Rudy Zeledon, Planning Director
Khoi Do, City Engineer
Chief Michael Lorenz, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Angela Magana, Community Improvement Manager

PUBLIC COMMENTS

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

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

AGENDA ITEMS

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes for August 15, 2022 and for September 19, 2022, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR

FILE NO. PMTT21-015: A public hearing to consider Tentative Parcel Map No. 20375, subdividing 2.286 acres of land into three numbered lots and one lettered lot for residential purposes located at 1225 Benson 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 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; (APNs: 1011-521-30) **submitted by Szuani Chi Chan. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15315

2. File No. PMTT21-015 (TPM 20375) (Tentative Parcel Map)

Motion to recommend Approval/Denial

C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR

FILE NO. PMTT22-009: A public hearing to consider Tentative Tract Map No. 20530, subdividing 9.19 gross acres of land for condominium purposes, into 4 numbered lots and 15 lettered lots for residential uses, drive aisles, and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 500 feet north of Moonlight Street, within Planning Areas 5B and 5D (Residential – SFD/Attached and Edison Easement) of the Rich Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction File No. PSP05-004, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted Environmental Impact Report and introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-016-06, 0218-016-07, 0218-016-18, 0218-203-08, 0218-203-01, 0218-203-02, 0218-203-03, 0218-203-04, 0218-203-07, 0218-203-06, 0218-203-05 and 218-016-22) **submitted by Haven Ontario NMC 1, LLC and Haven Ontario NMC 2, LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT22-009 (TTM 20530)** (Tentative Tract Map)

Motion to recommend Approval/Denial

- D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT22-010:** A public hearing to consider Tentative Tract Map No. 20529, subdividing 11.11 gross acres of land for condominium purposes, into 3 numbered lots and 15 lettered lots for residential uses, drive aisles, utility easement and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue, within Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction File No. PSP05-004, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application is consistent with the previously adopted Environmental Impact Report and introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-161-14) **submitted by BrookCal Ontario LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT22-010 (TTM 20529)** (Tentative Tract Map)

Motion to recommend Approval/Denial

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

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

The next **Development Advisory Board** meets on **November 7, 2022**

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 or before **October 13, 2022**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



Administrative Assistant

CITY OF ONTARIO
Development Advisory Board

Minutes

August 15, 2022

ROLL CALL

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
James Caro, Building Department
Charity Hernandez, Economic Development Agency
Khoi Do, Engineering Department
Paul Ehrman, Fire Department
Christy Stevens, Municipal Utilities Company

BOARD MEMBERS ABSENT

Elda Zavala, Community Improvement
Tony Galban, Police Department

STAFF MEMBERS PRESENT

Derrick Womble, Community Development
Andrew Arellano, Planning Department
Lorena Mejia, Planning Department
Gwen Berendsen, Planning Department
Jocelyn Torres, Planning Department
Michael Bhatanawin, Engineering Department
Raymond Lee, Engineering Department
Antonio Alejos, Engineering Department
Miguel Sotomayor, Engineering Department
David Zurita, Engineering Department

PUBLIC COMMENTS

No person from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the July 18, 2022 meeting of the Development Advisory Board was made by Mr. Ehrman; seconded by Ms. Stevens; and approved unanimously by those present (6-0).

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-020: A hearing to consider a Development Plan to construct a 28,000-square-foot addition and extensive exterior remodel to an existing commercial building on 19.23 acres of land located at 4105 East Inland Empire Boulevard, within the Garden Commercial land use district land use district of The Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Center Environmental Impact Report - No. 88-2 (State Clearinghouse No. 1989041009), certified by the City Council on March 19, 1991. 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; (APN: 0210-205-12) **submitted by Steve La Bruna, Rightt Structures, Inc.**

Mr. Zeledon opened the public hearing.

Steve La Bruna, the architect and representative for the project was present and spoke in favor of the project.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval.

Mr. La Bruna stated yes and he had no issues or questions regarding the COAs.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to approve **File No. PDEV22-020**, subject to conditions was made by Ms. Stevens; seconded by Mr. Ehrman; and approved unanimously by those present (6-0).

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-001: A hearing to consider a Development Plan to construct a 1,003,918-square-foot industrial building on 54.28 acres of land generally located at the northwest corner of Hamner Avenue and Ontario Ranch Road, within Planning Area 7A (Light Industrial and Open Space-Non recreation) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was approved for use by the City Council on May 18, 2021, in conjunction with File Nos. PGPA19-005 and PSPA19-006. 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; (APN: 0218-211-31) **submitted by DP1F3 CA 36 Ontario Ranch, LLC C/O Dermody Properties.**

Mr. Zeledon opened the public hearing.

Matt Mejia was present.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval.

Mr. Mejia stated he had worked with staff regarding some revised conditions and agreed.

Mr. Do wanted to clarify what were the agreed upon conditions, that were stated in the email.

Mr. Mejia stated he was not sure if all the conditions were in the email.

Mr. Do asked the Engineer for the project Michael Bhatanawin to clarify if all the agreed upon conditions were in the email.

Mr. Bhatanawin stated the final email he sent out did include all the revised conditions.

Mr. Mejia stated he agreed to those condition revisions.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to approve of **File No. PDEV22-001**, subject to revised conditions, that was sent out in an email by Engineering the morning of 8/15/2022, was made by Mr. Do; seconded by Ms. Stevens; and approved unanimously by those present (6-0).

D. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT21-020 AND PDEV22-032: A hearing to consider a Tentative Tract Map (TT 20524) for condominium purposes, subdividing 6.43 acres of land into 4 numbered lots and 4 lettered lots for residential uses, private drives, parking, landscape edges and common open space purposes, in conjunction with a Development Plan to construct 108 multiple-family residential units located at the northeast corner of Mill Creek Avenue and Chino Avenue, within PA-8 (garden court/rowtown) of the Edenglen Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Edenglen Specific Plan (File No. PSP03-005), for which an Environmental Impact Report (State Clearinghouse No. 2004051108) was certified by the City Council on November 1, 2005. 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; (APNs: 0218-921-19 and 0218-921-22) **submitted by Edenglen Ontario, LLC. Planning Commission action is required.**

Mr. Zeledon recused himself from this item, and ask Mr. Do to facilitate the proceedings.

Mr. Do. opened the public hearing.

Derek Spalding the project manager with Brookfield Residentail, was present.

Mr. Do asked if he had reviewed all the Conditions of Approval.

Mr. Spalding stated he has worked with staff regarding the concerns with the conditons.

Mr. Do wanted to know if the board had a copy of those revisions.

Ms. Mejia stated there weren't any revised conditions before the board, as the conditions will be revised before the item goes forward to Planning Commission.

Mr. Do stated the COAs will be revised for the Planning Commission meeting.

Mr. Spalding stated the applicant name should be Edenglen Ontario, LLC.

No one else wished to speak on the project and Mr. Do closed the public hearing.

Motion to recommend approval of **File Nos. PMTT21-020 and PDEV22-032**, subject to revised conditions, to the Planning Commission was made by Mr. Ehrman; seconded by Mr. Caro; and approved unanimously by those present (5-0).

- E. ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-004 AND PDEV19-028**: A hearing to consider a Variance (File No. PVAR19-004) request to deviate from the maximum Development Code standard for percentage of tandem parking spaces, from 12 percent to 46 percent, to facilitate a Development Plan (File No. PDEV19-028) to construct five multiple-family residential units on 0.28 acres of land, located at 1063 East Elma Street. The environmental impacts of this project were previously reviewed in conjunction with File No. PGPA20-002, a General Plan update for which an Environmental Impact Report (State Clearinghouse No. 2021070364) is scheduled for review and certification by the City Council on August 16, 2022. 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: 1048-461-17 and 1048-491-23) **submitted by Maria G. Oseguera. Planning Commission action is required**

Mr. Zeledon opened the public hearing.

Mr. Zeledon stated he had received an email from Ms. Vaughn, the project planner, that the applicant agreed with all the Conditions of Approval.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File Nos. PVAR19-004 and PDEV19-028**, subject to conditions, to the Planning Commission was made by Mr. Do; seconded by Ms. Stevens; and approved unanimously by those present (6-0).

- F. ENVIRONMENTAL ASSESSMENT, VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR21-005 AND PDEV21-028**: A hearing to consider a Variance (File No. PVAR21-005) to reduce the building setback along an arterial street from 20 feet to 2.67 feet, in conjunction with a Development Plan (File No. PDEV21-028) to construct one industrial building totaling 32,165 square feet on 1.3 acres of land located at 1108 and 1120 East California 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 Sections 15305 (Class 5, Minor Alteration in Land Use Limitations) and 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: 1049-382-01 and 1049-382-02) **submitted by Phelan Development Company. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Daniel Lee was present.

Mr. Zeledon stated that there was a Transportation Memo that mistakenly was placed in the Conditions of Approval and will be taken out. Mr. Zeledon asked if he had reviewed all the Conditions of Approval.

Mr. Lee stated he has been working with staff, but hasn't received the final.

Mr. Alejos, the project Engineer stated that the revision was item 2.44 stating the catch basin will be at the NW corner, and it was changed to the NE corner.

Mr. Lee stated also Fire condition 4.1 was being removed.

Mr. Ehrman stated that was correct, that the condition was not required, as the public hydrants are within 300 feet and would be removed.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File Nos. PVAR21-005 and PDEV21-028**, subject to the revised conditions, to the Planning Commission was made by Mr. Ehrman; seconded by Mr. Do; and approved unanimously by those present (6-0).

- G. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-004**: A hearing to consider a Development Plan to construct a stealth wireless telecommunications facility consisting of a 65-foot-tall monopine antenna and ancillary ground-mounted equipment on 1.75 acres of land located at 1259 East D Street (Veteran's Memorial Park), within the OS-R (Open Space – Recreation) 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. (APN: 0110-013-04) **submitted by Coastal Business Group. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Mr. Zeledon stated the applicant had called and stated they agreed with all the Conditions of Approval.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File No. PDEV22-004**, subject to conditions, to the Planning Commission was made by Ms. Stevens; seconded by Mr. Caro; and approved unanimously by those present (6-0).

- H. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-039**: A hearing to consider a Development Plan to construct 113 single-family homes on 22.42 acres of land generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-2 (RD-4 / SFD Cottages and RD-6 / 6 Pack Courtyard) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, an Environmental Impact Report for which the Esperanza Specific Plan (State Clearinghouse No. 2002061047) was approved by the City Council on January 16, 2007. 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; (APNs: 0218-252-08 and 0218-252-38) **submitted by KB Home Coastal, Inc. Planning Commission action is required.**

- I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE**

NO. PDEV21-042: A hearing to consider a Development Plan to construct 174 multiple-family residential units on 15.11 acres of land generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7/Row Townhomes and RD-8/Motorcourt Townhomes) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, an Environmental Impact Report for which the Esperanza Specific Plan (State Clearinghouse No. 2002061047) was approved by the City Council on January 16, 2007. 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; (APNs: 0218-252-08 and 0218-252-38) **submitted by submitted by KB Home Coastal, Inc. Planning Commission action is required.**

- J. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-043:** A hearing to consider a Development Plan to construct 145 multiple-family motorcourt townhomes on 13.86 acres of land generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7/Row Townhomes and RD-8/Motorcourt Townhomes) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, an Environmental Impact Report for which the Esperanza Specific Plan (State Clearinghouse No. 2002061047) was approved by the City Council on January 16, 2007. 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; (APNs: 0218-252-08 and 0218-252-38) **submitted by submitted by KB Home Coastal, Inc. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Heidi McBroom with KB Home, was present.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval.

Ms. McBroom stated she agreed with the Conditions of Approval.

No one else wished to speak on the project and Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File Nos. PDEV21-039, PDEV21-042, PDEV21-043**, subject to conditions, to the Planning Commission was made by Mr. Do; seconded by Mr. Caro; and approved unanimously by those present (6-0).

There being no further business, the meeting was adjourned to the next meeting on September 7, 2022.

Respectfully submitted,



Gwen Berendsen
Recording Secretary

CITY OF ONTARIO

Development Advisory Board

Minutes

September 19, 2022

ROLL CALL

BOARD MEMBERS PRESENT

David Bucholtz, Community Improvement
Khoi Do, Acting Chairman, Engineering Department
Michelle Starkey, Fire Department
Denis Mejia, Municipal Utilities Company
Chuck Mercier, Planning Department

BOARD MEMBERS ABSENT

Rudy Zeledon, Chairman, Planning Department
James Caro, Building Department
Charity Hernandez, Economic Development Agency
Tony Galban, Police Department

STAFF MEMBERS PRESENT

Gwen Berendsen, Planning Department
Jeanie Aguilo, Planning Department
Raymond Lee, Engineering Department

PUBLIC COMMENTS

No person from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF AUGUST 15, 2022 MINUTES:** This item was continued to the October 3, 2022 meeting, as there was only one attendee that was at the August 15, 2022 meeting.

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-016:** A public hearing to consider Tentative Tract Map No. 20451, subdividing 30.17 acres of land for condominium purposes, into 138 numbered lots and 48 lettered lots, residential uses, landscape neighborhood edge, private drives, private lanes, private streets, and parking, and common open space purposes, located at the southwest corner of Hamner Avenue and Old Edison Road, within PA-3 (RD-7 / Row Townhomes and RD-8 / Motorcourt Townhomes) and PA-4 (RD-6 / 6 and 8 Pack Courtyard / Row Townhomes) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza

Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2002061047) was certified by the City Council on February 6, 2007. 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; (APNs: 0218-252-39 and 0218-252-09) **submitted by Richland Ventures, Inc. Planning Commission action is required.**

Mr. Do opened the public hearing.

Craig Cristina with Richland was present.

Mr. Do asked if he had reviewed all the Conditions of Approval.

Mr. Cristina stated yes and he had no questions regarding the COAs.

Mr. Do stated that Municipal Utilities would like to clarify a few COAs.

Mr. Mejia stated that regarding Engineering condition 2.27, the final layout of the Utility Systems Map would be subject to the final design of the project, and condition 2.34 would be checked, requiring an Engineering report.

Mr. Cristina stated he was fine with the changes.

No one else wished to speak on the project and Mr. Do closed the public hearing.

Motion to approve **File No. PMTT21-016 (TTM 20451)**, subject to the revised conditions was made by Mr. Mejia; seconded by Mr. Bucholtz; and approved unanimously by those present (5-0).

There being no further business, the meeting was adjourned to the next meeting on October 3, 2022.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



Development Advisory Board Decision

October 27, 2022

DECISION NO.: [insert #]

FILE NO.: PMTT21-015

DESCRIPTION: A public hearing to consider Tentative Parcel Map No. 20375, subdividing 2.286 acres of land into three numbered lots and one lettered lot for residential purposes, located at 1225 South Benson Avenue, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district (APN: 1011-521-30); **submitted by Szuang Chi Chan.**

Part I—BACKGROUND & ANALYSIS

SZUAN CHI CHAN, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PMTT21-015, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of a 2.286-acre rectangular-shaped lot oriented east/west and located at 1225 South Benson Avenue. The existing lot is currently developed with a L-shaped 2,061-square-foot single-story, single-family residence built in 1971, with an attached 525-square-foot 2-car garage, detached 3-car garage, and storage shed. In addition, the Project site contains an existing private easement (for ingress, egress, and utility purposes) for the benefit of the subject site and an adjacent parcel located at 1221 South Benson Avenue (APN: 1011-521-04), a 1.26-acre landlocked parcel located northeast of the Project site. The existing private easement will be vacated once the proposed Parcel Map has been recorded. The Project location and existing site condition is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Single Family Residential Home	RR (Rural Residential)	AR-2 (Residential-Agricultural - 0 to 2.0 du/ac)	N/A
<i>North:</i>	Single Family Residential Home	RR (Rural Residential)	AR-2 (Residential-Agricultural - 0 to 2.0 du/ac)	N/A
<i>South:</i>	Single Family Residential Home	RR (Rural Residential)	AR-2 (Residential-Agricultural - 0 to 2.0 du/ac)	N/A
<i>East:</i>	Single Family Residential Home	RR (Rural Residential)	AR-2 (Residential-Agricultural - 0 to 2.0 du/ac)	N/A
<i>West:</i>	Single Family Residential Home	Very Low-Density Residential 0-2 du/ac (City of Montclair Sphere of Influence)	Single Residential -1 Acre Minimum (City of Montclair Sphere of Influence)	N/A

Project Description: The proposed Tentative Parcel Map will subdivide the Project site into three rectangular-shaped numbered lots for single-family residential development and one lettered lot for common access (see Exhibit B – Tentative Parcel No. 20375, attached). The proposed parcel sizes range from 23,229 square feet to 29,899 square feet. The lot widths range from 115 feet to 162 feet, and the lot depths range from 184.5 feet to 237 feet. The Development Code requires lots established by the Traditional Single-Family Subdivision Standards to have a minimum lot size of 18,000 square feet, minimum lot width of 100 feet, and minimum lot depth of 135 feet. The Project exceeds the minimum lot area and dimension requirements of the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district and is physically suitable for the proposed density of development.

Lot 1 will provide vehicle access from Benson Avenue and will utilize its existing driveway. Lot A is a common lot to facilitate ingress, egress, and utility access for Lots 2, 3, and 1221 South Benson Avenue. The existing drive approach located on Lot A will be widened to 24 feet and improved with decorative paving by adding a 2-foot concrete band on either side and extended to provide access to Lot 3. Additionally, landscaping will be provided on each side of the drive aisle. Accordingly, staff has imposed Conditions of Approval requiring the recordation of mutual access and maintenance agreements with the Final Tract Map, for Lots 1, 2, 3, and 1221 South Benson Avenue, ensuring proper ingress, egress, and utility access for each lot.

At this time, there is no proposed development planned for Lots 2 and 3; however, approval of the Tentative Parcel Map will facilitate the future construction of one new single-family dwelling on each lot (lots 2 and 3, for a total of two dwellings). Staff has imposed Conditions of Approval on the Project to ensure future development of the lots will be designed to safeguard the vision of the AR-2 (Residential-Agricultural - 0 to 2.0 du/ac) zoning district and ensure the site's design and architecture complement that of the existing area and neighborhood. Any future improvements onsite will require separate approval through the City's Building Plan Check process.

Part II—RECITALS

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 Development Advisory Board ("DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport

Land Use Compatibility Plan ("ONT 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 October 17, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15315 (Class 15: Minor Land Divisions) of the CEQA Guidelines, 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.

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

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

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Table B-1 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 3: ONT 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, 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. As the recommending body for the

Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract/Parcel Map is located within the RR (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 RR (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 0 to 2 du/ac/maximum lot coverage of 30 percent. 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 infrastructure 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: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 17th day of October 2022.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

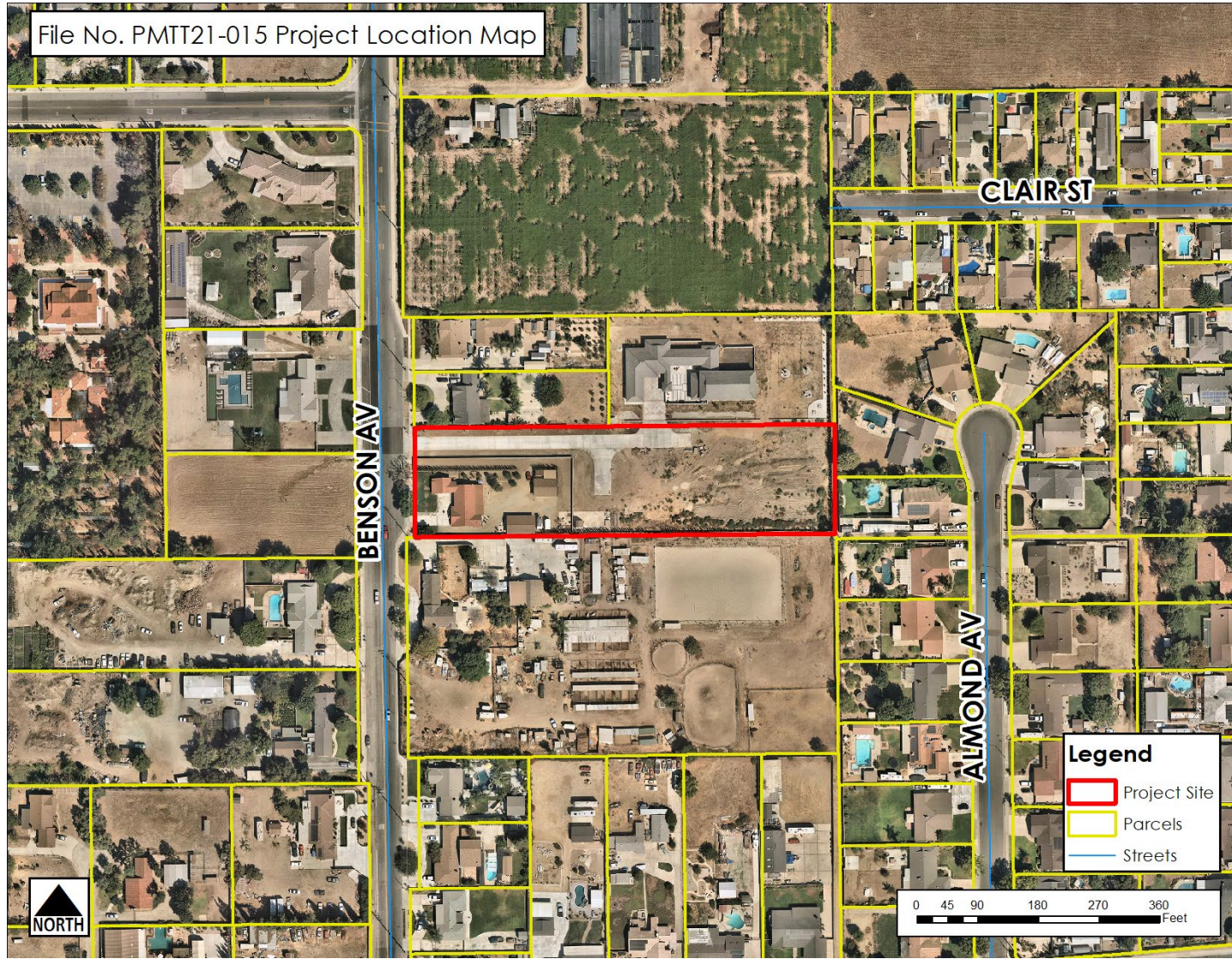
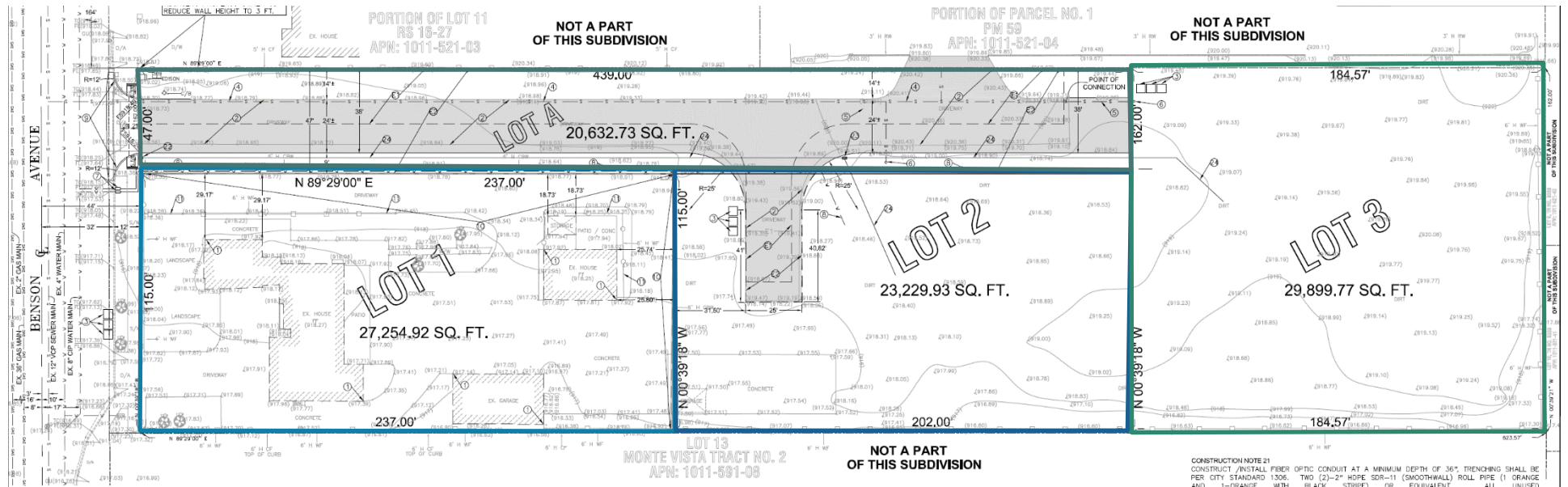


Exhibit B—TENTATIVE PARCEL MAP NO. 20375



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

Date Prepared: 9/27/2022

File No: PMTT21-015 (TPM 20375)

Project Description: A public hearing to consider Tentative Parcel Map No. 20375, subdividing 2.286 acres of land into three numbered lots and one lettered lot for residential purposes located at 1225 South Benson Avenue, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district (APN: 1011-521-30:); **submitted by Szuani Chi Chan.**

Prepared By: Robert Morales, Assistant Planner
Phone: 909.395.2432 (direct)
Email: Rmorales@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. Tentative Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract 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) 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 the 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).

2.6 Parking, Circulation and Access.

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

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

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

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

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

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

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

2.10 Mutual Access and Maintenance Agreements.

(a) A Reciprocal Access Agreement ("Agreement") shall be prepared for the Project and shall be recorded with the Final Map.

(b) The Agreement shall be in a form and contain provisions satisfactory to the City.

(i) Agreement shall ensure reciprocal driveway access between parcels located within the Project site and the property to the north (1221 South Benson Avenue, APN: 1011-5211-04); and

(ii) Agreement shall ensure common maintenance of shared driveway.

(iii) Utility and drainage easements.

2.11 Disclosure Statements.

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 this tract

is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

2.12 Environmental Requirements.

(a) The proposed Project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15315 (Class 15, Minor Land Division) of the CEQA Guidelines, which consists of the 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 variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within 2 years, and the parcel 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.

2.13 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"). The filing of a NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(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) The future development of Lots 2 and 3 shall be designed in a manner compatible with the adjacent single-family residences and the surrounding neighborhood. The Applicant/Owner shall submit Plans to the City's Building Department for City review.

(b) 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.

(c) The Applicant/Owner will widen their existing driveway aisle from 20 feet to 24 feet and extend the driveway to Lot 3 prior to final map recordation.

(d) A two-foot-wide colored concrete band shall be provided along each side of the driveway aisle.

(e) A matching decorative masonry block wall shall be constructed along the perimeter of all subdivisions, including all interior side and rear Project boundaries. Furthermore, the Applicant/Owner will work with the neighboring property owner on 1211 South Benson Avenue (APN: 1011-521-103) to construct a matching decorative masonry block wall. The applicant/property owner will submit Plans to the City's Building Department for City review and approval prior to final map recordation. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).



**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 checked="" type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PM-20375</u> RELATED FILE NO(S). <u>PMTT21-015</u>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>		

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

CITY PROJECT PLANNER & PHONE NO: Robert Morales (909) 395-2432

DAB MEETING DATE: October 17th, 2022

PROJECT NAME / DESCRIPTION: PM-20375, a Parcel Map to subdivide 2.286 acres of land into 3 parcels

LOCATION: 1225 South Benson Avenue

APPLICANT: Szuan Chi Chan

REVIEWED BY: Raymond Lee 10/6/22
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 10-6-22
 Khoi Do, P.E. Date
 City Engineer



- 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 Ontario Ranch 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 applicant/developer shall reserve a private easement for common ingress & egress, utilities & drainage over Lot 2 for the benefit of Lot 3.**

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

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

- 2.01 **Record Parcel Map No. 20375 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 **Vacate the following street(s) and/or easement(s):**
 - a. **All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.**
- 2.13 Ontario Ranch 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).
- 2.14 **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.**
- 2.15 **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.**
- 2.16 **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 and the DIF rate at the time of payment.**
- 2.17 **Other conditions:**
 - a. **Pay a Storm Drain In-Lieu Fee, \$75,936.61, for a future 54-inch storm drain along the project frontage on Benson Avenue.**



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

2.18 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	Benson Av	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> Remove and replace	<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 type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> 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 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: _____

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
 - a. Benson Avenue – Minimum limits of construction shall be along the entire project frontage, from street centerline to curb/gutter.
- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 Other conditions: _____



C. SEWER

- 2.24 **A 12-nch sewer main is available for connection by this project in Benson Avenue. (Ref: Sewer Drawing Number: S13092)**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 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.
- 2.27 Other conditions: _____

D. WATER

- 2.28 **An 8-inch water main is available for connection by this project in Benson Avenue. (Ref: Water Drawing Number: W11460)**
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 Other conditions: _____

E. RECYCLED WATER

- 2.31 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.33 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.
- 2.34 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.

- 2.35 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.36 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
- 2.37 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.38 **Other conditions:**
 - a. **The applicant/developer shall reconstruct the driveway approach to accommodate the 24-ft minimum width requirement for the fire truck access.**



G. DRAINAGE / HYDROLOGY

- 2.39 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____)
- 2.40 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.
- 2.41 **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.**
- 2.42 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.
- 2.43 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.
- 2.44 Other conditions: _____

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

- 2.45 401 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.
- 2.46 **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>.**
- 2.47 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.
- 2.48 Other conditions: _____



J. SPECIAL DISTRICTS

- 2.49 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.
- 2.50 Other conditions: _____

K. FIBER OPTIC

- 2.51 A _____ fiber optic line is available for connection by this project in _____.
(Ref: Fiber Optic plan bar code: _____)
- 2.52 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. The applicant/developer shall construct two (2) OntarioNet handholes with two (2) conduits in between each hand-hole in the ROW along Benson Avenue project frontage.
- 2.53 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.



3. PRIOR TO FINAL ACCEPTANCE, 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 Ontario Ranch 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 BOND RELEASE, 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. 20375

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



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



CITY OF ONTARIO MEMORANDUM



DATE: June 21, 2022
TO: Antonio Alejos, Engineering
CC: Robert Morales, Planning
FROM: Peter Tran, Utilities Engineering
SUBJECT: DPR #2 - Utilities Comments, Conditions of Approval(#8471)
PROJECT NO.: PMTT21-015 (A Tentative Parcel Map, PM-20375 to subdivide 2.286 acres into 3 parcels)

BRIEF DESCRIPTION

A Tentative Parcel Map (PM 20375) to subdivide 2.286 acres of land into 3 parcels located at 1225 Benson Avenue, within the AR-2 (Residential-Agricultural - 0 to 2.0 du/ac) zoning district (APN: 1011-521-30).

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: (Add following to Section 2.A of Engineering Department COA)

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:
2. Utilities Connections: Each parcel to have its own utility connections (water, sewer, etc.).
3. Easement: Plot the official easement on the design plans with labeling, detail, etc. during plan check for future development.
4. Utilities: All water and sewer on private property down the drive isle must be privately owned and maintained.

Potable Water Conditions: (Add following to Section 2.D of Engineering Department COA)

5. Fire Flow: A fire flow will be required at the time of development of this parcel map during the entitlement phase with the follow guideline:
 - a. Submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow requirements and to mitigate any potential deficiencies.

Integrated Waste Conditions: (Add following to Section 2.L of Engineering Department COA)

6. Integrated Trash Truck Access: If the homeowners and/or residents not able to roll trash bins (three per residence) out to Benson for staging on trash pickup day(s), then the project must provide adequate room for the trash truck to make a complete turn-around. Trash truck is not allowed to backup more than 150'. Also, a Solid Waste Handling Plan (SWHP) must be prepared and submit for review. A guideline will be provided to the developer when the time comes for the SWHP preparation.



CITY OF ONTARIO

MEMORANDUM

Development Plan Review

Engineering Department:
Transportation Section

Project: PMTT21-015

Date: September 15th, 2021

Location: 1225 Benson Avenue

By: Nathan Kuan

The Transportation Division recommends the following to be incorporated into the Project's Conditions-of-Approval:

Conditions:

1. Design and construct proposed driveway in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach along Benson Avenue.

nk;



CITY OF ONTARIO

MEMORANDUM

TO: Eric Woosley, ENGINEERING DEPARTMENT
FROM: Celia Corral
DATE: September 21, 2021
SUBJECT: File No. PMTT21-015



The Parcel Map for this project is approved for DAB based on the following conditions:

When future development is proposed, an infiltration study must be submitted along with a WQMP proposal. The WQMP template is available at: <http://www.sbcountry.gov/dpw/land/npdes.asp> or on the City's website under Engineering/Environmental Services.

Activities resulting in land disturbance of one acre or more is required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner
Planning Department

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

DATE: September 13, 2021

SUBJECT: PMTT21-015 - A Tentative Parcel Map (PM 20375) to subdivide 2.286 acres of land into 3 parcels located at 1225 Benson Avenue, within the AR-2 (Residential-Agricultural - 0 to 2.0 du/ac) zoning district (APN: 1011-521-30).

-
- 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 wood frame
- B. Type of Roof Materials: Not Listed
- C. Ground Floor Area(s): Not Listed
- D. Number of Stories: Not Listed
- E. Total Square Footage: Not Listed
- 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.

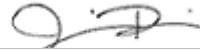
5.0 BUILDING CONSTRUCTION FEATURES

- 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
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

09/17/2021

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PMTT21-015

Related Files:

Case Planner:

Robert Morales

Project Name and Location:

Subdivide 2.286 acres of land into three parcels
 1225 S. Benson Ave.

Applicant/Representative:

Calland Engineering Inc. / Peterzon Sy peter@callandeng.com 714-671-1050 ext 112
 576 E. Lambert Road
 Brea, CA 92821



A Tentative Tract Map (dated 08/09/2021) has been approved considering 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 before DAB approval.

CORRECTIONS REQUIRED

On Grading or Utility Construction Plans:

1. Stormwater infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved before permit approval or installation.
2. Note decorative paving for all motor courts, including the lots facing the parking rows aisles.
3. 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.
4. 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.
5. 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 transformers greater than 4' high. Locate on level grade. Coordinate with landscape plans.
6. 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.
7. 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.
8. Show light standards 15' away from required tree locations.
9. Wall footings shall not restrict landscape; max 12" in front of footing with 12" of cover.
10. Wall openings for drainage overflow shall be max 4" wide.
11. Provide a solid surface path from the driveway to the 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. Before installation, stormwater infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division.
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.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT21-015
 Address: 1225 Benson Avenue
 APN: 1011-521-30
 Existing Land Use: Single Family Residential
 Proposed Land Use: Tentative Parcel Map to subdivide 2.2 acres into 3 parcels
 Site Acreage: 2.2 Proposed Structure Height: N/A
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Robert Morales
 Date: 12/23/2021
 CD No.: 2021-048
 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 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: 200 FT +	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Recorded Overflight Notification Required

Airport Planner Signature: _____



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
Matt Montieth, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, 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
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department

FROM: Robert Morales, Assistant Planner

DATE: August 26, 2021

SUBJECT: FILE #: PMTT21-015

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 Parcel Map (PM 20375) to subdivide 2.286 acres of land into 3 parcels located at 1225 Benson Avenue, within the AR-2 (Residential-Agricultural - 0 to 2.0 du/ac) zoning district (APN: 1011-521-30).

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

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

The plan does not adequately address the departmental concerns.

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

Police
Department

ANTONIO RAIBAN
Signature

POICIE OFFICER
Title

9/7/21
Date



Development Advisory Board Decision

October 17, 2022

DECISION NO.: DAB22-[insert #]

FILE NO.: PMTT22-009 (TTM 20530)

DESCRIPTION: A public hearing to consider Tentative Tract Map No. 20530, subdividing 9.19 gross acres of land for condominium purposes, into 4 numbered lots and 15 lettered lots for residential uses, drive aisles, and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 500 feet north of Moonlight Street, within Planning Areas 5B and 5D (Residential – SFD/Attached) of the Rich Haven Specific Plan (APNs: 0218-016-06, 0218-016-07, 0218-016-18, 0218-203-08, 0218-203-01, 0218-203-02, 0218-203-03, 0218-203-04, 0218-203-07, 0218-203-06, and 0218-203-05); **submitted by Haven Ontario NMC 1 LLC and Haven Ontario NMC 2 LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

HAVEN ONTARIO NMC 1 LLC AND HAVEN ONTARIO NMC 2 LLC, (herein after referred to as “Applicant”) has filed an application requesting Tentative Tract Map approval, File No. PMTT22-009, as described in the subject of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The Project site is comprised of 9.19 gross acres of land generally located on the east side of Twinkle Avenue, approximately 500 feet north of Moonlight Street, and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	(MDR) Medium Density Residential (11.1 – 25 du/ac)	Rich Haven Specific Plan	Planning Areas 5B and 5D - Residential – SFD/Attached (5.1 – 12 du/ac)
<i>North</i>	Vacant	(MDR) Medium Density Residential (11.1 – 25 du/ac)	Rich Haven Specific Plan	Planning Areas 5B and 5D - Residential – SFD/Attached (5.1 – 12 du/ac)
<i>South</i>	SCE Easement	Open Space - Non-Recreation (OS-NR)	Rich Haven Specific Plan	Planning Area 5E
<i>East</i>	Vacant	Industrial (0.55 FAR)	Rich Haven Specific Plan	Planning Areas 5B and 5D - Residential – SFD/Attached (5.1 – 12 du/ac)
<i>West</i>	Residential Subdivision	(MDR) Medium Density Residential (11.1 – 25 du/ac)	Rich Haven Specific Plan	Planning Areas 5A and 5C - Residential – SFD/Attached (12.1 – 25.1 du/ac)

(2) **Project Description:**

(a) Background — On December 4, 2007, the City Council certified the Rich Haven Specific Plan Environmental Impact Report in conjunction with File No. PGPA07-001. The related Rich Haven Specific Plan, File No. PSP05-004, was approved by the City Council on December 18, 2007. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office land uses.

On April 23, 2019, the Planning Commission approved Tentative Tract Map 20134 (File No. PMTT17-013) to subdivide 80.61 acres of land into 15 numbered lots and 15 lettered lots for residential and public/private streets, landscape neighborhood edges and common open space purposes. TM 20134 served as the “A” map for Planning Areas 5A through 5E of the Rich Haven Specific Plan, which includes the Project site. On June 18, 2019, the City Council adopted Ordinance No. 3136, a Development Agreement (File No. PDA18-005) that established the terms and conditions of infrastructure improvements for TM 20134, that the proposed Tentative Tract Map No. 20530 will also be subject to.

On February 23, 2022, two Tentative Tract Maps adjacent to each other were filed concurrently. Haven Ontario NMC 1 LLC and Haven Ontario NMC 2 LLC submitted Tentative Tract Map No. 20530 (File No. PMTT22-009) and BrookCal Ontario LLC, submitted Tentative Tract Map No. 20529 (File No. PMTT22-010), that are described below. Although, there are two proposed separate maps, both maps were designed to function as one community sharing pedestrian access, parking, circulation, and open space/park amenities.

- Tentative Tract Map No. 20530 proposes to subdivide 9.19 gross acres of land for condominium purposes, into 4 numbered lots and 15 lettered lots for residential uses, drive aisles, and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 500 feet north of Moonlight Street, within Planning Areas 5B and 5D (Residential – SFD/Attached) of the Rich Haven Specific Plan.
- Tentative Tract Map No. 20529 proposes to subdivide 11.11 gross acres of land into 3 numbered lots and 15 lettered lots for residential uses, drive aisles, utility easement and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue, within Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven Specific Plan.

(b) Tentative Tract Map No. 20530 — The Project site is being subdivided for residential condominium purposes to accommodate 12-unit Courtyard Townhomes, totaling 144 units (see Exhibit B—Tentative Tract Map, attached). The Rich Haven Specific Plan requires courtyard townhomes to maintain a minimum unit size of 1,800 square feet. A minimum lot size is not specified for this product type. The proposed lot sizes range from 38,646 to 95,644 square feet, exceeding the minimum requirement.

(c) Density — The Policy Plan Land Use Map designates the subject site as Medium Density Residential (11.1 to 25 du/ac) and the proposed Project will establish a total of 144 residential units at a density of 15.7 du/ac, which is consistent with the Rich Haven Specific Plan and the Policy Plan (general plan). The total number of units of Tentative Tract Map No. 20530 and Tentative Tract Map No. 20529 is 264 units, which have a combined overall density of 13.0 du/ac.

(d) Site Access/Circulation — The Project site will have one access point from Twinkle Avenue, which runs north and south along the western frontage of the site. The Tentative Tract Map will facilitate the construction of the private drive aisles/lanes that will serve the Project site. The Tentative Tract Map is consistent with TOP Policy CD2-2, which promotes the importance of neighborhood connectivity through local street patterns and neighborhood edges as a way to unify neighborhoods.

(e) Parking — A parking plan was completed for proposed Tentative Tract Map Nos. 20529 and 20530 to demonstrate that sufficient parking has been provided throughout the Project site. The Tentative Tract Maps proposed product types would require a total of 649 parking spaces, in which 504 of those parking spaces would be provided within a garage. The parking plan demonstrates that a total of 763 spaces will be provided, exceeding the minimum requirements by 114 parking spaces. The additional parking spaces are provided throughout the site as on-street parking and off-street parking spaces distributed along the private drive aisle. The parking plan demonstrates that there will be an average of 2.8 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking. As the proposed tract develops, parking will continue to be analyzed for each product type as part of the Development Plan entitlement process, assuring that all applicable development standards will be met or exceeded.

(f) Architecture — Future development of the site will be required to meet all Development Code and Rich-Haven Specific Plan standards regarding building architecture, including style, decorative elements, enhancements, etc.

(g) Landscaping/Open Space — Both Tentative Tract Maps will facilitate the construction of two neighborhood parks, sidewalks, parkways, and open space areas. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. Overall, both maps are required to provide 1.78 acres of parkland to meet the minimum TOP private park requirement and 2.08 acres of parkland have been provided exceeding the minimum requirement (see Exhibit C—Open Space, attached). To satisfy the park requirement, the applicant is constructing a 1/2-acre neighborhood park centrally located between the two Tentative Tract Maps and a 0.9-acre park centrally located within Tract 20530. The proposed pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the Project site, and adjacent communities. Future community park designs, and amenities will be addressed as part of the Development Plan entitlement process that will require consistency with the Rich Haven Specific Plan.

(h) Utilities (drainage, sewer) — All major backbone improvements and interior site improvements will be constructed consistent with the proposed Tentative Tract Map and related Development Agreement (File No. PDA18-005). Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration.

(i) Covenants, Conditions and Restrictions (“CC&Rs”) — As a Condition of Approval, CC&R’s are required to be prepared and recorded with the Final Tract Map. The CC&R’s will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities

Part II—RECITALS

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

WHEREAS, the Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007 (“Certified EIR”) in conjunction with File No. PSP05-004, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on

the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, 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 Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation on the subject Application; and

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ONT 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 October 17, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSP05-004, the Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) was certified on December 4, 2007 ("Certified EIR") by the City Council; 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 the City of Ontario Local CEQA Guidelines; 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 DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental “Certified EIR” is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Table B-1 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 4: *ONT 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, 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. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract Map is located within the (MDR) Medium Density Residential (11.1 – 25 DU/AC) land use district of the Policy Plan Land Use Map, and Planning Areas 5B and 5D of the Rich Haven 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 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 (MDR) Medium Density Residential (11.1 – 25 DU/AC) land use district of the Policy Plan Land Use Map, and the Planning Areas 5B and 5D of the Rich Haven 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*).

(3) **The site is physically suitable for the type of development proposed.** The Project site meets the minimum lot area and dimensions of Planning Areas 5B and 5D of the Rich Haven 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.

(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 15.7 DUs/acre. The Project site meets the minimum lot area and dimensions of Planning Areas 5B and 5D of the Rich Haven Specific Plan 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 right-of-way 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: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 17th day of October 2022.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

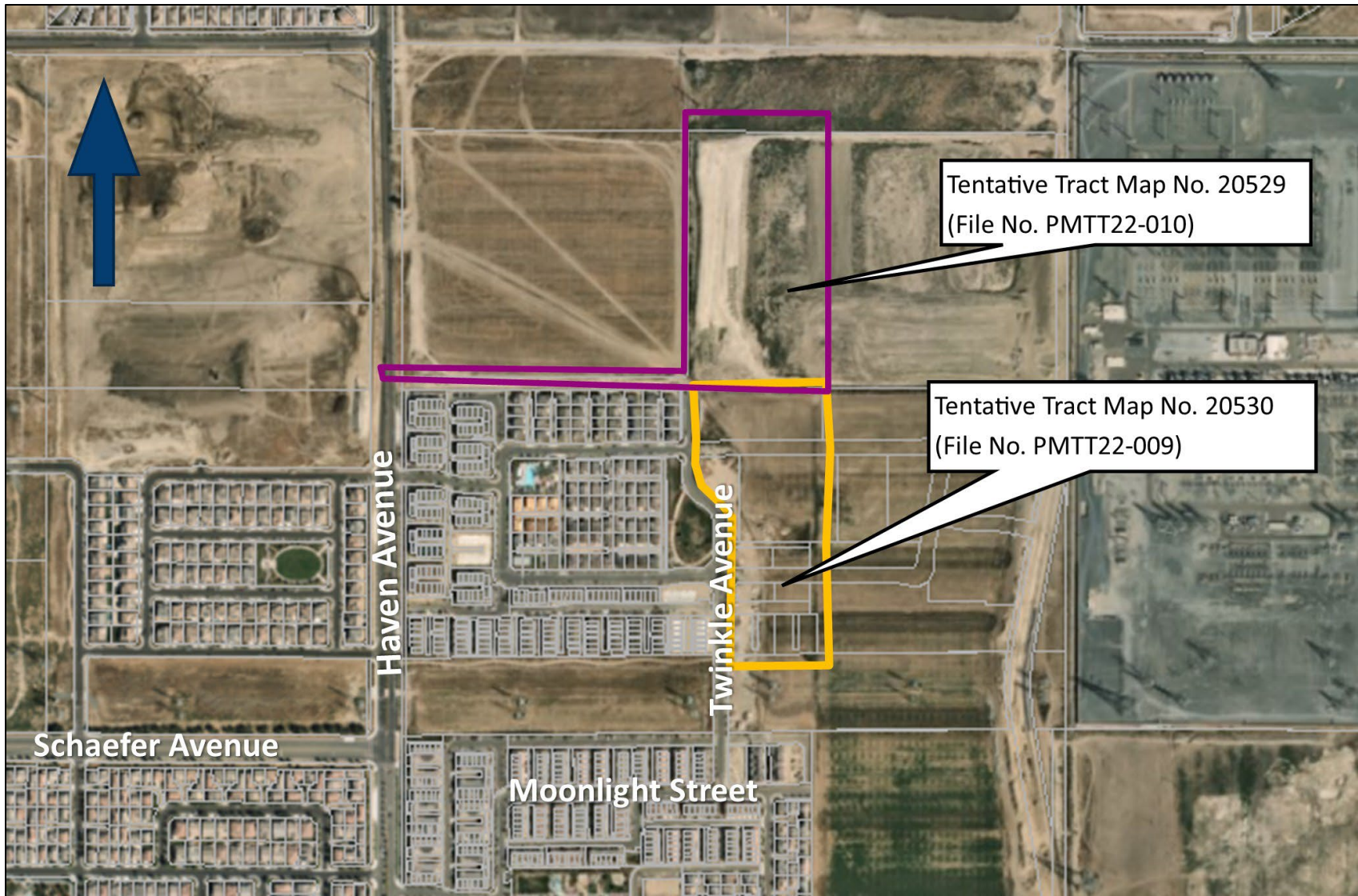


Exhibit C—OPEN SPACE



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

Date Prepared: 10/17/2022
File No: PMTT22-009 (TTM 20530)
Related Files: PMTT22-010

Project Description: A Tentative Tract Map No. 20530, subdividing 9.19 gross acres of land for condominium purposes, into 4 numbered lots and 15 lettered lots for residential uses, drive aisles, and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 500 feet north of Moonlight Street, within Planning Areas 5B, 5C, 5D and 5E (Residential – SFD/Attached and Edison Easement) of the Rich Haven Specific Plan. (APNs: 0218-016-06, 0218-016-07, 0218-016-18, 0218-203-08, 0218-203-01, 0218-203-02, 0218-203-03, 0218-203-04, 0218-203-07, 0218-203-06, 0218-203-05 and 218-016-22); **submitted by Haven Ontario NMC 1 LLC and Haven Ontario NMC 2 LLC.**

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

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

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

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

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

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract Map on file with the City. Variations from the approved Tentative Tract Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative

Tract Map may require review and approval by the Planning Commission, as determined by the Planning Director.

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

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

2.6 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.

2.7 Environmental Requirements.

(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.

2.8 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.

2.9 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 will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(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.

2.10 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring,

boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the

San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

(g) Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.11 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA18-005) shall apply to this tract.

(b) All applicable conditions of approval of the Rich Haven Specific Plan shall apply to this tract.

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



**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 type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. TM-20530 RELATED FILE NO(S). PMTT22-009		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

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

DAB MEETING DATE: October 17, 2022

PROJECT NAME / DESCRIPTION: TM-20530, a Tentative Tract Map for condominium purposes to subdivide 8.3 acres of land into three (4) numbered lots and 15 lettered lots, to facilitate the development of 144 multi-family dwellings, within PA-5 of the Rich Haven Specific Plan

LOCATION: Northeast of Pollock St and Twinkle Ave

APPLICANT: Richland Communities

REVIEWED BY: Raymond Lee 10/13/22
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 10.13.22
 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 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
--	---------------------

- | | | | |
|-------------------------------------|------|--|--------------------------|
| <input type="checkbox"/> | 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 _____. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.02 | Dedicate to the City of Ontario, the following easement(s):

A. 34-48 feet wide varies easement for public utility purposes along Private Drive 'A'
B. 34 feet wide easement for public utility purposes along Private Drive 'B' | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.03 | Restrict vehicular access to the site as follows: _____ | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.04 | Vacate the following street(s) and/or easement(s):

A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
B. E Eames St from Twinkle Ave to easterly tract boundaries
C. E Pollock St from Twinkle Ave to easterly tract boundaries | <input type="checkbox"/> |
| <input type="checkbox"/> | 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. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 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. | <input type="checkbox"/> |
| <input type="checkbox"/> | 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 . | <input type="checkbox"/> |



- 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 Ontario Ranch 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. Record Lot Line Adjustments 22-004, 22-005 and 22-06. Additionally, record Conforming Deeds with the County of San Bernardino within six months of the recordation of the Lot Line Adjustments to conform the new LLA legal description. Submit a copy of the recorded Conforming Deeds to the Engineering Department.
- B. The Tract Map shall comply with the approved Rich Haven Specific Plan, the Development Agreement and the Conditions of Approval for Tentative Tract Map No. 20530.
- C. Applicant/developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.



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

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

- 2.01 Record Tract Map No. 20530 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 Vacate the following street(s) and/or easement(s):
A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 2.13 **Ontario Ranch 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.**
- 2.14 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.
- 2.15 **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.**
- 2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.**
- 2.17 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

- 2.18 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	Twinkle Ave	All Private Drives	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (A) <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 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
Parkway	<input checked="" type="checkbox"/> Trees (A) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (A)	<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 checked="" type="checkbox"/> New <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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input 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
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 type="checkbox"/> New <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 checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 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:

- A. East side along project frontage
- B. All utilities and infrastructure shall be designed and installed to the ultimate condition

2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 Other conditions: _____

C. SEWER

- 2.24 **A 8 inch sewer main is available for connection by this project in Twinkle Ave. (Ref: Sewer plan bar code: S16445)**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 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.
- 2.27 **Other conditions:**
See OMUC Conditions of Approval attached.

D. WATER

- 2.28 **A 8 inch water main is available for connection by this project in Twinkle Ave. (Ref: Water plan bar code: W16594)**
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 **Other conditions:**
See OMUC Conditions of Approval attached.

E. RECYCLED WATER

- 2.31 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.33 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.
- 2.34 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.



- 2.35 Other conditions:
See OMUC Conditions of Approval attached.

F. TRAFFIC / TRANSPORTATION

- 2.36 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
- 2.37 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.38 Other conditions:
A. If street chokers along Twinkle Avenue have not been constructed at the time of development of PMTT22-009, Street chokers along Twinkle Avenue shall be designed and constructed in accordance with City Standard Drawing No. 1110.
B. As currently proposed, Private Drive 'A' onto Twinkle Avenue shall be restricted to right-in/right-out ingress/egress due to the raised median approaching the roundabout.
C. Parking shall be restricted with signs along chokers per City Standard Drawing No. 1110.
D. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
E. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the signing/stripping and street lighting design plans to define limits of improvements.

G. DRAINAGE / HYDROLOGY

- 2.39 A 72 inch storm drain main is available to accept flows from this project in Twinkle Ave. (Ref: Storm Drain plan bar code: D14257)
- 2.40 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.
- 2.41 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.
- 2.42 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.
- 2.43 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.
- 2.44 Other conditions:
A. Abandon existing 18" storm drain lateral (A-13) and catch basin (A1) on Eames St. (Ref: Storm Drain plan bar code: D14257)
B. Abandon existing 18" storm drain laterals (B-13 & B-14) and catch basins (B3, B4) on Pollock St. (Ref: Storm Drain plan bar code: D14259)
C. Install a 36" storm drain lateral at the intersection of Twinkle Ave and Private Drive 'B'



- and connect to existing 72" storm drain line.
- D. Install a 36" storm drain lateral at the intersection of Twinkle Ave and Private Drive 'A' and connect to existing 72" storm drain line.

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

- 2.45 401 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.
- 2.46 **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.sbccounty.gov/dpw/land/npdes.asp>.**
- 2.47 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.
- 2.48 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.49 **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.**
- 2.50 Other conditions: _____

K. FIBER OPTIC

- 2.51 **A fiber optic line is available for connection by this project in Twinkle Ave. (Ref: Fiber Optic plan bar code: O10683)**
- 2.52 **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 located at the southeast corner of Twinkle Ave & Eames St and on Twinkle Ave s/o Pollock St. Limits of work are generally along the project frontage of Twinkle Ave and all Private Drives.**



- 2.53 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.

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 Ontario Ranch 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: PMTT22-009 and/or Tract Map No. 20530

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



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



CITY OF ONTARIO MEMORANDUM



DATE: October 13, 2022
TO: Michael Bhatanawin, Engineering Department
CC: Lorena Mejia, Planning Department
Charles Mercier, Planning Department
FROM: Heather Young, Utilities Engineering Division
Eric Woosley, Utilities Engineering Division
SUBJECT: DPR#2 UPT#2 REV1- Utilities Conditions of Approval (COA) (#8741)
PROJECT NO.: TM-20530 (PMTT22-009)
ATTACHMENT(S): Conceptual Utility Systems Map electronically received 10/09/2022

BRIEF DESCRIPTION:

A Tentative Tract Map (TT 20530) for condominium purposes, to subdivide 8.3 acres of land into 4 numbered lots and 15 lettered lots, to facilitate the development of 144 multi-family dwellings located northeast of Pollock Street and Twinkle Avenue, within PA-5 of the Rich-Haven Specific Plan (APN(s): 218-016-06, 218-016-07, 218-016-18, 218-203-01, 218-203-02, 218-203-03, 218-203-04, 218-203-07, 218-203-06, & 218-203-05).

OMUC UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

General Conditions:

1. Standard Conditions of Approval: Project shall comply with the requirements 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, or as amended or superseded by Council Resolution; as well as project-specific conditions/requirements as outlined below.

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:

2. Inherited Requirements and Conditions of Approval: This project is subject to all the Requirements and Conditions of Approval of from PSP05-004 Rich-Haven Specific Plan, PMTT17-013 (TM-20134), and PDA_18-005, as amended. For any Conditions of Approval that conflict, these Conditions shall supersede those conflicting Conditions.
3. Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements. See Utility Systems Map (USM) Requirements document for details.
4. Note the following definitions and concepts for Public Utility Improvements and Private Utility Improvements: Public Improvements shall be designed per City Public Design Guidelines and City Standards and constructed

through a City Encroachment Permit; and, Private Onsite Improvements shall be designed per Building Code and Plumbing Code and constructed through a City Building Permit.

- a. Public Utility Improvements include the following: water main pipelines and sewer main pipelines; sewer laterals connecting to a Public Sewer Main up to the Cleanout (or Manhole) at PL/RoW; water services and connected appurtenances (Meters/Meter Boxes, Fire Hydrants, Airvac, Blowoffs, etc.) connecting to a Public Water Main per City Standards; and, Fire Services connecting to a Public Water Main from the Main up to the DCDA. Public Water Improvements and Public Sewer Improvements are required to be designed and constructed through Public Improvement Plans with Plan View and Profile View per City Standards, Guidelines, and Requirements.
 - b. Private Utility Improvements include the following: onsite water plumbing lines after a Public Meter, or after the Fire DCDA and including the DCDA; Backflow Devices and other Cross-Connection Prevention; onsite sewer upstream of the Public Sewer Lateral, including the Cleanout (or Manhole) at PL/RoW/PUE Edge; Monitoring Manholes and other Wastewater Pretreatment Facilities. Private Onsite Utility Improvements are required to be designed and constructed per Building and Plumbing Plans with: the Backflows, DCDAs, Cleanout (or Manhole) at PL/RoW/PUE Edge, and Monitoring Manholes being designed and constructed through a Precise Grading Plan; and, the other Pretreatment Devices (Grease Interceptor, Sand, Oil Interceptors, etc.) and the connections to the buildings and structures through a building Plumbing Plan.
5. Public Utilities and Public Right-of-Way (PRoW) including Public Utility Easements (PUE): Public Utilities shall be subject to the Minimum PRoW Requirements and PRoW Restrictions:
- a. Minimum PRoW Area Requirements: Public Utilities shall be installed within in existing PRoW in alignments/locations that meet the following minimum PRoW areas surrounding the Public Utilities, and/or additional PRoW shall be dedicated/granted to the City to provide the following minimum PRoW areas surrounding the Public Utilities:
 - i. For each main, the PRoW shall be a minimum of 20 feet wide, centered on the utility main with a minimum of 10 feet of PRoW on each side of the main and this minimum area shall extend a minimum for 10 feet past the end of a main.
 - ii. For each Service/Lateral, the PRoW shall be a minimum of 10 feet wide, centered on the service/lateral with a minimum of 5 feet of PRoW on each side of each service/lateral;
 - iii. For each water meter box, the PRoW shall be a minimum of 5 feet behind and 5 feet on each side of a water meter box;
 - iv. For each water appurtenances (fire hydrants, blowoffs, airvac, etc.), the PRoW shall be a minimum of 5 feet on each side surrounding the water appurtenances (fire hydrants, blowoffs, airvac, etc.);
 - v. The PRoW minimum areas for separate Public Utilities may overlap, provide that all minimum separations and PRoW Restrictions are met.

Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

6. Sanitary Sewer Infrastructure:
- a. Install 8-inch sewer mains (or approved size per Final SSAMP) in Private Drive 'A' throughout TTM20530, with point of connection to the existing 8-inch sewer main in Twinkle Avenue. Public sewer mains installed in private drives shall be within a Public Utility Easement.
 - b. Onsite sewer installed in private alleys of TTM20530 shall be privately owned and maintained.
7. Sewer Sub-Area Master Plan (SSAMP): Submit a Final Sewer Sub-Area Master Plan (SSAMP) pursuant to Section 4-8 of the Sewer Master Plan (SMP) and submit it to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.
8. Unused Sewer Abandonment:
- a. Unused existing sewer stub and manhole in Twinkle Avenue approximately 120 feet south of Pollock Street shall be abandoned back to the main connection.
 - b. Unused existing sewer stub and manhole in Twinkle Avenue about 127 feet north of the intersection of Twinkle Avenue and Pollock Street shall be abandoned back to the main connection.
 - c. Unused existing sewer stub and manhole in Eames Street shall be abandoned back to the main connection.

- d. Abandon any unused existing sewer mains and install a terminus manhole.

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

9. Potable Water Infrastructure:

- a. Install 8-inch potable water mains in Private Drive 'B' and Private Drive 'A' throughout TTM20530, with two points of connection to the 8-inch water main at the intersection of Twinkle Avenue and Private Drive 'B' and at the intersection of Twinkle Avenue and approximately 120 feet south of Pollock Street. Public potable water mains installed in private drives shall be within a Public Utility Easement.

10. Potable Water Service:

- a. Domestic Service: Each Building shall have its own domestic potable water service and master meter connected to the Public Potable Water System. The services and meters shall be such locations so that no more than 28 units are serviced on a potable water main deadend.
- b. Backflow Prevention: Each meter connected to the Public Potable Water System that serves any use that is more than one (1) single family residential unit or any non-residential use requires a backflow prevention device.
- c. Fire Water Service: Each fire service shall have a Double Check Detector Assembly (DCDA) per current City Standards to serve the onsite private fire system. The onsite fire system and onsite domestic water plumbing system shall be separate.

11. Unused Potable Water Stub Abandonment: The unused existing potable water stub in Twinkle Avenue approximately 103 feet south of Pollock Street shall be abandoned back to the main connection.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

12. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscape irrigation. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.

13. Recycled Water Infrastructure:

- a. Option 1: If the same Housing Association for TM-20134 will be used for TTM20530, tie into private onsite recycled water system from adjacent tract within TM-20134 for recycled water usage, if feasible. If not, see Option 2.
- b. Option 2: Install recycled water main (930PZ) in Twinkle Avenue from the northernly boundary of the Project to the Project's park or further south if recycled water services are needed further south within the Project. Recycled water main shall be temporarily charged by the potable water main until recycled water is available for connection per TTM20259 in Twinkle Avenue north of the Project. The temporary potable water connection shall have a backflow prevention device. Once recycled water is available for connection per TTM20529, this Project shall connect to the recycled water and this Project shall remove the temporary potable water connection and its appurtenances used to charge the recycled water main.

14. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:

- a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
 - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
 - iii. For details, contact Cynthia Heredia-Torres at (909) 395-2647 or ctorres@ontarioca.gov.
- b. Prior to Occupancy Release/Finalizing:
 - i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT22-009

Address: east side of Twinkle Avenue approximately 500 feet north of Moonlight Street

APN: 0218-016-06, 0218-016-07, 0218-016-18, 0218-203-08, 0218-203-01, 0218-203-02,

Existing Land Use: Vacant

Proposed Land Use: Tentative Tract Map to subdivide 9.19 gross acres of land for condominium purposes, into 4 numbered lots and 15 lettered lots for residential uses

Site Acreage: 9.19 Proposed Structure Height: N/A

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 10/11/22

CD No.: 2022-035

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure required.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2022-035
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: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Ben Mayorga, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-009

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 (TT 20530) for condominium purposes, to subdivided 8.3 acres of land into 4 numbered lots and 15 lettered lots, to facilitate the development of 144 multi-family dwellings located northeast of Pollock Street and Twinkle Avenue, within PA-5 of the Rich-Haven Specific Plan (APN(s): 218-016-06, 218-016-07, 218-016-18, 218-203-08, 218-203-01, 218-203-02, 218-203-03, 218-203-04, 218-203-07, 218-203-06 & 218-203-05).

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

Broadband Operations
Department

Cameron Chadwick
Signature

Title

03/29/2022
Date

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

CONDITIONS OF APPROVAL	
Sign Off	
Broadband Operations	3/08/22

Reviewer's Name Cameron Chadwick	Phone 909-395-2090
File #	Project Engineer:
Project Name and Location:	
Sent to:	

<input type="checkbox"/>	Plan does adequately address the departmental concerns at this time. No Comments.
<input checked="" type="checkbox"/>	Plan does adequately address the departmental concerns at this time. Report below.
<input type="checkbox"/>	Plan does not adequately address the departmental concerns. The conditions contained below must be met prior to scheduling for Development Advisory Board.

Req'd for Project	CONDITIONS OF APPROVAL -	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Project shall be designed and constructed 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 in the Right-of-Way (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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties within a reasonable distance. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Where a joint telcom or street light street crossing is required, include (2) 2" hdpe sdr-11 conduits or (1) 4" schedule 80 conduit sleeve. Terminate the street crossing conduit(s) in a new HH-3/22 ontarionet hand hole in the right of way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. The City requires a public utility easement for fiber optics on all private aisles/alley ways.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Hand holes - Design and install OntarioNet fiber optic hand hole HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively Newbasis Part # PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5 foot minimum clearance from existing/proposed utilities. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
<input type="checkbox"/>	<input type="checkbox"/>	7. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct

Req'd for Project	CONDITIONS OF APPROVAL -	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
<input type="checkbox"/>	<input type="checkbox"/>	15. Developer to install 3 inch SCE conduit stub for future City fiber optic meter pedestal within an 8-foot wide, 5-foot deep reserved area for City fiber optic network cabinet. A 3-foot clearance must be maintained around the cabinet and the meter. HH4 shall be placed near the reserved area for cable entrance to network cabinet. The pedestal and network cabinet will be supplied and installed by the City. The service submittal to SCE will be coordinated by the City.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16. Multi-family dwellings are considered commercial property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18. Please contact City's Fiber Team at OntarioNet@ontarioca.gov for conduit design assistance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19. For additional information please refer to the City's Fiber Optic Master Plan.
<input type="checkbox"/>	<input type="checkbox"/>	20. Please see attached corrections.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21. Please provide plans in digital format (PDF) on future revisions.

DITOMMASO
A.P.N. 0218-161-13

TTM 20529

TTM 20136

LOT 1

E EAMES STREET

LOT 2

PROPOSED
TRACT
20530

TTM 20136

S TWINKLE AVENUE

E POLLOCK STREET

LOT 3

TTM 20137

LOT 4

JAB MILL CREEK LLC
A.P.N. 0218-016-23

JAB MILL CREEK LLC
A.P.N. 0218-016-22



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 6, 2022

SUBJECT: PMTT22-009 - A Tentative Tract Map (TT 20530) for condominium purposes, to subdivided 8.3 acres of land into 4 numbered lots and 15 lettered lots, to facilitate the development of 144 multi-family dwellings located northeast of Pollock Street and Twinkle Avenue, within PA-5 of the Rich-Haven Specific Plan (APN(s): 218-016-06, 218-016-07, 218-016-18, 218-203-08, 218-203-01, 218-203-02, 218-203-03, 218-203-04, 218-203-07, 218-203-06 & 218-203-05).

-
- 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: Type V-B
- B. Type of Roof Materials: Ordinary
- 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

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.

Note: Due to the length of the private drive, private fire hydrants may be required.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Jeremy Phillips, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Tricia Espinoza, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IT Department
Ben Mayorga, Integrated Waste

Revision #1

FROM: Lorena Mejia, Senior Planner

DATE: July 26, 2022

SUBJECT: FILE #: PMTT22-009

Finance Acct#:

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

PROJECT DESCRIPTION: A Tentative Tract Map (TT 20530) for condominium purposes, to subdivided 8.3 acres of land into 4 numbered lots and 15 lettered lots, to facilitate the development of 144 multi-family dwellings located northeast of Pollock Street and Twinkle Avenue, within PA-5 of the Rich-Haven Specific Plan (APN(s): 218-016-06, 218-016-07, 218-016-18, 218-203-08, 218-203-01, 218-203-02, 218-203-03, 218-203-04, 218-203-07, 218-203-06 & 218-203-05).

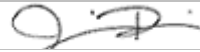
- The plan does adequately address the departmental concerns at this time.
- No comments
 - See previous report for Conditions
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
- The conditions contained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

Department Landscape Planning Division Signature J.R. Sr. Landscape Planner Title Sr. Landscape Planner Date 8/30/22
Item C - 44 of 47

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

TRACT MAP CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

08/30/2022

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:
 PMTT22-009

Related Files:

Case Planner:
 Lorena Mejia

Project Name and Location:

Tentative Tract Map for Condo Purpose
 Tract 20530

Applicant/Representative:

Richland Developers, Inc. – Craig Christina (949) 383-4124 ccristina@richlandcommunitieis.com
 3161 Michelson Drive, Suite 425
 Irvine, CA 92612



A Tentative Tract/Parcel Map (dated 07/26/2022) has been approved considering that the following conditions below be met upon submittal of the landscape construction documents.



A Tentative Tract Map/Parcel (dated) has not been approved. Corrections noted below are required before DAB approval.

CORRECTIONS REQUIRED

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

1. Note decorative paving for all motor courts.
2. Note on Tract Map for Future Development: Common open space shall be designed to create spaces that utilize trees, landscaping, and recreational facilities. Consider incorporating elements such as landscape planters, pathways, benches, gazebos, raised planters, and other unique features. Recreational features may include permanent play areas bocce ball, bags (cornhole), table tennis, or other activities. Consider play equipment that incorporates nature play, splash pads, or other interactive features other than traditional play equipment. Park space shall include amenities; consider spaces for family gatherings and games such as permanent table tennis, bocce ball, shade structures, fire pits, BBQ. Incorporate with play areas. Provide unique, challenging play equipment for the playground. Consider Nature-inspired equipment from Landscape Structures, Play World, etc. Consider a small splash pad in the play area, if possible
3. Show conceptual grading to verify slopes and steps.
4. Note corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners.
5. Corners; verify dimension and grade for required monumentation (see Specific Plan for detail). Adjacent walls shall not interfere with required monumentation.
6. Show and identify any on-site stormwater infiltration areas or stormwater infiltration devices proposed in parkways or other landscape areas.

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. Parking spaces shall include end island planters for shade trees.

On Grading or Utility Construction Plans:

9. Stormwater infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved before permit approval or installation.
10. Note decorative paving for all motor courts, including the lots facing the parking rows aisles.
11. 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.
12. 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 transformers greater than 4' high. Coordinate with landscape plans. Locate on level grade.
13. 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.
14. 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.
15. Show light standards 15' away from required tree locations.
16. Wall footings shall not restrict landscape; max 12" in front of footing with 12" of cover.
17. 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.
18. AC units shall be located in areas that allow for landscape screening if visible from the street.
19. Stormwater infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division before installation.
20. Provide a tree inventory for existing trees, including 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.
21. 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.
22. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
 Rudy Zeledon, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 James Caro, Building Department
 Raymond Lee, Engineering Department
 Jamie Richardson, Landscape Planning Division
 Dennis Mejia, Municipal Utility Company
 Gabriel Gutierrez, Police Department *Jeremy Phillips*
 Paul Erhman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Angela Magana, Community Improvement (Copy of memo only)
 Jimmy Chang, IPA Department
 Ben Mayorga, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-009

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 (TT 20530) for condominium purposes, to subdivided 8.3 acres of land into 4 numbered lots and 15 lettered lots, to facilitate the development of 144 multi-family dwellings located northeast of Pollock Street and Twinkle Avenue, within PA-5 of the Rich-Haven Specific Plan (APN(s): 218-016-06, 218-016-07, 218-016-18, 218-203-08, 218-203-01, 218-203-02, 218-203-03, 218-203-04, 218-203-07, 218-203-06 & 218-203-05).

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

POLICE DEPARTMENT *ANTONIO GALBAN* *POLICE OFFICER* *3/7/22*
 Department Signature Title Date



Development Advisory Board Decision

October 17, 2022

DECISION NO.: DAB22-[insert #]

FILE NO.: PMTT22-010 (TTM 20529)

DESCRIPTION: A public hearing to consider Tentative Tract Map No. 20529, subdividing 11.11 gross acres of land for condominium purposes, into 3 numbered lots and 15 lettered lots for residential uses, drive aisles, utility easement and common open space purposes for a property generally located on the east side of Twinkle Avenue, approximately 350 feet south of future Chino Avenue, within Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven Specific Plan (APN: 0218-161-14); **submitted by BrookCal Ontario LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

BROOKCAL LLC, (herein after referred to as “Applicant”) has filed an application requesting Tentative Tract Map approval, File No. PMTT22-010, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 11.1 gross acres of land generally located on the east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	(MDR) Medium Density Residential (11.1 – 25 du/ac)	Rich Haven Specific Plan	Planning Areas 4A, 4B, and 4C (Residential – SFD/Attached) (5.1 – 12 du/ac)
<i>North</i>	SCE Easement	(OS-NR) Open Space - Non-Recreation	Rich Haven Specific Plan	Planning Area 2 – Open Space – Non Recreation
<i>South</i>	Vacant	(MDR) Medium Density Residential (11.1 – 25 du/ac)	Rich Haven Specific Plan	Planning Areas 5B and 5D - Residential – SFD/Attached (5.1 – 12 du/ac)
<i>East</i>	Vacant	Industrial (0.55 FAR)	Rich Haven Specific Plan	Planning Areas 4A, 4B, and 4C (Residential – SFD/Attached) (5.1 – 12 du/ac)
<i>West</i>	Vacant	(OS-R) Open Space - Parkland	Rich Haven Specific Plan	Planning Area 3 – Public Park

(2) **Project Description:**

(a) **Background** — On December 4, 2007, the City Council certified the Rich Haven Specific Plan Environmental Impact Report in conjunction with File No. PGPA07-001. The related Rich Haven Specific Plan, File No. PSP05-004, was approved by the City Council on December 18, 2007. The Specific Plan established the land use designations, development standards, and design guidelines for

approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office land uses.

On April 23, 2019, the Planning Commission approved Tentative Tract Map 20134 (File No. PMTT17-013) to subdivide 80.61 acres of land into 15 numbered lots and 15 lettered lots for residential and public/private streets, landscape neighborhood edges and common open space purposes. TM 20134 served as the “A” map for Planning Areas 5A through 5E of the Rich Haven Specific Plan, which includes the Project site. On June 18, 2019, the City Council adopted Ordinance No. 3136, a Development Agreement (File No. PDA18-005) that established the terms and conditions of infrastructure improvements for TM 20134, that the proposed Tentative Tract Map No. 20530 will also be subject to.

On February 23, 2022, two Tentative Tract Maps adjacent to each other were filed concurrently. Haven Ontario NMC 1 LLC and Haven Ontario NMC 2 LLC submitted Tentative Tract Map No. 20530 (File No. PMTT22-009) and BrookCal Ontario LLC, submitted Tentative Tract Map No. 20529 (File No. PMTT22-010), that are described below. Although, there are two proposed separate maps, both maps were designed to function as one community sharing pedestrian access, parking, circulation, and open space/park amenities.

- Tentative Tract Map No. 20530 proposes to subdivide 9.19 gross acres of land for condominium purposes, into 4 numbered lots and 15 lettered lots for residential uses, drive aisles, and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 500 feet north of Moonlight Street, within Planning Areas 5B and 5D (Residential – SFD/Attached) of the Rich Haven Specific Plan.
- Tentative Tract Map No. 20529 proposes to subdivide 11.11 gross acres of land into 3 numbered lots and 15 lettered lots for residential uses, drive aisles, utility easement and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue, within Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven Specific Plan.

Additionally, concurrent with the Tentative Tract Map submittals, a Development Agreement (File No. PDA22-001) between the City of Ontario and BrookCal Ontario LLC, was filed to establish the terms and conditions associated with Tentative Tract Map 20529 (PMTT22-010).

(b) Tentative Tract Map No. 20529 — The Project site is being subdivided for residential condominium purposes to accommodate 6-unit Row Townhomes, totaling 120 units (see Exhibit B—Tentative Tract Map, attached). The Rich Haven Specific Plan requires row townhomes to maintain a minimum unit size of 1,800 square feet. A minimum lot size is not specified for this product type. The proposed lot sizes range from 46,941 to 91,915 square feet, exceeding the minimum requirement.

(c) Density — The Policy Plan Land Use Map designates the subject site as Medium Density Residential (11.1 to 25 du/ac) and the proposed Project will establish a total of 120 residential units at a density of 10.8 du/ac, which is consistent with the Rich Haven Specific Plan and the Policy Plan (general plan). The total number of units of Tentative Tract Map No. 20530 and Tentative Tract Map No. 20529 is 264 units, which have a combined overall density of 13.0 du/ac.

(d) Site Access/Circulation — The Project site will have one access point from Twinkle Avenue, which runs north and south along the western frontage of the site. The Tentative Tract Map will facilitate the construction of the private drive aisles/lanes that will serve the Project site. The Tentative Tract Map is consistent with TOP Policy CD2-2, which promotes the importance of neighborhood connectivity through local street patterns and neighborhood edges as a way to unify neighborhoods.

(e) Parking — A parking plan was completed for the proposed Tentative Tract Map Nos. 20529 and 20530 to demonstrate that sufficient parking has been provided throughout the Project site.

The Tentative Tract Maps proposed product types would require a total of 649 parking spaces, in which 504 of those parking spaces would be provided within a garage. The parking plan demonstrates that a total of 763 spaces will be provided, exceeding the minimum requirements by 114 parking spaces. The additional parking spaces are provided throughout the site as on-street parking and off-street parking spaces distributed along the private drive aisle. The parking plan demonstrates that there will be an average of 2.8 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking. As the proposed tract develops, parking will continue to be analyzed for each product type as part of the Development Plan entitlement process, assuring that all applicable development standards will be met or exceeded.

(f) Architecture — Future development of the site will be required to meet all Development Code and Rich-Haven Specific Plan standards regarding building architecture, including style, decorative elements, enhancements, etc.

(g) Landscaping/Open Space — Both Tentative Tract Maps will facilitate the construction of two neighborhood parks, sidewalks, parkways, and open space areas. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. Overall, both maps are required to provide 1.78 acres of parkland to meet the minimum TOP private park requirement and 2.08 acres of parkland have been provided exceeding the minimum requirement (see Exhibit C—Open Space, attached). To satisfy the park requirement, the applicant is constructing a 1/2-acre neighborhood park centrally located between the two Tentative Tract Maps and a 0.9-acre park centrally located within Tract 20530. The proposed pedestrian circulation system provides connectivity to the parks, residential neighborhoods within the Project site, and adjacent communities. Future community park designs, and amenities will be addressed as part of the Development Plan entitlement process that will require consistency with the Rich Haven Specific Plan.

(h) Utilities (drainage, sewer) — All major backbone improvements and interior site improvements will be constructed consistent with the proposed Tentative Tract Map and related Development Agreement (File No. PDA22-001). Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration.

(i) Covenants, Conditions and Restrictions (“CC&Rs”) — As a Condition of Approval, CC&R’s are required to be prepared and recorded with the Final Tract Map. The CC&R’s will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities

Part II—RECITALS

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

WHEREAS, the Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007 (“Certified EIR”) in conjunction with File No. PSP05-004, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, 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 Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation on the subject Application; and

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

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

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

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

WHEREAS, on October 17, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSP05-004, the Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) was certified on December 4, 2007 ("Certified EIR") by the City Council; 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 the City of Ontario Local CEQA Guidelines; 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 DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental “Certified EIR” is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Table B-1 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 4: 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, 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. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract Map is located within the (MDR) Medium Density Residential (11.1 – 25 DU/AC) land use district of the Policy Plan Land Use Map, and Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven 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 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 (MDR) Medium Density Residential (11.1 – 25 DU/AC) land use district of the Policy Plan Land Use Map, and the Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven 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*).

(3) **The site is physically suitable for the type of development proposed.** The Project site meets the minimum lot area and dimensions of Planning Areas 4A, 4B and 4C (Residential – SFD/Attached)

of the Rich Haven 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.

(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 10.8 DUs/acre. The Project site meets the minimum lot area and dimensions of Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven Specific Plan 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 right-of-way 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: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 17th day of October 2022.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

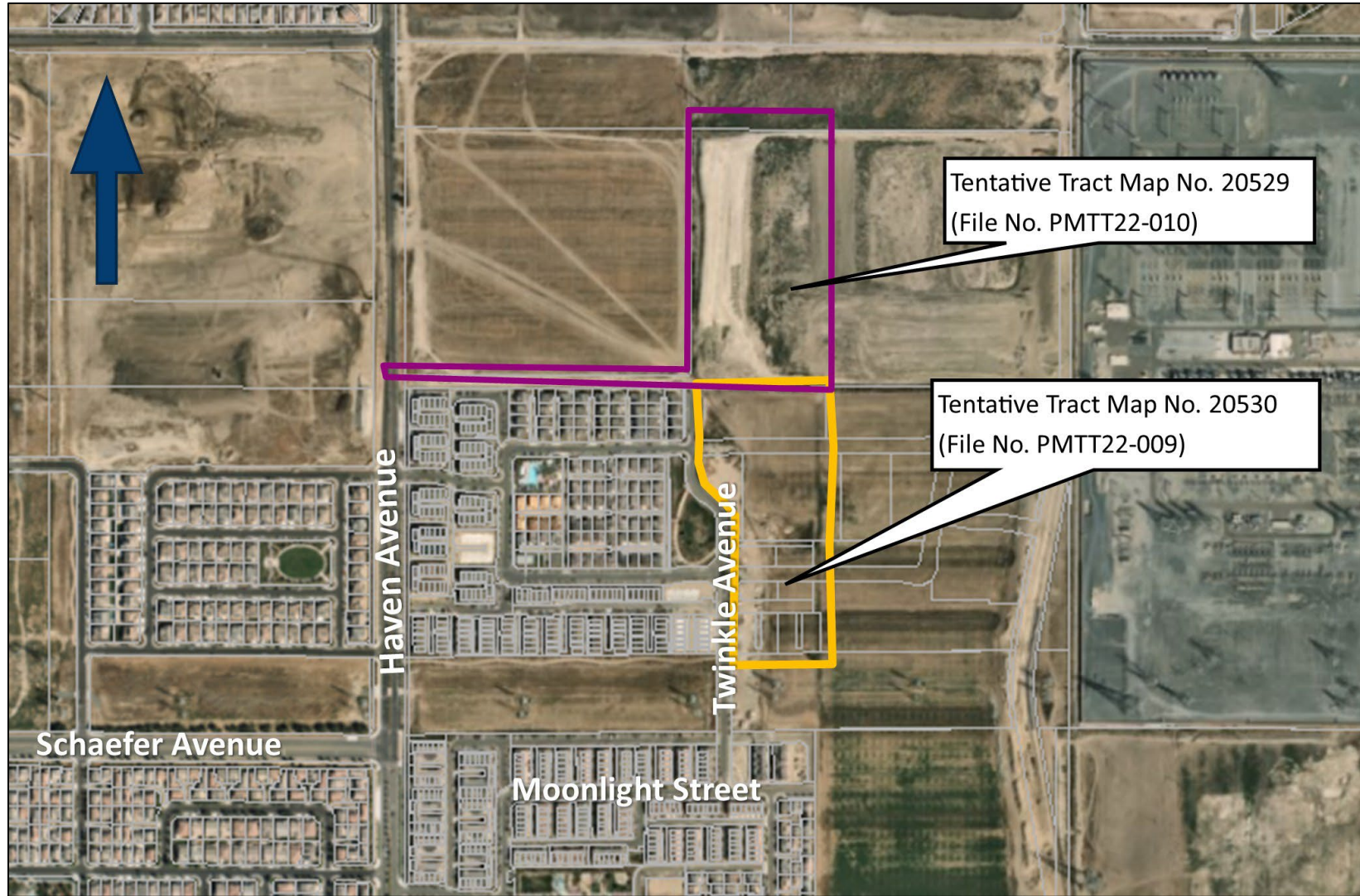


Exhibit C—OPEN SPACE



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

Date Prepared: 10/17/2022
File No: PMTT22-010 (TTM 20529)
Related Files: PMTT22-009

Project Description: A Tentative Tract Map No. 20529 for condominium purposes, subdividing 11.11 gross acres of land into 3 numbered lots and 15 lettered lots for residential uses, drive aisles, utility easement and common open space purposes for a property generally located on the east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue, within Planning Areas 4A, 4B and 4C (Residential – SFD/Attached) of the Rich Haven Specific Plan; (APN: 0218-161-14) **submitted by BrookCal Ontario LLC.**

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

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

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

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

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

2.2 Subdivision Map.

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

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

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

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

(c) 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).

(d) 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 Signs.

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

2.7 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.

2.8 Disclosure Statements.

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

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

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

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

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

2.9 Environmental Requirements.

(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.

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

2.11 Additional Fees.

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

(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 Related Applications. Tentative Tract Map approval shall not be final and complete until such time that related Development Agreement, File No. PDA22-001, has been approved by the City Council.

2.13 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the “Tribe” or the “Consulting Tribe” that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the “Tribe” or the “Consulting Tribe” that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of (Gabrieleno Band of Mission Indians - Kizh Nation) Ancestry (the “Tribe” or the “Consulting Tribe” that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be

diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

(g) Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.14 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA22-001) shall apply to this tract.

(b) All applicable conditions of approval of the Rich Haven Specific Plan shall apply to this tract.

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



**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 type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. TM-20529 RELATED FILE NO(S). PMTT22-010		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

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

DAB MEETING DATE: October 17, 2022

PROJECT NAME / DESCRIPTION: TM-20529, a Tentative Tract Map for condominium purposes to subdivide 11.11 acres of land into three (3) numbered lots and 15 lettered lots, to facilitate the development of 120 multi-family dwellings, within PA-5 of the Rich Haven Specific Plan

LOCATION: Generally 400 feet southwest of Chino Avenue and Mill Creek Avenue

APPLICANT: Brookfield Residential

REVIEWED BY:  10/13/22
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY:  10-13-22
 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 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:
 - A. An additional 14 feet from the ultimate right-of-way of Haven Ave along Lot 'M' for a 40 feet neighborhood edge
 - B. Twinkle Ave to the ultimate east half street right-of-way width of 30 feet from northerly tract boundary to approximately 145' n/o Lot 'M'
 - C. An additional 9 feet (varies) for the west half street right-of-way of Twinkle Ave from approximately 145' n/o Lot 'M' to Lot 'M'
 - D. Twinkle Ave to the ultimate full street right-of-way width of 60 feet along Lot 'M' frontage

- 1.02 Dedicate to the City of Ontario, the following easement(s):
 - A. 48 feet wide easement for public utility purposes along Private Drive 'A'
 - B. 50 feet wide easement for public utility purposes along Private Drive 'B'

- 1.03 Restrict vehicular access to the site as follows: _____

- 1.04 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 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 Ontario Ranch 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. Record Lot Line Adjustments 22-004, 22-005 and 22-006. Additionally, record Conforming Deeds with the County of San Bernardino within six months of the recordation of the Lot Line Adjustments to conform the new LLA legal description. Submit a copy of the recorded Conforming Deeds to the Engineering Department.
- B. Legalize the remnant gore parcel that is contiguous to the property of APN 0218-161-13, including the ownership of the parcel, to the satisfaction of the City Engineer.
- C. The Tract Map shall comply with the approved Rich Haven Specific Plan, the Development Agreement and the Conditions of Approval for Tentative Tract Map No. 20529.
- D. Applicant/developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.



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

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

- 2.01 Record Tract Map No. 20529 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: Southern California Edison (SCE)



- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 - A. The applicant/developer shall acquire ultimate west half street right-of-way width of 22-30 feet varies for Twinkle Ave along project frontage from the adjacent westerly property (APN: 0218-161-13).
 - B. The applicant/developer shall acquire ultimate full street right-of-way width of 60 feet for Twinkle Ave from northerly tract boundary to Chino Ave from adjacent SCE property (APN: 0218-161-09). The applicant/developer shall pursue "grant out" process with SCE for said right-of-way.
 - C. The applicant/developer shall acquire the ultimate north half street right-of-way width of 44 feet for Chino Ave from Haven Ave to Twinkle Ave from the following property (APN: 0218-161-10).
 - D. The applicant/developer shall acquire ultimate south half street right-of-way width of 44 feet for Chino Ave from Haven Ave to Twinkle Ave from the following property owned by SCE (APN: 0218-161-09). The applicant/developer shall pursue "grant out" process with SCE for said right-of-way.
 - E. The applicant/developer shall acquire an additional 18' from the ultimate right-of-way of Chino Ave from Haven Ave to Twinkle Ave for a 30 feet neighborhood edge from the following property owned by SCE (APN: 0218-161-09). The applicant/developer shall pursue "grant out" process with SCE for said right-of-way.

Property line corner 'cut-back' required at the intersection of:

 - F. Twinkle Ave & Chino Ave (north half) from the following property (APN: 0218-161-10)
 - G. Twinkle Ave & Chino Ave (south half) from the following property owned by SCE (APN: 0218-161-09)
 - H. Haven Ave & Chino Ave (northeast corner) from the following property (APN: 0218-161-10)
 - I. Haven Ave & Chino Ave (southeast corner) from the following property owned by SCE (APN: 0218-161-09)
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- 2.12 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 2.13 Ontario Ranch 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).
- 2.14 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.
- 2.15 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.

- 2.16 Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.
- 2.17 Other conditions: _____



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

2.18 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	Twinkle Ave	Chino Ave	All Private Drives	
Curb and Gutter	<input checked="" type="checkbox"/> New; 18 ft. from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 32 ft. from C/L (D) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New (A)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New (D, E)	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (B, C) <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New (D) <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (B, C) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (B, C)	<input checked="" type="checkbox"/> Trees (D) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (D) <input checked="" type="checkbox"/> Neighborhood edge (D)	<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"/> Relocation	<input checked="" type="checkbox"/> New <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 checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<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
Recycled Water (see Sec. 2.E)	<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	<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 checked="" type="checkbox"/> New, at Haven Ave <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 (A) <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New (F) <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 (B, C) <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New (D) <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 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 checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	<input checked="" type="checkbox"/> Bike Lane (D)	_____	_____

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

- A. Both west and east sides from Chino Ave to southerly tract boundary
- B. East side along project frontage
- C. Both west and east sides from Chino Ave to northerly tract boundary



- D. South side from Haven Ave to Twinkle Ave**
- E. A 14' circulation lane and a 5' paved shoulder are required on the north side from Haven Ave to Twinkle Ave**
- F. Both north and south sides from Haven Ave to Twinkle Ave**
- G. All utilities and infrastructure shall be designed and installed to the ultimate condition**

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 Other conditions: _____

C. SEWER

- 2.24 **A 8 inch sewer main is available for connection by this project in Twinkle Ave. (Ref: Sewer plan bar code: S16445)**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 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.
- 2.27 **Other conditions:**
See OMUC Conditions of Approval attached.

D. WATER

- 2.28 **A 12 inch and 8 inch water main are available for connection by this project in Chino Ave and Twinkle Ave, respectively. (Ref: Water plan bar code: W16575, W16594)**
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 **Other conditions:**
See OMUC Conditions of Approval attached.

E. RECYCLED WATER

- 2.31 **A 8 inch and 24 inch recycled water main are available for connection by this project in Haven Ave. (Ref: Recycled Water plan bar code: P11435)**
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.



2.33 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.

2.34 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.

2.35 **Other conditions:**
See OMUC Conditions of Approval attached.

F. TRAFFIC / TRANSPORTATION

2.36 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

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

2.38 **Other conditions:**
A. If at the time of development of TM-20529 (PMTT22-010), Phase 2 improvements on Twinkle Ave have not been completed, the Applicant/Developer shall install a temporary cul-de-sac at the northerly terminus of Twinkle Ave, south of the SCE property per City Std. No. 1102. Refer to phase limits per the Development Agreement.
B. The roundabout at Chino Avenue and Twinkle Avenue shall be fully constructed and designed in accordance with the Traffic and Transportation Guidelines Figure 1: Roundabout Layout Detail and Figure 2: Roundabout Landscape Detail, other applicable standards, and to the satisfaction of the City Engineer. The following apply to the design:
i. Parking shall be restricted on Chino Avenue and Twinkle Avenue approaching the roundabout per the Traffic and Transportation Guidelines.
ii. Provide detailed roundabout exhibit to verify lane widths and ROW requirements.
C. The Applicant/Developer shall be responsible to design and construct a traffic signal at the intersection of Haven Avenue and Chino Avenue. The new traffic signal shall include video detection, fiber optic communication conduit, cable and equipment, 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, unless precluded by right-of-way limitations
D. The Applicant/Developer shall be responsible to design and construct the necessary pavement and striping transitions on Haven Avenue at Chino Avenue necessary to accommodate the traffic signal installation.
E. If at the time of development of TM-20529 (PMTT22-010), Twinkle Avenue has not been constructed south of this development to the roundabout south of Eames Street, the Applicant/Developer shall construct ultimate curb-to-curb width street improvements on Twinkle Avenue to the roundabout, including ultimate curb-to-curb width street improvements on Private Drive 'A' and the connection of Lot 'B' (TM-20530/PMTT22-009)/Eames Street to Twinkle Avenue to provide 2 points of access for the tract.
F. The Applicant/Developer shall be responsible to install street chokers and ADA ramps for pedestrians at the north east and south east corners of the intersection of Twinkle Avenue and Eames Street/Lot 'B' (TM-20530/PMTT22-009). Street chokers along Twinkle



- Avenue shall be designed and constructed in accordance with City Standard Drawing No. 1110.
- G. Parking shall be restricted with signs along chokers per City Standard Drawing No. 1110.
- H. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
- I. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the traffic signal, signing/stripping and street lighting design plans to define limits of improvements.

G. DRAINAGE / HYDROLOGY

- 2.39 A 72 inch storm drain main is available to accept flows from this project in Twinkle Ave. (Ref: Storm Drain plan bar code: D14257, D14259)
- 2.40 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.
- 2.41 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.
- 2.42 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.
- 2.43 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.
- 2.44 Other conditions:
 - A. Install a 48-inch storm drain main in Chino Ave from Haven Ave to Twinkle Ave.
 - B. Install a 72-inch storm drain main in Twinkle Ave from Chino Ave to point of connection at southerly tract boundary.
 - C. If at the time of development of TM-20529 (PMTT22-010), the private in-tract storm drain improvements in TM-20530 (PMTT22-009) have not been constructed south of this development, the Applicant/Developer shall construct the necessary improvements to connect to the nearest public storm drain main in Twinkle Ave.

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

- 2.45 401 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.



- 2.46 **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>.**
- 2.47 **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.**
- 2.48 **Other conditions:** _____

J. SPECIAL DISTRICTS

- 2.49 **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.**
- 2.50 **Other conditions:** _____

K. FIBER OPTIC

- 2.51 **A fiber optic line is available for connection by this project in Haven Ave & Twinkle Ave. (Ref: Fiber Optic plan bar code: O10626, O10683)**
- 2.52 **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 located at the southwest corner of Haven Ave & Chino Ave and the southeast corner of Twinkle Ave & Eames St. Limits of work are generally on Chino Ave from Haven Ave to Twinkle Ave, Twinkle Ave from Chino Ave to Eames St and along project frontage of all Private Drives.**
- 2.53 **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.**

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 Ontario Ranch 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: PMTT22-010 and/or Tract Map No. 20529

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



21. **Three (3) copies of Final Map**
22. **One (1) copy of approved Tentative Map**
23. **One (1) copy of Preliminary Title Report (current within 30 days)**
24. **One (1) copy of Traverse Closure Calculations**
25. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
26. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
27. **Two (2) copies of prepared legal description and plat. (Original signed & wet stamped copies are not needed until after the City has completed the plan checking of the documents.)**
28. **Two (2) copies of completely filled out "Easement Deed of Right-of-Way Dedication". (Original signed certificate and original acknowledgement(s) are not needed until after the City has completed the plan checking of the documents.)**



CITY OF ONTARIO MEMORANDUM



DATE: October 13, 2022
TO: Michael Bhatanawin, Engineering Department
CC: Lorena Mejia, Planning Department
Charles Mercier, Planning Department
FROM: Heather Young, Utilities Engineering Division
Eric Woosley, Utilities Engineering Division
SUBJECT: DPR#2 UPT#2 REV2 - Utilities Conditions of Approval (COA) (#8731)
PROJECT NO.: TM-20529 (PMTT22-010)
ATTACHMENT(S): Conceptual Utility Systems Map electronically received 10/04/2022

BRIEF DESCRIPTION:

A Tentative Tract Map (TT 20259) for condominium purposes, to subdivide 11.11 acres of land into 3 numbered lots and 15 lettered lots, to facilitate the development of 120 multi-family dwellings located generally 400 feet southwest of Chino Avenue and Mill Creek Avenue, within PA-5 of the Rich-Haven Specific Plan (APN(s): 0218-161-14).

OMUC UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

General Conditions:

1. **Standard Conditions of Approval:** Project shall comply with the requirements 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, or as amended or superseded by Council Resolution; as well as project-specific conditions/requirements as outlined below.

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): *The Applicant shall comply with the following:*

2. **Inherited Requirements and Conditions of Approval:** This project is subject to all the Requirements and Conditions of Approval of from PSP05-004 Rich-Haven Specific Plan and PDA_22-001, as amended. For any Conditions of Approval that conflict, these Conditions shall supersede those conflicting Conditions.
3. **Final Utilities Systems Map (USM):** Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements. See Utility Systems Map (USM) Requirements document for details.
4. **Note the following definitions and concepts for Public Utility Improvements and Private Utility Improvements:** Public Improvements shall be designed per City Public Design Guidelines and City Standards and constructed through a City Encroachment Permit; and, Private Onsite Improvements shall be designed per Building Code and Plumbing Code and constructed through a City Building Permit.

- a. Public Utility Improvements include the following: water main pipelines and sewer main pipelines; sewer laterals connecting to a Public Sewer Main up to the Cleanout (or Manhole) at PL/RoW; water services and connected appurtenances (Meters/Meter Boxes, Fire Hydrants, Airvacs, Blowoffs, etc.) connecting to a Public Water Main per City Standards; and, Fire Services connecting to a Public Water Main from the Main up to the DCDA. Public Water Improvements and Public Sewer Improvements are required to be designed and constructed through Public Improvement Plans with Plan View and Profile View per City Standards, Guidelines, and Requirements.
 - b. Private Utility Improvements include the following: onsite water plumbing lines after a Public Meter, or after the Fire DCDA and including the DCDA; Backflow Devices and other Cross-Connection Prevention; onsite sewer upstream of the Public Sewer Lateral, including the Cleanout (or Manhole) at PL/RoW/PUE Edge; Monitoring Manholes and other Wastewater Pretreatment Facilities. Private Onsite Utility Improvements are required to be designed and constructed per Building and Plumbing Plans with: the Backflows, DCDAs, Cleanout (or Manhole) at PL/RoW/PUE Edge, and Monitoring Manholes being designed and constructed through a Precise Grading Plan; and, the other Pretreatment Devices (Grease Interceptor, Sand, Oil Interceptors, etc.) and the connections to the buildings and structures through a building Plumbing Plan.
5. Public Utilities and Public Right-of-Way (PRoW) including Public Utility Easements (PUE): Public Utilities shall be subject to the Minimum PRoW Requirements and PRoW Restrictions:
- a. Minimum PRoW Area Requirements: Public Utilities shall be installed within in existing PRoW in alignments/locations that meet the following minimum PRoW areas surrounding the Public Utilities, and/or additional PRoW shall be dedicated/granted to the City to provide the following minimum PRoW areas surrounding the Public Utilities:
 - i. For each main, the PRoW shall be a minimum of 20 feet wide, centered on the utility main with a minimum of 10 feet of PRoW on each side of the main and this minimum area shall extend a minimum for 10 feet past the end of a main.
 - ii. For each Service/Lateral, the PRoW shall be a minimum of 10 feet wide, centered on the service/lateral with a minimum of 5 feet of PRoW on each side of each service/lateral;
 - iii. For each water meter box, the PRoW shall be a minimum of 5 feet behind and 5 feet on each side of a water meter box;
 - iv. For each water appurtenances (fire hydrants, blowoffs, airvacs, etc.), the PRoW shall be a minimum of 5 feet on each side surrounding the water appurtenances (fire hydrants, blowoffs, airvacs, etc.);
 - v. The PRoW minimum areas for separate Public Utilities may overlap, provide that all minimum separations and PRoW Restrictions are met.

Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

- 6. Sanitary Sewer Infrastructure: Sanitary sewer infrastructure in TM20134 (PMTT17-013) is required to support this development. If the sanitary sewer infrastructure is not completed by TM20134, this development is subject to the improvements required.
 - a. Install Master Planned 15-inch sewer main (or approved size as determined by SSAMP) in Chino Avenue from point of connection in Haven Avenue to Twinkle Avenue.
 - b. Install 8-inch sewer mains (or approved size per Final SSAMP) in Private Drive 'B' and Private Drive 'A' throughout TTM20529 and TTM20530, with point of connection to the existing 8-inch sewer main in Twinkle Avenue. Public sewer mains installed in private drives shall be within a Public Utility Easement.
 - c. Onsite sewer installed in private alleys of TTM20529 shall be privately owned and maintained.
- 7. Sewer Sub-Area Master Plan (SSAMP): Submit a Final Sewer Sub-Area Master Plan (SSAMP) pursuant to Section 4-8 of the Sewer Master Plan (SMP) and submit it to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.
- 8. Unused Sewer Stub Abandonment: Unused existing sewer stub in Twinkle Avenue approximately 120 feet south of Pollock Street shall be abandoned back to the main connection.

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

- 9. Potable Water Infrastructure: Potable water infrastructure in TM20134 (PMTT17-013) is required to support this development. If the potable water infrastructure is not completed by TM20134, this development is subject to the improvements required.

- a. Install 8-inch potable water mains in Private Drive 'B' and Private Drive 'A' throughout TTM20529 and TTM20530, with two points of connection to the 8-inch water main at the intersection of Twinkle Avenue and Private Drive 'B' and at the intersection of Twinkle Avenue and approximately 120 feet south of Pollock Street. Public potable water mains installed in private drives shall be within a Public Utility Easement.
- b. Install 8-inch potable water main in Twinkle Avenue with two points of connection by connecting from the end stub of the potable water main in Twinkle Avenue and connecting to the 12-inch potable water main in Chino Avenue.

10. Potable Water Service:

- a. Domestic Service: Each Rowtown building shall have its own domestic potable water service and master meter connected to the Public Potable Water System.
- b. Backflow Prevention: Each meter connected to the Public Potable Water System that serves any use that is more than one (1) single family residential unit or any non-residential use requires a backflow prevention device.
- c. Fire Water Service: Each fire service shall have a Double Check Detector Assembly (DCDA) per current City Standards to serve the onsite private fire system. The onsite fire system and onsite domestic water plumbing system shall be separate.

11. Unused Potable Water Stub Abandonment: The unused existing potable water stub in Twinkle Avenue approximately 103 feet south of Pollock Street shall be abandoned back to the main connection.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

12. Recycled Water Infrastructure:

- a. Install Master Planned 8-inch recycled water main (1050PZ) in Chino Avenue from point of connection in Haven Avenue to Twinkle Avenue.
- b. Install Master Planned 24-inch recycled water main (930PZ) in Chino Avenue from point of connection in Haven Avenue to Twinkle Avenue.
- c. Install 8-inch recycled water main (930PZ) in Twinkle Avenue from Chino Avenue to southern boundary of the Project.
 - i. Phase 1: Recycled water main installed per Phase 1 shall be temporarily charged with potable water until Phase 2 recycled water main is installed and connect the Phase 1 recycled water main. The temporary potable water connection shall have a backflow prevention device. (Refer to PDA_22-001 for the phasing limits.)
 - ii. Phase 2: Once the recycled water main per Phase 2 is installed, the temporary potable water connection and its appurtenances used to charge the Phase 1 recycled water main shall be removed. (Refer to PDA_22-001 for the phasing limits.)

13. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscape irrigation. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.

14. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:

- a. Prior to Precise Grading Plan Approval and Building Permits Issuance:
 - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - ii. Submit an **Engineering Report (ER)** to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
 - iii. For details, contact Cynthia Heredia-Torres at (909) 395-2647 or ctorres@ontarioca.gov.
- b. Prior to Occupancy Release/Finalizing:
 - i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT22-010

Address: east side of Twinkle Avenue approximately 350 feet south of future Chino Avenue

APN: 0218-161-14

Existing Land Use: Vacant

Proposed Land Use: Tentative Tract Map to subdivide 11.11 gross acres of land into 3 numbered lots and 15 lettered lots for residential uses

Site Acreage: 11.11 Proposed Structure Height: N/A

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 10/11/22

CD No.: 2022-036

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure required.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2022-036
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: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Ben Mayorga, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-010

Finance Acct#:

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

- 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 (TT 20529) for condominium purposes, to subdivided 11.11 acres of land into 3 numbered lots and 15 lettered lots, to facilitate the development of 120 multi-family dwellings located generally 400 feet southwest of Chino Avenue and Mill Creek Avenue, within PA-5 of the Rich-Haven Specific Plan (APNs: 0218-161-14).

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.

Broadband Operations
Department

Cameron Chadwick
Signature

Title

03/29/2022
Date

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

CONDITIONS OF APPROVAL	
Sign Off	
Broadband Operations	3/08/22

Reviewer's Name Cameron Chadwick	Phone 909-395-2090
File #	Project Engineer:
Project Name and Location:	
Sent to:	

<input type="checkbox"/>	Plan does adequately address the departmental concerns at this time. No Comments.
<input checked="" type="checkbox"/>	Plan does adequately address the departmental concerns at this time. Report below.
<input type="checkbox"/>	Plan does not adequately address the departmental concerns. The conditions contained below must be met prior to scheduling for Development Advisory Board.

Req'd for Project	CONDITIONS OF APPROVAL -	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Project shall be designed and constructed 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 in the Right-of-Way (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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties within a reasonable distance. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Where a joint telcom or street light street crossing is required, include (2) 2" hdpe sdr-11 conduits or (1) 4" schedule 80 conduit sleeve. Terminate the street crossing conduit(s) in a new HH-3/22 ontarionet hand hole in the right of way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. The City requires a public utility easement for fiber optics on all private aisles/alley ways.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Hand holes - Design and install OntarioNet fiber optic hand hole HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively Newbasis Part # PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5 foot minimum clearance from existing/proposed utilities. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
<input type="checkbox"/>	<input type="checkbox"/>	7. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct

Req'd for Project	CONDITIONS OF APPROVAL -	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
<input type="checkbox"/>	<input type="checkbox"/>	15. Developer to install 3 inch SCE conduit stub for future City fiber optic meter pedestal within an 8-foot wide, 5-foot deep reserved area for City fiber optic network cabinet. A 3-foot clearance must be maintained around the cabinet and the meter. HH4 shall be placed near the reserved area for cable entrance to network cabinet. The pedestal and network cabinet will be supplied and installed by the City. The service submittal to SCE will be coordinated by the City.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16. Multi-family dwellings are considered commercial property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18. Please contact City's Fiber Team at OntarioNet@ontarioca.gov for conduit design assistance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19. For additional information please refer to the City's Fiber Optic Master Plan.
<input type="checkbox"/>	<input type="checkbox"/>	20. Please see attached corrections.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21. Please provide plans in digital format (PDF) on future revisions.

RET. WALL
HEIGHT=3.0' MAX
WITH SCREEN WALL

DITOMMASO
A.P.N. 0218-161-13

S TWINKLE AVENUE

LOT 1

LOT 2

LOT 3

RET. WALL
HEIGHT=3.0' MAX
WITH SCREEN WALL

FUTURE
R/W

PROP. PL

MATCH LINE SEE BELOW

TTM 20136

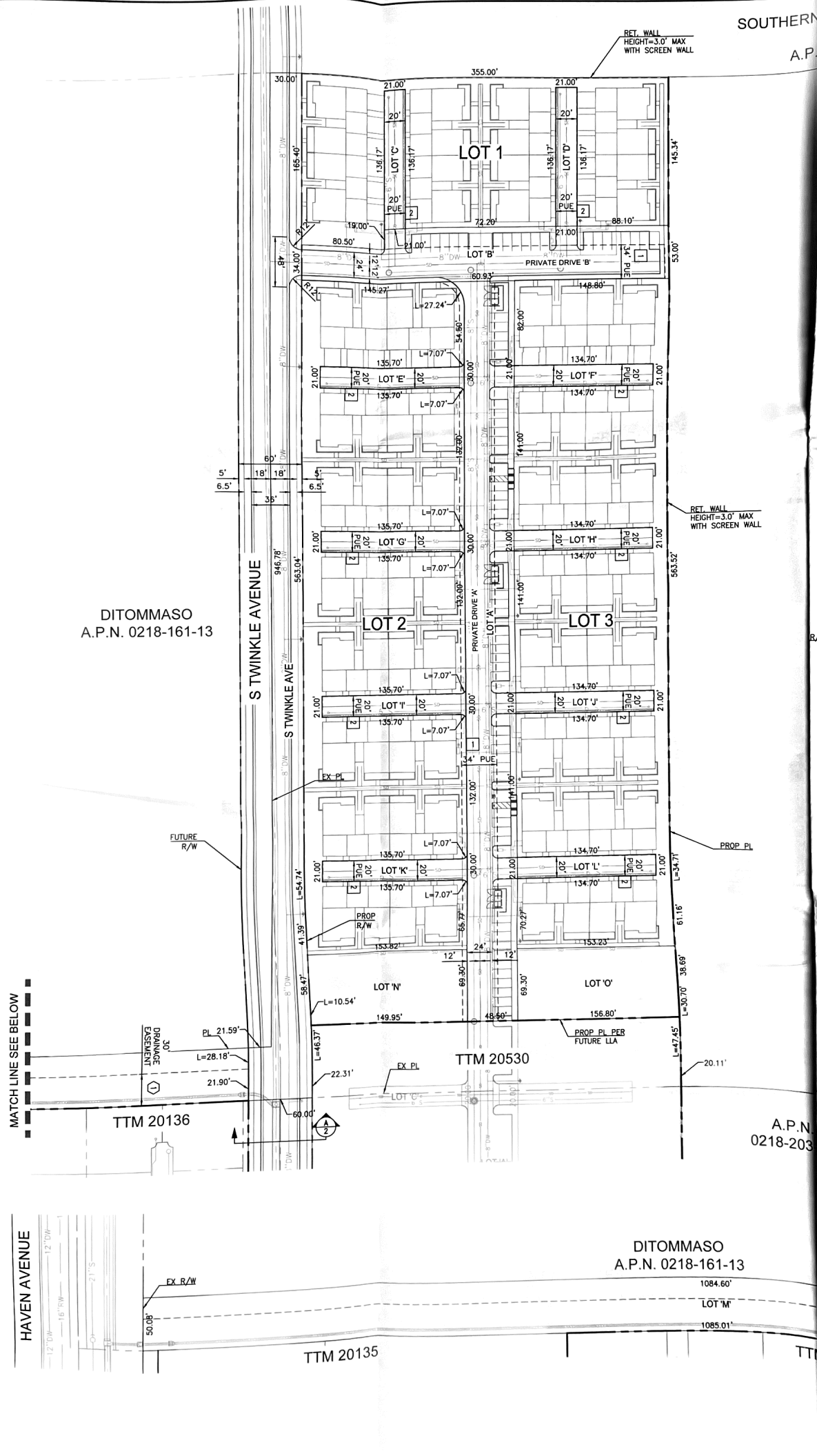
TTM 20530

A.P.N.
0218-203

DITOMMASO
A.P.N. 0218-161-13

HAVEN AVENUE

TTM 20135





CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 6, 2022

SUBJECT: PMTT22-010 - A Tentative Tract Map (TT 20529) for condominium purposes, to subdivided 11.11 acres of land into 3 numbered lots and 15 lettered lots, to facilitate the development of 120 multi-family dwellings located generally 400 feet southwest of Chino Avenue and Mill Creek Avenue, within PA-5 of the Rich-Haven Specific Plan (APNs: 0218-161-14).

-
- 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
- B. Type of Roof Materials: Ordinary
- 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

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.

Note: Due to the length of the private drive, private fire hydrants may be required.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
~~Gabriel Gutierrez, Police Department~~ *Jeremy Phillips*
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Ben Mayorga, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-010

Finance Acct#:

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

- 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 (TT 20529) for condominium purposes, to subdivided 11.11 acres of land into 3 numbered lots and 15 lettered lots, to facilitate the development of 120 multi-family dwellings located generally 400 feet southwest of Chino Avenue and Mill Creek Avenue, within PA-5 of the Rich-Haven Specific Plan (APNs: 0218-161-14).

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

POLICE DEPARTMENT
Department

ANTONIO GALBAN
Signature

POLICE OFFICER
Title

3/7/22
Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Jeremy Phillips, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Tricia Espinoza, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IT Department
Ben Mayorga, Integrated Waste

REVISION #1

FROM: Lorena Mejia, Senior Planner

DATE: July 26, 2022

SUBJECT: FILE #: PMTT22-010

Finance Acct#:

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

PROJECT DESCRIPTION: A Tentative Tract Map (TT 20529) for condominium purposes, to subdivide 11.11 acres of land into 3 numbered lots and 15 lettered lots, to facilitate the development of 120 multi-family dwellings located generally 400 feet southwest of Chino Avenue and Mill Creek Avenue, within PA-5 of the Rich-Haven Specific Plan (APNs: 0218-161-14).

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

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

The plan does not adequately address the departmental concerns.

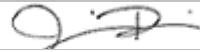
- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Department: Landscape Planning Division Signature: *[Handwritten Signature]* Title: Landscape Planner Date: 8/16/2022

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

**PRELIMINARY TRACT MAP
 CONDITIONS OF APPROVAL**

Sign Off



Jamie Richardson, Sr. Landscape Planner

08/16/2022

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:
 PMTT22-010

Related Files:

Case Planner:
 Lorena Mejia

Project Name and Location:

Tentative Tract Map for Condo Purpose
 Tract 20529

Applicant/Representative:

BrookCal Ontario, LLC – Tim Roberts Tim.Roberts@brookfieldrp.com (714) 200-1550
 3200 Park Center Drive, Suite 1000
 Costa Mesa, CA 92626



A Tentative Tract/Parcel Map (dated 07/26/2022) has been approved considering that the following conditions below are met upon the landscape construction documents submittal.



A Tentative Tract Map/Parcel (dated) has not been approved. Corrections noted below are required before DAB approval.

CORRECTIONS REQUIRED

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

1. Note on Tract Map for Future Development: Common open space shall be designed to create spaces that utilize trees, landscaping, and recreational facilities. Consider incorporating elements such as landscape planters, pathways, benches, gazebos, raised planters, and other unique features. Park space shall include amenities; consider spaces for family gatherings and games such as permanent table tennis, bocce ball, shade structures, fire pits, and BBQ. Incorporate with play areas. For playground recreational areas, provide unique, challenging play equipment for the playground. Consider Nature-inspired equipment from Landscape Structures, Play World, etc. Consider a small splash pad in the play area, if possible
2. Show conceptual grading to verify slopes and steps.
3. Note corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners.
4. Corners; verify dimension and grade for required monumentation (see Specific Plan for detail). Adjacent walls shall not interfere with required monumentation.
5. 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.
6. Parking spaces shall include end island planters for shade trees.

On Grading or Utility Construction Plans:

7. Stormwater infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved before permit approval or installation.
8. Note decorative paving for all motor courts, including the lots facing the parking rows aisles.
9. 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.
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 transformers greater than 4' high. Coordinate with landscape plans. Locate on level grade.
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 and 30' apart for street trees. Move water meters, drain lines, and 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" 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. AC units shall be located in areas that allow for landscape screening if visible from the street.
17. Stormwater infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division before installation.
18. Provide a tree inventory for existing trees, including 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.
19. 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.
20. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council.