CITY OF ONTARIO
PLANNING COMMISSION/
HISTORIC PRESERVATION
MEETING AGENDA

August 22, 2017

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

6:30 PM

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

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

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

<u>ROLL CALL</u>

DeDiemar __ Delman __ Downs __ Gage __ Gregorek __ Reyes __ Willoughby __

<u>PLEDGE OF ALLEGIANCE TO THE FLAG</u>

ANNOUNCEMENTS

1) Agenda Items

2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of July 25, 2017, approved as written.

PLANNING COMMISSION PUBLIC HEARING ITEMS

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

B. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW FOR FILE NO. PSP15-001: A public hearing to consider certification of the Environmental Impact Report, including the adoption of a Statement of Overriding Considerations, for File No. PSP15-001 and a Specific Plan (Colony Commerce Center West) request (File No. PSP15-001**)** to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 123.17 acres of land, which includes the potential development of 2,951,146 square feet of industrial development. The project site is bounded by Merrill Avenue to the north, Remington Avenue to the south, Carpenter Avenue to the west and the Cucamonga Creek Flood Control Channel to the east. The proposed project is located within the Airport Influence Area of Ontario

International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the ONT Airport and Chino Airport Land Use Compatibility Plans (ALUCP). (APNs: 0218-261-24, 0218-292-05, 0218-311-11, 0218-292-12, 0218-292-09, 0218-292-13, 0218-292-10, 0218-292-14); **submitted by Cap Rock-Partners. City Council action is required. (Continued from July 25, 2017)**

1. **CEQA Determination**

   Motion to recommend Approval/Denial of a Certification of an EIR, including the adoption of a Statement of Overriding Considerations

2. **File No. PSP15-001** (Specific Plan)

   Motion to recommend Approval/Denial

C. ENVIRONMENTAL ASSESSMENT DEVELOPMENT AGREEMENT, DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP REVIEW FOR FILE NOS. PDEV16-002 AND PMTT16-001/PM 19643: A Development Agreement between the City of Ontario and CLDFI Remington, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 19643 (File No. PMTT16-001) to subdivide approximately 65.60 acres of land into two parcels to facilitate a Development Plan (File No. PDEV16-002) to construct two industrial buildings totaling 1,289,292 square feet, located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan. The environmental impacts of this project were analyzed in the EIR (SCH# 2015061023) prepared for the Colony Commerce Center West Specific Plan (File No. PSP15-001). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the ONT Airport and Chino Airport Land Use Compatibility Plans. (APNs: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, 0218-292-14); **submitted by Cap Rock-Partners.**

1. **CEQA Determination**

   No action necessary – use of the Colony Commerce Center West Specific Plan EIR

2. **File No. PMTT16-001** (Parcel Map)

   Motion to Approve/Deny

3. **File No. PDEV16-002** (Development Plan)

   Motion to Approve/Deny

D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA16-001:** A Development Agreement between the City of Ontario and CLDFI Remington, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 19643 (File No. PMTT16-001), located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan. The environmental impacts of this project were analyzed in the EIR (SCH# 2015061023) prepared for the Colony Commerce Center West Specific Plan (File No. PSP15-001). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the ONT Airport and Chino Airport Land Use Compatibility Plans. (APNs: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, 0218-292-14); **submitted by Cap Rock-Partners. City Council Action Required.**

1. CEQA Determination

No action necessary – use of the Colony Commerce Center West Specific Plan EIR

2. File No. PDA16-001 (Development Agreement)

Motion to recommend Approval/Denial

E. **ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT17-008 AND PDEV17-026:** A Tentative Tract Map (File No. PMTT17-008; TT 18984) to subdivide 6.11 acres of land into 55 numbered lots and 2 lettered lots in conjunction with a Development Plan (File No. PDEV17-026) for the construction of 55 single family detached homes, private/common open space areas and recreational amenities, located at 2041 East Fourth Street, within the MDR-11 (Low Medium Density Residential) zoning district. The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA14-002 and PZC14-003, for which a Mitigated Negative Declaration was adopted by the Ontario City Council on November 18, 2014. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0110-441-10); **submitted by KB Home Coastal, Inc.**

1. CEQA Determination

No action necessary – use of previous MND

2. **File No. PMTT17-008** (Tract Map)

   Motion to Approve/Deny

3. **File No. PDEV17-026** (Development Plan)

   Motion to Approve/Deny

F. **ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT REVIEW FOR FILE NO. PUD17-002:** A Planned Unit Development to establish development standards and guidelines to facilitate the development of a 101-unit apartment project at a density of approximately 24.1 dwelling units per acre, on 4.18 acres of land bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district.. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04); **submitted by National Community Renaissance of California. City Council action is required.**

1. **CEQA Determination**

   No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PUD17-002** (Planned Unit Development)

   Motion to recommend Approval/Denial

G. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT17-009 & PDEV17-031:** A Tentative Parcel Map (File No. PMTT17-009/PM 19877) to subdivide 4.18 acres of land into a single parcel to facilitate the development of a Development Plan (File No. PDEV17-031) to construct a 101-unit apartment project, at a density of approximately 24.1 dwelling units per acre, on property generally bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15315 (Minor Land Divisions) and 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04) **submitted by National Community Renaissance of California.**

1. **CEQA Determination**

   No action necessary – Exempt: CEQA Guidelines Section § 15315 & 15332

2. **File No. PMTT17-009** (Parcel Map)

   Motion to Approve/Deny

3. **File No. PDEV17-031** (Development Plan)

   Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

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

2) New Business

3) Nominations for Special Recognition

DIRECTOR'S REPORT

1) Monthly Activity Report

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

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

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I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, August 18, 2017**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Gwen Berendsen, Secretary Pro Tempore

Scott Murphy, Planning Director
Planning/Historic Preservation
Commission Secretary

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING

MINUTES

July 25, 2017

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CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING

MINUTES

July 25, 2017

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

COMMISSIONERS Present: Chairman Delman**,** Vice-Chairman Willoughby, DeDiemar, Downs, Gage, Gregorek, and Reyes

Absent: None

OTHERS PRESENT: Development Agency Director Haghani, Principal Planner Zeledon, City Attorney Rice, Senior Planner R. Ayala, Senior Planner Noh, Assistant City Engineer Do, and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

ANNOUNCEMENTS

Mr. Zeledon announced that there were revised Conditions of Approval for item B presented before them. Also, item D, which was the Colony Commerce Center West Environmental Impact Report and Specific Plan, was being requested for continuance until the August 22, 2017 Planning Commission meeting. He said that there was correspondence and comments regarding the EIR before them as well. Mr. Zeledon stated that when they get to item D the Chairman should open the public hearing for comment for any public who will not be available to comment on August 22nd.

Mr. Delman announced that the historic St. George's church in Ontario which has fallen into some disrepair, will be having a fundraiser for the restoration on the church building. He said for $5 a ticket, they would be raffling off a new 2017 Toyota Corolla SE. He stated second place is $500 and third place is $300 and fliers were available on the back table with the agendas. He encouraged everyone to please contribute to this great project.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

Mr. Gregorek stated he would need to abstain from voting on item A-02 since he has a conflict; his firm has been doing work on the proposed project.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of June 27, 2017, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-009: A Development Plan (File No. PDEV17-009) approval to construct 330 single-family residential dwelling units (104 conventional units and 226 cluster units) on 48.82 acres of land located within the Low Density Residential district of Planning Areas 4, 5 and 6 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Turner Avenue. The environmental impacts of this project were previously analyzed in the EIR (SCH#2012061057) prepared for the Grand Park Specific Plan (File No. PSP12-001) and adopted by the City Council on January 21, 2014. All adopted mitigation measures shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT Airport. (APNs: 0218-241-37, 0218-241-38 and 0218-241-40); **submitted by Lennar Homes of California, Inc.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-024: A Development Plan (File No. PDEV17-024) approval to construct 88 single-family residential dwellings on 14.35 acres of land located within the Conventional Medium Lot Residential district of Planning Area 4 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Parkview Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT and Chino Airports. (APN: 0218-022-15); **submitted by CalAtlantic Group, Inc.**

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Reyes, to approve the Planning Commission Minutes of June 27, 2017, as written. The motion was carried 6 to 0 for the Minutes, with Commissioner Downs Abstaining, and File No., PDEV17-009 with Commissioner Gregorek Abstaining. File No., PDEV17-024 was approved with the motion of 7 to 0.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT17-001/TT 20076: A Tentative Tract Map (File No. PMTT17-001/TT 20076) to subdivide 7.65 acres of land into 62 numbered lots and 29 lettered lots within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue, approximately 700 feet south of Ontario Ranch Road. The environmental impacts of this project were previously analyzed in

an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. (APN: 0218-412-02); **submitted by Brookcal Ontario, LLC.**

Senior Planner, Henry Noh, presented the staff report. Mr. Noh gave background on the project site and surrounding areas. He stated the community north of Ontario Ranch Road which is being developed by Brookfield is New Haven Community which currently has model and projection homes, as well as the existing recreation center and park. Mr. Noh shared that the previously approved Tract Map had a dog park and open space which will be shared with this project to meet The Ontario Plan (TOP) requirements. He explained the proposed Tentative Tract Map will subdivide 7.65 acres of land into 62 numbered lots and 29 lettered lots with 62 dwelling units that are a six-pack cluster. He stated that Brookfield currently has been selling these homes in New Haven and they're known as the Waverly product. Mr. Noh went over the ingress/egress plans for the site and also the lot sizes for the planned development. He stated the Development Plan has not yet been formally submitted, but will be coming at a later time to the Planning Commission for review and approval. He stated that staff is recommending the Planning Commission approve File No. PMTT17-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval, which included the revisions by the Engineering department.

Mr. Willoughby asked if the emergency access off of Haven Avenue will be open to public, landscaped and/or gated.

Mr. Noh stated that it will be landscaped with a gate.

Mr. Willoughby asked if the five lots outside of the main site would be a different than the Waverly product.

Mr. Noh stated no, they will have just a slightly different configuration than the others.

Mr. Reyes asked about the park which was mentioned. He wanted to know if it was shown on the exhibit slide presented of the tract map.

Mr. Noh said it was not on the exhibit presented; it would be west of New Haven Drive.

Mr. Reyes confirmed that these homes would have access to the park.

Mr. Noh stated yes and would include a pool, restrooms and a dog park.

Mr. Reyes asked about Lot R [entry to right], which is noted as open space. He asked if there were any special amenities planned for that location.

Mr. Noh said he believed there was landscaping planned for that area.

PUBLIC TESTIMONY

Tim Roberts, Director of Land Entitlement for Brookfield appeared and spoke. Mr. Roberts said he wanted to take the opportunity to introduce himself and the Commissioners may have known his colleague previously, Derek Barbour, who recently left Brookfield and he has taken his place. Mr. Roberts stated he appreciated staff's excellent report and working with them on the revised conditions. He said he would answer any questions.

Mr. Reyes asked if he would like to elaborate on the entry to the two projects and how they envision people walking over to the park.

Mr. Roberts stated this is a master plan and association, as well as a resort to the north. He said all of the homeowners would have access to these facilities as part of a master association. He stated it is part of their planning to increase and promote residential pedestrian access throughout the area, including a project that is not before them yet, which is a commercial piece, just to the north. He shared they see the value in pedestrian connectivity between the areas. He referred to the question about Lot R said that although they don't have the plans in yet, they anticipate signage, similar to the New Haven community with natural planks and bold lettering. He said their goal is make it feel like one master plan.

Mr. Willoughby stated that since he mentioned the commercial area, are there any plans for a pedestrian walkway so individuals don't have to go out onto New Haven or Haven Avenue.

Mr. Roberts said that they looked at it, but it was voted down because some of the area will be used for commercial truck loading and unloading.

Mr. Gage asked about the common driveway for the six-home cluster. He asked how they envisioned the pavement for the driveway.

Mr. Roberts said, honestly being new to Brookfield in general, he didn't have a great sense of what would be done. He said he knew they were decorative pavers, but didn't know the detail himself. He referred to Lindsey Simpson from K&A who could address it more specifically.

Lindsey Simpson with K&A Engineering came up to the podium to address the Commission. She said she doesn't know the particulars at this time, but they are the enhanced pavers but she will make sure they are approved by Landscape, Planning, Engineering and Building departments to meet the satisfaction of the City.

Mr. Gage asked if there would be HOA rules for the use of the common driveway.

Mr. Roberts said he doesn't know right off, regarding the CC&Rs. He said the project to the north has CC&Rs and enforcement for garages being used for parking and not storage. He would be happy to get back to the Commission on the rules for that common space.

Mr. Gage stated he answered the question.

Mr. Reyes asked about the open lot. He wanted to know if it would be gated and if it would have pedestrian access.

Ms. Simpson stated yes; it would be a combination of sidewalk and fire department access. She said they are looking at "grass creek", so it looks like a walk with grass growing out of it so it's aesthetically pleasing. She either down the center or next to it would be pedestrian access which would be available at all times.

Mr. Reyes said that would be a good way to get out to Haven.

Ms. Simpson said yes and there would also be the regional trail.

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

Mr. Gage said he liked the project as far as six clusters goes, but doesn't want to see it everywhere in Ontario Ranch. He said it looks like it's done well, especially that the common driveways will be decorative pavers and hopefully it will turn out nice. He stated obviously six homeowners are going to use them and it will make a big difference in the project. He said everything looked fine to him.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Willoughby, to adopt a resolution to approve the Tentative Tract Map, File No., PMTT17-001, subject to the revised conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

C. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN, AND VARIANCE REVIEW FOR FILE NOS. PMTT17-007 (TT17624), PDEV17-022 & PVAR17-007: A Tentative Tract Map (File No. PMTT17-007/TT 17624) to subdivide 3.47 acres of land into 31 single family lots and common areas, in conjunction with a Development Plan (File No. PDEV17-022) to construct a 31 single family homes (Cluster Product) and a Variance (File No. PVAR17-007) to deviate from the minimum building arterial street setback, along Mission Boulevard, from 30 feet to 5 feet and 9 inches. The project is located on the south side of Mission Boulevard, between San Antonio and Oakland Avenues, within the MDR-11 (Low-Medium Density Residential 5.1 to 11.0 du/ac) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Minor Alterations 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 (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (APNs: 1049-323-06, 1049-323-07, 1049-323-08, 1049-323-12 & 1049-323-13); **submitted by North by Northwest Capital Inc.**

Principal Planner, Rudy Zeledon, presented the staff report. Mr. Zeledon gave a brief background on the project and surrounding areas. He stated 31 single-family units are being proposed with three 2-story floor plans to choose from ranging from 1,600 to 1,900 square

feet. He shared 21 of the units will be designed in a cluster courtyard configuration and the units along the south side will be designed in a more traditional style with garage access off a private drive. Mr. Zeledon went over the landscape design which included arbors, architecture and pedestrian connectivity for the project, including private and public areas including a park for the residents. He explained each unit has two parking garage spaces and an additional 23 guest parking spaces which met the required parking condition per the Development Code. He explained proposed floor plan and each application of the development plan, tract map, variance which was request to reduce the setback along Mission Boulevard from 30-feet to 5-feet due to the narrow width of the property. He stated that staff is recommending the Planning Commission approve File Nos. PVAR17-007, PMTT17-007 and PDEV17-022 pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gregorek had questions regarding the Variance; asking if it was because of the one unit very close to the setback.

Mr. Zeledon stated that was correct. He said there were units setback from 5 to 20 feet.

Mr. Gregorek wanted to be sure the setback was from the green area [on the slide] and not the curb and gutter.

Mr. Zeledon stated that was correct; there was a parkway and then the curb so the total would be about 17-feet.

Mr. Gregorek asked what the beige area was on the landscape plan. He asked if that was supposed to represent grass.

Mr. Zeledon stated those were backyards; which will be the responsibility of the homeowner. He said everything outside of that, courtyards and front yards will be installed by the developer and maintained by the HOA.

Mr. Gregorek asked if the southern units would have their own private driveways.

Mr. Zeledon stated that was correct; with an exception of two units [which he pointed out on the slide].

Mr. Gregorek asked if the “lettered” streets were to be private.

Mr. Zeledon stated that was correct, they will be private.

Mr. Reyes asked about the entry monuments stated on the plans. He questioned if that was just on the San Antonio Avenue side or on both sides.

Mr. Zeledon stated he believed it was on the San Antonio Avenue side, but they can confirm with the applicant.

Mr. Reyes asked if there planned shade or covered areas within the park for people to sit.

Mr. Zeledon said it doesn’t at this point, but during the plan check process it’s typical to

look at the furniture and talk with the applicant at that point.

Mr. Reyes asked about the proposed stone wall on Mission Boulevard. He wanted to know if there were going to be decorative caps or pilasters especially since the variance was going to be reduced.

Mr. Zeledon said yes, it is a condition of approval that it will have a decorative cap.

Mr. Gage asked if there will be anything on the wall that faces Mission Boulevard which will discourage graffiti.

Mr. Zeledon said that when the project comes in for landscape plan check, there should be vine pockets and accent trees.

Mr. Willoughby asked if the guest parking will all be located in front of the park area.

Mr. Zeledon stated no; there are a few areas and pointed them out on the slide.

Mr. Willoughby confirmed there are about four different areas and 23 spaces.

Mr. Zeledon stated yes.

PUBLIC TESTIMONY

Alex Espinoza, from North by Northwest Capital Inc. appeared and spoke. Mr. Espinoza stated he had his business and developed properties in the City for over 36 years and one of the biggest considerations he deals with is affordability and providing entry level housing. He stated this is was a stellar project which he was proud to put his name on. He said he was there to encourage their approval and would answer any questions which the Commission might have. He stated this project would be something that would establish the neighborhood and add increase value to the entire community.

Mr. Willoughby asked about the affordability of the homes. He asked if there was a proposed price range.

Mr. Espinoza stated they were in the low $400,000s, which in the current real estate market is a good price rate for entry level houses.

Mr. Downs asked if the project was under the flight path.

Mr. Espinoza stated it was, as much of Ontario is and the homes are being built to the standards to help mitigate any noise.

Mr. Downs asked if there were gates or if the entry ways were to be left open.

Mr. Espinoza stated that at this point, they are to be open and they are not planning to be gated.

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

Mr. Reyes stated this a good project for this location and there's a real need for these in-fill projects in this part of town to be utilized in this fashion. He said they don't always have to be multi-family too, there are people to want to own their little home and have the American dream and this project meets that. He said that area really needs something like that. He said it was a tough area to figure out what goes in there, but the applicant did a great job finding the right product which fits the region well.

Mr. Downs asked if Mission Boulevard came about because of traffic off of Holt from his history lessons when it was the former Highway 60.

Mr. Delman stated he believed California Avenue was Highway 60.

Mr. Downs said thank you for the reminder.

Mr. Delman thanked Mr. Espinoza for the project and it will spruce up the neighborhood.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Downs, to adopt a resolution to approve the Variance, File No., PVAR17-007, Tentative Tract Map, File No., PMTT17-007 and Development Plan, File No., PDEV17-022, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.

D. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW FOR FILE NO. PSP15-001:** A public hearing to consider certification of the Environmental Impact Report, including the adoption of a Statement of Overriding Considerations, for File No. PSP15-001 and a Specific Plan (Colony Commerce Center West) request (File No. PSP15-001**)** to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 123.17 acres of land, which includes the potential development of 2,951,146 square feet of industrial development. The project site is bounded by Merrill Avenue to the north, Remington Avenue to the south, Carpenter Avenue to the west and the Cucamonga Creek Flood Control Channel to the east. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the ONT Airport and Chino Airport Land Use Compatibility Plans (ALUCP). (APNs: 0218-261-24, 0218-292-05, 0218-311-11, 0218-292-12, 0218-292-09, 0218-292-13, 0218-292-10, 0218-292-14); **submitted by Cap Rock-Partners. City Council action is required.**

Principal Planner, Rudy Zeledon, stated that the item was being requested to be continued to the August 22, 2017 meeting. He asked the Chairman to open the public hearing to allow anyone who would like to make a comment on the item who may not be able to make the meeting in August to have the opportunity.

PUBLIC TESTIMONY

Josh Bourgeois, from Golden State Environmental Justice Alliance appeared and spoke. He said since the item is being continued he would hold his comments until the meeting of August of 22nd.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Gage, to continue the continue the Certification of an EIR, including the adoption of a Statement of Overriding Considerations, and Specific Plan, File No., PSP15-001, to the meeting of August 22, 2017.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

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

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

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

New Business

Mr. Willoughby stated several of the Commissioners attended the "Planning Commission Matters" event at Sierra Lakes in Fontana earlier in the month with many other Planning Commissioners across the Inland Empire. He said it was very informative and many of the other Commissioners stated they also deal with many of the same issues they face. He said again it was very information and it was good to sit across from other Commissioners and hear what their cities are going through and their issues.

Mr. Gage stated he also attended and it was nice to see all the other planners and Planning Commissioners from the immediate area. He said it was really nice to hear a lot of positive comments about the City of Ontario and the Planning Department. He stated that the City was spoke of highly and was used as a model often from neighboring cities. He stated a big part of the meeting was sharing what the future would look like; less commercial and more residential. He said they stated there may be fewer cars so less parking might be needed. He questioned since the program was sponsored by a residential developer if those comments were true for more residential and less parking, but nevertheless, that's what the future predicts. Mr. Gage shared rapid transit was also brought up as a mitigating factor for the future and fewer cars thirty or forty years looking forward. He said he hoped the planning goes well and that they do get rapid transit to get less cars.

Mr. Reyes said he agreed with Mr. Gage and had mixed feelings going to that event. He stated he thought the main speaker did a good job keeping a balance being a planner, landscape architect and the projects his firm is working on and how traditional retail shopping structures are changing. He said there are smaller "hipster" style retail projects coming out focusing on detail. He shared that it made him think about general planning for our city and now with the airport that every major corner is valuable. He said as we think about "Main and Main" in Ontario, we need to think about that; so our main arterials should be focused on. Haven Avenue and Archibald. He stated he was glad to see stuff off the 60 FWY and Mountain Avenue, but there's a long way to go. He also said Grove Avenue needs attention, although some is the domain of CalTrans, we need to put some attention to that area. He stated they talked about long-term projects and he will be keeping that in mind as he votes on projects. Will these projects last one-hundred years.

Ms. DeDiemar said that the Commission should add staff member Cathy Wahlstrom was also in attendance at the event. She said the City had both Commissioners and staff in attendance and it was very nice.

Mr. Gage said he had one additional comment. He shared that one of the speakers said that retail/commercial is going downhill and had recently been in a three-story Sears building with only 6 people in it. He said that he had recently been at the Ontario Mills and couldn't find a parking space and he wanted to tip his hat to the Ontario Mills because it has been improving. He stated it's a vibrant thing in the City of Ontario and we might take it for granted, but we're very lucky. He said it's such a commercial success, so hats off to the Ontario Mills and the City of Ontario.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Zeledon stated the Monthly Activity Report was in their packet and their next regular meeting was scheduled for Tuesday, August 22, 2017.

ADJOURNMENT

Willoughby motioned to adjourn, seconded by Gage. The meeting was adjourned at 7:30 PM.

_____

Secretary Pro Tempore

_____

Chairman, Planning Commission

PLANNING COMMISSION STAFF REPORT

August 22, 2017

SUBJECT: A Specific Plan (Colony Commerce Center West) request (**File No. PSP15-001)** to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 123 acres of land, which includes the potential development of 2,951,146 square feet of industrial development. The project site is bounded by Merrill Avenue to the north, Remington Avenue to the south, Carpenter Avenue to the west and the Cucamonga Creek Flood Control Channel to the east; **submitted by Cap Rock Partners.**

PROPERTY OWNER: CLDFI Remington LLC.

RECOMMENDED ACTION: That the Planning Commission recommend that the City Council adopt and certify an Environmental Impact Report (SCH# 2015061023), including the adoption of a Statement of Overriding Consideration, and approve the Colony Commerce Center West Specific Plan (**File No. PSP15-001**), pursuant to the facts and reasons contained in the staff report and attached resolutions and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is made up of eight separate parcels comprising 123.17 acres of land. The site is bounded by Merrill Avenue to the north, Remington Avenue to the south, Carpenter Avenue to the west and the Cucamonga Creek Flood Control Channel to the east, within the Ontario Ranch Area of the City, as depicted in ***Figure 1: Project Location***. The project site currently slopes from north to south at just over 1 percent. The City of Eastvale is located to the southeast of the site and the City of Chino is located to the west and southwest.

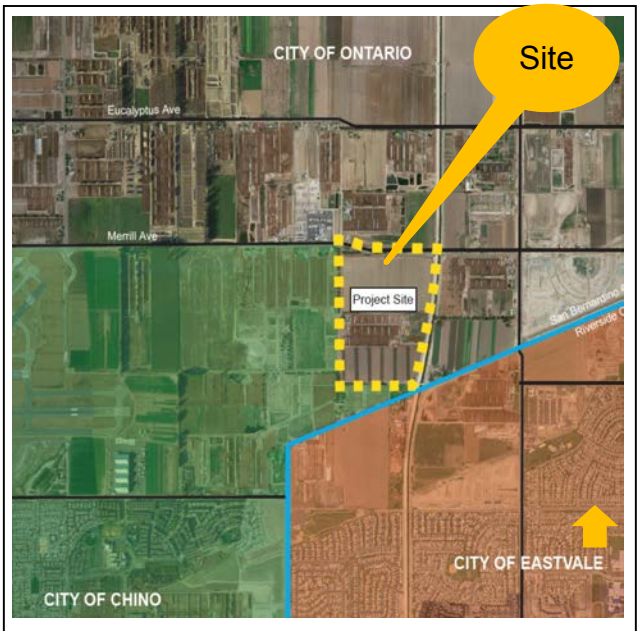

Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	January 14, 2015
Hearing Deadline:	n/a

Hearing Body	*Date*	*Decision*	*Action*
DAB			
ZA			
PC	8-22-17		Recommend
CC	9-19-17		Final

PROJECT ANALYSIS:

[1] Background — This project was continued from the July 25, 2017, Planning Commission meeting. Attached to this report are copies of the correspondences that were received prior to the Planning Commission meeting.

The Ontario Plan (TOP) Policy Plan (General Plan) provides the basic framework for development within the 8,200-acre area commonly referred to as Ontario Ranch. The Policy Plan requires City Council approval of a Specific Plan for new developments within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve cohesive, unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure (including drainage, sewer, and water facilities), provision for public services (including parks and schools), and urban design and landscape plans.

[2] Specific Plan — The Colony Commerce Center West Specific Plan (File No. PSP15-001) serves to implement the City's Policy Plan for the project site and provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure requirements, and implementation requirements for the development of 123.17 acres within the Specific Plan boundaries. The Specific Plan establishes a comprehensive set of development regulations and design guidelines to regulate site planning, landscaping, and architectural character, and ensuring that excellence in community design is achieved during project development. The Colony Commerce Center West Specific Plan establishes the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved.

The overall land use concept for the Colony Commerce Center West Specific Plan takes advantage of the site's proximity to airports and regional freeway access. The land use concept provides for a range of industrial uses, while offering a variety of development and employment opportunities and the ability to accommodate an ever-changing business and industrial environment.

The Specific Plan identifies the land use intensity anticipated in the two planning areas (see ***Figure 2: Land Use Plan***)**.** The maximum Floor Area Ratio (FAR) permitted in each Planning Area conforms to the maximum 0.55 FAR permitted in the Policy Plan (General Plan) Land Use Plan for industrial designations.

Planning Area 1, located along the northern portion of the Specific Plan area, is 57.58 acres in size and can potentially be developed with 1,379,501 square feet of industrial development. Planning Area 2, located along the southern portion of the Specific Plan is 65.60 acres in size and can potentially be developed with 1,571,645 square feet of industrial development (see ***Figure 3: Land Use Summary Table***).

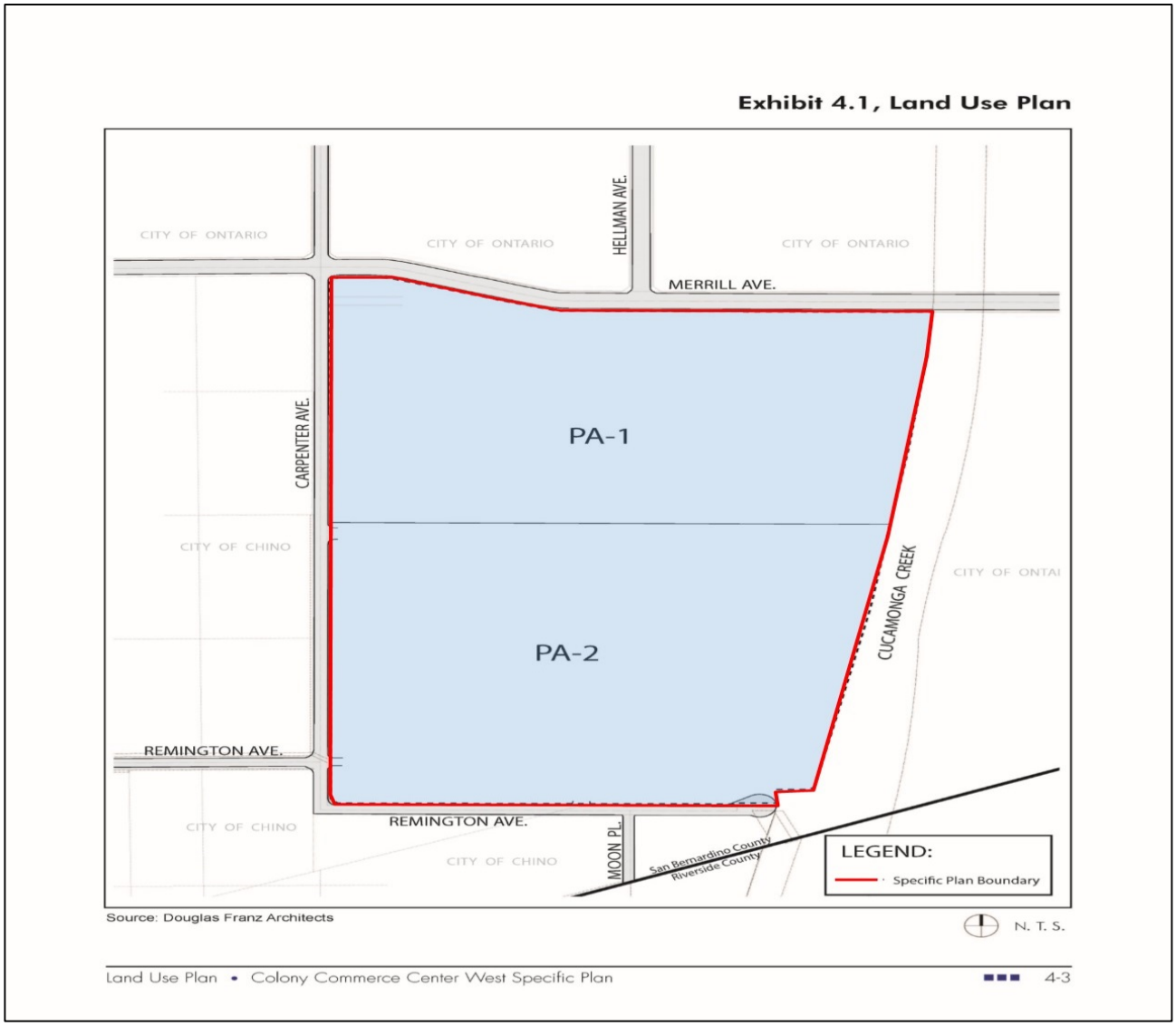

Figure 2: Land Use Plan

Table 4.1, Land Use Summary

Planning Area (PA)	Land Use	Acres	Maximum Potential Intensity (Gross Floor Area)	Max.Floor Area Ratio
PA-1	Industrial	57.58 ac	1,379,501 SF	0.55
PA-2	Industrial	65.60 ac	1,571,645 SF	0.55
	Total	123.17 ac	2,951,146 SF	0.55

Figure 3: Land Use Summary Table

Specific Plan Design Concept —The design theme and site design of the Colony Commerce Center West Specific Plan was created to ensure that the Specific Plan reflects the vision embodied by TOP as follows:

- Develop a quality, cohesive design concept and identity for the Colony Commerce Center West area;

- Establish development standards that ensure lasting value for the industrial developments;

- The architectural image of the Specific Plan will be perceived primarily from the public realm. Therefore, building massing, scale and roof forms, as the primary design components require articulation in their architectural expression as they relate to the public view;

- A theme wall/entry monument may be installed at the major project entries at the discretion of the builder or project developer;

- Site design should facilitate the intended functions of developed and open space areas and provide for appropriate interactions between buildings and activity areas, good movement, vehicular access and parking, and pedestrian and bicycle travel;

- Buildings should be oriented to define the streetscene and provide for an aesthetically pleasing streetscape; and

- Major vehicular and pedestrian entries to the site from the public street system should be readily visible.

The Colony Commerce Center West Specific Plan Design Guidelines have been established to promote high-quality architecture as required by the Ontario Development Code and TOP. The architecture theme of the Specific Plan will be a tilt-up contemporary style.

The design guidelines of the Specific Plan will require buildings to be built with a recognizable base, body, roofline and entries. In addition, all buildings will be required to provide substantial window glazing along the storefronts office areas, incorporate material changes such as stone or metal, wall and roof articulation and rich detailing. Buildings will be further enhanced with decorative lighting and plaza areas, employee outdoor plaza/patio areas that will feature decorative paving, accent plants, decorative lighting and specimen trees.

Architecture — The Colony Commerce Center West Specific Plan Design Guidelines have been established to promote high-quality architecture as required by the Ontario Development Code and TOP. Since it is envisioned that the site will be developed with industrial development, the architecture style will be similar to what has been developed within the Meredith Specific Plan at the southeast corner of Fourth Street and Vineyard Avenue (see ***Figure 4: QVC Building***), utilizing a tilt-up contemporary style. All buildings will be required to provide a recognizable base, body, roofline and entry. ***Figure 5*** & ***Figure 6,*** below, illustrate conceptual building concepts of what is envisioned to be constructed within the Specific Plan.

Figure 4: QVC Building Example

Figure 5: Building perspective at the Southwest Corner of Carpenter and Remington Avenue

Figure 6: Building(s) perspective along Carpenter Avenue

Circulation Concept —The circulation plan for Colony Commerce Center West Specific Plan reinforces the objective of moving vehicles, pedestrians, cyclists, and public transit safely and efficiently through and around the project. The Specific Plan establishes the hierarchy and general location of roadways (see ***Figure 7: Circulation Plan***). Primary access into the Specific Plan Area will be from Merrill Avenue on the north, Carpenter Avenue on west and Remington Avenue on the south.

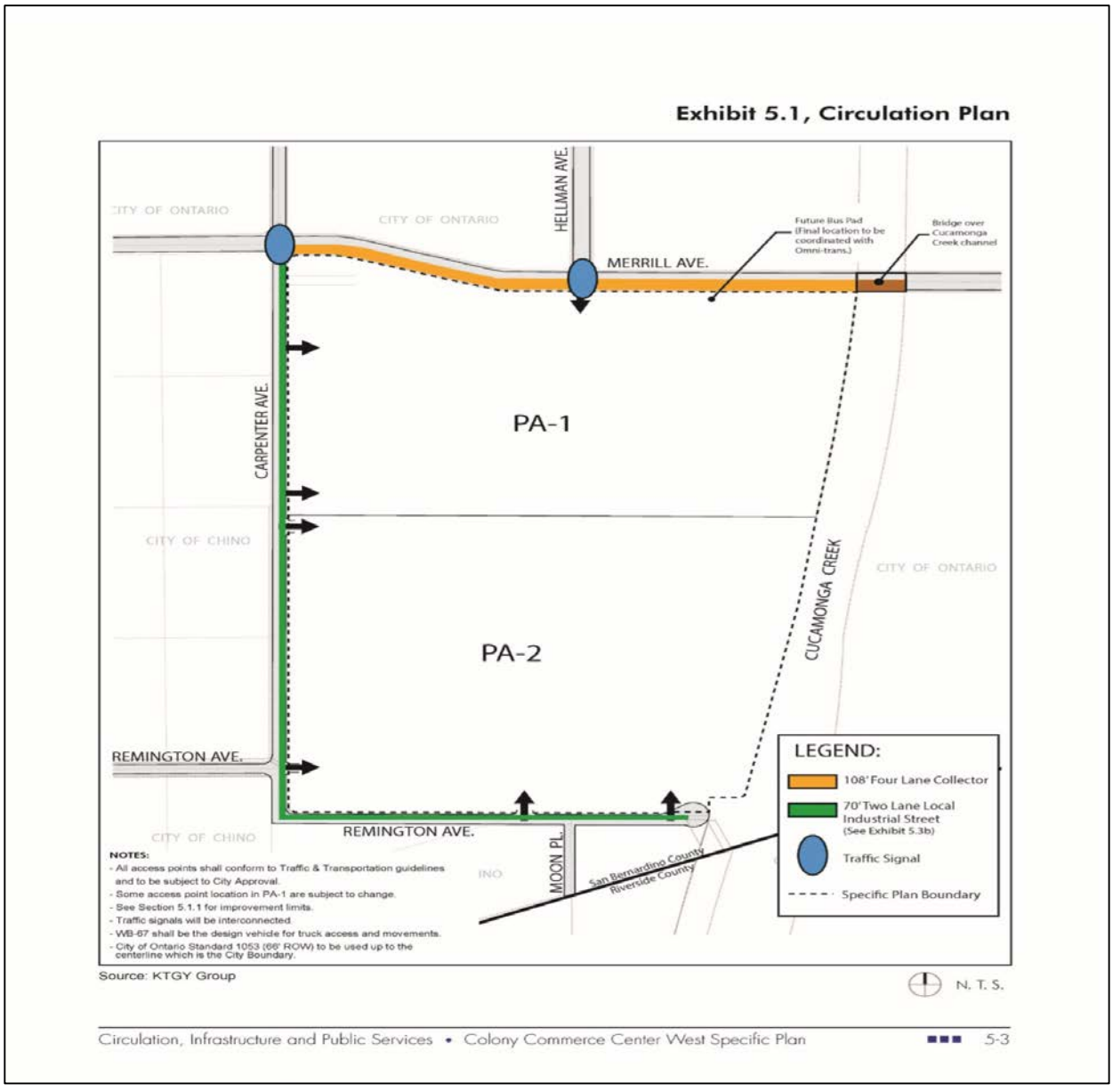

Figure 7: Circulation Plan

Merrill Avenue will be designed to be widened to a four (4) lane, 108-foot wide collector street. Carpenter and Remington Avenues will be designed and widened to two-lane local industrial streets (70-foot right-of-way). The easterly end of Remington Avenue will be designed to terminate with a cul-de-sac.

Planning Area 1 has been designed to provide two points of access along Carpenter Avenue and one along Merrill Avenue. Planning Area 2 has been designed to provide two access points along Carpenter Avenue and two along Remington Avenue. The Merrill and Carpenter Avenue intersection is proposed to be a signalized intersection and improvements will be installed when the first development on the site occurs. The intersection at Merrill Avenue and Hellman Avenue is also proposed to be signalized, however, the signal improvement will not be completed until development along the north side of Merrill Avenue occurs.

Landscaping Design — The landscape palette for the Specific Plan (Table 7.1 of the Specific Plan) identifies the plant material and trees to be used within parking lots, along street parkways, within sign monument areas, and adjacent to buildings.

Development within the Specific Plan will be required to provide a minimum landscape coverage of 10%. Merrill Avenue will be required to provide a 23-foot landscaped setback. Carpenter and Remington Avenues will each provide 10-foot landscaped setbacks. Along the Cucamonga Creek Flood Control Channel, a five-foot landscape setback will be provided. In addition, Merrill Avenue will be designed with a seven-foot wide, curb-adjacent landscape parkway, a five-foot wide sidewalk, and a 23-foot landscaped neighborhood edge. Carpenter Avenue and Remington Avenue will be designed with a four-foot wide curb, adjacent landscape parkway and a five-foot wide sidewalk (see **Figure 8, 9 & 10: Typical Landscape Street Cross Sections**).

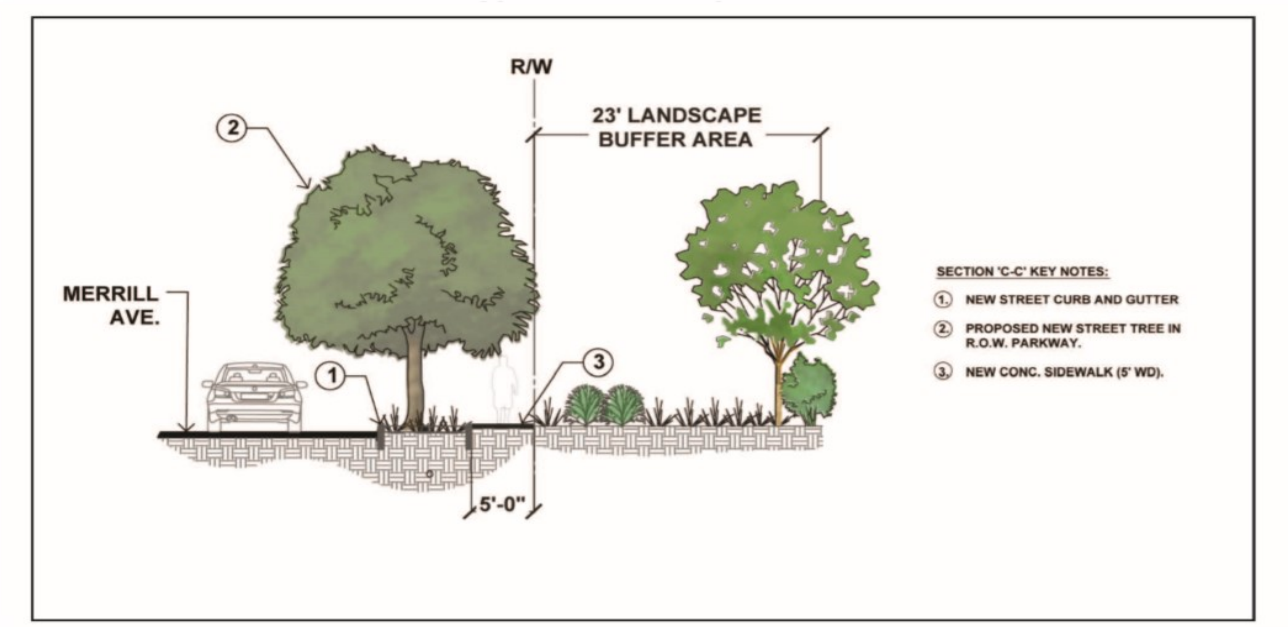

Figure 8: Merrill Avenue Cross Section

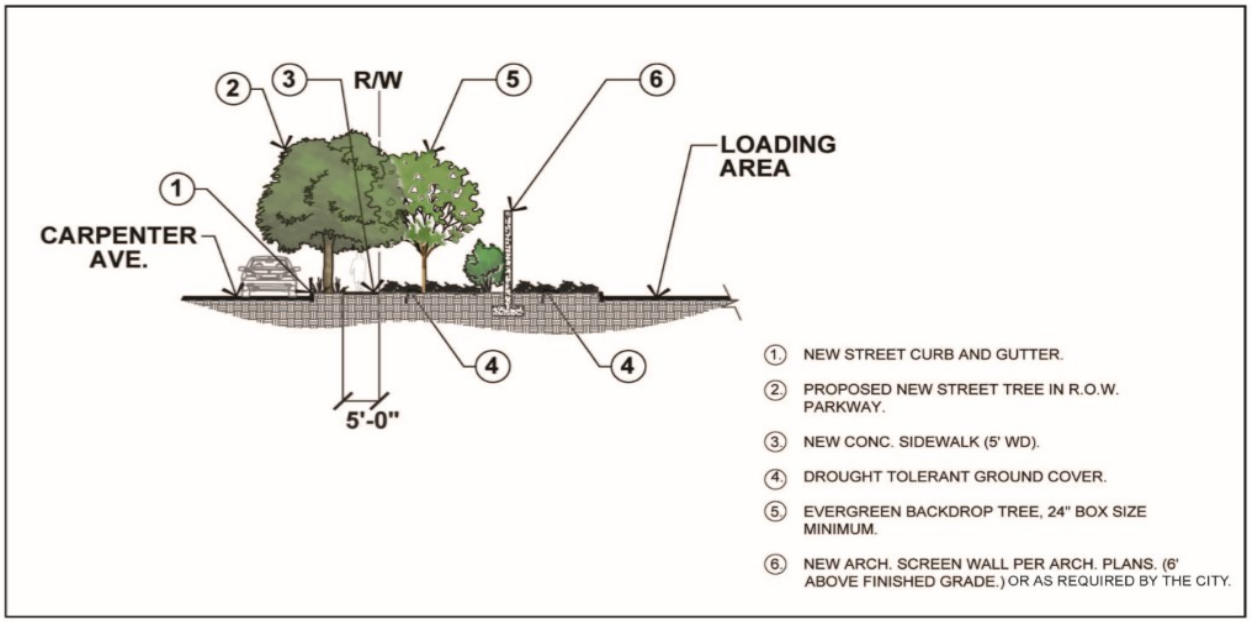

Figure 9: Carpenter Avenue Cross Section

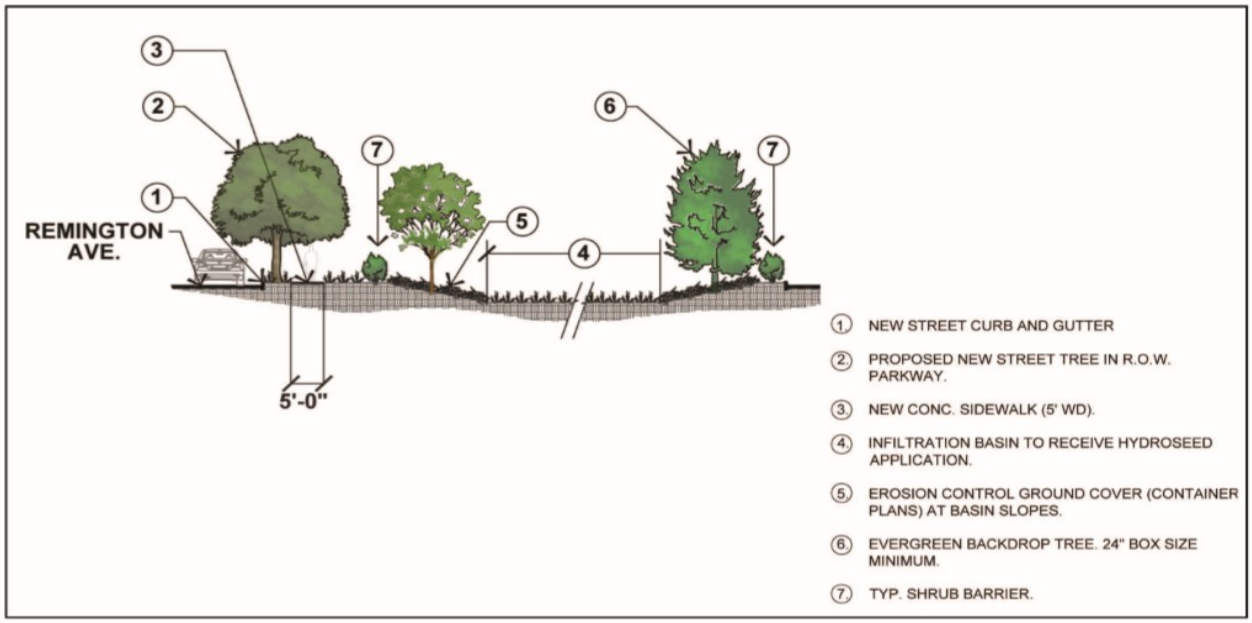

Figure 10: Remington Avenue Cross Section

Infrastructure and Services — Backbone infrastructure to serve all areas of Specific Plan will be installed by the developer(s) in accordance with the Ontario Ranch (New Model Colony) Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optic facilities. Natural gas will be provided by The Gas Company and electricity by Southern California Edison. Development of the project requires the installation by the developer of all infrastructure necessary to serve the project as a standalone development.

Specific Plan Phasing— Development phasing within the Specific Plan will be determined by the various developers, based upon the real estate market conditions. Specific infrastructure, community facilities and open space dedications will be provided/conditioned with individual tract maps and/or development plans.

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

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of specific plans as an implementation tool for elements contained in the local general plan. Specific plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan. The Colony Commerce West Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy analysis in *Appendix "Policy Plan (General Plan) Consistency,"* of the Specific

Plan describes the manner in which the Colony Commerce Center West Specific Plan complies with the Policy Plan goals. In addition, the Specific Plan implements the goals and policies of TOP as follows:

[1] City Council Goals.

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

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

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT) and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics.

ENVIRONMENTAL REVIEW: The Specific Plan is located in the City of Ontario in what is part of the approximately 8,200-acre area within the City of Ontario Sphere of Influence (SOI). On January 7, 1998, the City of Ontario adopted the New Model Colony (NMC) General Plan Amendment (GPA) setting forth a comprehensive strategy for the future development of the SOI. The NMC is bound by Riverside Drive to the north, Milliken Avenue to the east, Euclid Avenue to the West and Merrell Avenue/Bellegrave to the south.

On January 27, 2010, the City adopted The Ontario Plan (TOP) and certified the accompanying Environmental Impact Report (SCH# 2008101140). TOP serves as the City's new General Plan for the entire City, including the NMC (now referred to Ontario Ranch). TOP Environmental Impact Report (EIR) identified many areas that might have a potentially significant impact on the environment. These areas included: 1) Aesthetics; 2) Biological Resources; 3) Geology and Soils; 4) Hazards and Hazardous Materials; 5) Hydrology and Water Quality; 6) Land Use and Planning; 7) Mineral Resources; 8) Population and Housing; 9) Public Services; 10) Recreation; and 11) Utilities and Service Systems. Through the EIR process, these potential impacts were analyzed, revisions

were incorporated into the plan and/or mitigation measures were identified that reduced the potential environmental impacts to a level that was less than significant.

TOP also identified several potential impacts that, even with revisions and/or mitigation measures, could not be reduced to a level of less than significant. These areas included:

- *Agriculture Resources –*

  Impact 5.2-1. Buildout of TOP would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, Impact 5.2-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

  Impact 5.2-2. There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of TOP would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the rate of conversion from agricultural to nonagricultural land but it would not impede the conversion. Since there are some Williamson Act contracts still active in the New Model Colony, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, Impact 5.2-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

  Impact 5.2-3. Development of the City in accordance with TOP would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture. Impact 5.2-3 would remain significant and unavoidable. Therefore, a Statement of Overriding Considerations would be required.

- *Air Quality –*

  Impact 5.3-1. The project would not be consistent with the Air Quality Management Plan (AQMP) because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SoCAB). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and therefore these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the project would be

considered inconsistent with the AQMP. Consequently, Impact 5.3-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-2. Construction activities associated with buildout of TOP would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for O_3, PM_{10}, and $PM_{2.5}$; and potentially elevate concentrations of air pollutants at sensitive receptors. Consequently, Impact 5.3-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-3. Buildout of TOP would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O_3, PM_{10}, and $PM_{2.5}$. Consequently, Impact 5.3-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-5. Approval of residential and other sensitive land uses within 500 feet of I-10, I-15, or SR-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Consequently, Impact 5.3-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-6. Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors. Consequently, Impact 5.3-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Cultural Resources* –

Impact 5.5-1. Although protective regulations are in place and preservation policies are included in TOP, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, historical resources categorized under the Ordinance as Tier III could potentially be impacts with implementation of the Proposed Land Use Plan. Consequently, Impact 5.5-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Global Climate Change* –

  Impact 5.6-1. Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. GHG emissions generated in the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Consequently, Impact 5.6-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Noise* –

  Impact 5.12-1. Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, Impact 5.12-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

  Impact 5.12-2. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any siting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion would result in a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. Consequently, Impact 5.12-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

  Impact 5.12-3. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of groundborne vibration. Consequently, Impact 5.12-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

  Impact 5.12-5. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Consequently, Impact 5.12-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

  Impact 5.12-6. Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, Impact 5.12-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Transportation and Traffic –*

  Impact 5.15-1. Buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to main-line freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable and a Statement of Overriding Considerations would be required.

While these impacts will be significant and unavoidable, the City determined that the benefits of the Ontario Ranch development outweigh the potential unavoidable, adverse impacts of the plan. As a result, the City adopted a Statement of Overriding Considerations for those impacts that could not be fully mitigated to a level of less than significant.

Even though an EIR was prepared for TOP, the analyses focused on the program or "big picture" impacts associated with development. With the submittal of the Colony Commerce Center West Specific Plan, staff is charged with evaluating the potential impacts of development at the project level. An Initial Study was prepared for the project and determined that an EIR should be prepared for the Colony Commerce Center West Specific Plan. Through the Initial Study preparation and scoping meeting discussion, an EIR was prepared addressing the following issues:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gas
- Biological Resources
- Cultural Resources and Historic Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Population and Housing
- Noise
- Public Services
- Transportation and Circulation
- Utilities and Service Systems

The Colony Commerce Center West Specific Plan EIR (SCH# 2015061023) evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of significance. Of the 14 areas considered by the EIR, all but three of the impact areas were mitigated a level of less than significant. Even with the

mitigation measures, the impacts in three areas could not be reduced to less than significant, resulting in some impacts remaining potentially significant and unavoidable. These areas include:

- Air Quality **-** Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures.

- Agricultural Resources **-** Project-specific impacts and cumulative impacts would remain significant and unavoidable.

- Transportation and Traffic – Level of service (LOS) impacts related to intersections are projected to be cumulatively significant and unavoidable.

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that three areas will remain significant and unavoidable is not unexpected. The identification of these areas as significant and unavoidable validates the work previously completed for TOP. Staff believes that the benefits of the proposed development outweigh the potential impacts associated with it. Therefore, staff recommends the Planning Commission recommend certification of the EIR to the City Council and that a Statement of Overriding Considerations be adopted for the project.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant/Agriculture	Industrial	SP (AG)	Industrial
North	Agriculture/Dairy	Industrial	SP (AG)	Industrial
South	Vacant/Agriculture (City of Chino)	Agriculture & Industrial	Agriculture & Light Industrial	n/a
East	Vacant/Agriculture	Business Park & Industrial	SP (AG)	n/a
West	Vacant/Industrial (City of Chino)	Industrial	Industrial	n/a

Colony Commerce Center West Environmental Impact Report

(Provided under separate cover)

Correspondence Received Prior to the July 25, 2017, Planning Commission Meeting

Allen Matkins

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Via Electronic and First Class Mail

RECEIVED
JUL 21 2017
City of Ontario
Planning Department

December 29, 2016

Mr. Richard Ayala
Senior Planner
City of Ontario
Planning Department
303 East "B" Street
Ontario, California 91764

Re: Notice of Completion and Availability of Draft Environmental Impact Report (SCH No. 2015061023) and Colony Commerce Center West Specific Plan.

Dear Mr. Ayala:

This firm represents the Joseph and Doleen Borba Administrative Trust (the "Trust"), owner of the property (the "Trust Property") which is designated as part of Planning Area No. 1 ("PA-1") in the draft Colony Commerce Center West Specific Plan prepared by CapRock Partners, dated December 2015 (the "Specific Plan"). The purpose of this letter is to comment on both the Specific Plan and the above-referenced Draft Environmental Impact Report for the Specific Plan project (the "Project"), prepared by AECOM, dated November 2016 (the "DEIR"). The Trust is currently under contract to ground-lease the Trust Property to a prospective developer. The Trust therefore has a vested interest in the Specific Plan and DEIR analysis and, as such, is taking this opportunity to provide comments for the City's consideration.

A. Technical Studies for PA-1 Support the DEIR Assumptions and Conclusions.

1. The DEIR discloses that several technical studies were not prepared for PA-1 due to alleged access issues. Any allegations regarding inability to access to the Trust Property are simply not true. There were no access issues that would have precluded these reports from being prepared. The Trust received one request for access and responded that access would be granted if the results of such reports were shared with it. CapRock Partners was unwilling to accommodate the request to share the results of studies conducted on the Trust Property, and the Trust did not receive any further requests to provide access for technical studies to the DEIR consultant. Nonetheless, the

prospective developer of the Trust Property in PA-1 commissioned the preparation of the missing technical studies, which are attached to this comment letter and listed below. Our review of the studies indicates that the information and conclusions contained therein match the assumptions and conclusions drawn by the DEIR for these subject areas. We respectfully request that these reports be included in the Administrative Record, attached to the Final EIR, and that the mitigation measures requiring these studies be deleted or updated in the Final EIR to recognize their content and conclusions.

- Phase I Environmental Assessment: Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report.* October 24, 2016.
- Geotechnical: Southern California Geotechnical. *Geotechnical Investigation South Ontario Business Park.* November 16, 2016.
- Delhi Sands Flower-Loving Fly Habitat Suitability Analysis: Osborne Biological Consulting. *Habitat conditions for Delhi Sands Flower-loving Fly on the site of proposed industrial development located at the southeastern intersection of Carpenter Avenue and Merrill Avenue, Ontario.* December 19, 2016.

2. There also appears to be a typographical error on page 4.8-1 of the DEIR, which states:

   The project Applicant's ownership interest is limited to PA-2 and, although requested from the owner of PA-1, access to PA-1 has not been granted to the lead agency and therefore site-specific technical studies have only been prepared for PA-1.

   It appears that the reference to "PA-1" at the end of the sentence should have actually been PA-2 in the DEIR. As stated above, however, access to PA-1 was never denied to the lead agency, and the foregoing statement is therefore also incorrect in that regard.

B. The DEIR is Based on an Incomplete and Inaccurate Project Description.

CEQA requires an EIR to contain an accurate, complete, and stable Project Description. Our review of the Specific Plan and DEIR has revealed several problems with the Project Description, which gives an incomplete view of the Project as a whole and which may have led to the DEIR's failure to disclose all direct and indirect impacts of the Project.

3. Page 1-2 in Section 1.2 of the Specific Plan states that development of the Project will be governed by a Development Agreement. As such, the Development Agreement is an inherent part of the Project that must be analyzed in the DEIR. The terms of the Development Agreement are not disclosed in the DEIR's Project Description, and thus are not analyzed in the DEIR. Failure to describe even the general terms of the Development Agreement in the DEIR's Project Description has deprived the Trust of a

meaningful opportunity to comment on this aspect of the proposed Project, its potential impacts on the environment, and the physical and financial feasibility of development in PA-1. Without knowledge of what the Development Agreement will require of the PA-2 developer, it is not known with any certainty what would then be required of the Trust or the prospective developer of the Trust Property in PA-1 (presumably all Specific Plan obligations that are not in the PA-2 Development Agreement and not required of the party who owns the northwest corner of PA-1). The Trust requests that the terms of the PA-2 Development Agreement be disclosed in the DEIR and requests to receive a copy of the PA-2 Development Agreement with sufficient time to review and comment before public hearings on the Project commence.

4. Section 5.2 of the Specific Plan discusses utility improvements. Due to the fact that there will be at least two different developers in the Specific Plan area (one for each Planning Area), more specificity is required regarding which Planning Area (PA-1 or PA-2) will be obligated to install which utility improvements (i.e. water, recycled water, sewer, and storm drain). Clear disclosure of the phasing of these improvements is important, because there are aspects of the phasing sequence that the DEIR may not have adequately analyzed. Failure to describe the infrastructure obligations of PA-1 has deprived the Trust of a meaningful opportunity to comment on this aspect of the proposed Project, its potential impacts on the environment, and the physical and financial feasibility of development in PA-1.

5. Specific to the proposed public storm drain and double 12 x 12 boxes in Merrill Avenue, which the Specific Plan and DEIR allude will be the responsibility of the PA-1 developer to install, the DEIR fails to analyze and disclose the environmental effects associated with the installation of this major regional master planned improvement. The installation of this improvement in Merrill Avenue will likely require the temporary closure of all or some of the vehicular travel lanes of Merrill Avenue and the re-routing of traffic by detours. The DEIR does not include any analysis of traffic impacts, safety impacts, and other vehicular-related environmental effects associated with temporary lane closures. Moreover, this major regional improvement will undoubtedly have a growth inducing effect on the City and the region and the growth-inducing effects of this aspect of the Project have not been fully disclosed.

   In addition, and perhaps most importantly, to the extent this regional master planned improvement and the remaining Project improvements do in fact create growth inducing impacts, such impacts must be mitigated by either the first development to proceed or through the required joint cooperation of all affected landowners and parties. In the absence of conditions either (i) imposed upon the first development to proceed requiring such development to construct such improvements, or (ii) the requirement of joint cooperation of all affected parties, these impacts will not be properly mitigated, and the

true "fair share" obligations of the affected parties may be distorted, thus further placing in doubt whether such necessary infrastructure will ultimately be constructed.

Lastly, regarding the DEIR's implication that the developer of PA-1 will be responsible for the installation of this public storm drain and two 12 x 12 boxes, we contend that this is a regional master planned storm drain improvement, and the cost of its installation has no proportional nexus to the impact caused by PA-1 or even PA-1 and PA-2 collectively, further evident by the fact that neither development project will utilize this installation. It is an undue hardship for the applicant for PA-1 to bear the entire cost and responsibility of the regional master planned public storm drain and box culvert improvement.

6. The DEIR's Transportation and Traffic Section discloses that interim improvements will be required of the PA-2 developer at the Merrill Avenue/Carpenter Avenue intersection. This aspect of the Project (interim improvements) is not clearly disclosed in the DEIR's Project Description. The DEIR fails to evaluate whether such interim improvements constitute a hazardous design feature under the Transportation and Traffic Section, Threshold 4, "Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?" Interim improvements have the potential to be hazardous if they are not designed to adequately accommodate the volumes and turning movements of large trucks that will service the Project site and other properties in the area. A safety analysis of interim improvements is required under Transportation and Traffic Threshold 4. Also, refer to Comment No. 19 of this letter.

7. Page 4-1 in Section 4.2 of the Specific Plan alludes to an air travel component of the Project, which is likely inaccurate. As stated "[t]he planned industrial area will include wholesale and distribution, light manufacturing and businesses with high value, time-sensitive merchandise that would benefit from proximity to an airport." This statement should be stricken from the Specific Plan as it is inconsistent with the DEIR analysis which correctly assumes that the Project does not include an air travel component.

8. We question why building layout detail is shown only for PA-2 on Specific Plan Exhibits 5.12 and 5.13. The Specific Plan is a policy document and, as such, both Planning Areas should be treated with an equal level of detail in the Specific Plan.

9. Specific Plan Appendix B1 contains a table indicating how the Specific Plan will meet the City's Climate Action Plan ("CAP") point allocations. We assume that this table was prepared by the Specific Plan Applicant, who is also the developer of PA-2. As the owner of PA-1, to the extent that the Trust Property is developed, the Trust and/or a purchaser or developer will undoubtedly comply with the CAP by meeting the CAP's

minimum total point requirement, but not in the same way as indicated in Specific Plan Appendix B1, Table 2. Thus, the Specific Plan and DEIR Project Description should be revised to allow deviation from the Table 2 point allocations. The DEIR relies on the specific point allocations specified in Table 2 (and presumably prepared by the PA-2 developer) as Project Design Features (see DEIR Section 2.8 "Project Design Features," the "Project Design Features" subheading under DEIR Section 4.7.4.3 in the Greenhouse Gas Emissions Section, and the "Energy Efficiency" subheading under DEIR Section 4.7.4.5 in the Greenhouse Gas Emissions Section). These subsections should be revised in the Final EIR to indicate that a future PA-1 developer may select to include different design features to meet the CAP point allocations.

C. The DEIR Recommends Several Unenforceable and/or Unclear Mitigation Measures.

CEQA Guidelines Section 15126.4(2) states: "Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments." Due to the fact that there will be at least two different developers in the Specific Plan area (one for each Planning Area), more specificity is required regarding which mitigation measures apply to each Planning Area. Otherwise, the mitigation measures cannot be appropriately enforced.

10. DEIR Table ES-1, *Summary of Environmental Impacts and Mitigation Measures*, must clearly specify which mitigation measures apply to PA-1 and/or PA-2. Because there will be at least two different developers for the Specific Plan area (one for each Planning Area), clarification regarding responsibility for mitigation by Planning Area is essential to ensure enforcement.

11. Pages ES-30, ES-31, and 4.11-27 of the DEIR set forth Mitigation Measure NOI-1. This measure states that the field erection or assembly of a temporary noise barrier should be considered. Please clarify the circumstances under which such a barrier would be required, and evaluate the physical feasibility of installing such a barrier in the needed location(s) in the Final EIR. Our experience shows that the erecting of such barriers is not always physically feasible, due to safety challenges (structural stability against wind loads) and placement challenges (to avoid interference with utility installation, road improvements, and grading activity).

12. Pages ES-34 through ES-48 and pages 4.14-58 through 4.14-64 of the DEIR specify mitigation measures for traffic impacts that involve fee payments. It is unclear how these mitigation measures will be enforced as they pertain individually to each developer in the Specific Plan area (the portion of PA-1 owned by the Trust, the portion of PA-1 not owned by the Trust, and PA-2). Fee payment responsibilities must be equitably allocated based on each planning area's proportion of the impact. Mitigation measures imposed by the lead agency must have a nexus to and be roughly proportional to the

impact. Thus, because PA-1 and PA-2 will be developed by different entities, and the northwest corner of PA-1 is owned by a third entity, in order to effectively enforce this measure, the fee payments must have a nexus to the impacts caused individually by the portion of PA-1 owned by the Trust, the portion of PA-1 owned by a third party, and PA-2 that will be developed by CapRock Partners.

a. Page 4.14-55 of the DEIR states that "detailed fair share calculations, for each peak hour, are provided in Table 11-5 in the *Final Traffic Impact Analysis Report*..." Table 11-5 from the *Traffic Impact Analysis Report* contains traffic percentages based on the Project as a whole, and not by individual Planning Area. Calculations by Planning Area are required in order to effectively enforce the traffic mitigation measures involving fair share fee payments.

b. Further, because there will be at least two different developers in the Specific Plan area (one for each Planning Area), the listing of "Applicant" as the responsible party in many of the mitigation measures is problematic. For example, the wording of "[t]he City will require the Applicant to put money in escrow in order to cover the costs of these improvements...." does not define "Applicant," and without such clarification all of these measures could be inequitably applied to either PA-1 or PA-2. Clarification is required in the Final EIR.

13. Several of the Transportation and Traffic mitigation measures that require fee payments state that "...after a suitable time ... the money should be returned to the Applicant." Please provide definition in the Final EIR of "a suitable time" in terms of months or years. Otherwise, the City could hold these monies indefinitely.

14. Mitigation Measure TRANS-19 implies that there will be no Development Impact Fee payment obligation above and beyond the fair share fee payments noted in the other Transportation and Traffic mitigation measures. Please confirm the accuracy of this mitigation measure.

D. <u>Several Aspects of the DEIR's Analyses are Based on Unreasonable Assumptions</u>.

CEQA Guidelines Section 15151, Standards for Adequacy of an EIR, states: "An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible." To achieve this, CEQA requires that an EIR apply reasonable assumptions. Analysis throughout the DEIR assumes that construction activity in PA-1 and PA-2 will not overlap, that PA-2 will be built out by 2017, that PA-1 (for the purpose of analyzing traffic impacts) will not be built out until 2025, and that PA-1 would be developed with two north/south oriented buildings. It is completely unreasonable to assume that there would be an eight-year gap between the buildout of PA-2 and PA-1 given the high demand for industrial warehouse space in this area of the City. This is further evident by the

submission of a Pre-application submittal to the City of Ontario by Prologis (the prospective developer of the Trust Property in PA-1) on October 24, 2016 (City application #PPRE16-001). The DEIR's analyses should be revised to apply more reasonable assumptions, so as not to minimize the Project's near-term environmental impacts.

15. Page 5-22 in Section 5.8 of the Specific Plan states that "...all infrastructure improvements shall be funded and designed for the phase in progress before any new phase may begin." The Trust requests that this phrase be stricken from the Specific Plan. Because the Specific Plan area is divided into two Planning Areas (PA-1 and PA-2) that will be built-out by at least two different developers, the exact timing of development cannot be determined. This Specific Plan requirement could put PA-1 and PA-2 in a schedule competition to begin construction and preclude the developer of the other Planning Area from beginning construction. This is a potential issue for both the PA-1 and PA-2 developers.

16. The prospective developer of the Trust Property intends to start construction in PA-1 in 2017, with building operation beginning in 2018. The DEIR's traffic analysis and other vehicular-related analyses should thus be revised to analyze this more realistic timing assumption.

17. Construction activities in PA-1 and PA-2 may overlap, and construction overlap was not analyzed in the DEIR.

18. The DEIR's methodology for air emissions and diesel particulate matter (health risk) assumed that two north-south oriented buildings would be developed in PA-1, with loading docks facing toward the east and west. Given the rectangular configuration of the Trust Property in PA-1, a more reasonable assumption is the development of one large east/west oriented building with loading docks facing north and south as reflected in City application PPRE16-001. A larger building oriented east/west would likely not change the conclusions of the DEIR, which we request be verified in the Final EIR.

19. Under existing conditions, a single-family residence is located in the northwestern corner of PA-1. The Trust does not own this property. The DEIR did not evaluate the potential scenario of that residence being retained as an interim use on the property, which is reasonably foreseeable. The existing residential development of this property may preclude road improvements and utility improvements proposed by the Specific Plan and required as DEIR mitigation measures.

E. <u>Inconsistency Between Traffic Technical Report and DEIR</u>.

20. Many of the Exhibits contained in the DEIR's Transportation and Traffic Section do not match the Exhibits bearing the same titles that are contained in the technical traffic

report appended to the DEIR. For this reason, we had difficulty relating the DEIR's traffic analysis to the analysis contained in the technical study. This is evident by the fact that Edison Avenue in the DEIR Exhibits is called Ontario Ranch Road in the technical study. This road is depicted as installed (solid line) in the technical study for year 2017, yet is shown as a future road (dashed line) in the DEIR. The Final EIR should be updated to accurately reflect the technical study. If the DEIR did not adequately convey the technical study analysis in the DEIR, we reserve the right to submit additional comments on this topic.

Thank you for the opportunity to review the above referenced documents and provide our comments and observations. Please include the Trust in all future notifications regarding this Project.

In addition, please include Prologis in all future communications at (909)673-8727 or at daustin@prologis.com and donahue@prologis.com.

We look forward to receiving the City's response.

Very truly yours,

Patrick A. Perry

PAP

cc: Joan M. Borba and James Borba,
Co-Trustees of The Joseph and Doleen Borba Administrative Trust

Enclosures

Enclosure 1: Phase I Environmental Site Assessment Report
Enclosure 2: Geotechnical Report
Enclosure 3: Delhi Sands Fly Habitat Suitability Assessment

EUNICE M. ULLOA
Mayor

TOM HAUGHEY
Mayor Pro Tem

CITY of CHINO

GLENN DUNCAN
EARL C. ELROD
GARY GEORGE
Council Members

MATTHEW C. BALLANTYNE
City Manager

RECEIVED
JUL 24 2017
City of Ontario
Planning Department

July 24, 2017

Richard Ayala
Senior Planner
City of Ontario, Planning Department
303 East B Street
Ontario, CA 91764

Re: Notice of Public Hearing & Environmental Action

Dear Mr. Ayala:

This letter is in response to the Notice of Public Hearing & Environmental Action the City of Chino received regarding the environmental assessment and specific plan review for File No. PSP15-001. In the mail notification the City received on July 20, 2017, it stated the Planning Commission is scheduled to hold a public hearing for the project on Tuesday, July 25, 2017. As outlined in the letter dated December 29, 2016, the City of Chino identified a number of public works related comments during the environmental impact report (EIR) public review period for the project. See attached letter.

At first glance of the final EIR, it does not appear the comments we provided have been addressed. As mentioned during our phone conversation, staff will need additional time to fully analyze your response to comments to verify to what extent, if any, each comment has been addressed. Due to the limited time the City has since receiving the public notice and the scheduled Planning Commission hearing, our final comments will need to be provided to you sometime after the meeting. However, we are committed to have all of our comments to you prior to the City Council hearing who ultimately takes final action on the project.

In the future, please have all public hearing notices emailed to me directly at mhitz@cityofchino.org, or you can call me at (909) 334-3448.

Sincerely,

Michael Hitz, AICP
Principal Planner

cc: Public Works Department

13220 Central Avenue, Chino, California 91710
Mailing Address: P.O. Box 667, Chino, California 91708-0667
(909) 334-3250 • (909) 334-3720 Fax
Web Site: www.cityofchino.org

DENNIS R. YATES
Mayor

EUNICE M. ULLOA
Mayor Pro Tem

CITY of CHINO

GLENN DUNCAN
EARL C. ELROD
TOM HAUGHEY
Council Members

MATTHEW C. BALLANTYNE
City Manager

December 29, 2016

Richard Ayala
City of Ontario, Planning Department
303 East B Street
Ontario, CA 91764

RE: Notice of Availability of a Draft Environmental Impact Report (DEIR) Colony Commerce Center – State Clearinghouse #2015061023

Dear Mr. Ayala,

Thank you for the opportunity to review the Notice of Availability of a DEIR Colony Commerce Center – State Clearinghouse #2015061023. Based upon our review, the City of Chino has the following comments:

Public Works Department

1. To the extent feasible, driveways from development on both the east and west side Carpenter Avenue should align to prevent conflicting turning movements.

2. The Preserve Specific Plan doesn't include a Class II Bike Lane on Merrill Avenue from Euclid to Carpenter Avenue due safety concerns associated with Merrill being designated as a truck route.

3. City staff doesn't concur with the assigned truck trip distribution. A larger percentage should be assigned to travel to and from the intersection of Merrill and Euclid Avenue. The TIA should include additional intersections on Euclid Avenue if there are more than 50 peak hour trips.

4. The TIA should be updated to include additional study intersections on Merrill between Euclid and Carpenter that may be impacted by this project. These intersections include Merrill at Flight, Merrill at Baker, and Merrill at Hellman (south).

5. The EIR doesn't adequately specify the project's fair share contribution towards mitigating impacts at intersections that are wholly or partially located within the City of Chino (e.g. Euclid at Merrill, Carpenter at Merrill).

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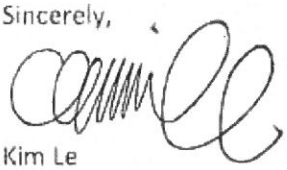
6. In accordance with CMP guidelines, the TIA should include a long-range (2040) scenario analysis.

Please let me know if you have any questions. I can be reached at (909) 334-3330 or via email at kle@cityofchino.org.

Sincerely,



Kim Le
Associate Planner

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL CERTIFY THE PROJECT ENVIRONMENTAL IMPACT REPORT (SCH# 2015061023) AND ADOPT FINDINGS OF OVERRIDING CONSIDERATIONS FOR THE COLONY COMMERCE CENTER WEST SPECIFIC PLAN (FILE NO. PSP15-001), LOCATED WITHIN ONTARIO RANCH AND BOUNDED BY MERRILL AVENUE TO THE NORTH, REMINGTON AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE WEST, AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 0218-261-24, 0218-292-05, 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, 0218-292-14, and 0218-311-11.

WHEREAS, the Project Environmental Impact Report (EIR) for the Colony Commerce Center West Specific Plan (File No. PSP15-001) (SCH# 2015061023) has been prepared in accord with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the EIR for File No. PSP15-001 consists of the Draft EIR and the comments and responses to comments made on the Draft EIR; and

WHEREAS, the EIR for File No. PSP15-001 was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, copies of the EIR were distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, the EIR for File No. PSP15-001 has been prepared to address the environmental effects of a Specific Plan (Colony Commerce Center West) to establish land use designations, development standards, and design guidelines for approximately 123 acres of land generally located north of Remington Avenue, south of Merrill Avenue, east of Carpenter Avenue, and west of the Cucamonga Creek Flood Control Channel; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the EIR, at which time all persons wishing to testify were heard and the EIR was fully studied; and

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

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

SECTION 1: ***Environmental Determination and Findings.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2015061023) and supporting documentation, the Planning Commission finds as follows:

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

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the Planning Commission; and

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

(1) The Project EIR analyzed the environmental impacts-associated with the implementation of the Colony Commerce Center West Specific Plan, and finds that if the Specific Plan is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable:

(a) Air Quality **-** Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures; and

(b) Agricultural Resources **-** Project-specific impacts and cumulative impacts would remain significant and unavoidable.

(c) Transportation and Traffic – Impacts related to intersections are projected to be cumulatively significant and unavoidable.

SECTION 3: ***Recommendation.*** Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby RECOMMENDS THAT THE CITY COUNCIL CERTIFY THE PROJECT EIR, ADOPT A STATEMENT OF

OVERRIDING CONSIDERATIONS, AND APPROVE THE ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM.

SECTION 4: ***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 5: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August, 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE THE COLONY COMMERCE CENTER WEST SPECIFIC PLAN (FILE NO. PSP15-001), TO ESTABLISH LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE IMPROVEMENTS FOR 123.17 ACRES OF LAND, WHICH INCLUDES THE POTENTIAL DEVELOPMENT OF 2,951,146 SQUARE FEET OF INDUSTRIAL DEVELOPMENT. THE PROJECT SITE IS BOUNDED BY MERRILL AVENUE TO THE NORTH, REMINGTON AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE WEST AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-292-05, 0218-292-09, 0218-292-10, 0218-311-11, 0218-292-12, 0218-292-13, 0218-292-14, 0218-261-24,

WHEREAS, CAP ROCK PARTNERS ("Applicant") has filed an Application for the approval of a Specific Plan, File No. PSP15-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 123.17 acres of land, bounded by Merrill Avenue to the north, Remington Avenue to the south, Carpenter Avenue to the west and the Cucamonga Creek Flood Control Channel to the east, within the SP (AG) land use designation, and is presently improved with agriculture and farm related uses; and

WHEREAS, the property to the north of the Project site is within the SP (AG) zoning district and is developed with agriculture and dairy land uses. The property to the east is within the SP (AG) zoning district and is developed with the agriculture and vacant land. The property to the south is within the agriculture and light industrial zoning district located within the City of Chino and is developed with agriculture and industrial land uses. The property to the west is within the industrial zoning district located within the City of Chino and is developed with industrial land uses and contains vacant land; and

WHEREAS, the Colony Commerce Center West Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscaping, architectural character, and ensure that excellence in community design is achieved during project development. In addition, the Specific Plan will establish the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved; and

WHEREAS, the Colony Commerce Center West Specific Plan consists of 123.17 acres of land, which includes the potential development of up to 2,951,146 square feet of industrial development; and

WHEREAS, the land use intensity of the Colony Commerce Center West Specific Plan anticipated in the two planning areas is consistent with The Ontario Plan (TOP). The maximum Floor Area Ratio (FAR) permitted in each Planning Area conforms to the maximum 0.55 FAR permitted in the Policy Plan (General Plan) Land Use Plan for industrial development. Planning Area 1, located along the northern portion of the Specific Plan area, is 57.58 acres in size and can potentially be developed with 1,379,501 square feet of industrial development. Planning Area 2, located along the southern portion of the Specific Plan, is 65.60 acres in size and can potentially be developed with 1,571,645 square feet of industrial development; and

WHEREAS, the Colony Commerce Center West Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy (General Plan) analysis in the *Appendix "Policy Plan (General Plan) Consistency,"* of the Specific Plan describes the manner in which the Colony Commerce Center West Specific Plan complies with the Policy Plan goals and policies applicable to the Colony Commerce Center West Specific Plan; and

WHEREAS, the Specific Plan does not conflict with the Land Use Policies of the General Plan (TOP) and will provide for development, in a manner consistent with the General Plan. The policy (General Plan) analysis in the *Appendix "Policy Plan (General Plan) Consistency,"* of the Specific Plan describes the manner in which the Colony Commerce Center West Specific Plan complies with the Policy Plan goals and policies applicable to the Colony Commerce Center West Specific Plan; and

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

WHEREAS, an Environmental Impact Report (EIR) (SCH#2015061023) has been prepared in accord with the California Environmental Quality (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines to address the environmental effects of the Specific Plan (Colony Commerce Center West); and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make a recommendation on the subject Application; 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, the project site is also located within the Airport Influence of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a duly noticed public hearing to consider the Project and concluded said hearing on that date; and

WHEREAS, as the first action on the Project on August 22, 2017, the Planning Commission adopted a resolution recommending the City Council certify the EIR (SCH# 2015061023) and approve the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

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

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

SECTION 1: ***Environmental Determination and Findings.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2015061023) and supporting documentation, the Planning Commission finds as follows:

(1) The Colony Commerce Center West Specific Plan EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The Colony Commerce Center West Specific Plan EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The Colony Commerce Center West Specific Plan EIR reflects the independent judgment of the Planning Commission; and

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

SECTION 3: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 and 2, above, the Planning Commission hereby concludes as follows:

(1) The 123.17-acre Colony Commerce Center West Specific Plan is suitable for industrial development, uses permitted in the proposed district in terms of access, size, and compatibility with existing land use in the surrounding area; and

(2) The proposed Colony Commerce Center West Specific Plan is in conformance with the Land Use Policies and Goals of the Policy Plan and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development; and

(3) During the Colony Commerce Center West Specific Plan review, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with California Government Code Section 65351; and

(4) The proposed project is consistent with the adopted Housing Element. The Project site is not one of the properties (areas) listed in the Available Land Inventory in the Housing Element.

SECTION 4: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 5: ***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 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August, 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PSP15-001
Colony Commerce Center West Specific Plan

(Specific Plan to follow this page)

Attachment “A”

File No. PSP15-001
Department Conditions of Approval
(to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: August 22, 2017

File No: PSP15-001

Related Files: N/A

Project Description: A Specific Plan (Colony Commerce Center West) request (File No. PSP15-001) to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 123.17 acres of land, which includes the potential development of 2,951,146 square feet of industrial development. The project site is bounded by Merrill Avenue to the north, Remington Avenue to the south, Carpenter Avenue to the west and the Cucamonga Creek Flood Control Channel to the east; **submitted by Cap Rock-Partners.** (APN(s): 0218-292-05, 0218-292-09, 0218-292-10, 0218-311-11, 0218-292-12, 0218-292-13, 0218-292-14, 0218-261-24).

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

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

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

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

2.1 Specific Plan/Specific Plan Amendment. The following shall be submitted to the Planning Department within 30 days following City Council approval of the Specific Plan/Specific Plan Amendment:

(a) Fifteen copies of the final Specific Plan document;

(b) One complete, unbound copy of the final Specific Plan document;

(c) One CD containing a complete Microsoft Word copy of the final Specific Plan document, including all required revisions;

(d) Five CDs, each containing a complete PDF copy of the final Specific Plan document, including all required revisions; and

(e) One CD containing a complete electronic website version of the final Specific Plan document, including all required revisions.

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

2.3 Additional Fees.

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

Attachment “B”

File No. PSP15-001
Colony Commerce Center West
Specific Plan

(to follow this page)

Colony Commerce Center West Specific Plan

Draft | March 2017

COLONY COMMERCE CENTER WEST SPECIFIC PLAN

City of Ontario
303 East 'B' Street
Ontario, California 91764

CapRock Partners
2050 Main Street, Suite #240
Irvine, California 92614

March 2017

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COLONY COMMERCE CENTER WEST SPECIFIC PLAN

CONSULTANT TEAM:

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1 EXECUTIVE SUMMARY

1.1 Summary

The Colony Commerce Center West Specific Plan includes approximately 123.17 gross acres located in the southern portion of the City, near to the San Bernardino/Riverside County boundary. The master plan for project will provide for development of industrial buildings offering a variety of uses.

The project site is generally located north of Remington Avenue, south of Merrill Avenue, east of Carpenter Avenue and west of the Cucamonga Creek flood control channel in the City of Ontario, San Bernardino County, California.

The site is also located within Ontario Ranch area which comprises a portion of the former San Bernardino County Agricultural Preserve annexed by the City in 1999. The recently incorporated City of Eastvale (October 2010) is located southeast of Ontario in the County of Riverside, while the City of Chino is located to the west in San Bernardino County.

The relationship of the project site to the surrounding region is depicted in Exhibit 1.1, Regional Context Map. Exhibit 1.2, Vicinity Map, shows the relationship of the site to adjacent land uses. Exhibit 1.3 depicts the development plan for the site.

The City of Ontario Sphere of Influence area, commonly referred to as the "Ag Preserve" was the last significant underdeveloped area in the San Bernardino Valley. In 1993, the San Bernardino Board of Supervisors voted to consider dissolving the Ag Preserve status, thus paving the way for the transition of agricultural uses to other locations and the ultimate development of the area within an urban setting.

In 1998, the City of Ontario prepared and adopted the Sphere of Influence General Plan Amendment, an amendment to the General Plan of the City of Ontario. Planning for the 8,069 acre Ontario Ranch area is the single most important development issue facing the City of Ontario today. The General Plan for the Ontario Ranch intends to provide the long term vision to create a high quality environment where residents can live, work, and play with a sense of individual neighborhoods rather than engulfed in the Ontario Ranch.

The Sphere of Influence annexation, dedicated as Ontario Ranch was annexed by the City of Ontario on November 30, 1999. The Colony Commerce Center West Specific Plan area is situated within the boundaries of the Ontario Ranch area.

On January 26th, 2010, the City of Ontario adopted The Ontario Plan (TOP) which serves as the City's new business plan and includes a long term Vision and a principle based Policy Plan (General Plan). The city's Policy Plan, which acts as the City's General Plan, designates (Policy Plan Exhibit LU-1-Land Use Plan) the project site for development of industrial uses at a maximum 0.55 floor area ratio (FAR) as illustrated in Exhibit 2.2 Policy Plan (General Plan) Land Use Plan.

1.2 Governing Documents

Development of Colony Commerce Center West will be governed by the following:

» The City of Ontario General Plan (January 1998), as amended, which establishes policies governing land use, circulation, housing, conservation and open space, noise, safety, and public facilities within the Colony Commerce Center West Specific Plan area.

» The Colony Commerce Center West Specific Plan which includes a Land Use Plan, Infrastructure Plan, Design Guidelines, and Development Regulations. Where the Colony Commerce Center West Specific Plan is silent, the City of Ontario Development Code shall govern.

» The Aiport Land Use Compatibility Plan for Ontario International Airport Land Use Planning Handbook published by Caltrans Division of Aeronautics.

» A development agreement to include methods for financing, acquisition, and construction of infrastructure.

1.3 Specific Plan Components

The Colony Commerce Center West Specific Plan is organized into the following sections in addition to Section 1, Executive Summary.

1.3.1 (Section 2) Introduction

The Introduction serves to acquaint the reader with:

» Community vision and objectives,
» The project setting,
» A general description of the project proposal,
» The goals and policies of the Colony Commerce Center West Specific Plan,
» The entitlements to accompany the Colony Commerce Center West Specific Plan; and
» The relationship of the Colony Commerce Center West Specific Plan to the City of Ontario General Plan, and the City of Ontario Development Code.

1.3.2 (Section 3) Existing Conditions

The physical setting for Colony Commerce Center West is described in this section outlining the existing physical conditions on and around the Specific Plan area.

1.3.3 (Section 4) Land Use Plan

The Land Use Section describes industrial planning areas and allocations of industrial building sizes per planning area.

1.3.4 (Section 5) Infrastructure and Public Services

This section provides information on circulation improvements, planned backbone water, sewer, and storm drain systems, the grading concept for the development of the project, and a discussion of public utilities and services to serve the Specific Plan.

1.3.5 (Section 6) Development Regulations

Development Regulations established in this section will govern the permitted uses and the standards regulating the development of various industrial uses within the Colony Commerce Center West Specific Plan area. The relationship of the Colony Commerce Center West Specific Plan development regulations to the City of Ontario Development Code is also provided. The policies and procedures for the City's review and approval of specific development proposals within Colony Commerce Center West are presented in this section as well as the methods and procedures for interpreting and amending the Colony Commerce Center West Specific Plan as necessary.

1.3.6 (Section 7) Implementation and Administration

The policies and procedures for the City's review and approval of specific development proposals, within Colony Commerce Center West, are presented in this section. This section provides the methods and procedures for interpreting and amending the Colony Commerce Center West Specific Plan as necessary. A summary of project financing and project maintenance responsibilities for new development within the Specific Plan area is provided in this section.

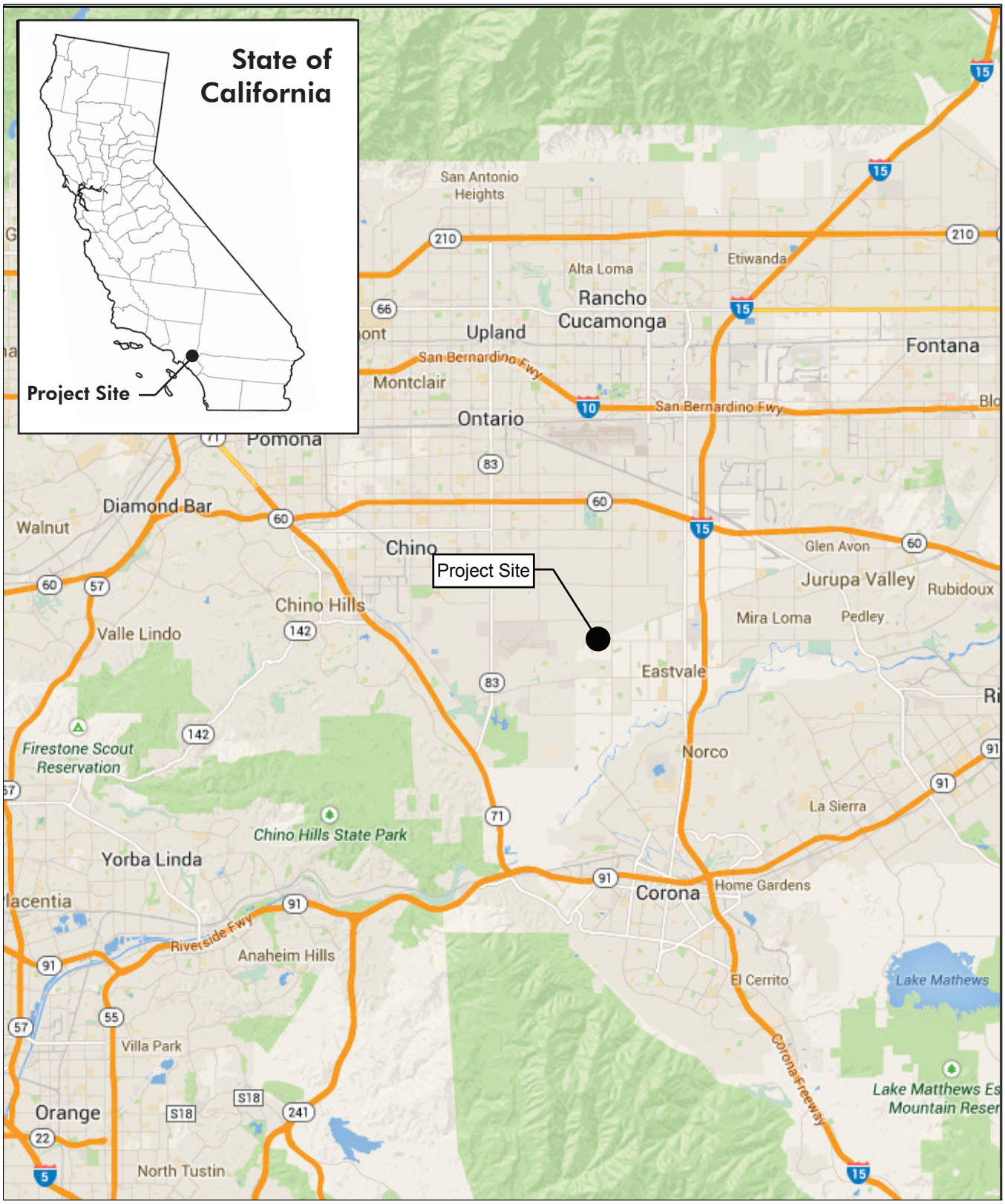
1.3.7 (Section 8) Design Guidelines

The Colony Commerce Center West Design Guidelines are intended to direct the site planning, landscaping, and architectural quality of the development. Streetscapes, entries, edge treatments, walls and fencing, lighting, signage, and architectural design are some of the features to be addressed in the Design Guidelines.

1.3.8 (Section 9) General Plan Consistency

This section includes the City of Ontario General Plan consistency matrix describing the relationship of the Colony Commerce Center West Specific Plan to each policy of the NMC General Plan.

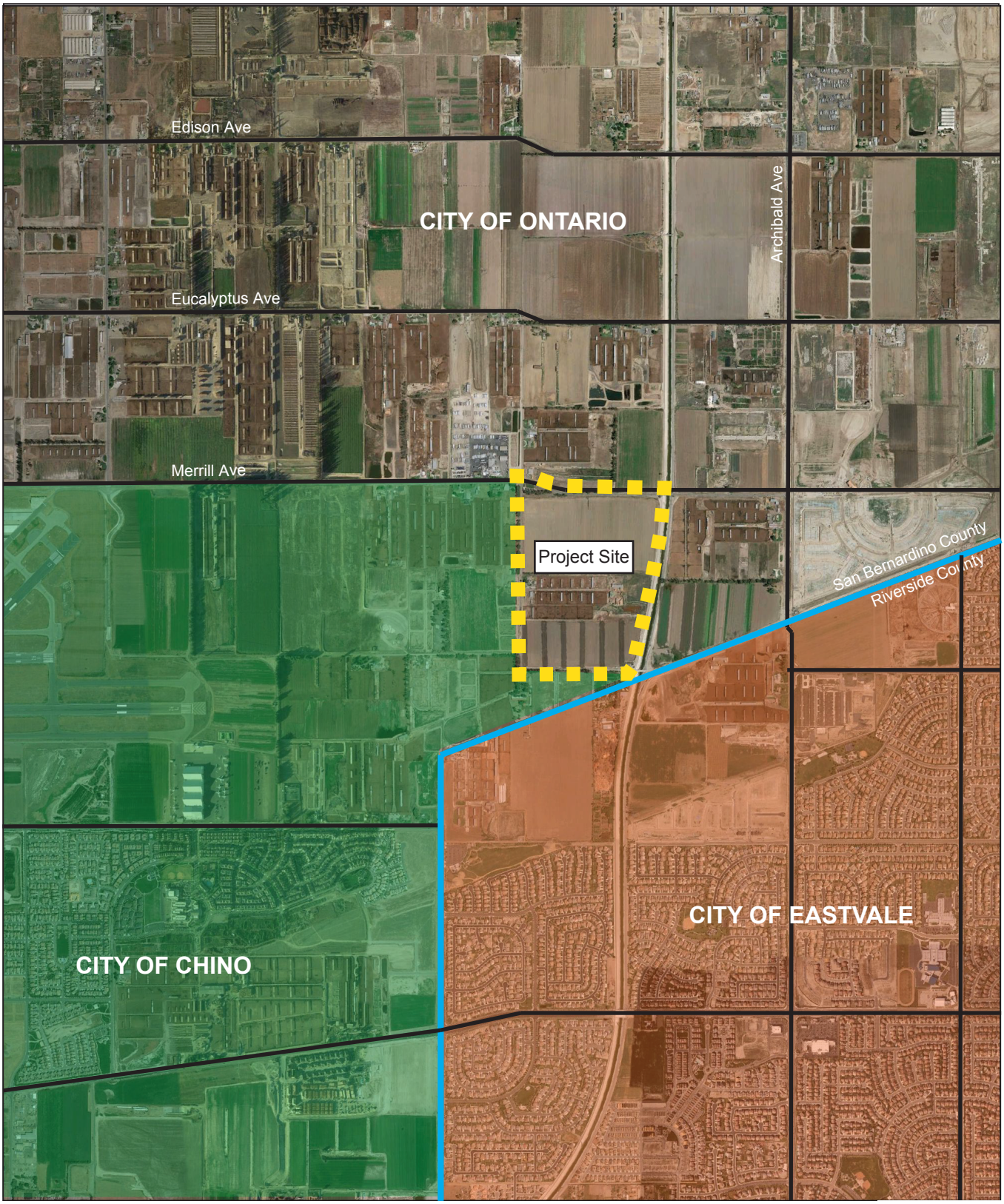
Exhibit 1.1, Regional Context Map



Source: Google Maps

N. T. S.

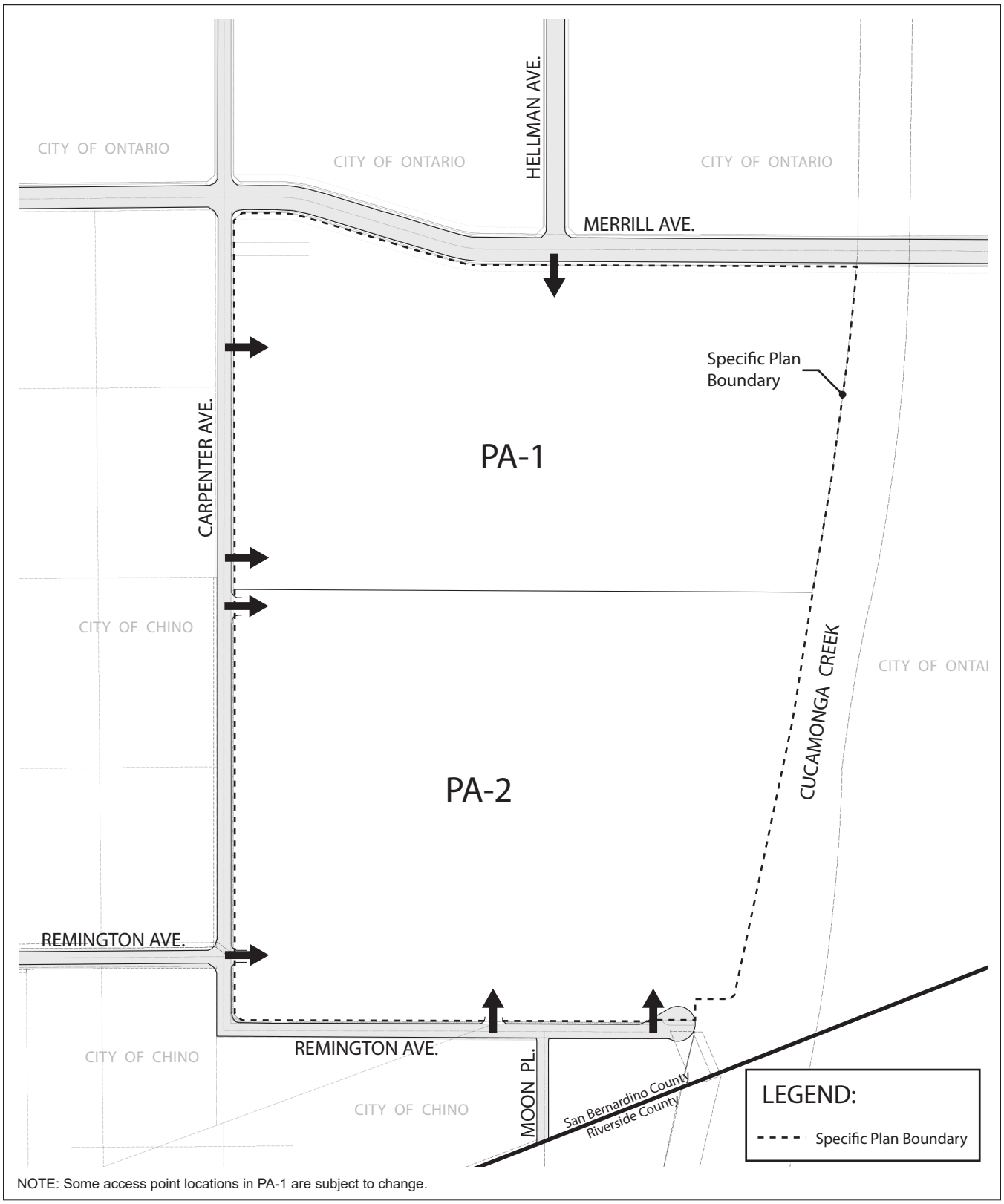
Exhibit 1.2, Vicinity Map



Source: Google Maps

N. T. S.

Exhibit 1.3, Specific Plan Area



Source: KTGY Group

N. T. S.

Table 1.1, Land Use Summary

Planning Area (PA)	Land Use	Acres	Maximum Potential Intensity (Gross Floor Area)	Max.Floor Area Ratio
PA-1	Industrial	57.58 ac	1,379,501 SF	0.55
PA-2	Industrial	65.60 ac	1,571,645 SF	0.55
	Total	**123.17 ac**	**2,951,146 SF**	**0.55**

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2 INTRODUCTION

2.1 Specific Plan Purpose

The Ontario Plan (TOP) Policy Plan includes requirements for subsequent approval by the City of a Specific Plan and an Area Plan for development within the area of the City known as the Ontario Ranch.

Specific Plans are required to ensure that sufficient land area is included to achieve unified districts and neighborhoods. Specific Plans shall incorporate a development framework for detailed land use, circulation, infrastructure including drainage, sewer, and water facilities, provision for public services including parks and schools, and urban design and landscape plans. The Area Plan shall provide additional policy-level guidance and is considered part of the Policy Plan.

The Area Plan for the Ontario Ranch will be initiated by the City of Ontario at a future time. However, until the Area Plan for the Ontario Ranch is adopted, the Policy Plan provides that new specific plans may proceed consistent with the Goals and Policies of the Policy Plan.

The Colony Commerce Center West Specific Plan serves to implement the City's Policy Plan for the project site and provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure-requirements, and implementation requirements for development.

A comprehensive set of design guidelines and development regulations are included to guide and regulate site planning, landscape, and architectural character within the community ensuring that excellence in community design is achieved during project development. The Colony Commerce Center West Specific Plan establishes the procedures and requirements to approve new development within the project site.

2.2 Authority

California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457 et seq grants local planning agencies the authority to prepare Specific Plans for any area covered by a General Plan for the purpose of establishing systematic methods of implementation of the General Plan.

A Specific Plan is designed to address site specific issues such as existing on-site conditions relative to topography and existing environmental concerns, site design and layout, including setbacks and visual appearance, as well as circulation, utility provisions and infrastructure financing alternatives.

The California Government Code establishes the authority and procedures to adopt a specific plan; identifies the required contents of a specific plan; mandates consistency with the General Plan; and also mandates consistency of any future projects or zoning ordinance amendments with a specific plan. Section 9-1.200 of Title 9 of the City of Ontario's Municipal Code states the purpose and intent of specific plans.

The City's Municipal Code will act as a supplement for those areas and issues not covered by this Specific Plan regulations for administration review procedures, environmental review, and others.

2.3 State Requirements

Section 65451 of the Government Code mandates what a Specific Plan shall contain. A Specific Plan shall include a text and diagram or diagrams which specify all the following in detail:

- The distribution, location, and text of the uses of land, including open space, within the area covered by the plan.
- The proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other facilities proposed to be located within the area covered by the plan and needed to support the land uses describe in the plan.
- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- A program of implementation measures including regulations, programs, and financing measures necessary to carry out the Colony Commerce Center West West project.
- The Specific Plan shall include a statement of its relationship to the General Plan.

2.4 Severability

If any section, subsection, sentence, clause, phrase, or portion of the Specific Plan, or any future amendment(s) or addition(s) hereto, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Specific Plan, or any future amendments or additions hereto. The City hereby declares that it would have adopted these requirements and each sentence, subsection, clause, phrase, or portion or any future amendments or additions thereto, irrespective of the fact that any one or more sections, subsections, clauses, phrases, portions or any future amendments or additions thereto may be declared invalid or unconstitutional.

2.5 Project Objectives

The Colony Commerce Center West Specific Plan is designed to implement a series of project-specific objectives that have been carefully crafted to ensure the project develops with a quality industrial development. The project objectives have been refined throughout the planning and design process for the project. They are identified below:

- To provide for the development of industrial facilities which utilize the site's prime location in proximity to Ontario Airport.
- To create a high quality industrial development that attracts an array of industrial businesses and provides employment opportunities to area residents.
- To provide industrial uses within the project boundaries which are compatible with surrounding uses.
- To develop a flexible plan that meets the needs of an ever-changing business market, while assuring compliance with high development standards.
- To provide a plan for roadways, infrastructure, and utilities to support on-site land uses as the project evolves.
- Promote opportunities for water efficiency in the project architecture and project landscaping to promote water conservation.

2.6 Specific Plan Summary

The Colony Commerce Center West Specific Plan creates a master-plan comprised of industrial development. The project consists of two planning areas:

- PA-1, Approximately 57.58 gross acres of industrial development on the north portion of the site allowing for a total development up to 1,379,501 SF at a Floor Area Ratio (FAR) of .55.

- PA-2, Approximately 65.60 gross acres of industrial development on the south portion of the site allowing for a total development up to 1,571,645 SF at a .55 FAR.

Assessor's parcel numbers within the Colony Commerce Center West Specific Plan are:

- 0218-261-24
- 0218-292-05
- 0218-311-11
- 0218-292-09
- 0218-292-13
- 0218-292-10
- 0218-292-14
- 0218-292-12

Exhibit 2.1 shows the assessor's parcel numbers within the Specific Plan area.

2.7 Discretionary Actions and Approvals

2.7.1 The Ontario Plan

The Ontario Plan (TOP) establishes the direction and vision for the City of Ontario providing a single guidance system that will shape the Ontario community for the future. The Plan provides for policies to accommodate change over a 30 year period commencing in 2010, the beginning of the planning period. The Ontario Plan consists of a six part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback.

2.7.2 Specific Plan

The Policy Plan requires the approval of a Specific Plan for development of the project site to ensure that sufficient land area is included to achieve unified districts and neighborhoods. The City of Ontario has zoned the project site as AG-Specific Plan as illustrated in Exhibit 2.3 Ontario Zoning Map.

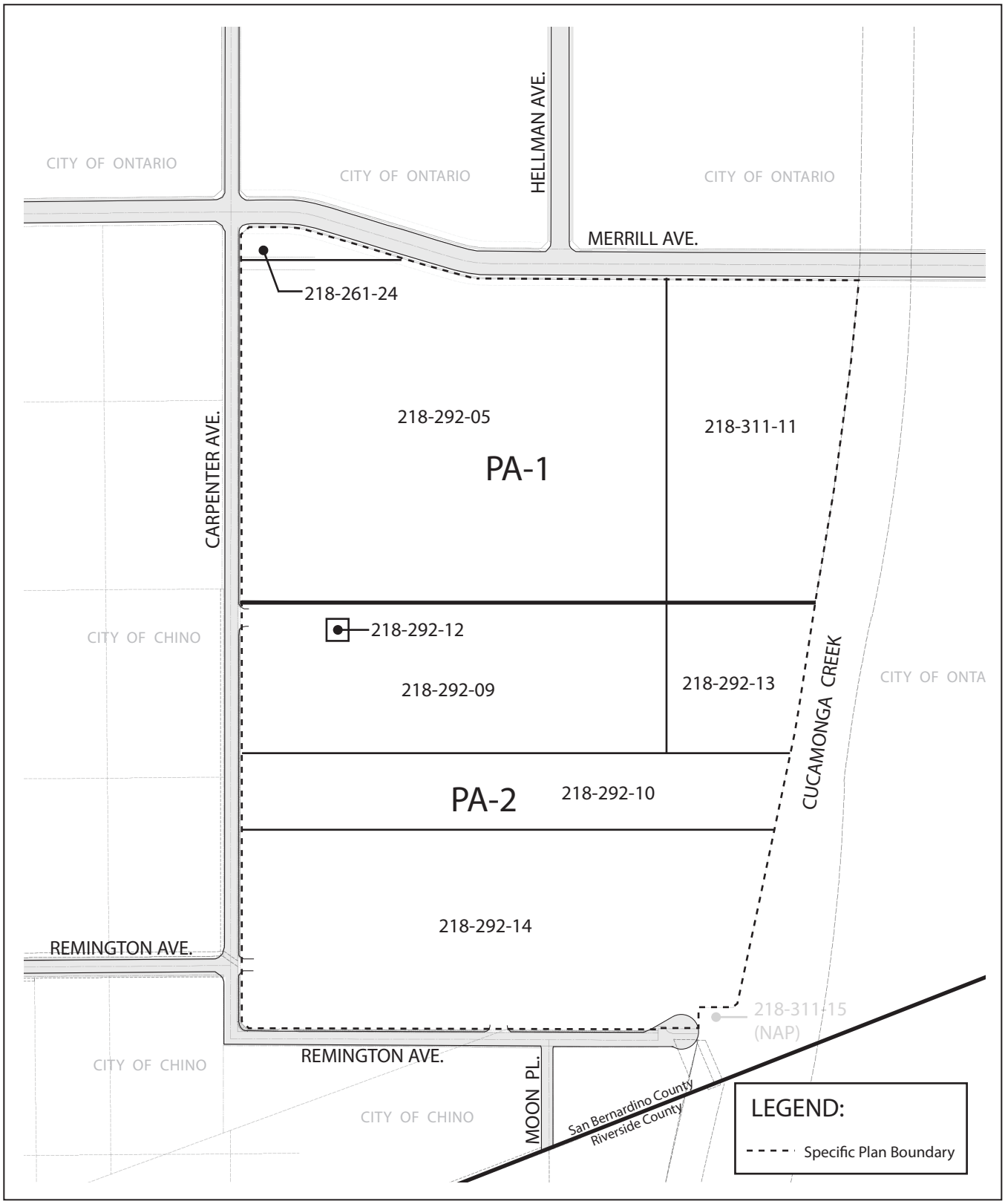
The zoning designation of AG-Specific Plan requires that a Specific Plan be approved to guide development of the project site and to implement the goals and policies of the Policy Plan. Pursuant to adoption by the City of Ontario of the Colony Commerce Center West Specific Plan by the ordinance, the Specific Plan shall take precedence over the City of Ontario Development Code. In instances where the Specific Plan is silent, the City of Ontario Development Code shall prevail.

2.7.3 Development Agreement

Unless developed in a coordinated manner and with adequate fiscal planning, development projects within the City are likely to present a challenge in their implementation because of the lack of existing public facilities including streets, sewerage, transportation, drinking water, schools, and utility facilities. California law establishes a mechanism for ensuring the adequate provision of such facilities while providing assurances to applicants that, upon project approval, applicants can proceed with their projects.

Approval of the Colony Commerce Center West Specific Plan is accompanied by an application for approval of a development agreement to encourage investment in and commitment to comprehensive planning as envisioned by the City, which seeks to take maximum efficient utilization of resources at the least economic cost to the public. A statutory development agreement, authorized pursuant to California Government Code Sections 65864 et seq., shall be required as part of the approval of the Colony Commerce Center West Specific Plan.

Exhibit 2.1, Assessor's Parcels



The development agreement shall include, but not be limited to, methods for financing acquisition and construction of infrastructure, acquisition and development of adequate levels of parkland and schools, as well as the provision of adequate housing opportunities for various segments of the community consistent with the City's regional housing needs assessments. The Colony Commerce Center West development agreement shall be fully approved before the issuance of the first building permits for the project.

2.7.4 Subdivison Maps

Tentative tract maps will be approved by the City of Ontario for the project indicating the approximate boundaries and dimensions of lots and streets and the proposed grading for the project site. Following approval by the City of tentative tract maps, final maps will be prepared for City approval. Following recordation, final maps become the legal documents defining parcels that can be developed.

2.7.5 Development Plan Review

All development proposals for individual Planning Areas within the Colony Commerce Center West Specific Plan shall be subject to Development Plan Review pursuant Division 4.02 Discretionary Permits and Action of the City's Development Code.

2.7.6 CEQA Compliance

A Project Level Environmental Impact Report (EIR) prepared by the City of Ontario for the Colony Commerce Center West Specific Plan in accordance with the California Environmental Quality Act (CEQA), analyzes impacts associated with the implementation of the Specific Plan and subdivision maps.

The EIR is prepared as a basis for the environmental review of all subsequent discretionary and ministerial actions within the Colony Commerce Center West Specific Plan.

2.8 Subsequent Actions and Approvals

Following adoption of the Colony Commerce Center West Specific Plan, subsequent actions and approvals will be required, which are identified below:

» Approval of Subsequent Tentative Maps: Implementing Tentative Maps will be prepared and processed through the City of Ontario in accordance with the requirements of Title 9, Article 4, Tentative Maps, of the Ontario Municipal Code and in accordance with the Subdivision Map Act.

» Approval of Grading and Improvement Plans: After approval of the Tentative Map, the City of Ontario will process the corresponding Grading and Improvement Plans (e.g., water plans, wastewater plans, drainage plans, grading plans, street improvement plans, final maps, etc.).

2.9 Airport Land Use Compatibility Planning Consistency

All development proposals of Specific Plan Amendments are required to be consistent with the Airport Land Uses Compatibility Plans of Chino Airport and Ontario International Airport.

2.10 General Plan and Zoning Designations

The Colony Commerce Center West Specific Plan area is designated as Industrial as shown on the City of Ontario General Plan Land Use Map (see Exhibit 2.2, Existing General Plan Land Use Designation). No changes in land use categories proposed.

The project site is currently zoned as Agriculture Specific Plan (see Exhibit 2.3, Existing Zoning Designation). Upon adoption of the Colony Commerce Center West Specific Plan, the zoning designation for the site will not need to change; it will remain as Specific Plan.

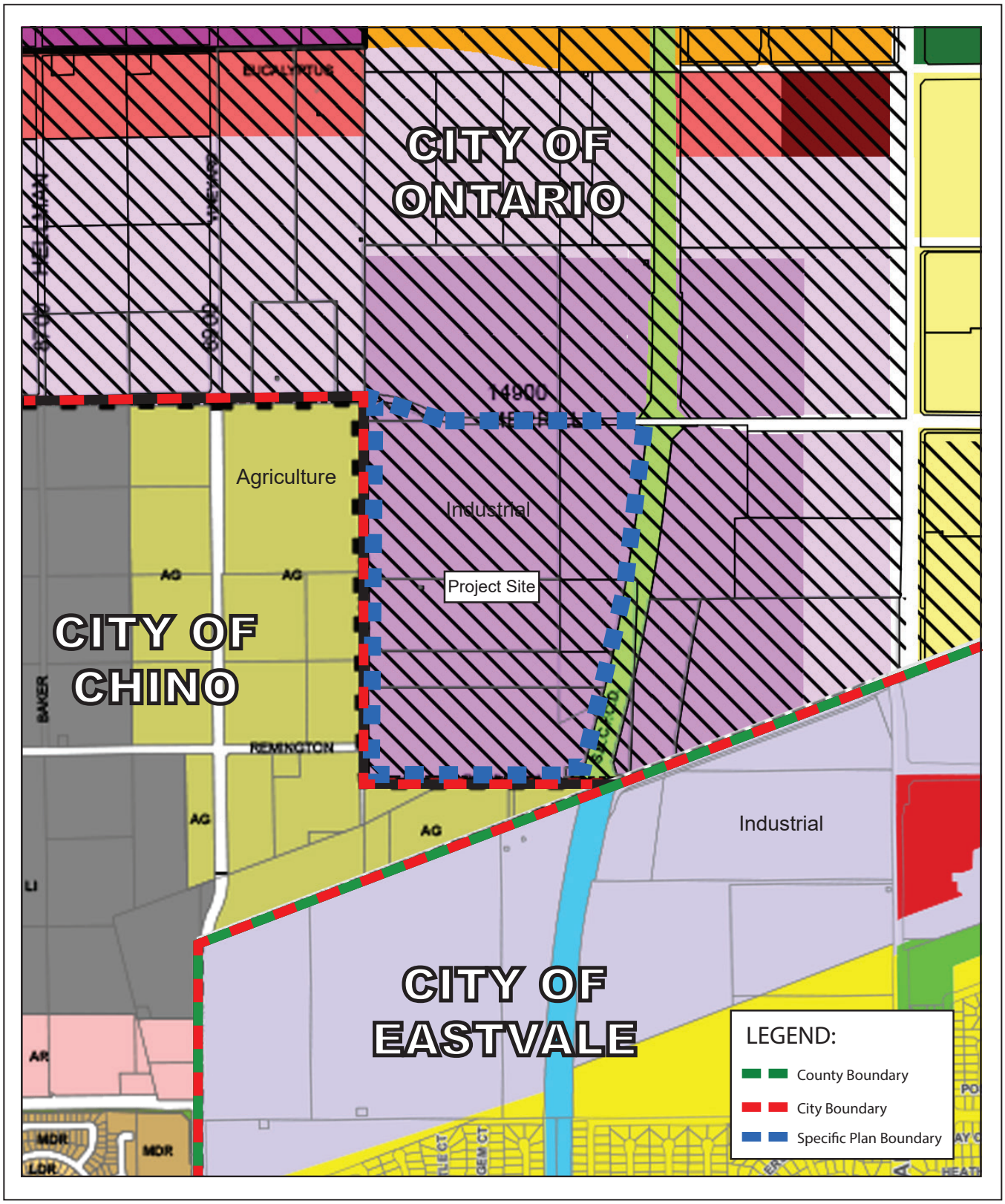
The City of Ontario Zoning Code states that specific plans are created to enable land to be planned and developed as coordinated, comprehensive projects providing for the systematic implementation of the Ontario General Plan. The Colony Commerce Center West Specific Plan will implement the Ontario General Plan as it relates to the Specific Plan area.

2.11 General Plan Consistency

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of specific plans as an implementation tool for elements contained in the local general plan. Policy plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan.

The Colony Commerce Center West Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan. The policy analysis listed in Appendix A1 describes the manner in which the Colony Commerce Center West Specific Plan complies with the Policy Plan policies applicable to the project.

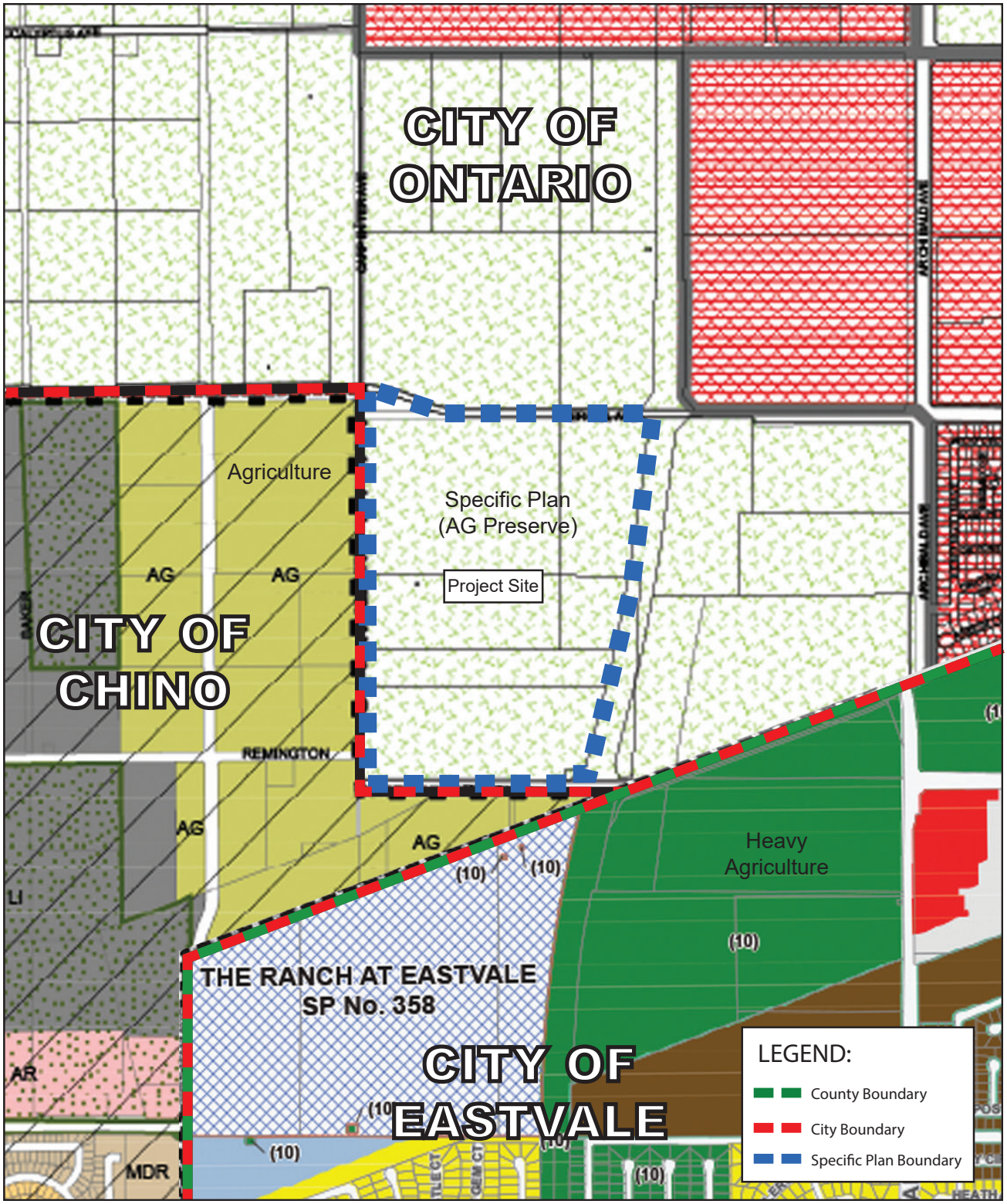
Exhibit 2.2, Existing General Plan Land Use Designation



Source: Exhibit LU-01 (Land Use Plan) 2010

N. T. S.

Exhibit 2.3, Existing Zoning Designation



Source: City of Ontario Zoning Map

N. T. S.

3 EXISTING CONDITIONS

3.1 Existing Land Use

The project site has historically been used for agricultural purposes, primarily for dairy and field crop farming. The project site is mostly undeveloped with existing agricultural operations scattered throughout the area. Rural residential housing, farm buildings, and other ancillary facilities occupy those areas not in active agricultural production. Exhibit 2.1, depicts the current aerial photgraphy of the specific plan area.

3.2 Surrounding Land Uses

Current agriculture uses such as dairy and field crop farms are located directly adjacent to the Colony Commerce Center West Specific Plan area. In the City of Ontario General Plan, these areas are designated for Industrial and Business Park uses.

Directly south of the project, in the City of Chino, agricultural uses exist that are incorporated within an airport overlay. The Chino Airport Overlay also covers the Colony Commerce Center West Specific Plan area. See Exhibit 2.2, Surrounding Land Uses, for the various land uses that surround the Colony Commerce Center West Specific Plan Area.

3.3 Policy Plan and Zoning

The City's General Plan designates the project site for the following land use:

» Industrial (0.55 FAR) - Approximately 123.17 gross acres of industrial uses on the site allowing for a total development up to 2.95 million square feet at a Floor Area Ratio (FAR) of 0.55.

The project site is zoned AG-Specific Plan. A specific plan is required by the City in order to comprehensively plan for development of industrial uses within the project site.

3.4 Airport Land Use Compatibility Plan (ALUCP) Consistency

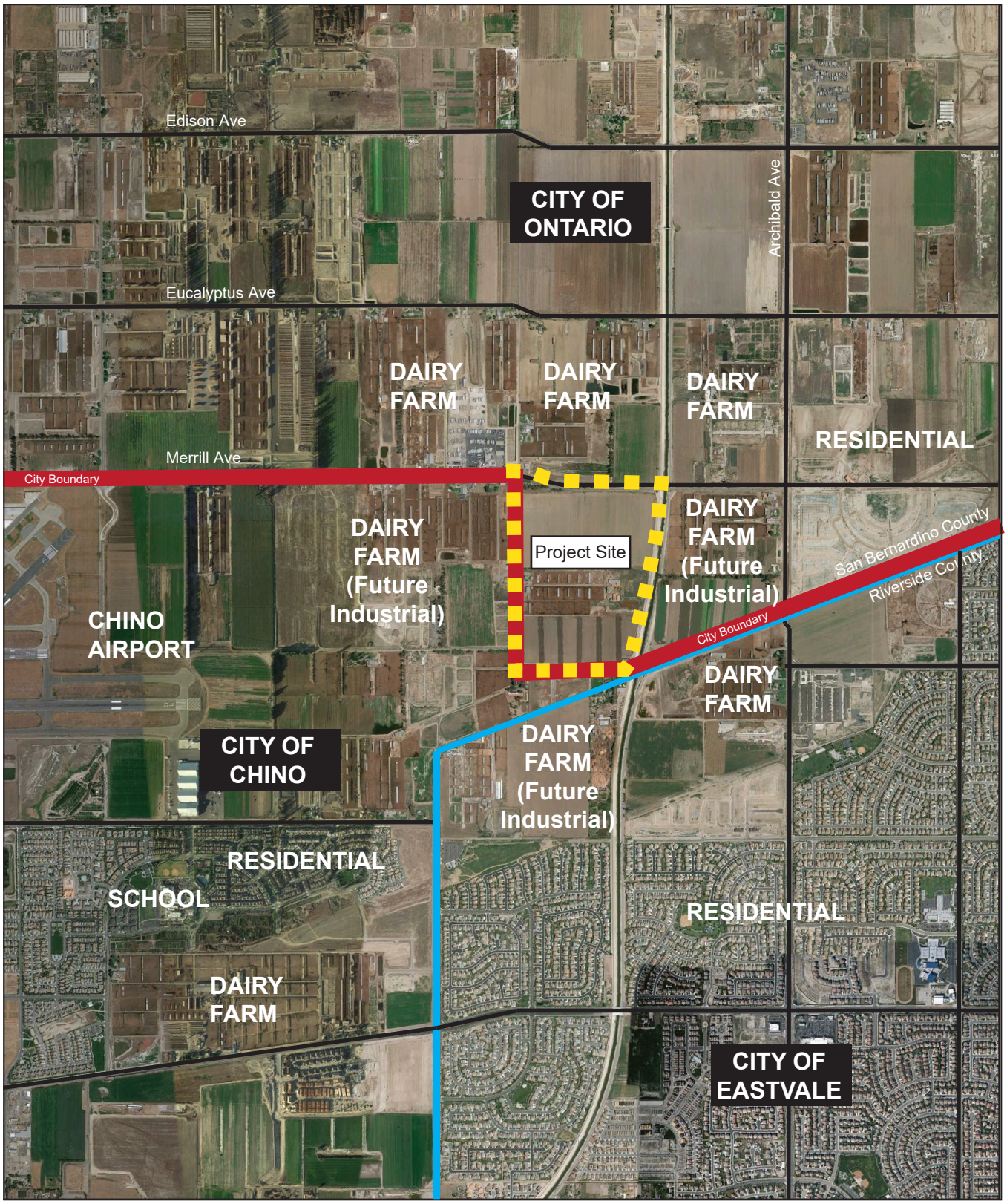
The Project Site is located within the Airport Influence Areas of Chino Airport and Ontario International Airport (ONT). The EIR prepared for the Colony Commerce Center West Specific Plan identifies potential impacts from Chino Airport and ONT and includes criteria for addressing any potential impacts.

Exhibit 3.1, Aerial Photograph

Source: Google Maps

N. T. S.

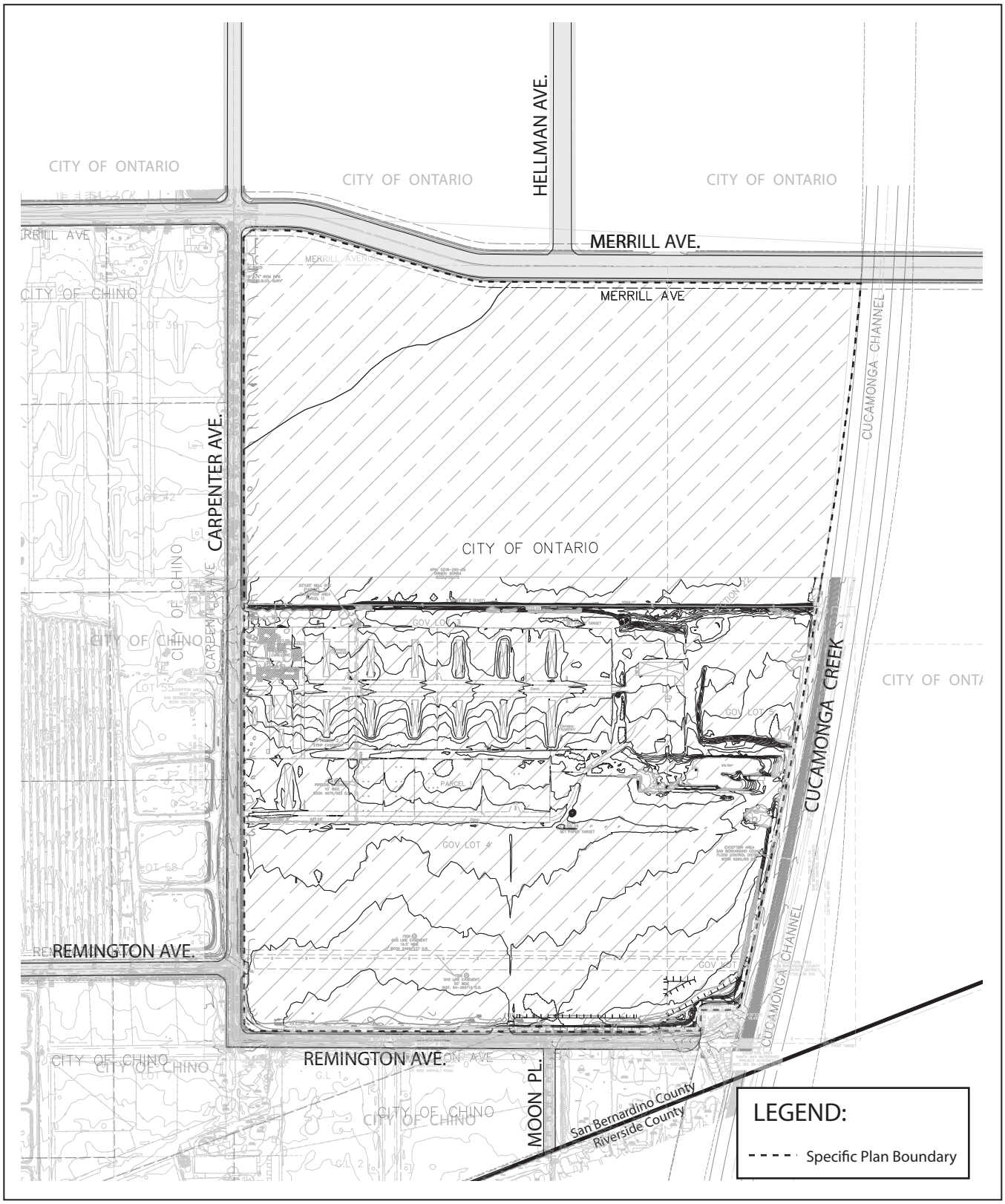
Exhibit 3.2, Surrounding Land Uses



Source: Google Maps

N. T. S.

Exhibit 3.3, Existing Site Topography



Source: David Evans & Associates

N. T. S.

3.5 Topography

The project site is relatively flat and gently falls to the south at an average gradient of approximately 1.0% to 2.0%. The existing topographic conditions for the Specific Plan area are illustrated on Exhibit 3.3, Existing Site Topography.

3.6 Hydrology

Since most of the project site has been in agricultural use, only a limited portion of the site is now covered with impervious surfaces. Normal rainfall to the area is able to percolate through on-site soils and does not result in high volumes of surface runoff, as is typically associated with urban use.

During periods of heavy rainfall, when ground surfaces are saturated, surface runoff is collected in the existing storm drains, culverts, and retention basins located within the project site.

The existing storm drain system throughout the project site is generally unimproved and consists primarily of open earthen swales along area roadways or curbed roadway surfaces. The EIR prepared for the Colony Commerce Center West Plan includes additional hydrology information for the project site.

3.7 Biology

The project site has been extensively used for agricultural operations including dairy and field crop uses. Those limited areas not in active agricultural production are occupied by rural residential housing or are vacant. The natural vegetation and the project site as a whole have been significantly altered through agricultural use, leaving little to no native vegetation. The EIR prepared for the Colony Commerce Center West Specific Plan includes an evaluation of vegetation and biological resources.

3.8 Existing Circulation and Access

3.8.1 Regional Circulation

Interstate 15 (I-15) is located approximately 3.25 miles east of the project site. Access from the project site to the I-15 exists at Limonite Avenue within Riverside County. State Route 60 (SR-60) is located approximately 3.25 miles north of the project site.

Access to the project site from SR-60 exists from Archibald Avenue, which connects to Merrill Avenue abutting the project site on the north. State Route 83 (SR-83/Euclid Avenue) is located approximately 2.5 miles west of the project site. Access from the project site to SR-83 exists from Merrill Avenue which abuts the project site on the north.

3.8.2 Local Circulation

Local access to the project site is provided from Carpenter Avenue, Merrill Avenue, and Remington Avenue. Merrill Avenue abuts the project site on the north and provides two paved travel lanes. The General Plan designates Merrill Avenue as a 4-lane Collector Street. Carpenter Avenue abuts the project site on the west with two travel lanes. Remington Avenue abuts the project site on the south with two travel lanes.

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4 LAND USE PLAN

4.1 Introduction

The overall land use concept for the Colony Commerce Center West Specific Plan takes ad-vantage of the site's proximity to airports and regional freeway access.

The land use concept provides for a range of industrial uses, while offering a variety of development and employment opportunities. The land use in this area also provides opportunities for a broad range of industries to accommodate an ever-changing business and industrial environment.

4.2 Land Use Plan

The circulation patterns, utility systems and overall design of the plan can meet these changes in demand. This is an important concept in a region that is experiencing rapid growth (see Exhibit 4.1, Land Use Plan).

The planned industrial area will include wholesale and distribution, light manufacturing and businesses with high-value, time-sensitive merchandise that would benefit from proximity to an airport.

The land use regulations for the Colony Commerce Center West Specific Plan will allow some flexibility in the location, mix and intensity of industrial uses so that as market demands change and as businesses expand or contract over time, the Specific Plan can respond and adapt to meet those needs. An illustrative site plan is shown on Exhibit 4.1, Land Use Plan.

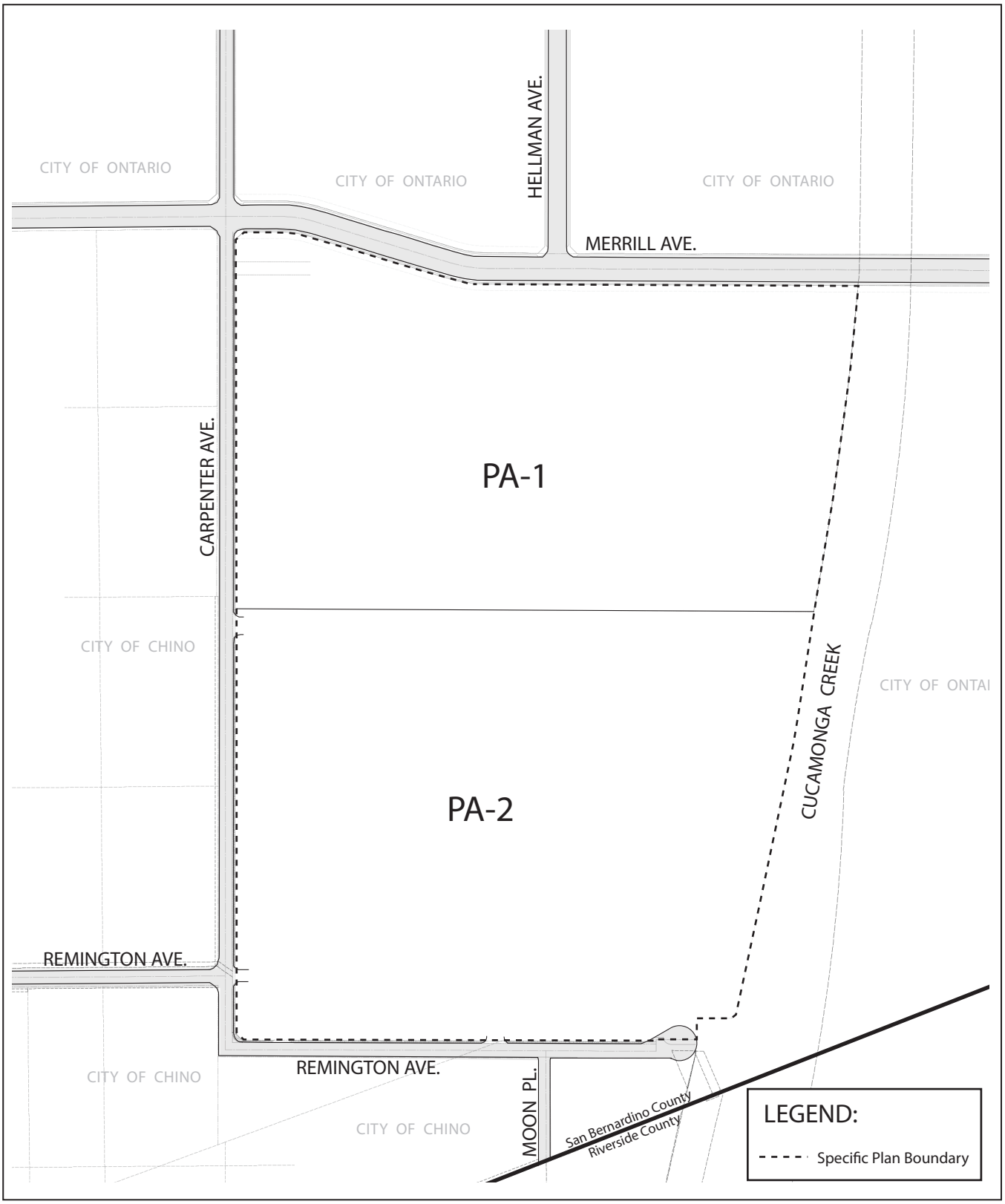
The land use intensity anticipated in the two planning areas is shown on Table 4.1, Land Use Summary. The maximum Floor Area Ratio (FAR) permitted in each Planning Area conforms to the maximum FAR permitted in the Ontario General Plan.

Table 4.1 identifies the anticipated build out of the Specific Plan area. Specific uses may be developed as identified as permitted in Table 6.3, Permitted Uses.

Table 4.1, Land Use Summary

Planning Area (PA)	Land Use	Acres	Maximum Potential Intensity (Gross Floor Area)	Max.Floor Area Ratio
PA-1	Industrial	57.58 ac	1,379,501 SF	0.55
PA-2	Industrial	65.60 ac	1,571,645 SF	0.55
	Total	**123.17 ac**	**2,951,146 SF**	**0.55**

Exhibit 4.1, Land Use Plan



Source: Douglas Franz Architects

N. T. S.

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5 CIRCULATION, INFRASTRUCTURE AND PUBLIC SERVICES

The infrastructure, utilities, and public services to be provided as part of the development of the Colony Commerce Center West Specific Plan are discussed in this section.

5.1 Circulation

The circulation plan for Colony Commerce Center reinforces the objective of moving vehicles, pedestrians, cyclists, and public transit safely and efficiently through and around the project. Exhibit 5.1, Circulation Plan establishes the hierarchy and general location of roadways within Colony Commerce Center West.

The minimum design speeds to be used for center line curve radii, super elevation, corner and approach site distances, vertical and horizontal alignment, and sight distances for the Master Plan of Streets will comply with City Standards below:

- Merrill Avenue: 45 mph
- Carpenter Avenue: 40 mph
- Remington Avenue: 40 mph

5.1.1 Master Plan Roadways

The project site is bounded on the north by Merrill Avenue, a City of Ontario Collector Roadway as identified in Exhibit 5.2, Functional Roadway Classification Plan, providing access to and from the site.

Carpenter Avenue bounds the project site on the west; Remington Avenue bounds the project site on the south.

The Cucamonga Creek Channel, a non-vehicle open space area bounds the project site to the east.

A traffic study prepared as part of the project's EIR may identify the need for additional rights-of-way at critical intersections to accommodate lanes for left and right turn movements.

The developer shall be responsible for those improvements as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or Conditions of Approval established on the approved tentative maps for the project.

Phasing and construction of the improvements shall be implemented as required by the City Engineer and pursuant to the mitigation measures identified in the EIR and the conditions of approval adopted with the approval of tentative maps for the project. The locations and construction of bus turnouts may be required within the project to the satisfaction of the City of Ontario and Omnitrans.

5.1.2 Merrill Avenue

The Mobility Element of the Policy Plan (Figure M-2 Functional Roadway Classification Plan) designates Merrill Avenue as a 4-Lane Collector Street with a Class II bikeways and multipurpose trails. Merrill Avenue will provide east/west access to Colony Commerce Center West at the northern boundary of the project site. The proposed improvement to Merrill Avenue

are illustrated in Exhibit 5.3a, Merrill Avenue. Parking is prohibited along Merrill Avenue.

The southern half of the existing Merrill Avenue bridge crossing over Cucamonga Creek will be designed and constructed in accordance to the Ontario Master Plan of Streets and Highways.

5.1.3 Carpenter Avenue

Carpenter Avenue bounds the project site to the west and will provide north/south access to and from the Colony Commerce Center West Specific Plan area. Carpenter Avenue is designated as a 2-Lane Local Industrial Street. Exhibit 5.3b, Carpenter Avenue illustrates the ultimate improvements to Carpenter Avenue.

On-street parking is not allowed on Carpenter Avenue. Intersections and driveways shall be shown/designed in accordance to the Ontario Master Plan of Streets and Highways and coordinated with the City of Chino if necessary.

5.1.4 Remington Avenue

Remington Avenue bounds the project site to the south and will provide east/west access to and from the Colony Commerce Center West Specific Plan area. Remington Avenue is designated as a 2-Lane Local Industrial Street. Exhibit 5.3b, Remington Avenue illustrates the ultimate improvements to Remington Avenue by this project. No on-street parking shall be permitted on Remington Avenue.

Intersections and driveways shall be shown/designed in accordance to the Ontario Master Plan of Streets and Highways and coordinated with the City of Chino if necessary.

5.1.5 Pedestrian Circulation

In addition to vehicular circulation, a pedestrian circulation system utilizing the sidewalks will be provided within the Colony Commerce Center West Specific Plan.

Sidewalks will be provided along all streets abutting the Specific Plan area, and will be a minimum of five (5') feet in width. Sidewalks shall be constructed of concrete as part of the adjacent roadway improvements.

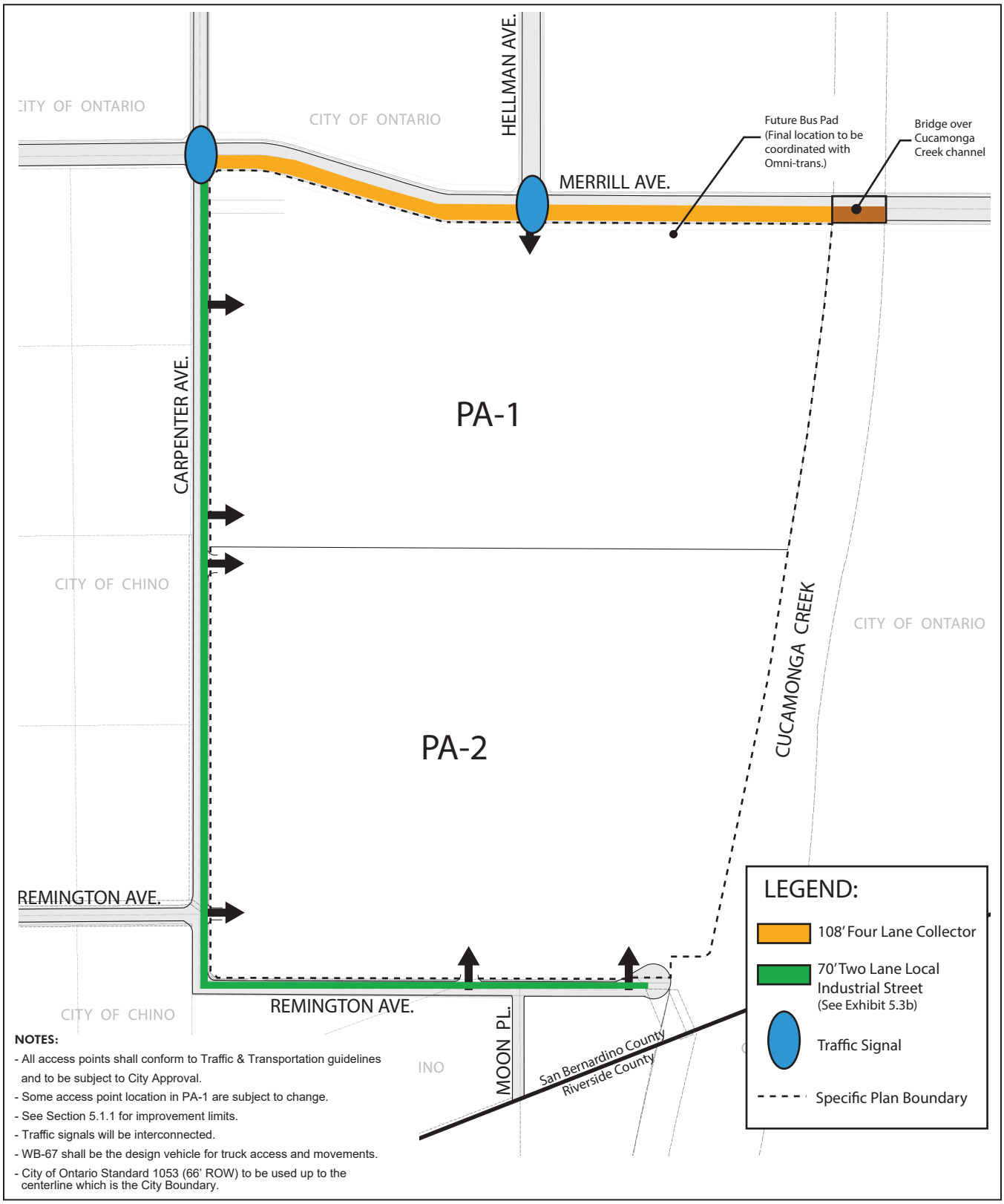
5.1.6 Bicycle Circulation

Bicycle trails are an integral element in creating accessibility and mobility within the Specific Plan. A Class I bikeway will be provided within the Cucamonga Creek Channel as illustrated in Exhibit 5.3c. The Specific Plan will construct trail connections to link the bikeway along Cucamonga Creek Channel with the on-street bicycle system.

The Mobility Element of the Policy Plan (Figure M-1 Mobility Element System) designates a Class II Bikeway & Multi-purpose Trail along Merrill Avenue. These bike paths will provide linkages to the City's master planned bike paths system. General timing and responsibility will be discussed in the Development Agreement.

Refer to Exhibit 5.4, Pedestrian and Bicycle Circulation Plan, for locations of these paths and trails. Refer to Exhibit 5.5, City of Ontario Trails & Bikeway Plan to see how the Specific Plan connects to the larger network.

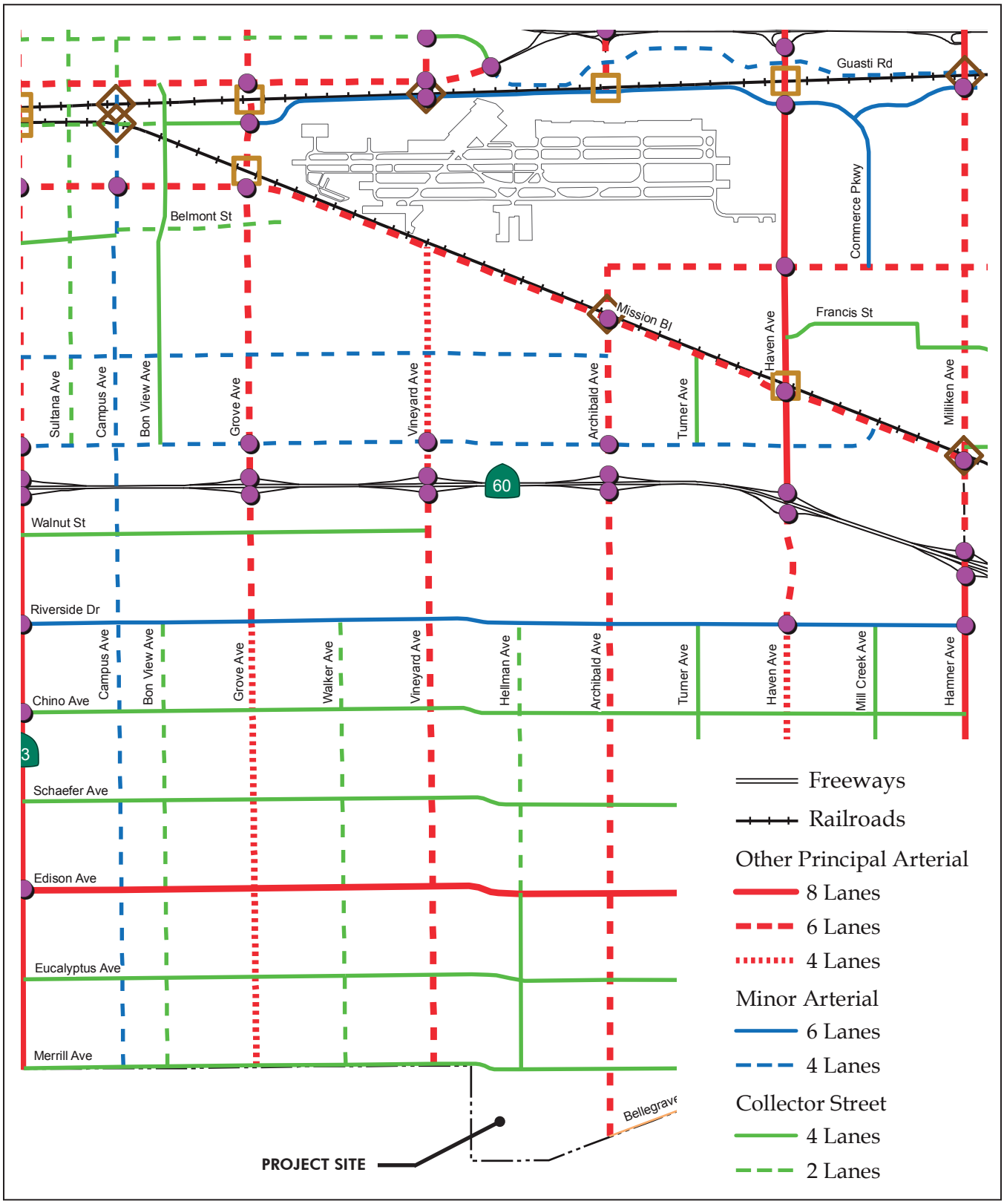
Exhibit 5.1, Circulation Plan



Source: KTGY Group

N. T. S.

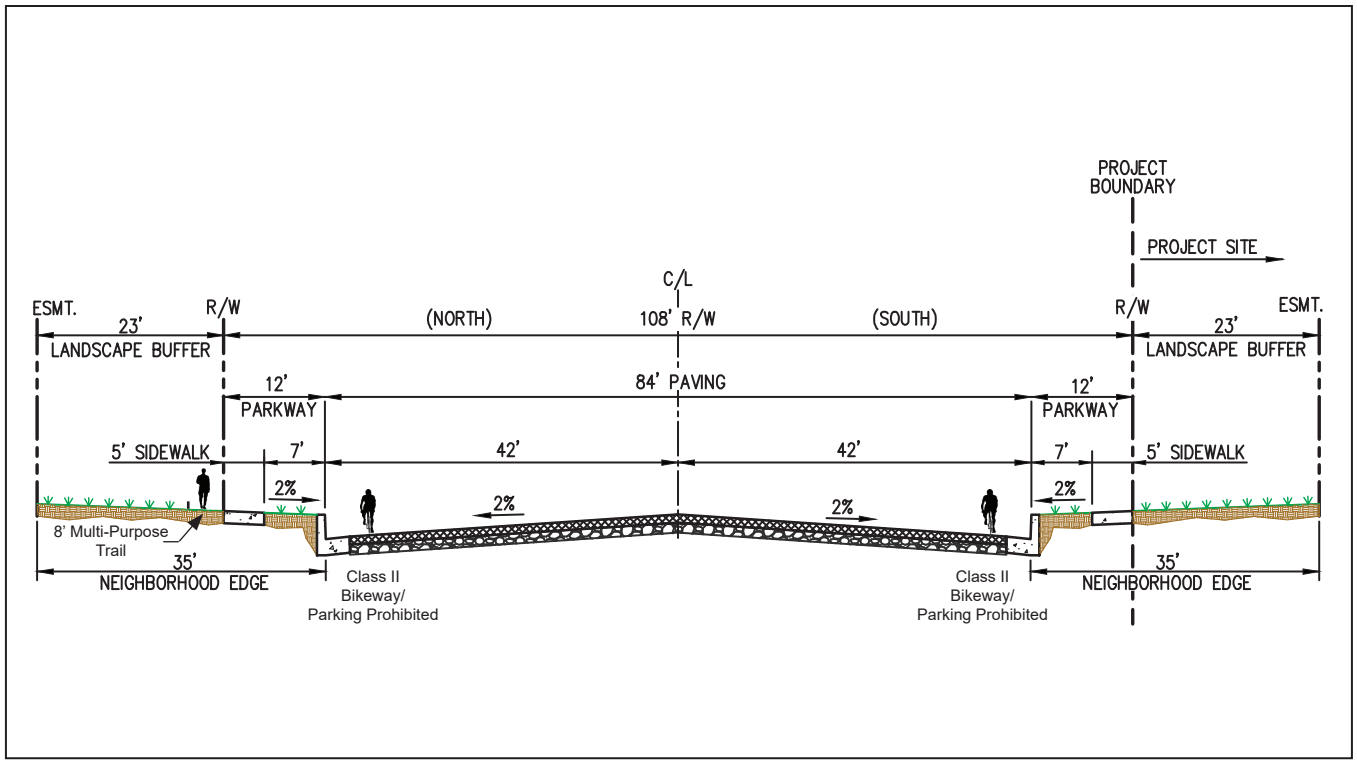
Exhibit 5.2, City of Ontario Roadway Classification Plan



Source: City of Ontario, Figure M-2 Functional Roadway Classification Plan, August 19, 2014
NOTE: Reference the City's most current Master Plan for the latest designations.

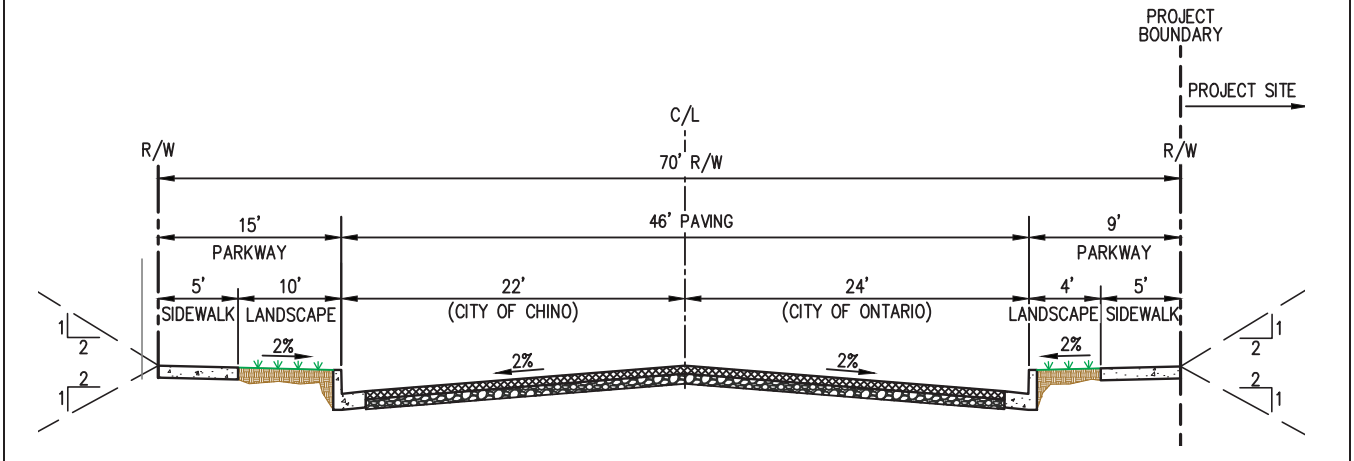
N. T. S.

Exhibit 5.3a, Typical Street Cross Section - Merrill Avenue (108' ROW)



Source: David Evans & Associates

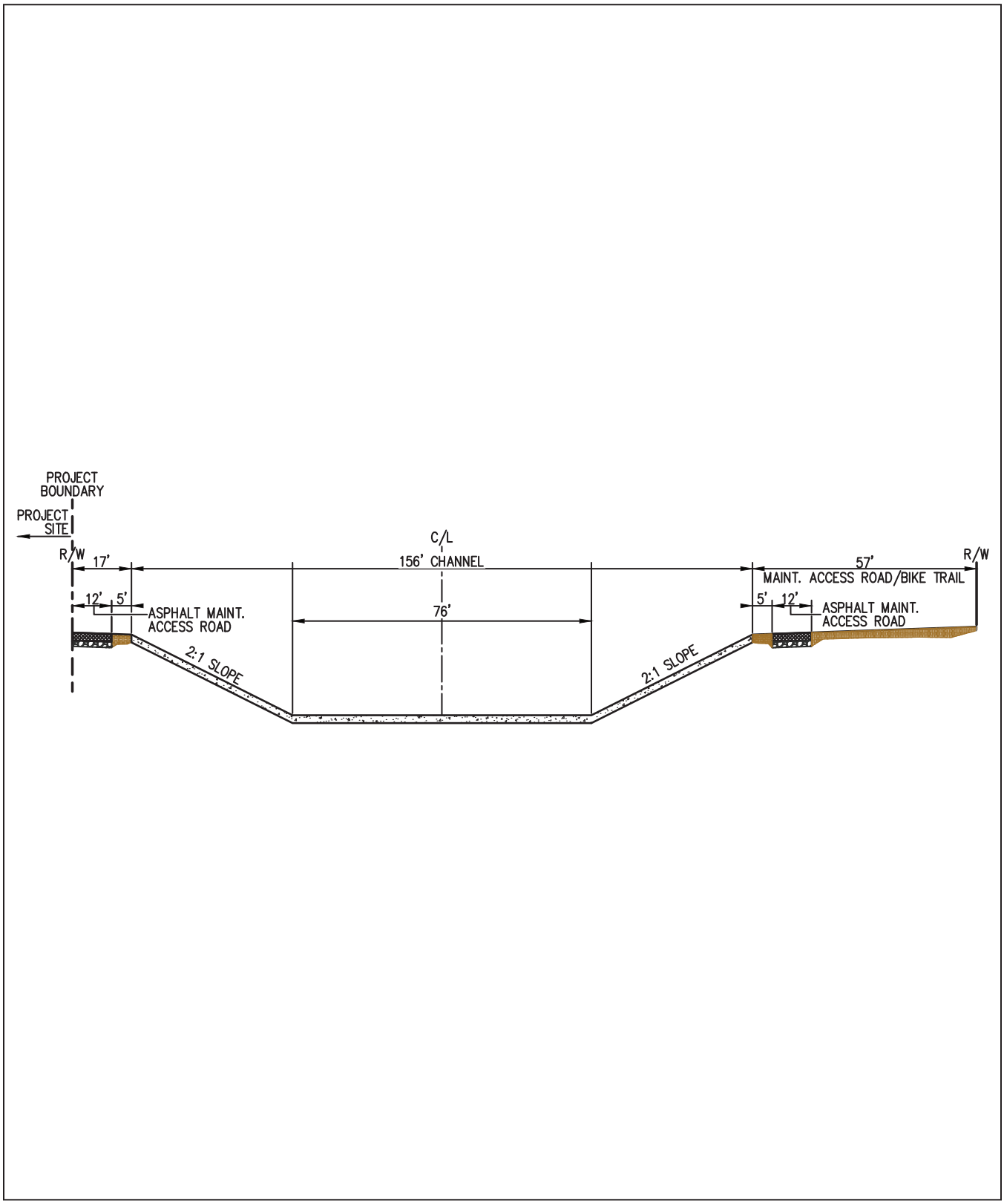
Exhibit 5.3b, Typical Street Cross Section - Carpenter Avenue & Remington Avenue (70' ROW)



NOTE: City of Ontario Standard 1053 (66' ROW) to be used up to the centerline which is the City Boundary. Parking shall be prohibited.

Source: David Evans & Associates

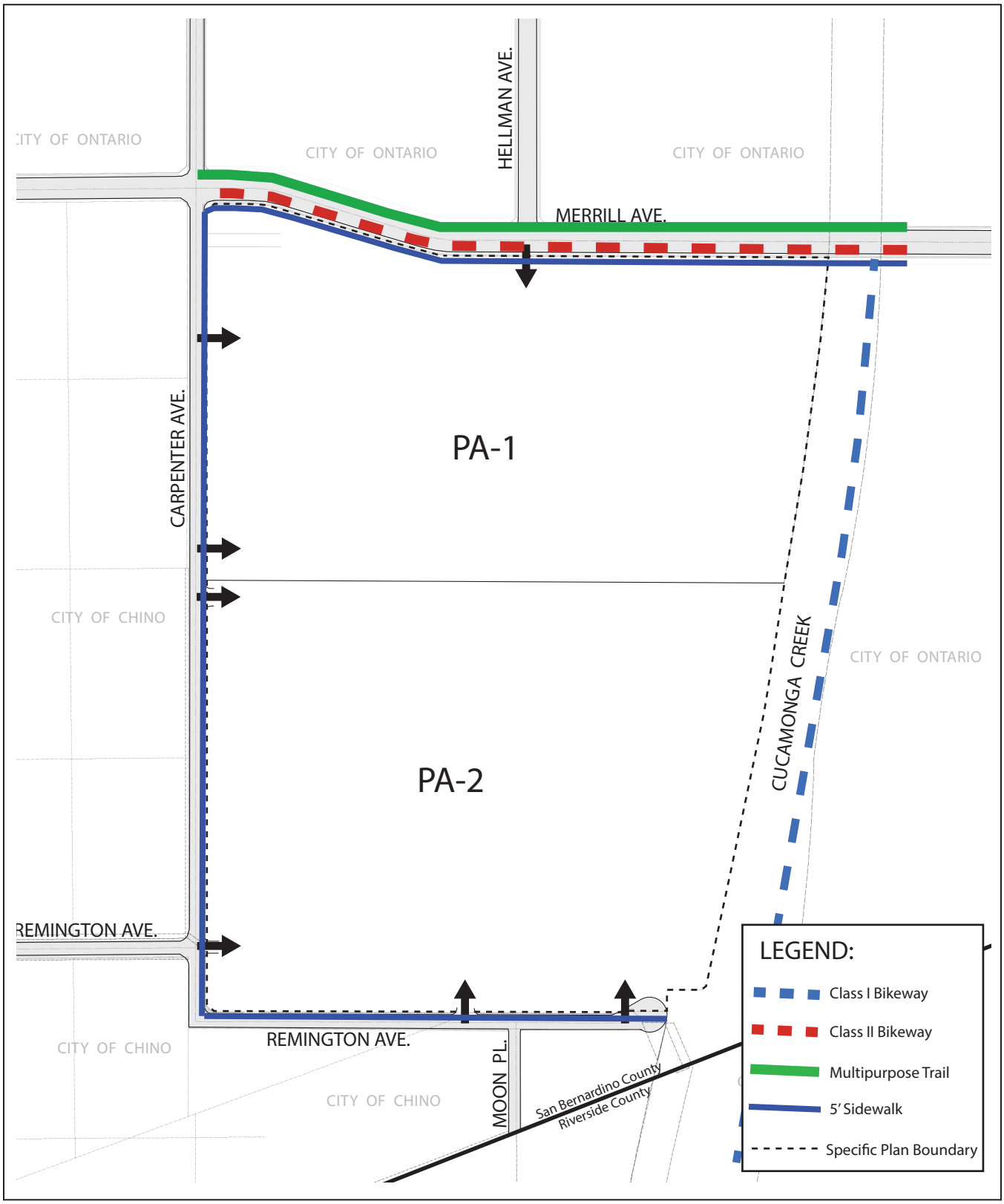
Exhibit 5.3c, Cucamonga Creek Channel



Source: David Evans & Associates

N. T. S.

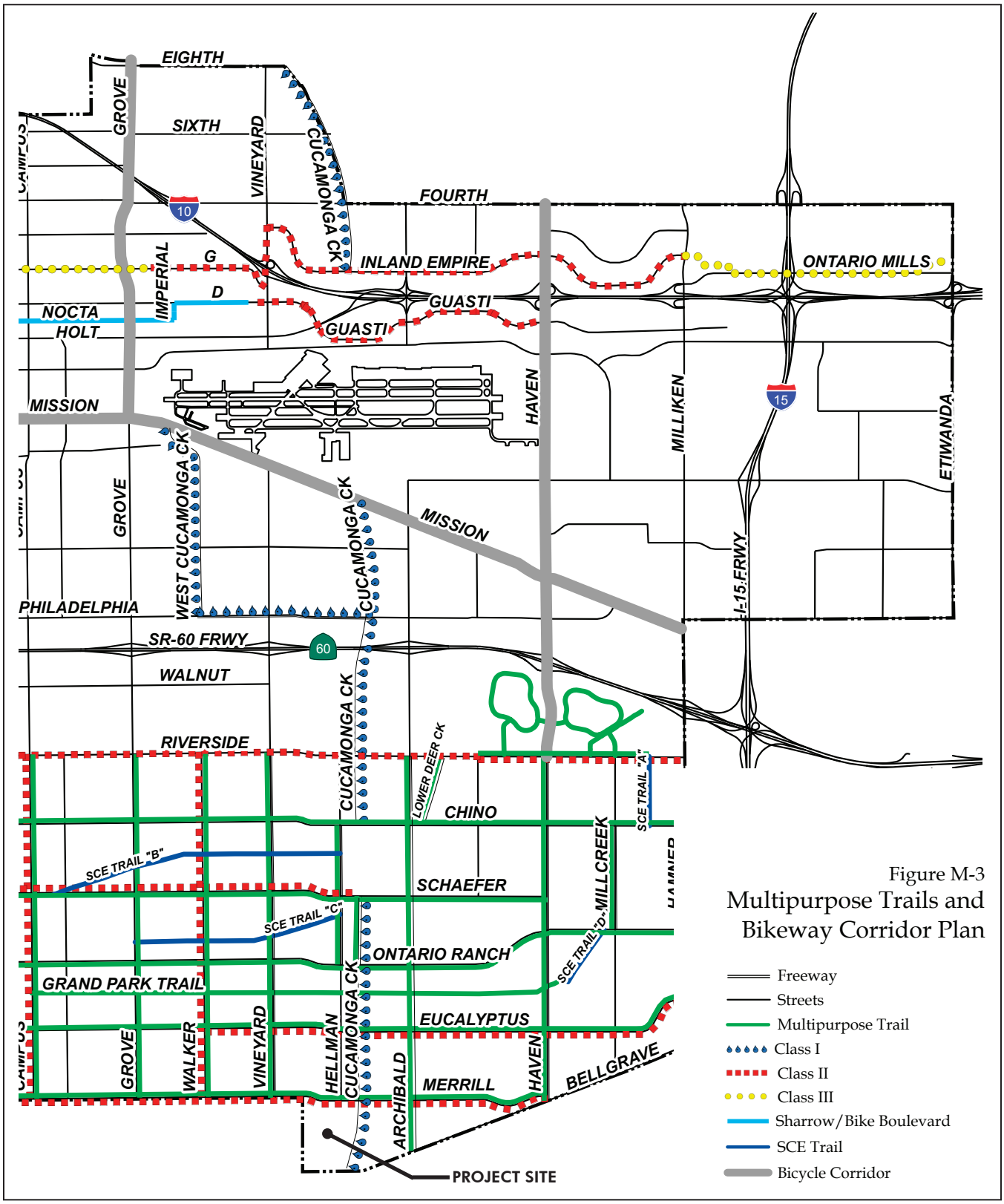
Exhibit 5.4, Pedestrian and Bicycle Circulation



Source: KTGY Group

N. T. S.

Exhibit 5.5, City of Ontario Trails & Bikeway Plan



Source: City of Ontario, Figure M-3 Multipurpose Trails and Bikeway Corridor Plan (Sept. 2016)
NOTE: Reference the City's most current Master Plan for the lastest route.

N. T. S.

5.2 Water Master Plan

Domestic water will be provided by the City of Ontario. The City's Water Master Plan identifies new water facilities to serve the Ontario Ranch area, which will need to be constructed prior to or concurrent with on-site water improvements.

All private agricultural wells located within each Tract shall be destroyed per Cal Department of Water Resources prior to the issuance of a certificate of occupancy for any construction activity. Well destruction requires a permit from County Health Department. A copy of such permit shall be provided to Engineering and OMUC prior to issuance of certificate of occupancy.

Note: Reference the City's most current Master Plan for sizing/alignment.

5.2.1 Master Planned Domestic Water System

The project site lies within the 925' Pressure Zone as depicted on Exhibit 5.6, City of Ontario Ultimate Water System. The ultimate improvements for domestic water will include a 12" Master Plan water main in Merrill Avenue, from Archibald Avenue to Carpenter Avenue, and a 12" water main in Carpenter Avenue, from Merrill Avenue to Remington Avenue. The water main continues east on Remington Avenue, crosses the Cucamonga Creek Channel and connects to the existing 12" water main in Archibald Avenue as depicted on Exhibit 5.7, Domestic Water System.

Within the project site, a network of 8" and 10" water lines will be installed for the private fire system. The on-site water system includes connections to the main in Carpenter Avenue or the main in Merrill Avenue. The proposed on-site water system sizing is subject to the recommendations of the City Building Department.

Existing Phase 1 water supply infrastructure for the 925' Zone has been recently constructed and are generally located within the eastern portion of Ontario Ranch. Water supply infrastructure (production, storage, transmission) required for this Specific Plan will also need to incorporate the following:

a) The future Phase 2 backbone water infrastructure for the 925' Zone generally consisting of transmission mains, wells, and reservoir as depicted in Exhibit 5.6.

b) A minimum of two points of connection to the backbone transmission main(s) (Phase 1 and/or Phase 2) to provide for looped water service.

Note: Reference the City's most current Master Plan for sizing/alignment.

5.2.2 Master Planned Recycled Water System

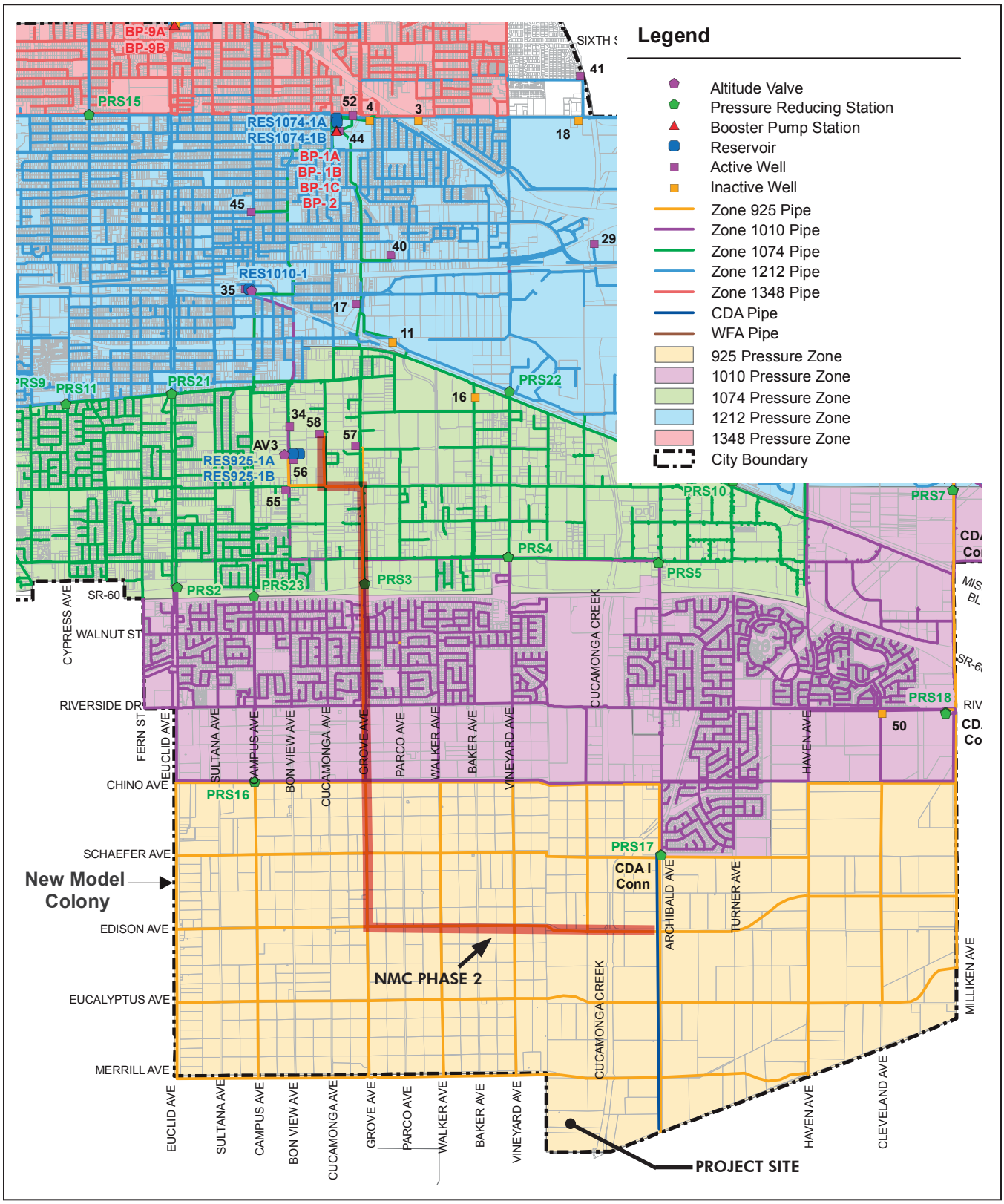
The City of Ontario will ultimately provide recycled water from IEUA's RP-1 and RP-1 outfall parallel located in Carpenter Avenue and via City of Ontario recycled water improvements as presented in the City's Recycled Water Master Plan (see Exhibit 5.8).

The 930' Pressure Zone recycled water system has an existing Inland Empire Utilities Agency (IEUA) 30" line in Carpenter Avenue that runs along the project frontage from Remington Avenue to Merrill Avenue. This project will construct a 12" City of Ontario line along Merrill Avenue from Carpenter Avenue to Archibald Avenue that will serve Colony Commerce Center West as illustrated on Exhibit 5.9, Recycled Water System.

The developer of Colony Commerce Center West will utilize the existing recycled water laterals that stub into both Planning Areas and enhance where required to serve the project. The Colony Commerce Center West Specific Plan shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to the irrigation of street landscaping, and common areas.

The developer shall prepare and secure approval of an Engineering Report from the City of Ontario and State Water Resources Control Board (SWRCB) prior to the use of recycled water. Sizing of the on-site system

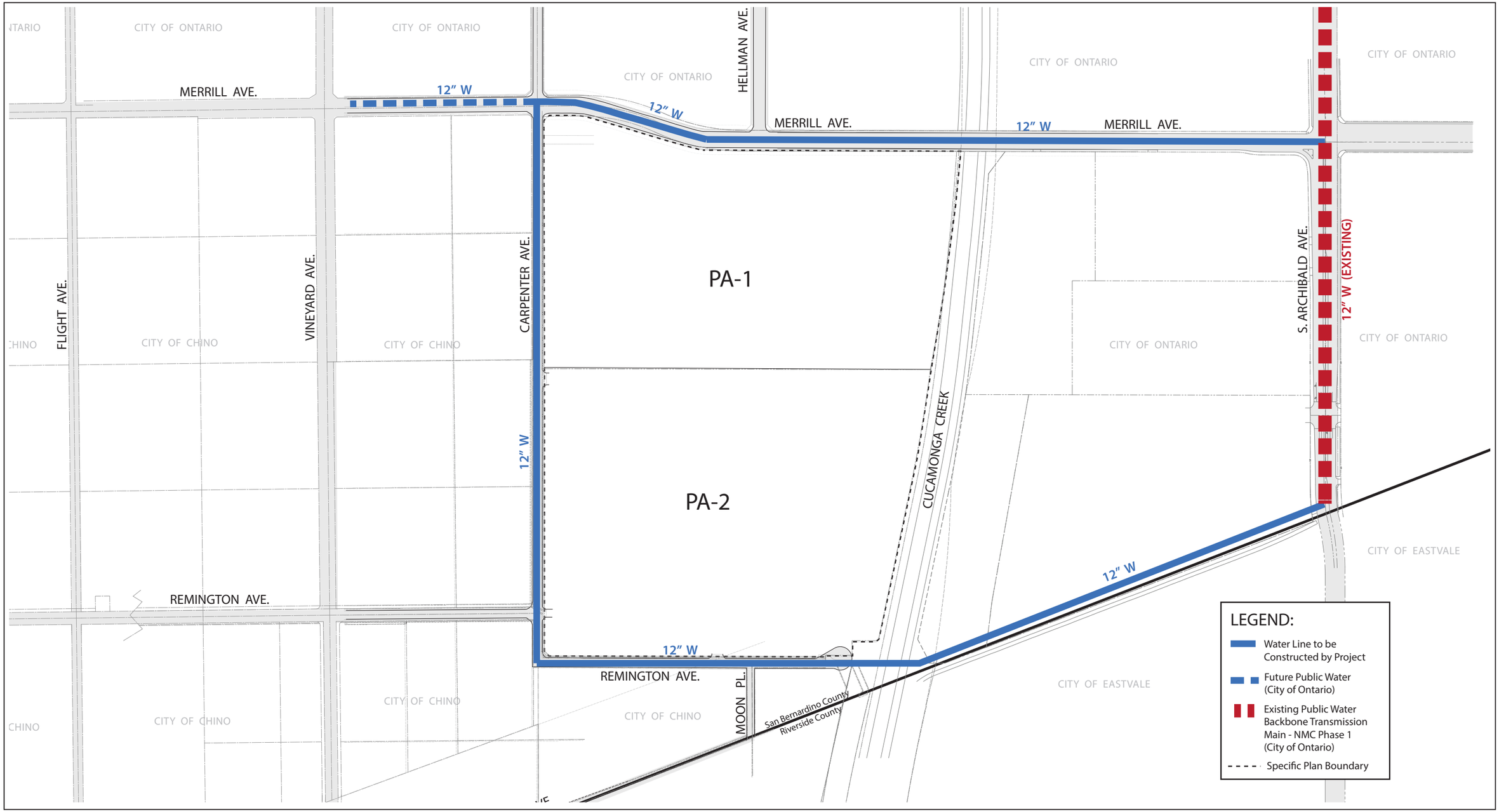
Exhibit 5.6, City of Ontario Ultimate Water System



Source: City of Ontario, Ultimate Water System (Figure 10-1) October 2011
NOTE: Reference the City's most current Master Plan for sizing/alignment.

N. T. S.

Exhibit 5.7, Domestic Water System



Source: David Evans & Associates
NOTE: Reference the City's most current Master Plan for sizing/alignment.

N. T. S.

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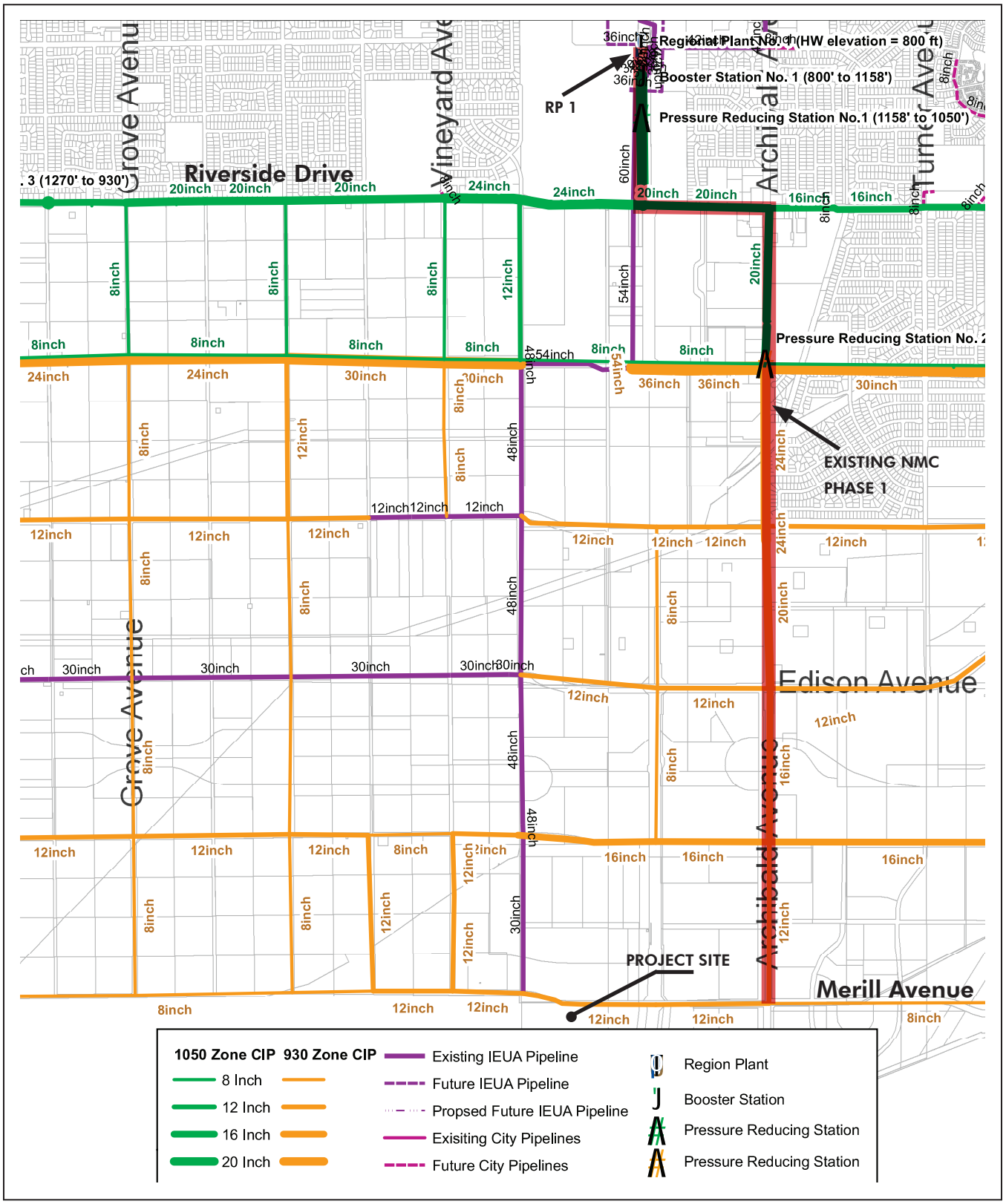
Exhibit 5.8, (Partial) Ontario Ranch Recycled Water Master Plan



Source: City of Ontario, Recycled Water Master Plan, Figure 6-2 (October 2011)
NOTE: Reference the City's most current Master Plan for sizing/alignment.

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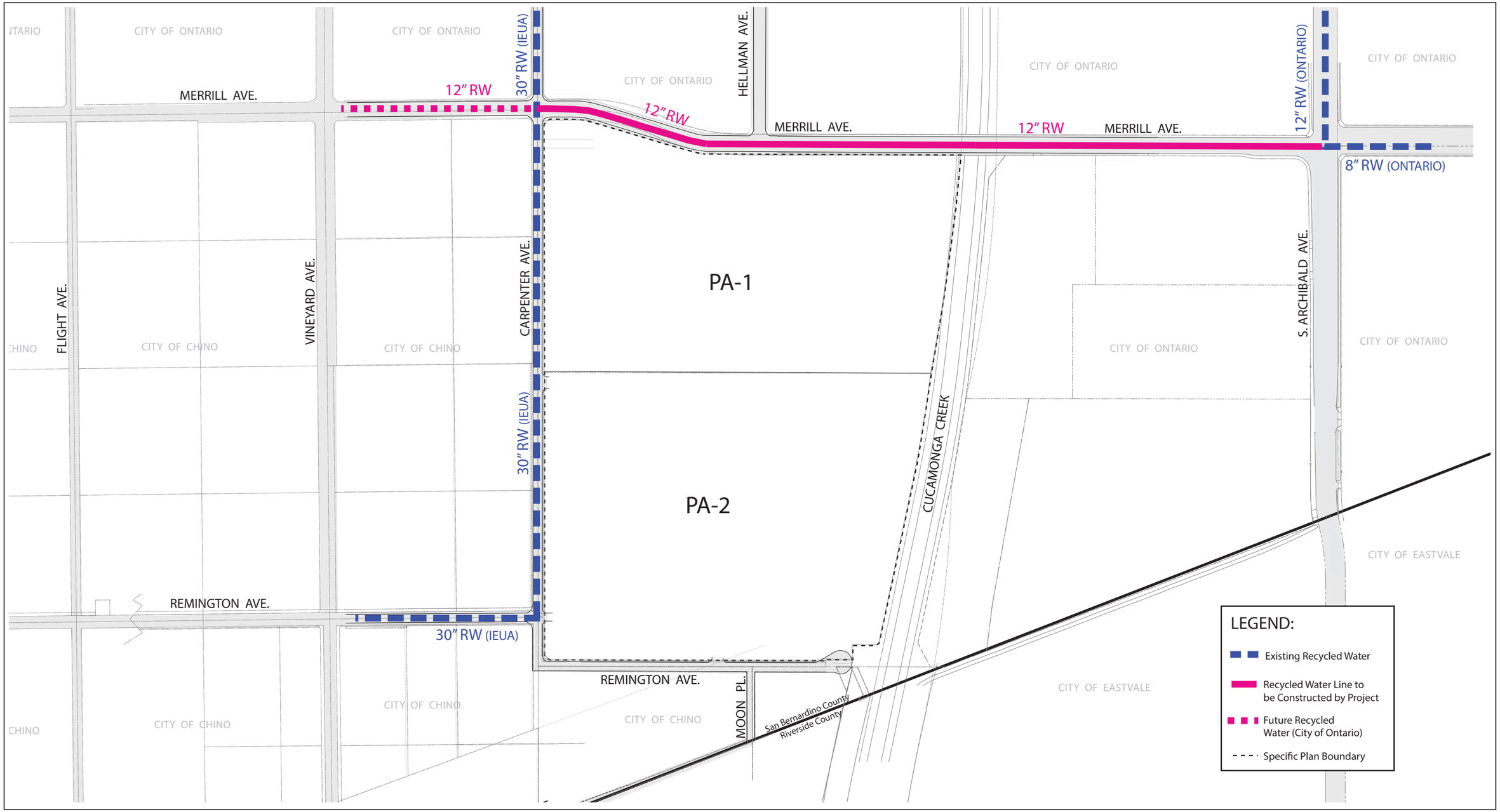
Exhibit 5.9, Recycled Water System



Source: David Evans & Associates
NOTE: Reference the City's most current Master Plan for sizing/alignment.

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is subject to the City approved hydraulic analysis and minimum requirements of the City. Interim connection to potable water is not allowed.

Note: Reference the City's most current Master Plan for sizing/alignment.

5.3 Sewer Master Plan

Sewer service for Colony Commerce Center West will be provided by the City of Ontario. The City of Ontario Master Plan of Sewer as depicted on Exhibit 5.10, proposes an 18"Sewer Trunk Line in Carpenter Avenue from the Eastern Trunk Sewer north to Merrill Avenue. The latest design of this master planned trunk sewer line, performed by MDS Consulting, requires the upsizing of this 18" line to a 24" line between the Eastern Trunk Sewer and Merrill Avenue.

The Colony Commerce Center West Specific Plan proposes a revised alignment for this 24" Sewer Trunk Line. The new alignment will run eastwardly in Remington Avenue from the southerly extension of Carpenter Avenue and southwardly on Moon Place where it will connect to the Eastern Trunk Sewer approximately 1,000 feet northeast of the original connection point. The reason for this proposed revision to the connection point (See Exhibit 5.11, Sewer Master Plan) is the lack of right-of-way or easement availability from the landowner south of Remington Avenue.

The revised alignment will allow the 24" Sewer Trunk Line to be constructed within Moon Place, which is a publicly dedicated street. It should be noted that this alternative alignment will require the City to amend its Sewer Master Plan.

The size and location of the on-site private sewer system required to service the buildings will be engineered during preparation of the final on-site construction documents, per Building Department requirements..

Note: Reference the City's most current Master Plan for sizing/alignment.

5.4 Drainage

The City of Ontario Storm Drain Master Plan identifies storm drain improvements to serve the project site. Completion of these Master Plan improvements will provide storm water drainage for the properties within this specific plan.

The runoff that leaves the site drains to the lower reach of Cucamonga Creek a tributary of the Santa Ana River at Prado Reservoir. The site is a part of the 74 square mile drainage area that is tributary to the Creek. The total drainage area is bounded by the San Gabriel Mountains on the north, San Antonio Creek drainage area on the west, Day Canyon drainage area on the east and Prado Reservoir on the south. The channel has an approximate gradient of 40 feet per mile and is designed to carry 45,000 cfs at the Confluence with the County Line Channel just downstream of the project site.

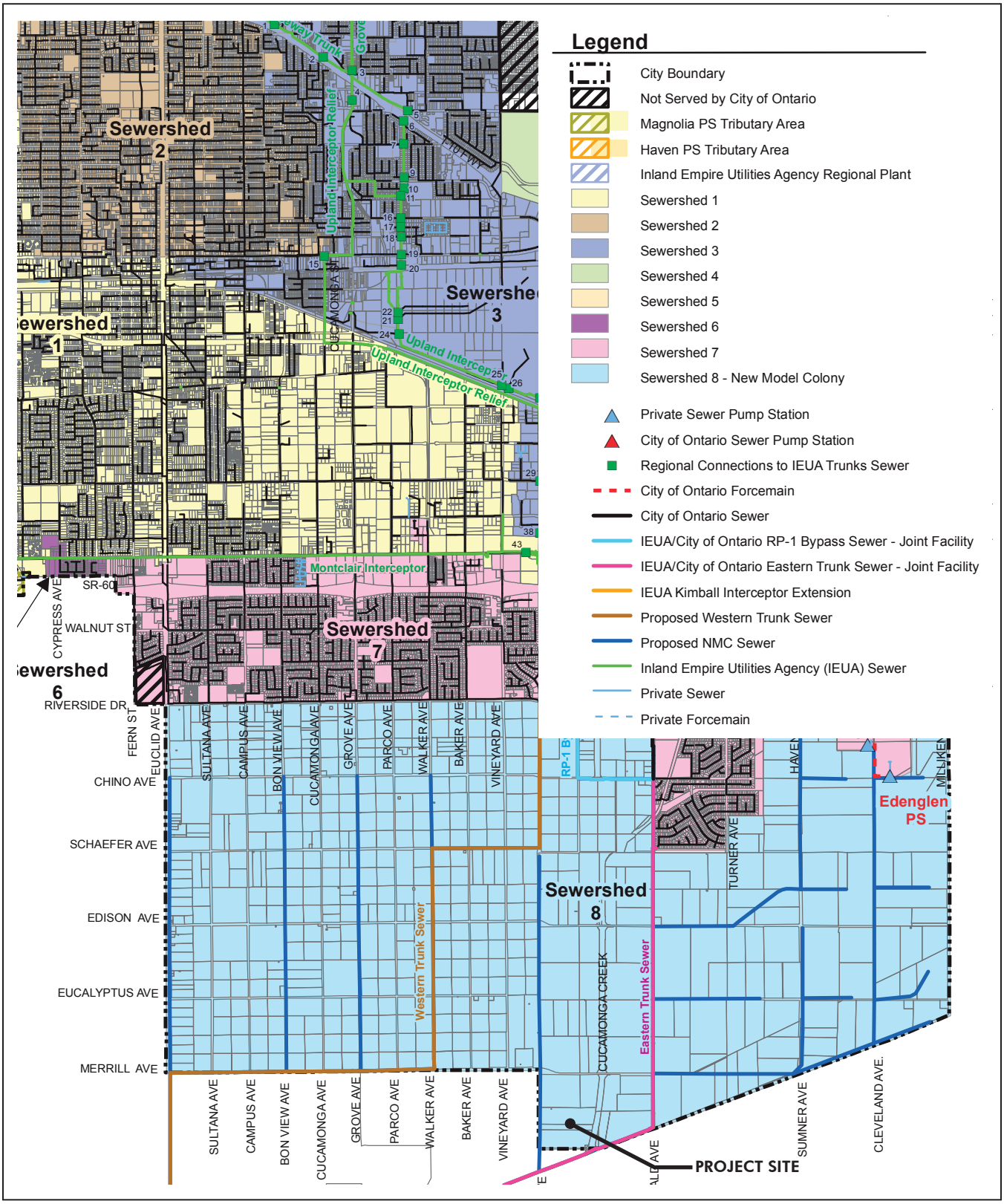
The existing Storm Drain Master Plan indicates the properties within this specific plan as tributary to the Walker Storm Drain System and calls out a double 10-foot by 10-foot box culvert (Double 10x10 Box) serving Area XII as depicted on the City of Ontario's Drainage Area Map, see Exhibit 5.12. That alignment depicts the 10x10 Box beginning northerly on Walker Avenue and continuing south past Merrill Avenue to Remington Avenue, then east along Remington Avenue, connecting into Cucamonga Creek.

The property owner south of Merrill Avenue and West of Carpenter Avenue, in City of Chino, does not need to connect to this Double 10x10 Box and does not want it constructed within their property.

Planning Areas 1 & 2 will drain to the existing 60" storm drain connection into Cucamonga Channel at Remington Avenue that will provide proper drainage capacity to serve the properties within this specific plan.

This specific plan proposes modifying the ultimate alignment of the Double 10x10 Box to turn east at Merrill Avenue and connect into the Cucamonga Channel at the intersection of Merrill Avenue. Due

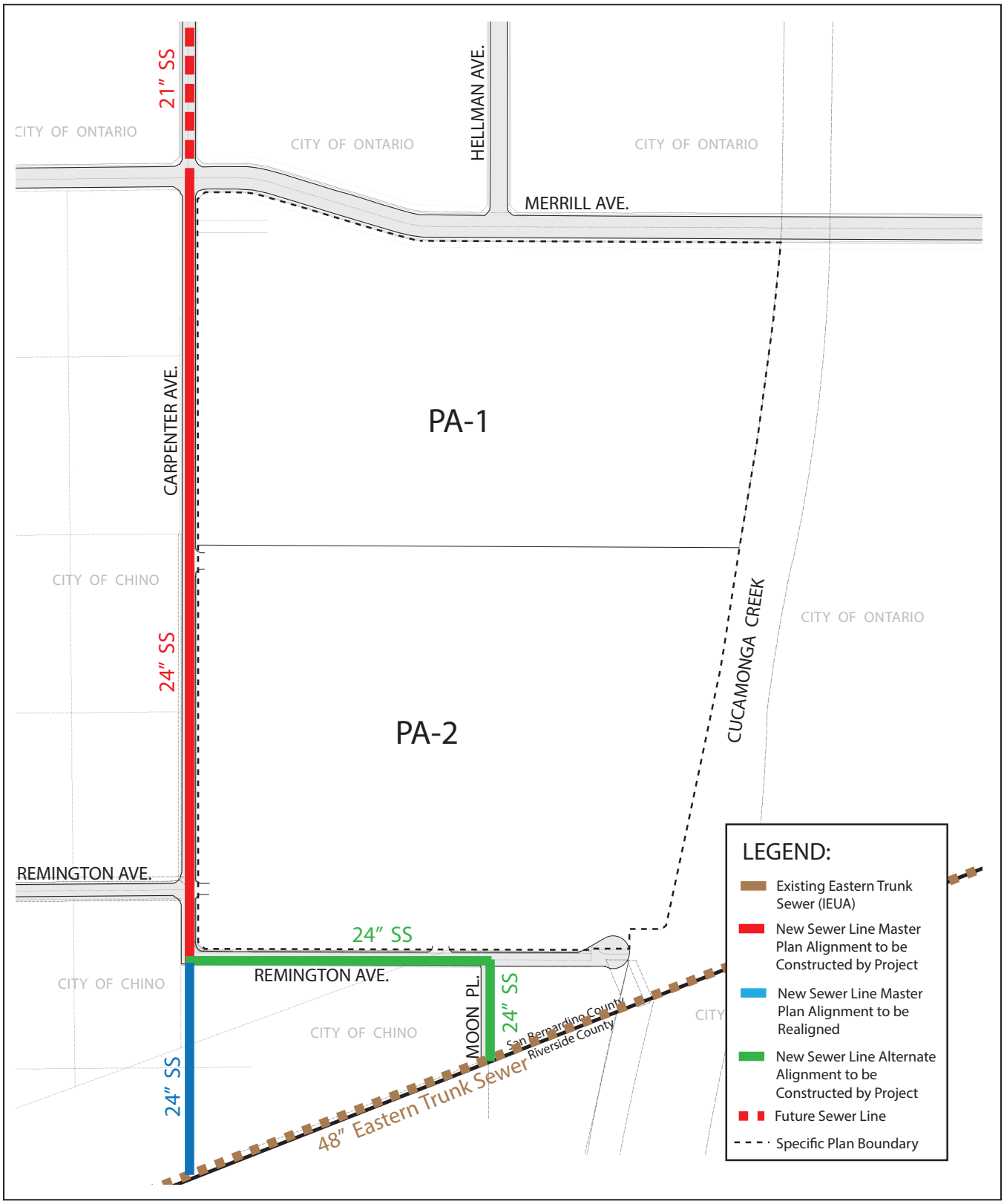
Exhibit 5.10, City of Ontario Ultimate Sewer System



Source: City of Ontario, Ultimate Sewer System (Figure 6-1) October 2011
NOTE: Reference the City's most current Master Plan for sizing/alignment.

N. T. S.

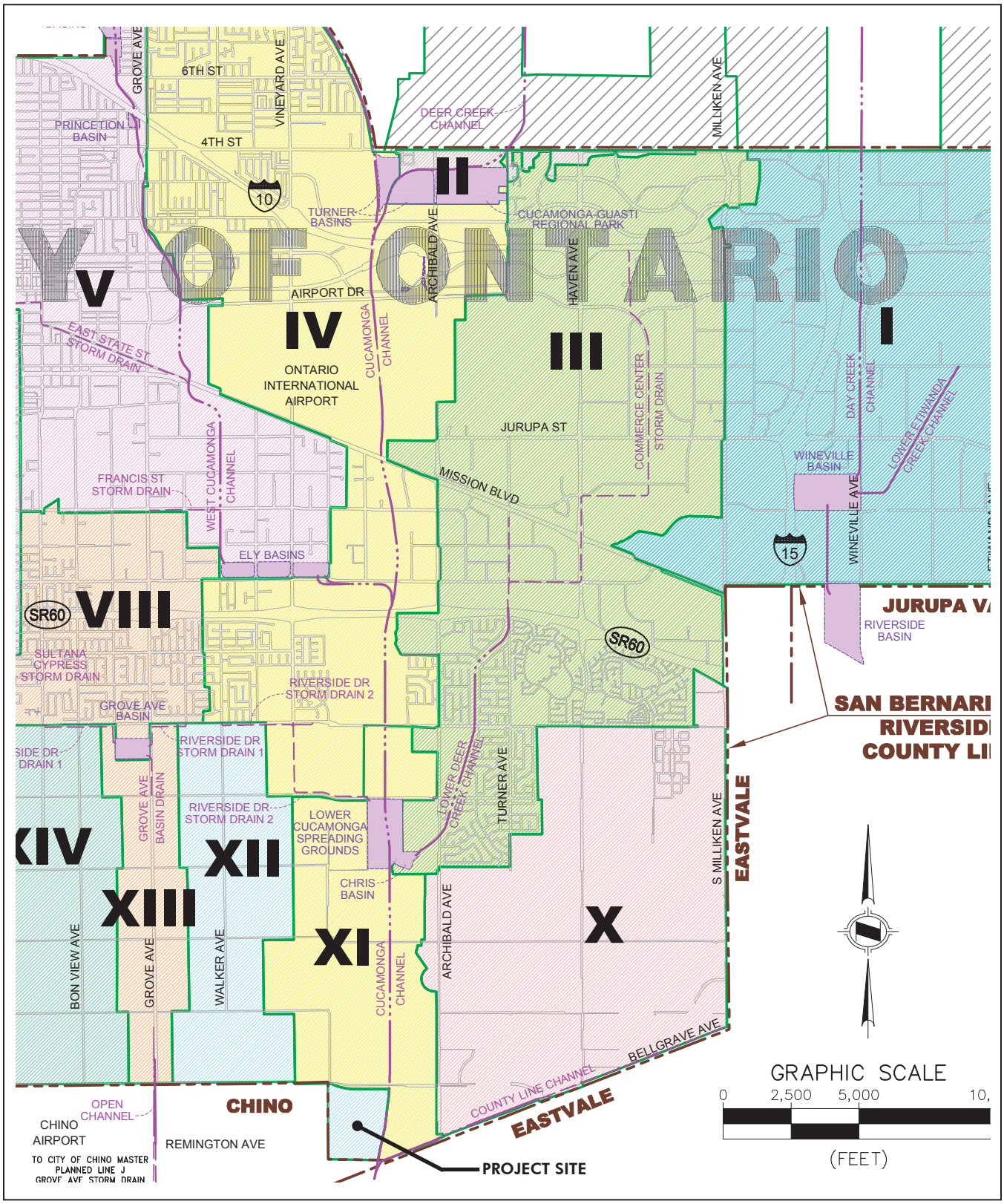
Exhibit 5.11, Sewer Master Plan



Source: David Evans & Associates
NOTE: Reference the City's most current Master Plan for sizing/alignment.

N. T. S.

Exhibit 5.12, City of Ontario Drainage Area Map



Source: City of Ontario's Drainage Area Map (Exhibit 7), March 10, 2012
NOTE: Reference the City's most current Master Plan for sizing/alignment.

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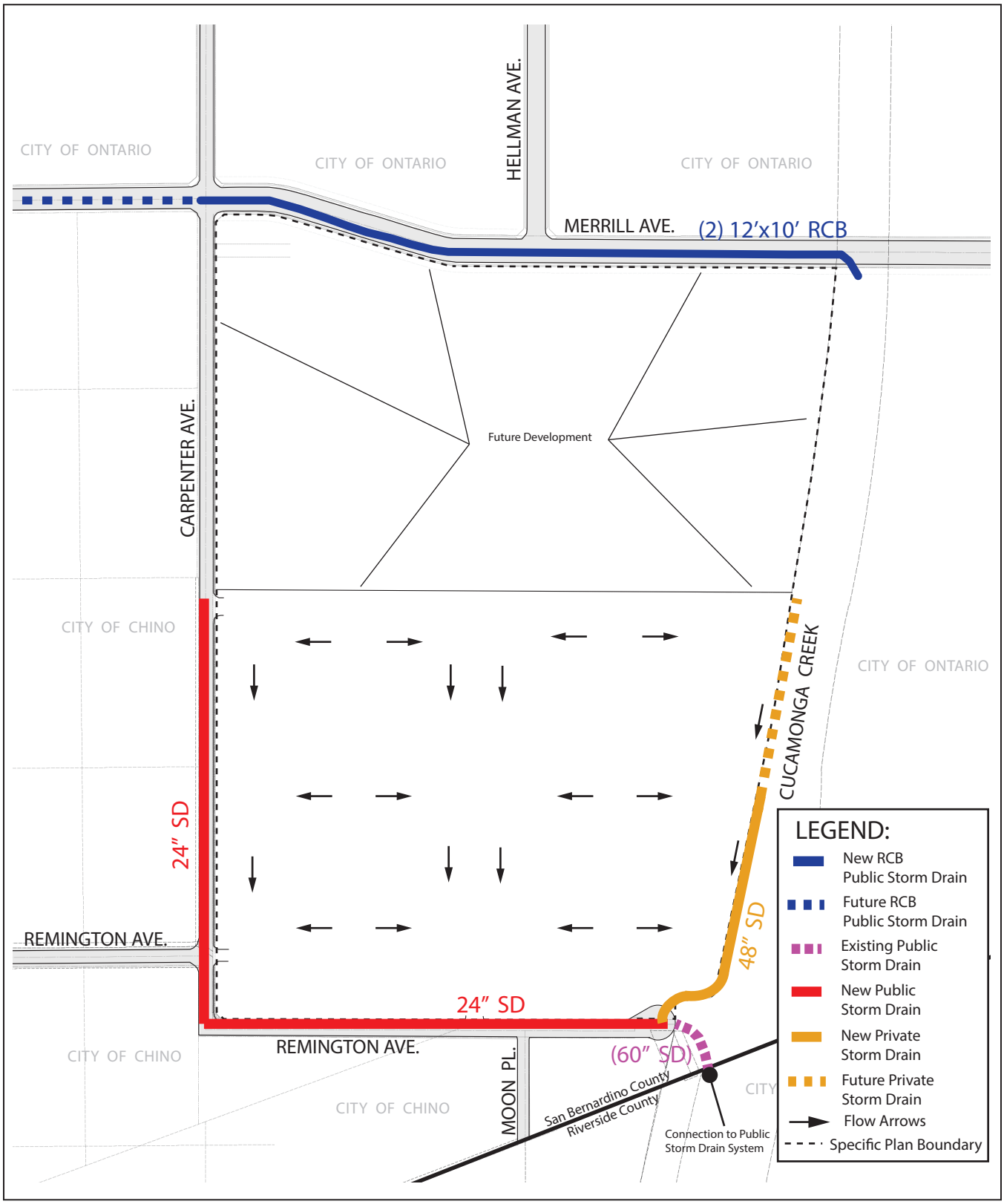
Exhibit 5.13, Drainage Plan / Hydrology



Source: David Evans & Associates
NOTE: Reference the City's most current Master Plan for sizing/alignment.

N. T. S.

to the new alignment and hydraulic grade line (HGL), the 10x10 box needs to be upsized to a 12x10. This alignment will reduce the total linear footage of the Double 12x10 Box , provide a straighter alignment & single point of connection, while providing the same storm water drainage capacity for the properties to the north and west that drain to it.

The proposed modification to the Master Plan of drainage for Colony Commerce Center West is illustrated in Exhibit 5.13 Drainage / Hydrology.

5.4.1 NPDES Compliance

The grading and drainage of the Specific Plan Area shall be designed to detain, filter, and treat surface runoff in a manner and combination which is practical, to comply with the requirements of the San Bernardino County NPDES Storm Water Program's current Water Quality Management Plan (WQMP) for new development projects.

The objective of the WQMP for the project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects shall be minimized through the implementation of on-site and off-site Low Impact Development (LID) Site Design Best Management Practices (BMP's) that retain/infilter or biotreat 85th percentile storm event runoff from the project.

In addition, non structural and structural Source Control BMP's shall also be implemented and documented in the projects approved Water Quality Management Plan(s) to reduce pollutant generation and transport from the project site.

Participation in an alternative regional or watershed-based Treatment Control BMP , such as, the Mill Creek Wetlands Project, is regulated by the requirements of the San Bernardino County Stormwater SB County MS4 Permit and the Water Quality Management Plan Technical Guidance Document.

Prior to the issuance of grading or construction permits for any parcel map or area that disturbs 1 acre or more of land, within the Colony Commerce Center West Specific Plan area shall be required to obtain coverage, Erosion/Sediment Control Plans and Storm Water Pollution Prevention Plans (SWPPP) shall be prepared. The SWPPP shall be prepared to comply with California State Water Resources Control Board's (State Water Board) current "General Permit to Discharge Storm Water Associated with Construction Activity" and current "Area Wide Urban Storm Water Runoff (Regional NPDES) Permit."

The SWPPP shall identify and detail all appropriate Best Management Practices (BMP's) to be implemented or installed during construction of the project.

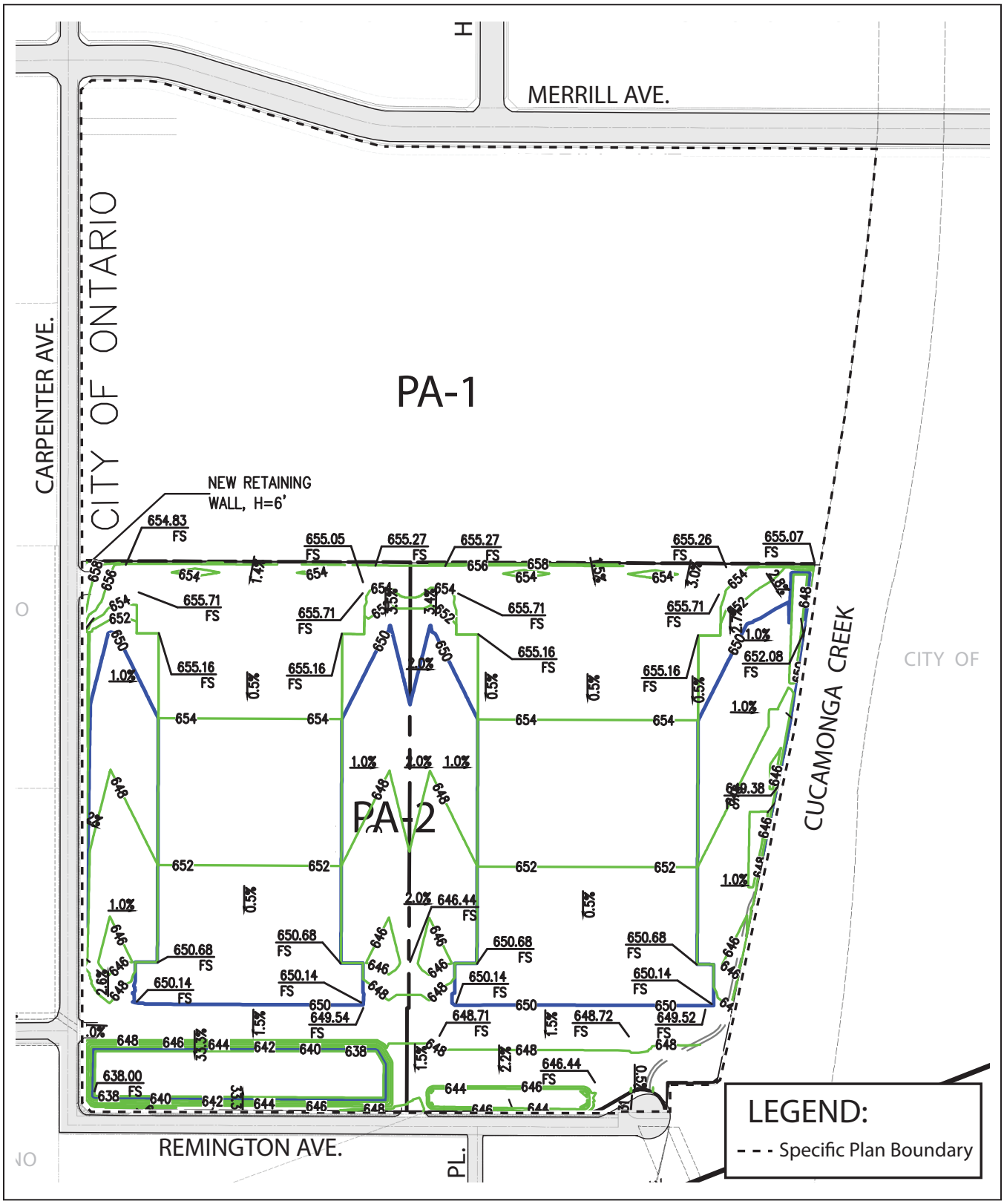
5.5 Grading Concept

The project site generally slopes to the south at approximately 1.0% to 2.0%. The grading activities for Colony Commerce Center West will generally consist of clearing and grubbing, demolition of existing structures, and moving surface soils to construct building pads and streets. Where slope conditions are present, the project lot line shall be located at the top of a slope.

The Conceptual Grading Plan, as illustrated in Exhibit 5.14, Conceptual Grading Plan, provides a balance of cut/fills for the project. Grading plans for each tract within the project shall be reviewed and approved by the City of Ontario Building, Planning, and Engineering Departments prior to the issuance of grading permits. All grading plans and activities shall conform to the City's grading ordinance and dust and erosion control requirements.

All landscape areas, adjacent to streets, including medians, parkways and neighborhood edges, in the Specific Plan Area, shall be finish graded, at a minimum of 1 ½" below top-of-curb or sidewalk finish surface, for conservation of irrigation water and increased retention of rainwater runoff.

Exhibit 5.14, Conceptual Grading Plan



Source: David Evans & Associates

N. T. S.

Wherever practicable, landscaped areas within the project shall be graded as swales and designed to accept runoff water from impervious surfaces. Where necessary, a 5' wide level pad area shall be provided for utilities adjacent to slopes, at each side of detention basins or swales adjacent to paving for pedestrian safety and for screening shrubs.

5.6 Dry Utilities

Utility services provided to the site consist of natural gas, electricity, and communications systems. Utility lines will be installed underground in accordance with City of Ontario guidelines.

5.6.1 Communication Systems

The proposed backbone street fiber optics (conduits, hand holes, tracer wire, and fiber) will be placed underground within a duct and structure system to be installed by the Master Developer in a joint trench, as Illustrated in Exhibit 5.15. In-tract fiber and conduit shall be installed by the Developers per the in-tract fiber optic design guidelines. Maintenance of the installed system will be the responsibility of the City/Special District. Development of the Project requires the installation by the Developers of all fiber optic infrastructure and peripheral equipment necessary to service the Project as a stand-alone development.

5.6.2 Natural Gas

The Gas Company will provide natural gas to the Specific Plan area. The Gas Company will install gas mains to the Specific Plan area as necessary.

5.6.3 Electricity

Southern California Edison Company (SCE) currently provides electrical service in the area. All new lines and all existing lines within the Specific Plan area shall be installed according to City of Ontario requirements.

There are existing power poles that run along the west side of Carpenter Avenue from Merrill Avenue in the north to west extension of Remington Avenue in the south. From the west extension of Remington Avenue, the power poles diagonally cross Carpenter Avenue and run south until the east extension of Remington Avenue. From there the power poles run east along the north side of Remington Avenue and cross the Cucamonga Creek bridge. The existing overhead lines along the project frontage will be relocated underground per the City's Municipal Code.

5.7 Public Facilities and Services

Public services and facilities play an essential role in providing support services to create viable, sustainable, healthy and cohesive communities.

5.7.1 Police

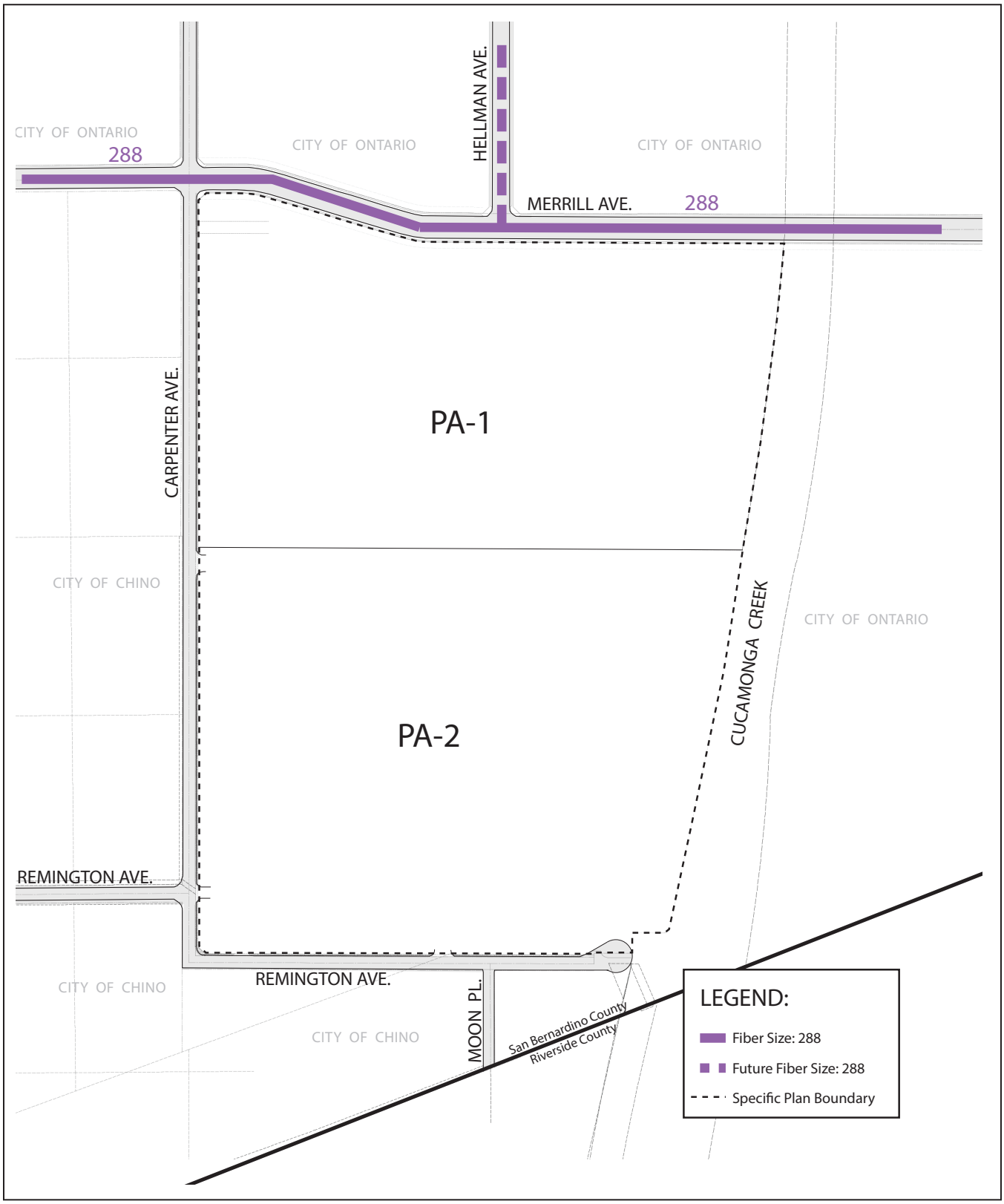
The Ontario Police Department will provide law enforcement to the Colony Commerce Center West area. The Ontario Police Department's mission statement is as follows: "The mission of the Ontario Police Department is to protect life and property, solve neighborhood problems, and enhance the quality of life in our community. We do this by providing superior police services while fostering successful community partnerships."

5.7.2 Fire

The Ontario Fire Department will provide fire protection, paramedic, and emergency response services to the Specific Plan Area. The closest operational fire station is Station 6 located at 2931 E. Philadelphia Avenue. The Ontario Fire Department currently has eight stations, which are comprised of eight 4-man paramedic engine companies and two 4-man truck companies.

The City is in the process of developing 13 square miles in the Ontario Ranch where the Ontario Fire Department will shortly begin construction of Fire Station Number Nine located at 2661 E. Park Vista Drive.

Exhibit 5.15, Fiber Optic Master Plan



Source: City of Ontario, Figure 7 (Fiber Size and Footages)
NOTE: Reference the City's most current Master Plan for sizing/alignment.

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5.7.3 Solid Waste Disposal

The Ontario Municipal Utilities Company is committed to providing reliable, timely, safe, and affordable refuse collection services to the residents and businesses in the city limits. Solid waste requirements shall follow the approved "Solid Waste Department Refuse and Recycling Planning Manual."

5.8 Infrastructure Phasing Plan

The primary intent of the phasing of the project is to ensure that complete and adequate public facilities and services are in place and available to the Specific Plan area as needed.

The phasing program for Colony Commerce Center West will be executed to provide the services and infrastructure required for each of the development planning areas. The phasing set forth in this Specific Plan shall be conditioned on the approval of tentative tract maps. It should be noted that the ultimate pace and phasing of the development is dependent on a number of internal and external factors and is subject to change. See Exhibit 5.16, Conceptual Phasing Plan.

Not all planned development within a given phase may be completed prior to the initiation of the next phase. In cases where development within a new phase is to begin prior to the completion of a phase in progress, all infrastructure improvements shall be funded and designed for the phase in progress before any new phase may begin.

5.8.1 Planning Areas and Streets

The project will be developed in three or more phases. These phases may occur sequentially or concurrently with one another. Build out of the project is undetermined at this time.

Public streets within and abutting the Specific Plan area shall be improved in accordance with approved development agreement. Traffic Impact Analysis may recommend additional improvements, including those potentially outside the limits of the Specific Plan Area, prior to or concurrent with specific development milestones.

5.8.2 Water, Sewer and Recycled Water

Water and sewer services will be provided for each of the planning areas.

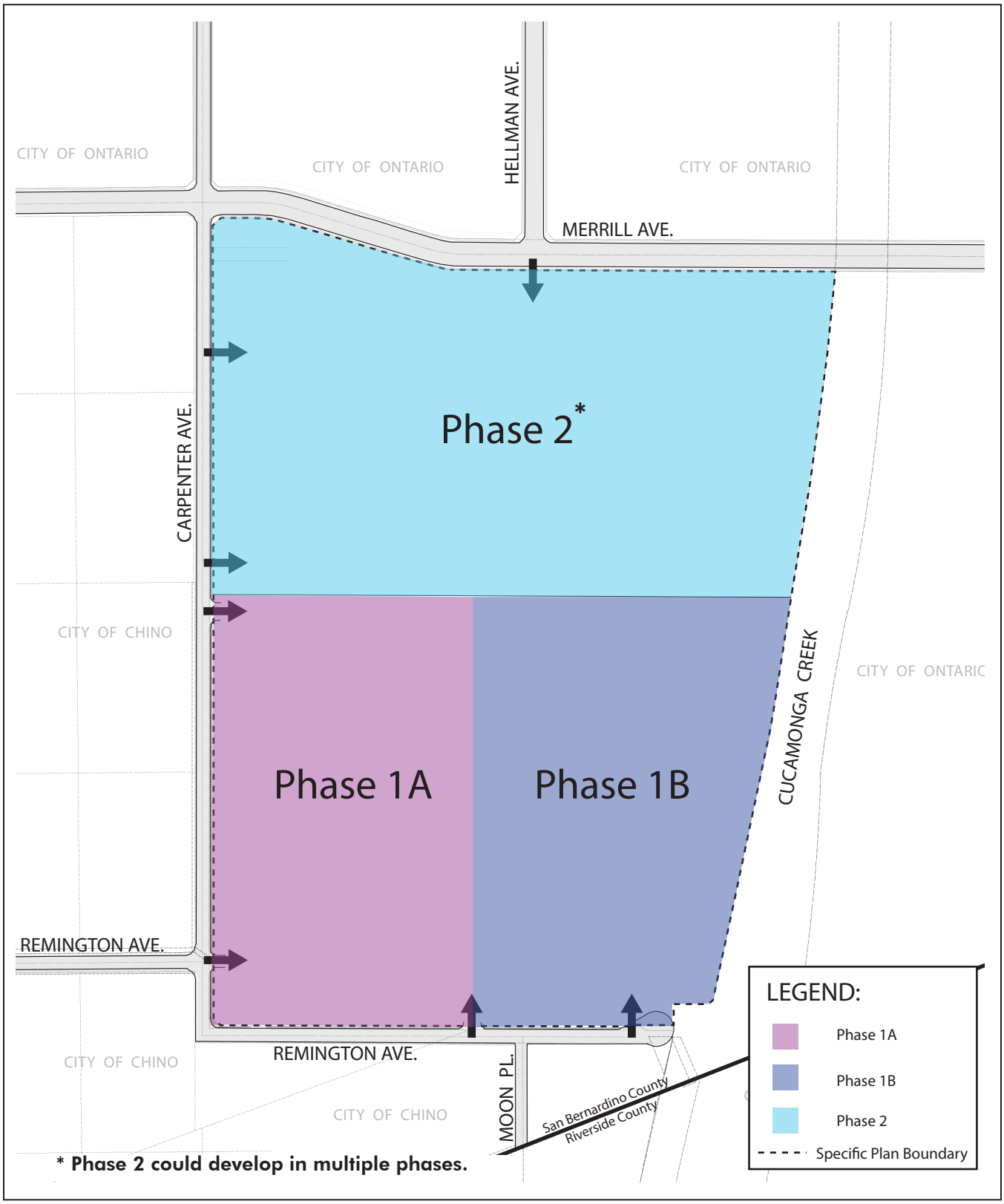
Domestic Water: Phases 1A and 1B require the construction of the 12" Master Plan water line in Merrill Avenue from Archibald Avenue to Carpenter Avenue, in Carpenter Avenue from Merrill Avenue to Remington Avenue, and eastward in Remington Avenue to Archibald Avenue. Due to the location of Phase 1A and 1B, the 12" water line will also be able to serve Phase 2.

Recycled Water: The developer of Colony Commerce Center West will utilize the existing recycled water laterals that stub into both Planning Areas and enhance where required to serve the project. This project will also construct a 12" City of Ontario line along Merrill Avenue from Carpenter Avenue to Archibald Avenue. The recycled water improvements will not be phased and connection to the system is required prior to occupancy.

Sewer: The City of Ontario Master Plan of Sewer proposes an 18" Sewer Trunk Line in Carpenter Avenue from the Eastern Trunk Sewer north to Merrill Avenue. The latest design of this master planned trunk sewer line, performed by MDS Consulting, requires the upsizing of this 18" line to a 24" line between the Eastern Trunk Sewer and Merrill Avenue.
To provide sewer for all phases of development, this project proposes a realignment of this 24" line. The new alignment will run eastwardly in Remington Avenue from the southerly extension of Carpenter Avenue and southwardly on Moon Place where it will connect to the Eastern Trunk Sewer approximately 1,000 feet northeast of the original connection point.

5.8.3 Drainage

Exhibit 5.16, Conceptual Phasing Plan



Source: KTGY Group

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Phase 1a & 1b improvements include the construction of a 60" storm drain line from the NWC of Phase 1a & 1b in Carpenter Avenue, down Carpenter Avenue to Remington Avenue (East), where it heads east and ties into the existing 60" storm drain outlet at Cucamonga Channel.

It should be noted that the ultimate phasing of the development is dependent on a number of internal and external factors. Not all planned development within a given phase may be completed prior to the initiation of the next phase.

5.9 Infrastructure Plan and Phasing Adjustments

The Board of Zoning Adjustment shall have the authority to hear and decide applications for modifications to the infrastructure phasing plans. The Board shall be required to make the following findings:

- That modification is consistent with the General Plan;
- That the proposed changes will not adversely affect the implementation of the Specific Plan;
- That it will not be detrimental to the public health, safety, and general welfare; and
- That the proposed modification will not delay the construction of the master plan improvements necessary to serve the development.

6 DEVELOPMENT REGULATIONS

6.1 Introduction

The provisions contained herein shall regulate design and development within the Colony Commerce Center West Specific Plan. The regulations contained herein establish the minimum standards and requirements for development.

6.2 Definition of Terms

The meaning and construction of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code Article 2, "Definitions," unless otherwise specifically provided for herein.

The definition of architectural and design terms shall be the same as those provided in the City of Ontario Glossary of Design Terms which follows the City of Ontario Development Code, as amended through June 2003.

6.3 Applicability

The development regulations contained herein provide specific land use development standards for the project. Regulations address industrial development and provide for general landscaping regulations. Application of the following regulations is intended to encourage the most appropriate use of the land, ensure the highest quality of development, and protect the public health, safety, and general welfare.

Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Colony Commerce Center West Specific Plan shall take precedence. Where the Colony Commerce Center West Specific Plan is silent, City codes shall apply. These regulations shall reinforce specific site planning, architectural design, and landscape design guidelines contained in Chapter 7, "Design Guidelines" of the Colony Commerce Center West Specific Plan.

All architectural and landscape improvements shall be consistent with the Design Guidelines contained in Chapter 7, of the Colony Commerce Center West Specific Plan, "Design Guidelines." All architectural and landscape plans shall be submitted to the City of Ontario for approval.

6.4 Administration

The Colony Commerce Center West Specific Plan is adopted by ordinance and serves to implement the Policy Plan Land Use Plan (Policy Plan Exhibit LU-01) as well as the zoning for the Specific Plan Area. The Colony Commerce Center West Specific Plan addresses general provisions, permitted uses, development standards, and design guidelines.

The Colony Commerce Center West Specific Plan Development Regulations address general provisions, permitted uses, and development standards for the community. The Specific Plan has been prepared in conformance with the Goals and Polices of the Policy Plan as outlined Chapter 3 "Plan Conformance".

6.5 General Site Development Criteria

The following general site development criteria shall apply to all development projects within Colony Commerce Center West.

- Gross Acres – Except as otherwise indicated, gross acres for all development areas are measured to the center line of streets.

- Grading – Development within the project site shall utilize grading techniques as approved by the City of Ontario. Grading concepts shall respond to the design guidelines included in the Colony Commerce Center West Specific Plan.

- Building Modification – Building additions and/or alterations permitted by the Colony Commerce Center West Specific Plan shall match the architectural style of the primary unit and shall be constructed of the same materials, details, and colors as the primary unit.

- Utilities – All new and existing public utility distribution lines of 34.5 kV or less shall be subsurface throughout the project.

- Technology – All businesses shall accommodate modern telecommunications as defined by the Fiber Optic Master Plan and in accordance with the City of Ontario Structured Wiring Standards (Ontario Municipal Code, Title 8, Chapter 16).

- Solid Waste/Recycling – Development within the project shall comply with City of Ontario requirements for the provision and placement of solid waste and recycling receptacles.

- Traffic – All traffic-controlled signs, whether on public or private property, shall conform to the California MUTCD.

6.6 Industrial Development Standards

This section includes the development of industrial uses. The development standards for industrial uses establish the minimum criteria for the development of land use types on individual lots within the Planning Areas specified within the Colony Commerce Center West Specific Plan. Specific standards for the industrial land uses are described on Table 6.1. Refer to the Colony Commerce Center West Specific Plan EIR and ONT ALUCP for additional development criteria and policies that may affect but not be limited to the restriction of allowable land uses, the allowable Floor Area Ratio (FAR), overall site design, building heights and so on.

6.7 Permitted Uses

Table 6.2 establishes the uses which are permitted within the two planning areas of Colony Commerce Center West Specific Plan. The following symbols used in the table represent the following:

P	Permitted Use
C	Conditional Use Permit required
A	Ancillary Use (allowed in conjunction with another permitted use)

Accessory uses will be reviewed concurrently with each land use proposal.

Table 6.1, Development Standards

SITE REQUIREMENTS	
Minimum Site Area:	1 Acre (43,560 SF)
Floor Area Ratio:	0.55 (Max. Allowed)
Minimum Landscape Coverage:	10%
BUILDING REQUIREMENTS	
Minimum Building Setbacks: (1,2)	
• From Merrill Avenue	23’
• From Carpenter Avenue	10’
• From Remington Avenue	10’
• Interior\Rear Property Lines	10’
• From Cucamonga Creek Channel	10’
Parking & Drive Aisle Setbacks:	
• From Merrill Avenue	23’
• From Carpenter Avenue	10’
• From Remington Avenue	10’
• From Cucamonga Creek Channel	5’
• Interior\Rear Property Lines	5’
• Adjacent to Building Office Elements	10’
• Adjacent to Solid Building Wall	5’
• Private Street and/or Drive Aisle to Building	5’
Maximum Building Height:	
• Main Structure	55’
• Architectural Projections and Focal Elements Such As Towers, Cupolas, and other Appurtenances. (3)	65’
Walls, Fences, and Hedges	Please see Ontario Development Code.

(1) - All setback areas shall be landscaped.

(2) - All setbacks are measured to habitable area not architectural appurtenance or projection. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door popout surrounds, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies, pedestrian colonnades and other similar elements. Such elements may project a maximum of 3 feet into required setback areas.

(3) - Architectural element only not to be used for signage, subject to Planning Director approval.

(4) - General Note, refer to the Colony Commerce Center West Specific Plan EIR and ONT ALUCP for additional development criteria and policies that may affect building heights, allowable FAR, and allowable land uses.

Table 6.2, Permitted Uses

Land Use Types	Industrial Area
AGRICULTURAL USES	
Commercial Growing Establishment - Activities typically include, but not are not limited to the commercial growing of produce by row, field, tree, and crop production. Also included is agricultural research.	P
Wholesale and Retail Plant Nurseries - Activities typically include, but are not limited to, sales of indoor and outdoor plants, including, but not limited to, trees, shrubs, groundcovers, and grass sod, as well as seeds, pots and potting supplies, and growing supplies.	P
RESIDENTIAL USES	
Caretaker's Unit - Area devoted to use not to exceed 1,000 square feet.	A/C
COMMERCIAL USES	
Alcohol Beverage Sales - Activities typically include the sale, subject to required license for the sale of alcoholic beverages.	C
Auto Repair (Minor) - Activities include, but are not limited to automotive and light truck repair; retail sales of goods and services for automobiles and light trucks; and the cleaning and washing of automobiles and light trucks. Uses typically include, but are not limited to, repair of brakes, tires, electrical, etc. and car washes.	P
Auto Repair (Major) - In addition to the types of repair operations included as part of Automobile and Light Truck Repair - Major, activities typically include, but are not limited to, automotive body work, painting, and installation of major accessories; automobile customizing; engine and transmission repair/rebuild and towing facilities.	C
Car Wash - Full service activities typically include the washing and polishing of automobiles. Uses typically include automobile laundries; car washes, excluding self-service washes.	A
COMMUNICATION USES	
Radio and Television Broadcasting Studios. Activities typically include, but are not limited to, broadcasting and other information relay services accomplished primarily through the use of electronic and telephonic mechanisms. Uses typically include, but are not limited to, television and radio studios.	P
EATING AND DRINKING PLACES & FOOD SERVICES	
Eating Establishments - Activities typically include, but are not limited to, the retail sale from the premises of food or beverages prepared for on-premises consumption. Uses typically include, but are not limited to:	
• Full-service restaurants, serving ready-to-eat food and beverages for on-site consumption.	P
• Fast-food restaurants, serving ready-to-eat food and beverages for on-site or off-site consumption, without drive-through facilities.	P

Land Use Types	Industrial Area
MANUFACTURING	
Light Manufacturing - Activities typically include, but are not limited to, the mechanical or chemical transformation of raw or semi-finished materials or substances into new products, including manufacture of products, assembly of component parts (including required packaging for retail sale), and treatment and fabrication operation. Light manufacturing activities do not produce odors, noise, vibration, or particulates which would adversely affect uses within the same structure or on the same site. Activities include the following:	
• Apparel Manufacturing	P
• Computer and Home Electronic Manufacturing	P
• Bakery (Industrial)	P
• Electrical Components	P
• Furniture and Related Products Manufacturing	P
• Home Appliance and Equipment Manufacturing	P
• Instrument Manufacturing (Navigational, Measuring, etc.)	P
• Leather Product Manufacturing (excluding tanning and finishing)	P
MACHINERY MANUFACTURING	
Machinery Manufacturing - Activities typically include, but are not limited to, the mechanical or chemical transformation of raw or semi-finished materials or substances into new products, including manufacture of products; assembly of component parts (including required packaging for retail sale); blending of materials such as lubricating oils, plastics, and resins; and treatment and fabrication operations. Examples of activities include the following:	
• Miscellaneous Manufacturing (jewelry, office supplies, sporting goods, toys, etc.)	P
• Printing and Related Activities	P
WAREHOUSE/STORAGE & TRANSPORTATION	
Warehouse/Distribution Facility - Activities typically include, but are not limited to, warehousing, storage, freight handling, shipping, trucking services; storage	P
OTHER	
Trailers for the use of construction	P
Any use deemed similar by the Planning Director	P

General Note, refer to the Colony Commerce Center West Specific Plan EIR and ONT ALUCP for additional development criteria and policies that may affect building heights, allowable FAR, and allowable land uses.

6.8 Signage

All signage within the boundaries of the Colony Commerce Center West Specific Plan shall conform to the Article 31, *Signs*, of Chapter 1 of the City's Development Code.

6.9 Lighting

The design of lighting fixtures shall be approved by the City as part of the City's Development Plan Review.

6.10 Required Number of Parking and Loading Spaces

Off-street parking facilities are to be provided for each use on Table 6.3 Parking and Loading Requirements in this Specific Plan.

Table 6.3, Parking and Loading Requirements

REQUIREMENTS	
Manufacturing:	
• Manufacturing (assumes 10% max. GFA for office)	1.85 space per 1,000 SF of GFA; plus 1 tractor trailer space per 4 dock high doors
Warehousing/Storage & Transportation Services:	
• Warehouse / Distribution Facility (assumes 10% max. GFA for office)	1 space per 1,000 SF of GFA for the first 20,000 SF; 1 space per 2,000 SF of GFA for that portion over 20,001 SF; plus 1 tractor-trailer space per 4 dock-high doors
General Industrial:	
• Speculative buildings (assumes 10% max. GFA for office)	1.85 space per 1,000 SF of GFA for the first 50,000 SF; 1 space per 1,000 SF of GFA for that portion between 50,001 SF and 100,000 SF; 0.5 space per 1,000 SF of GFA for that portion over 100,000 SF; plus 1 tractor-trailer space per 4 dock-high doors
Office:	
Office Area	1 space per 250 SF of GFA

7 DESIGN GUIDELINES

7.1 Purpose and Intent

The following Design Guidelines have been developed to ensure a quality, cohesive design structure for the Colony Commerce Center West development. Objectives of these design guidelines are:

» To provide the City with the necessary assurances that the Specific Plan area will develop in accordance with the design quality and character proposed herein;

» To serve as design criteria for developers, builders, engineers, architects, landscape architects and other professionals in preparing plans for construction; and

» To lend guidance to City staff, Planning Commission and City Council in the review and evaluation of future development projects in the Specific Plan area.

Certain key design elements will contribute significantly to the visual order and consistency of the entire Specific Plan area and provide a quality development. The fundamental elements of these common features; site planning, architecture, landscape, and architecture design details are established by these Design Guidelines.

The design guidelines are intended to be flexible and illustrative in nature, with the capability of responding to unanticipated conditions, changes in buyer preferences, the market and design trends.

Photo 7.1 - Example of Industrial building with corner office area

Creativity and innovation, as well as consistent, and quality, are encouraged in the implementation of these guidelines.

7.2 Industrial Theme and Character

These Design Guidelines will ensure that the Specific Plan community is an environment that reflects the vision embodied in the following concepts:

» Develop a quality, cohesive design concept and identity for the Colony Commerce Center West area.

» Establish development standards that ensure lasting value for the industrial developments.

» The architectural image of the Specific Plan will be perceived primarily from the public realm. Therefore, building massing, scale and roof forms, as the primary design components, require articulation in their architectural expression as they relate to the public realm.

» A theme wall/entry monument may be installed at the major project entries at the discretion of the builder or project developer.

7.3 Site Design

The following concepts are intended to facilitate design quality and compatibility between industrial uses within the Colony Commerce Center West Specific Plan.

» Site design should facilitate the intended functions of developed and open space areas, and provide for appropriate interactions between buildings and activity areas, good movement, vehicular access and parking, and pedestrian and bicycle travel.

» Buildings should be oriented to define the streetscene and provide for an aesthetically pleasing streetscape.

» Major vehicular and pedestrian entries to the site from the public street system should be readily visible. Major entries to planning areas, other than

Photo 7.2 - Example of Industrial building

Photo 7.3 - Example of Industrial building

truck entries should be marked by accent pavement with accent trees and other landscape features.

» Typical ground-mounted equipment (such as transformers and heating units) should be screened by landscaping where they would otherwise be within public view.

» Where long, linear walls or fences are needed, a combination of wall/fence with dense landscaping is encouraged.

» The mass of new structures, as visible from public views, should be softened by landscaping or lessened by small-scale elements such as windows, panels, entrances, and other detail features to avoid monotony in design.

» Parking spaces adjacent to planters shall have a 12" wide curb for ease in stepping out from vehicles.

» Provide parking lot trees in planter islands at the ratio of one tree for every 10 parking spaces.

7.4 Parking/Loading Facilities

The following concepts are intended to facilitate design quality and compatibility between industrial uses within the Colony Commerce Center West Specific Plan.

» Site entries shall compliment the architectural development by utilizing enhanced pavement treatment in vehicular areas, accent trees, and color planting. Enhanced paving shall extend from the back of the approach apron, into the site, to the first interesecting drive aisle or parking space.

» No required parking or loading facilities shall be located in any required landscape setback.

» All outdoor refuse collection areas shall be decorative and should be visually screened.

» All loading areas shall be screened from public view by buildings or by eight foot high wall (minimum). A line of sight study will determine the final height of the wall. Landscaping should be incorporated to visually soften the appearance of walls.

» Driveways and parking areas should be separated from adjacent sidewalks or landscaped areas by a curb not less than six inches high.

» Development shall provide trees within the vehicular use areas at a ratio of one tree for every 10 parking stalls. The trees shall consist of 24" and 36" box sized trees. See Section 7.7.1 for percentages of tree sizes.

7.5 Walls and Fences

» Walls at loading areas shall be at least six feet in height, or as approved by the City in response to screening loading activities from off-site views from the adjacent public right-of-way.

» Chain link fencing shall be permitted for use in interior truck courts, in non-public viewing areas. Chain link fencing may not be used along public views.

» Walls fronting on streets may be constructed of concrete tilt up or masonry materials such as split face or slump stone.

» Tubular Steel fencing shall be permitted along the Cucamonga Creek Channel if areas are not required to be screened from public views.

7.6 Site Lighting

The following section addresses illumination of on-site areas for purposes of safety, security, and nighttime ambience, including lighting for parking areas, pedestrian walkways, graphics and signage, architectural and landscape features, shipping and loading areas, and any additional exterior areas.

Streetlights shall conform, both in type and location, to the Standards of the City of Ontario at the time of installation.

» A comprehensive lighting plan shall be prepared and approved in conjunction with the site plans submitted for approval to the DAB. In addition, all plans shall be reviewed and approved by the Ontario Police Department.

Photo 7.4 - Example of typical screen wall with landscaping

» Exterior lighting should be located and designed to minimize direct glare beyond the parking lot.

» The design of lighting fixtures shall be consistent throughout individual planning areas, and shall be compatible with the architectural style of the building within each development.

» Lighting sources shall be shielded, or diffused in order to avoid glare to pedestrians and motorists. Lighting fixtures should be selected and located to confine the area of illumination to within the site boundaries.

» Architectural lighting of building facades is encouraged to enhance and emphasize the buildings identity.

7.7 Landscape

This section describes the minimum landscape requirements that shall be followed in the design of all public and private improvements within the Specific Plan. Landscaping shall promote the aesthetic character and value of the Colony Commerce Center West Specific Plan area.

7.7.1 General Provisions

» The landscape design shall meet the requirements of the City of Ontario Landscape Development Standards.

» The landscape design shall incorporate a mix of container size trees and shall comply with the following minimum percentages: 5% of trees shall be 48" box size. 10% shall be 36" box size. 30% of trees shall be 24" box size.

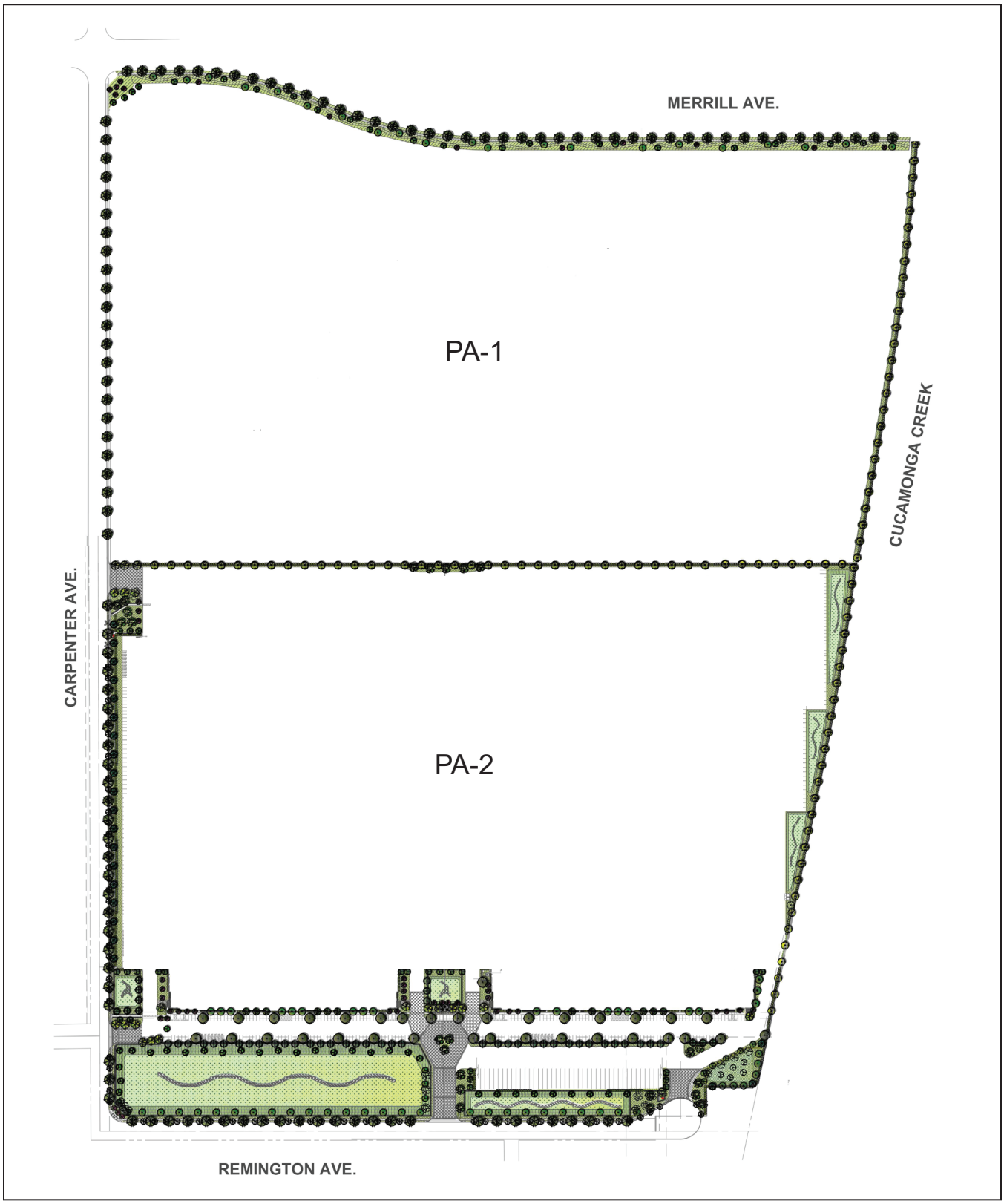
» The use of drought tolerant plants is strongly encouraged.

» Plants shall be grouped into designated 'hydrozones' with similar irrigation requirements.

» All detention basins shall receive container plants and a hydroseed application of low water using plants that can also tolerate seasonal water inundation.

Photo 7.5 - Example of Industrial lighting at office entry

Exhibit 7.1, Conceptual Landscape Master Plan



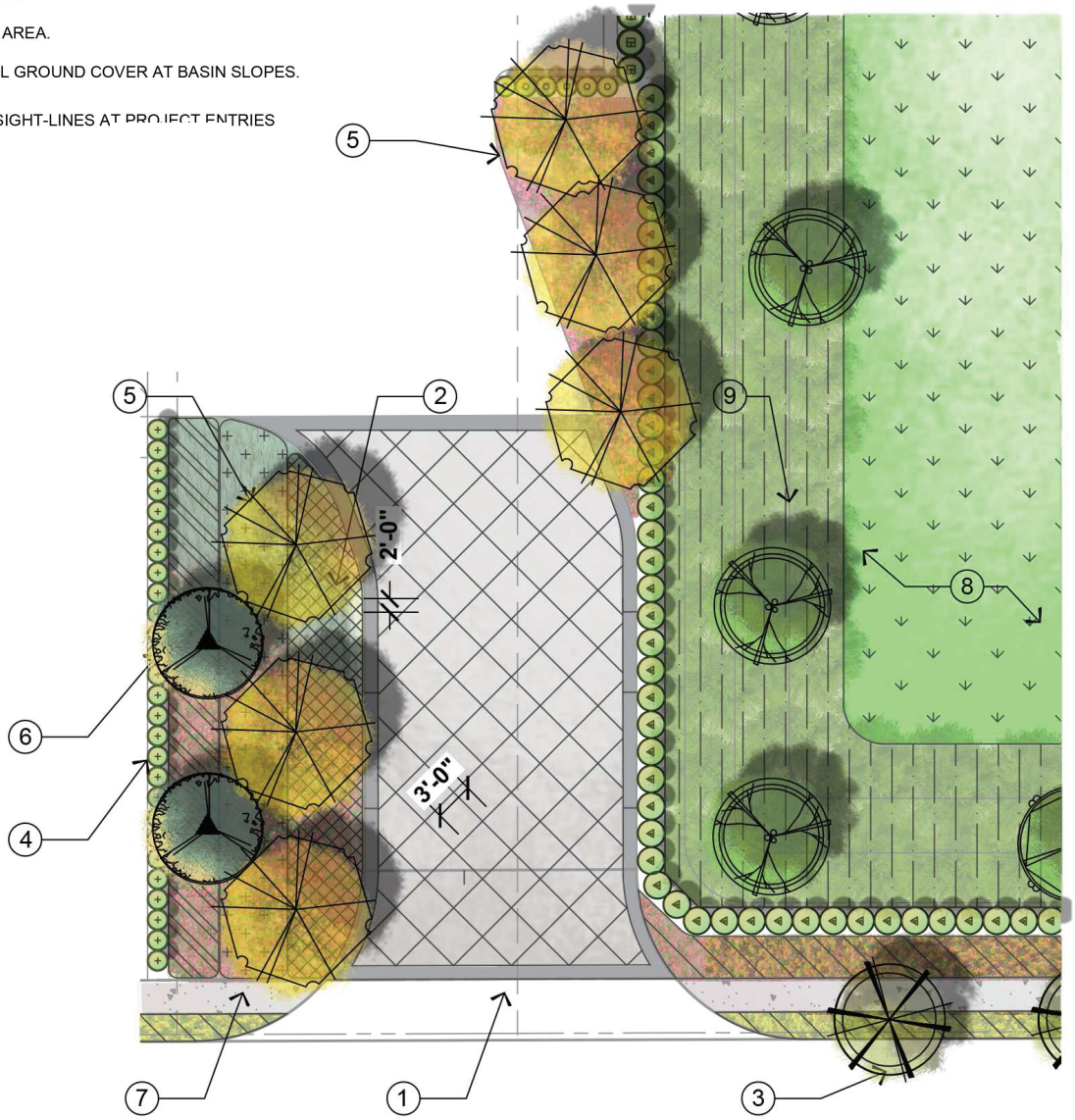
Source: Scott Peterson Landscape Architect

N. T. S.

Exhibit 7.2, Example Project Entry Drives

1. ENHANCED VEHICULAR PAVING AT PROJECT ENTRY DRIVES CONSISTING OF 24" WD. PERIMETER BAND (NATURAL GRAY COLOR) WITH COLORED CONC. INFIELD (36" SQ. GRID PATTERN AT 45° ANGLE).
2. LOW WATER USE LANDSCAPE AREA ADJACENT TO DRIVEWAY ENTRIES. TIER/LAYER DROUGHT TOLERANT GROUND COVER AND SHRUB MATERIAL.
3. NEW STREET TREE.
4. PROPOSED DROUGHT TOLERANT SHRUBS.
5. LARGE FLOWERING ACCENT TREES AT PROJECT ENTRIES.
6. EVERGREEN BACKDROP TREES.
7. TYP. CONC. SIDEWALK.
8. DETENTION BASIN AREA.
9. EROSION CONTROL GROUND COVER AT BASIN SLOPES.

NOTE: ALL REQUIRED SIGHT-LINES AT PROJECT ENTRIES SHALL BE OBSERVED.



Source: Scott Peterson Landscape Architect

» Rock riprap material shall be installed where stormwater drain lines connect to infiltration areas or wherever paved area drainage surface flows directly into depressed landscape areas, via curb cuts or other surface conveyances.

» Trees and landscape design for Master Planned streets such as Merrill Avenue shall meet the requirements of the Ontario Ranch Streetscape Master Plan.

» All utility equipment such as backflow units, electrical transformers, fire detector checks, and fire check valves shall be screened with evergreen shrubs and should be painted a dark green color.

» Compacted decomposed granite (DG) material may be incorporated at accent areas such as project entry drives and other focal areas, but limited to a max of 5% of the landscape area. Large accent boulders may be incorporated into DG areas.

» Low water type of plants including California natives and succulents that thrive in the area's micro-climate shall be incorporated.

» Project entry drives and corner intersection areas shall receive an "intensified" landscape treatment consisting of, but not limited to colorful ground cover and shrubs, and flowering accent trees.

» Parking stalls facing public streets shall include a 36" high hedge adjacent to parking area.

» Landscape shall be irrigated with automatic irrigation systems.

» Irrigation systems shall incorporate smart weather-based or moisture sensor irrigation controller(s) for water conservation.

» Design of low flow drip irrigation systems, where appropriate.

» Irrigation backflow units shall be specified in a theft proof lockable protective steel cage enclosures.

Photo 7.6 - Example of various landscape treatments

» Irrigation controllers shall be in a theft proof enclosure or inside the buildings electrical room.

7.7.2 Landscape Standards

» All landscape areas shall have a minimum inside dimension of 5' feet wide.

» All 2:1 slopes and greater shall be installed with permanent rolled erosion control product (RECP netting), typical.

» A layer of mulch top dressing within all landscaped areas shall be provided to retain soil moisture and mitigate soil erosion. Compacted decomposed granite material is an acceptable alternative if Southern California native plants (Coastal Sage Scrub or Chaparral plant communities) are used to a maximum of 5% of the landscape area. Planting plans shall show plant spacing no greater than the maximum mature width.

» All slopes 3:1 or greater shall be stabilized with spreading erosion control ground cover.

» Foundation shrubs shall be incorporated at base of building to minimize scale of building (min. 5 gal. size at 36" max. spacing).

» Project entry drives shall incorporate enhanced vehicular paving, which may consist of colored concrete with a stamped pattern or scoreline grid pattern at 45 degree angle or similar.

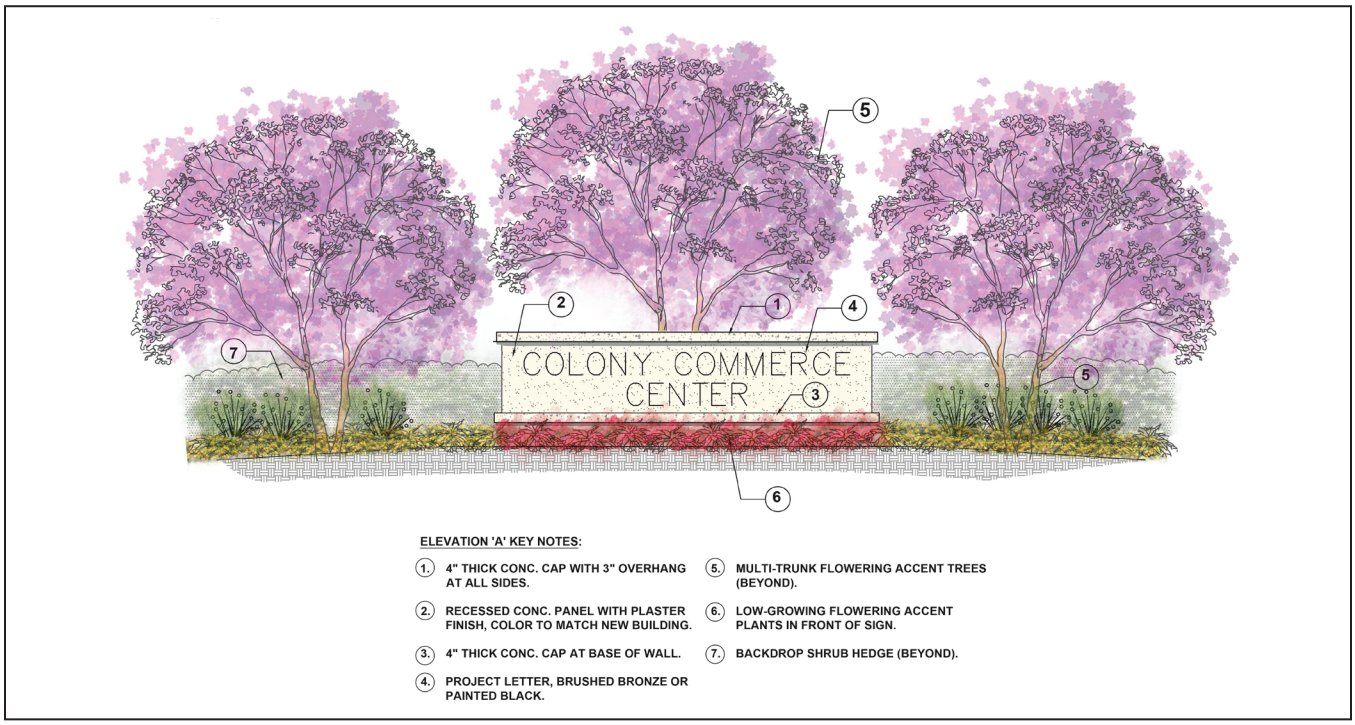
» A 24" clearance from back of parking lot curb to parking lot screen hedge shall be provided for car bumper overhang. Mulch over weed abatement filter fabric shall be provided within this area.

» Chain link fencing shall be permitted for use in interior truck courts, in non-public viewing areas.

» Provide durable perimeter screening trees for shade and windbreaks.

Photo 7.7 - Example of fully landscaped drainage area

Exhibit 7.3, Example Project Entry Monument



Source: Scott Peterson Landscape Architect

» Provide 36" high strappy leaf shrubs to screen utilities such as backflow devices. Use taller evergreen shrubs to screen the sides of transformer units and include maximum 12" high groundcovers in areas to access utilities.

» Landscape shall define and accent entries, pedestrian walkways and architectural features. Landscape shall be attractive and appropriate to define and complement the space and use.

» Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.

» The Landscaping Plan shall comply with City Standard drawings and Traffic and Transportation Guidelines for sight-distance.

» All proposed entry gates shall be reviewed by the Traffic and Transportation Division, and permitted only if approved.

7.7.3 Plant Palette

The Plant Palette on Table 7.1, was selected to complement and enhance the thematic setting for the Ontario community, appropriateness to climatic and soil conditions, ease of maintenance and water conservation.

Table 7.1, Plant Palette

Use	Botanical Name	Common Name
Parking Lot Trees	*Koelreuteria Bipinnata*	Chinese Flame Tree
	Koelreuteria Paniculata	Golden Rain Tree
	Magnolia Grandiflora	Southern Magnolia
	Pistachia Chinensis	Chinese Pistache
	Platanus Acerifolia	London Plane Tree
	Platanus Racemosa	California Sycamore
	Podocarpus Gracilior	Fern Pine
	Quercus Agrifolia	Coast Live Oak
	Quercus Ilex	Holly Oak
	Quercus Engelmanii	Mesa Oak
	Tipuana Tipu	Tipu Tree
	Tristania Conferta	Brisbane Box
	Ulmus Parvifolia	Evergreen Elm
Street Trees (min. 24" box size)	*Quercus Agrifolia*	Coast Live Oak
	Quercus Ilex	Holly Oak
Evergreen Screen Trees	*Eucalyptus species*	Eucalyptus
	Pinus Eldarica	Mondell Pine
	Quercus Agrifolia	Coast Live Oak
	Quercus Ilex	Holly Oak
	Tristania Conferta	Brisbane Box
Trees Adjacent to Buildings	*Callistemon Viminalis*	Weeping Bottlebrush
	Cercis Occidentalis	Western Redbud
	Cupressus Sempervirens	Italian Cypress
	Geijera Parviflora	Australian Willow
	Koelreuteria Bipinnata	Chinese Flame Tree
	Koelreuteria Paniculata	Golden Rain Tree
	Lagerstroemia Indica	Crape Myrtle
	Laurus Nobilis	Sweet Bay Tree
	Melaleuca Quinquinervia	Cajeput tree
	Olea Europaea 'Swan Hill'	Small Fruitless Olive

Use	Botanical Name	Common Name
	Pinus Canariensis	Canary Island Pine
	Pinus Eldarica	Mondell Pine
	Podocarpus Gracilior	Fern Pine
	Podocarpus Macrophyllus	Yew Pine
	Tristania Conferta	Brisbane Box
Tall Shrubs	*Callistemon Viminalis 'Little John'*	Dwarf Bottle Brush
	Cistus Spp.	Rockrose
	Dodonaea Viscosa	Hopseed Bush
	Heteromeles Arbutifolia	Toyon
	Juniperus Chinensis x Pfitzeriana	Pfitzer Juniper
	Lantana Camara	Bush Lantana
	Leptospermum Laevigatum	Australian Tea Tree
	Leucophyllum Candidum	Violet Silverleaf
	Leucophyllum Frutescens	Texas Ranger
	Leucophyllum Laevigatum	Chihahuan Rain Sage
	Leucophyllum Pruinosum	Sierra Bouquet
	Ligustrum Texanum	Texas Privet
	Pittosporum Tobira Variegata	Mock Orange
	Prunus Caroliniana 'Compacta'	Dwarf Cherry Laurel
	Rhamnus Californica	Coffeeberry
	Rhaphiolepis Springtime	Indian Hawthorn
	Rhaphiolepis 'Pink Lady	Indian hawthorn
	Rosa Sp. 'Iceberg Rose'	White Rose
	Rosmarinus O. 'Tuscan Blue'	Bush Rosemary
	Salvia Clevelandii	Chaparral Sage
	Salvia Greggii,	Autumn Sage
	Tecoma Stans	Yellow Trumpet Flower
	Viburnum Japonicum	Viburum
	Westingia Fruticosa	Coast Rosemary
	Xylosma Congestum	Shiny Leaf Xylosma
Low Shrubs / Groundcover	*Acacia Redolens 'Prostrata'*	Prostrate Acacia
	Baccharis x 'Centennial'	Prostrate Desert Broom
	Baccharis Pilularis 'Twin Peaks'	Dwarf Coyote Bush

Use	Botanical Name	Common Name
	Carex Divulsa	Berkley Sedge
	Carex Pansa	California Meadow Sedge
	Carex Praegracilis	Clustered Field Sedge
	Carissa 'Green Carpet'	Prostrate Natal Plum
	Ceanothus Griseus Horizontalis	Caramel Creeper
	Cotoneaster Horizontalis	Rock Contoneaster
	Dalea Gregii	Trailing Indigo Bush
	Dietes Bicolor	Fortnight Lily
	Juniper Horizontalis 'Varieties'	Trailing Juniper Varieties
	Lantana Montevidensis	Trailing Lantana
	Leymus Arenarius	Lyme Grass
	Lomandra Longifolia	Nyalla
	Lonicera Japonica	Hall's Honeysuckle
	Mahonia Repens	Creeping Mahonia
	Muhlenbergia Capllaris	Pink Muhly
	Muhlenbergia Rigens	Deer Grass
	Myoporum Pacificum	Creeping Myoporum
	Pittosporum Tobira 'Wheelers Dwarf'	Wheelers Dwarf Pittosporum
	Rosmarinus Officinalis	Rosemary
	Rosa Floribunda 'Carpet Rose'	Carpet Rose
	Salvia Apiana	White Sage
	Salvia Mellifera	Black Sage
	Senecio Mandraliscae	Senecio
	Trachelospermum Jasminioides	Star Jasmine
	Yucca Aloifolia	Spanish Bayonet
	Yucca Baccata	Banana Yucca
	Yucca Elata	Soaptree Yucca
	Yucca Gloriosa	Spanish Dagger
	Yucca Rigida	Blue Yucca
	Yucca Whipplei	Our Lord's Candle
Palm Trees	*Phoenix Canariensis*	Canary Island Palm
	Phoenix Dactylifera,	Senegal Date Palm
	Washingtonia Filifera	California Fan Palm

7.8 Perimeter Streetscape Design

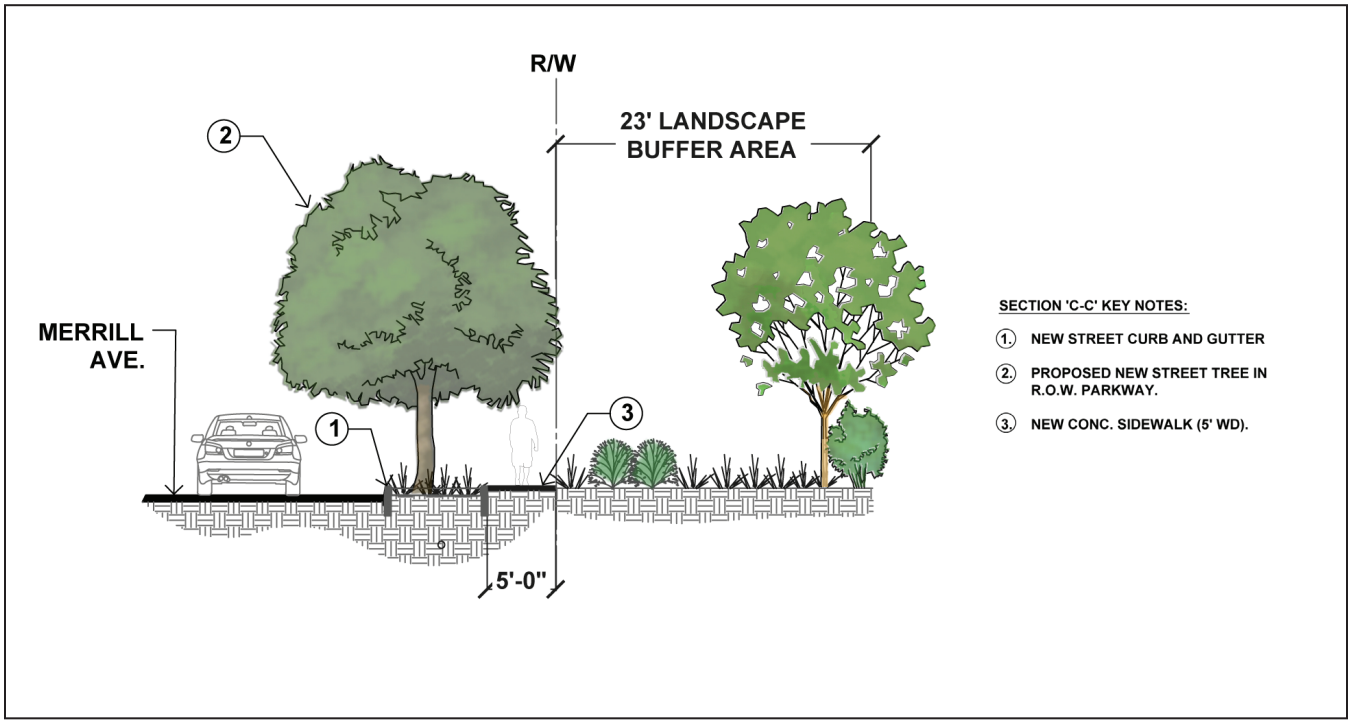
Streetscape design guidelines establish a hierarchy for the landscape development along the surrounding roadways, as well as establish a framework for consistency of design. Three roadways surround the project site as follows:

- Merrill Avenue to the North
- Remington Avenue to the South
- Carpenter Avenue to the West

Merrill Avenue, Carpenter Avenue, and Remington Avenue shall be designed with Low Impact Development Site Design BMP's to retain/infilter or biotreat 85th percentile storm event runoff from newly-widened portions of these streets, per the requirements of the current San Bernardino County Water Quality Management Plan.

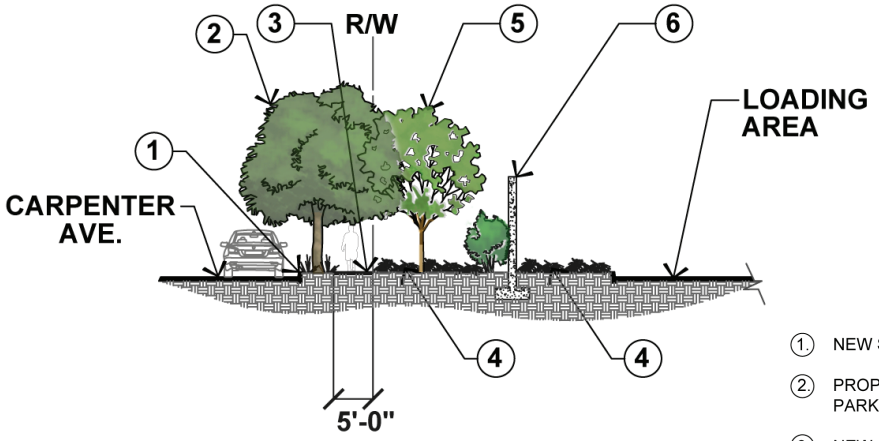
Landscape development surrounding this project will help to set the character, while maintaining consistency with the City of Ontario's pedestrian pathway system as illustrated in the "Trails and Open Space System" section of the Ontario Ranch Streetscape Master Plan. Streetscape sections described below are located on Exhibit 7.4a, 7.4b, and 7.4c, "Typical Landscape Cross Sections."

Exhibit 7.4a, Typical Landscape Cross Section - Merrill Avenue



Source: Scott Peterson Landscape Architect

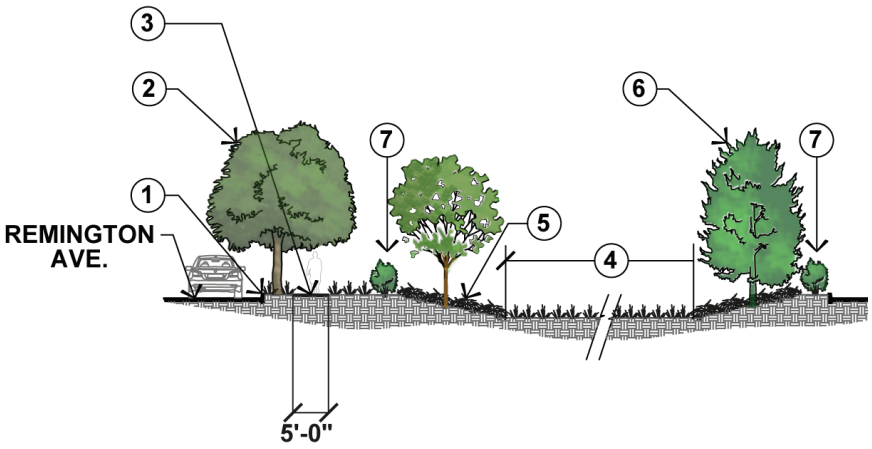
Exhibit 7.4b, Typical Landscape Cross Section - Carpenter Avenue



1. NEW STREET CURB AND GUTTER.
2. PROPOSED NEW STREET TREE IN R.O.W. PARKWAY.
3. NEW CONC. SIDEWALK (5' WD).
4. DROUGHT TOLERANT GROUND COVER.
5. EVERGREEN BACKDROP TREE, 24" BOX SIZE MINIMUM.
6. NEW ARCH. SCREEN WALL PER ARCH. PLANS. (6' ABOVE FINISHED GRADE.) OR AS REQUIRED BY THE CITY.

Source: Scott Peterson Landscape Architect

Exhibit 7.4c, Typical Landscape Cross Section - Remington Avenue



1. NEW STREET CURB AND GUTTER
2. PROPOSED NEW STREET TREE IN R.O.W. PARKWAY.
3. NEW CONC. SIDEWALK (5' WD).
4. INFILTRATION BASIN TO RECEIVE HYDROSEED APPLICATION.
5. EROSION CONTROL GROUND COVER (CONTAINER PLANS) AT BASIN SLOPES.
6. EVERGREEN BACKDROP TREE. 24" BOX SIZE MINIMUM.
7. TYP. SHRUB BARRIER.

Source: Scott Peterson Landscape Architect

7.9 Sustainable Design Strategies

Sustainable practices can lessen the environmental impacts of development in many ways through the use of certain design techniques. These techniques can include reduced pervious surfaces, improved water detention and conservation, preservation of habitat areas, water-efficient irrigation, and improved pedestrian and bicycle amenities which reduce reliance on smog-generating vehicles. This Specific Plan encourages the implementation of sustainable design strategies referenced below and in Appendix B1, with the goal to reduce Greenhouse Gas Emissions.

7.9.1 Site Planning

» Incorporate "green" practices in developing buildings and infrastructure.

» Wherever possible, design and grade the project to direct 2-year storm event runoff from building roofs and paved areas, into swaled landscape areas for capture and retention/infiltration. In particular, open space, parks, landscaped setback areas and trails are to be used for this purpose. Include deciduous trees to shade paved areas and building walls on south and west.

» Stabilize slopes to limit erosion as part of the Stormwater Management Plan and erosion control plan.

7.9.2 Energy Efficiency

Where feasible and appropriate, the following energy conservation strategies are encouraged:

» Passive design strategies can dramatically affect building energy performance. These measures include building shape and orientation, passive solar design, and the use of natural lighting.

» Develop strategies to provide natural lighting to reduce reliance on artificial lighting.

» Install high-efficiency lighting systems with advanced lighting controls.

» Use a properly sized and energy-efficient heat/cooling system in conjunction with a thermally efficient building shell.

» Promote the use of light colored roofing with a high solar reflectance in order to reduce the heat island effect from roofs.

» Include deciduous trees to shade paved areas and building walls on the south and west sides.

7.9.3 Materials Efficiency

» Sustainable construction materials and products are encouraged to have characteristics such as reused and recycled content, zero or low off gassing of harmful air emissions, zero or low toxicity, sustainably harvested materials, high recyclability, durability, longevity, and local production. Such products promote resource conservation and efficiency. Using recycled-content products also helps develop markets for recycled materials that are being diverted from California's landfills, as mandated by the Integrated Waste Management Act.

» Encourage the use of low VOC paints and wallpapers.

» Encourage the use of low VOC Green Label carpet.

» Encourage the use of dimensional planning and other material efficiency strategies. These strategies reduce the amount of building materials needed and cut construction costs. Consider designing rooms on four foot multiples to conform to standard-sized wallboard and plywood sheets.

» Consider using recycle base, crushed concrete base, recycle content asphalt, shredded tires in base and asphalt in roads, parking areas and drive aisles, if feasible and economically viable.

» Design with adequate space to facilitate recycling collection and to incorporate a solid waste management program that prevents waste generation.

» Encourage the use of building materials or products that have been extracted, harvested or recovered, as well as manufactured, within 500 miles of the project.

» Encourage the use of rapidly renewable building materials and products (made from plants that are typically harvested within a ten-year cycle or shorter). Examples of materials that could achieve this goal include, but are not limited to, bamboo, wool, cotton insulation, agrifiber, linoleum, wheatboard, strawboard and cork.

7.9.4 Water Efficiency

» Strive to minimize wastewater by using ultra low-flush toilets, low-flow shower heads and other water conserving fixtures.

» Encourage the use of recirculating systems for centralized hot water distribution.

» Smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions for all landscaped areas are required.

» Drip irrigation, bubblers, micro-irrigation or other low precipation irrigation or water conserving technology shall supply water for irrigitaion.

» Encourage the use of recycled water to irrigate landscape areas throughout the project. The non-potable irrigation system shall be designed to meet all applicable standards of the California Regional Water Quality Control Board, California Department of Health, San Bernardino County Health Department, City of Ontario Department of Water and Power, and Ontario Municipal Code.

7.9.5 Occupant Health and Safety

» Choose construction materials and interior finish products with zero or low emissions to improve indoor air quality as feasible.

» Provide adequate ventilation and a high-efficiency, in-duct filtration system. Heating and cooling systems that ensure adequate ventilation and proper filtration can have a dramatic and positive impact on indoor air quality.

» Provide effective drainage from the roof and surrounding landscape.

» Encourage building systems to control humidity.

» Provide one outdoor employee break area per building with shade structure or shade trees on the west and south sides as feasible.

7.9.6 Landscape Design

» Use low or medium water use and native plant materials where appropriate. Minimize turf areas in order to promote water conservation. Limit the use of turf to areas which experience high functional use and are needed to accommodate outdoor activities. Only use warm-season turf varieties which are suited to the climate.

» Provide plant materials that are well suited to the solar orientation and shading of buildings.

» Group plants according to water use, slope aspect and sun/shade requirements. Irrigate each hydrozone on a separate valve using high-efficiency irrigation techniques.

» Use organic wood or shredded bark mulch and soil amendments to retain soil moisture.

» Incorporate native vegetation into the plant palette for Colony Commerce Center West.

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8 IMPLEMENTATION

The Colony Commerce Center West Specific Plan serves to implement the City's Policy Plan policies applicable to the project site and provide for orderly development of the project site. Tentative tract maps and parcel maps, once approved, shall establish the legal lots, public dedications, and easements within for the project.

8.1 Methods and Interpretation

Development within the Colony Commerce Center West Specific Plan shall be implemented through the City approval of tentative and final tract maps and parcel maps and through the Development Plan Review process as established in the City of Ontario Development Code.

The implementation process described herein provides the mechanisms for review and approval of development projects within the Colony Commerce Center West.

8.2 Applicability

All development proposals within the project shall be subject to the implementation procedures established herein. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Specific Plan shall take precedence.

In instances where the Specific Plan is silent, the City of Ontario Development Code shall prevail.

8.3 Interpretation

Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the City of Ontario Planning Director, or his/her designee, in a manner consistent with the goals, policies, purpose and intent established in this Specific Plan.

8.4 Implementation of Design Guidelines

Adoption of the Specific Plan by the City includes adoption of the design guidelines contained herein, which shall be the design criteria by which development within the project shall be reviewed during Development Plan Review. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review of development projects as part of Development Plan Review.

8.5 Development Review Process

8.5.1 Subdivision Maps

Approval of tentative subdivision maps may occur concurrently with the adoption of the Specific Plan. All tentative and final subdivision maps shall be reviewed and approved pursuant to applicable provisions of the City of Ontario Subdivision Ordinance and consistent with the applicable provisions of the Land Use, Infrastructure, Design Guidelines, and Development Regulations adopted as part of this Specific Plan.

8.5.2 Development Plan

All development projects within the confines of the Colony Commerce Center West Specific Plan shall be subject to the Development Plan Review process as established in Article 8 of the City's Development Code. Pursuant to these provisions, Development Plan Review constitutes a design review of project architecture, site plans, and landscape plans.

Adoption of the Specific Plan by the City includes adoption of the design guidelines contained within the Specific Plan which provide direction for the design of development projects within Colony Commerce Center West. Where the Specific Plan development regulations and design guidelines are silent, the applicable development regulations and design guidelines contained within the City's Development Code shall apply.

The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review of development projects by the City.

8.5.3 Development Agreement

Approval of statutory Development Agreements, per individual property owner, authorized pursuant to California Government Code Sections 65864 et seq., is required as part of the approval of the Specific Plan and prior to approval of the first Final Map.

The Development Agreements shall include, but not be limited to, methods for financing, acquisition, and construction of infrastructure. The Colony Commerce Center West Development Agreement shall be fully executed prior to the issuance of the first building permits for the project.

8.6 Specific Plan Modifications and Amendments

8.6.1 Minor Modifications

The following constitute minor modifications to the Specific Plan, and do not require a Specific Plan Amendment and are subject to review and approval by the Planning Director. The Planning Director shall have the discretion to refer any such request for modification to the Planning Commission or the City Council.

- Change in utility and/or public service provider.
- Collector roadway alignment when the change results in a center line shift of less than 250 feet.
- An increase of up to ten percent (10%) in square footage of floor area subject to approval of the Planning Director and agreement of the property owner, provided the total square footage of floor area number for the entire Specific Plan area does not exceed that established by this Specific Plan.
- Adjustment of a Planning Area boundary or acreage designated for a Planning Area provided the total acreage of the affected planning area does not increase by more than ten percent (10%).
- Minor changes to landscape materials, wall materials, wall alignment, entry design, and streetscape design which are consistent with the conceptual design set forth in the design guidelines contained within the Specific Plan.
- Minor changes to the design guidelines, which are intended to be conceptual in nature, and are intended to be flexible in implementation.
- Minor changes of up to ten percent (10%) of any quantifiable development standard or design guideline subject to approval of the Planning Director.
- Other modifications of a similar nature to those listed above, which are deemed minor by the Planning Director, which are in keeping with the purpose and intent of the approved Specific Plan and which are in conformance with the Policy Plan.

8.6.2 Specific Plan Amendments

Amendments to the Specific Plan may be requested by the applicant or the City pursuant to Section 65453(a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code for Specific Plan Amendments.

In the event that the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) is/are responsible for preparing the necessary CEQA documentation.

8.7 Variances

Variances and Administrative Exceptions to the development regulations contained in the Specific Plan with respect to landscaping, screening, site area, site dimensions, yards and projects into yards, heights of structures, distances between buildings, open space and off-street parking and loading shall be reviewed pursuant to Article 10, "Variances and Administrative Exceptions" of the City of Ontario Development Code.

8.8 Conditional Use Permits

Uses specified as conditionally permitted uses within Table 6.3 of Chapter 6, "Development Regulations," of the Specific Plan shall be reviewed and approved by the City pursuant to the requirements of Article 9, "Conditional Use Permits" of the Ontario Development Code.

8.9 Compliance with Mitigation Monitoring Plan

Certification of an Environmental Impact Report (EIR) shall be required prior to approval of the Specific Plan. Development within the project site shall comply with all approved mitigation measures as described in the Mitigation Monitoring Program included as part of the EIR.

8.10 Project Phasing

Phasing of development within the Specific Plan shall meet the following objectives:

- Orderly build-out of the project based upon market and economic conditions.
- Provision of adequate infrastructure and public facilities as determined and deemed necessary by the City concurrent with development of each phase.
- Protection of public health, safety and welfare.

8.11 Infrastructure Phasing

Backbone infrastructure within the Colony Commerce Center West shall be installed by the project developer in accordance with this Specific Plan and the approved project Development Agreement or approved by the City.

Grading and installation of infrastructure to serve the Colony Commerce Center West is anticipated to be completed in two phases – Planning Area 2 (Phase 1) and Planning Area 1 (Phase 2). These phases may be developed as subphases (e.g., Phases 1A and 1B) and may occur either sequentially or concurrently with one another.

8.12 Appeals

Appeals from any determination of the City Planning Director, Zoning Administrator or the Planning Commission, may be made by the applicant or any other aggrieved party by filing an application on forms provided by the City of Ontario and accompanied by the appropriate filing fee within ten (10) days following the final date of action for which an appeal is made. Appeals shall be processed consistent with the provisions of Article 5, "Appeals" of the City of Ontario Development Code.

8.13 Project Financing

The financing of construction, operation, and maintenance of public improvements and facilities (the "facilities"), and public services shall include funding through a combination of financing mechanisms. Final determination as to the facilities to be constructed and as to maintenance responsibilities, whether publicly or privately maintained, shall be made prior to recordation of final maps.

In order to implement the project, financing options including, but not limited to, the following shall be considered:

8.13.1 Facilities and Services

» Private capital investment for the construction of facilities.

» Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of a variety of public facilities and the provision of public services.

8.13.2 Operation and Maintenance

» By individual private property owner.

» By private Property Owners Association.

» By Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district. City Council approval is a prerequisite for the implementation of any and all special district-financing mechanisms. The use of the Mello-Roos Community Facilities District Act of 1982 (the "Act") to finance public facilities and services shall be at the City's sole discretion. Moreover, the use of the Act shall be consistent with the City's adopted goals and policies concerning the use of the Act.

8.14 Maintenance Plan

The public and private improvements constructed within the Colony Commerce Center West shall be maintained through a combination of public and private entities as described below and in Table 8.1, "Maintenance Responsibilities."

8.14.1 Public Maintenance

» All Master Plan streets, and sidewalks serving the industrial Planning Areas shall be dedicated as public streets to the City of Ontario.

» Landscape improvements within the public right-of-way of Master Plan streets and public street lights within the Colony Commerce Center West shall be maintained through a landscape and lighting district or other community financed district established by the City.

» All on-site water, sewer, and storm drains within the public streets or easements dedicated to the City shall be constructed by the developer and, upon acceptance, shall be maintained by the City.

» Off-site infrastructure improvements such as water, sewer and storm drain facilities shall be maintained by the City. Permanent on-site water quality basins, trenches, swales and biotreatment filters required by San Bernardino County MS4 Permit and Water Quality Management Plan and constructed within Colony Commerce Center West shall be maintained by the Property Owner's Association in accordance with Table 8.1.

8.14.2 Property Owners Association

A Property Owners Association (POA) shall be established for the maintenance of common area landscape improvements and private roadways within areas of Colony Commerce Center West. Improvements to be maintained by the POA include:

- Designated private drives, alleys, and adjacent landscaping.

- Designated private streets and landscaping. During the course of maintenance of public utilities within public streets, private streets, private drive aisles, or alleys, the City will restore the streets to City standards for trench backfill, pavement repair, and hardscape or landscape, as applicable and to the original quality. Restoration of any enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscape enhancements shall be the responsibility of the POA or other entity maintaining those enhancements.

- Courts, parkways and landscaping within the industrial areas.

- Parkways of Interior Local Streets including sidewalks, landscaping and street lights.

- Maintenance of interior local street landscaping and associated architectural monument elements required to restore these areas to their condition as originally installed.

- Internal slopes fronting streets and slope areas.

- All internal open spaces, and common areas.

- NPDES facilities within private streets and/or common areas.

Table 8.1 Maintenance Responsibilities

	City and/ or CFD	Private Owners Association	Utility Entity
Street Lights and Traffic Signals	●		
Master plan roadways (Merrill Avenue)	●		
Interior (collector) public streets - curb-to-curb (primary entry streets, secondary entry streets)	●		
Interior public streets - Behind the curb improvements (sidewalk, parkway, and monument Signs)(3)		●	
Parkways and neighborhood edges of master plan roadways		●	
Off-site and on-site public water, sewer, and storm drain improvements (excluding laterals)(1)	●		
Community Trail (Cucamonga Creek)	●		
Front yard and all on-site landscaping and irrigation		●	
Private interior yard walls		●	
Project theme wall or fence (outside face for graffiti removal and paint)		●	
Interior project graffiti removal		●	
Neighborhood edge on all non-master plan roadways(3)		●	
Parkways of all interior project streets (including landscaping, medians, and sidewalks)(2)(3)		●	
Monument signs within tract entry		●	
Electricity and natural gas			●
Communications systems			●
Police and Fire	●		
Fiber optic conduit (in streets)	●		
Fiber optic conduit (in-tract streets)	●		
NPDES facilities on private property		●	

(1) Only those facilities in public roads or easements
(2) Only those facilities on private property
(3) Outside public right-of-way

A1 APPENDIX GENERAL PLAN CONSISTENCY

A1.1 General Plan Consistency

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of specific plans as an implementation tool for elements contained in the local general plan. Policy plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan.

The Colony Commerce Center West Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan. The policy analysis listed in this Appendix describes the manner in which the Colony Commerce Center West Specific Plan complies with the Policy Plan policies applicable to the project.

Plan Policy	Specific Plan Consistency
Land Use (LU) Element	
Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.	
Policy LU1-1: Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.	***Consistent.*** *The Colony Commerce Center West site location falls within planned infrastructure improvements designated by the City of Ontario.*
Policy LU1-2: Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/ Smart Growth principles into the development and entitlement process.	***Consistent.*** *The Colony Commerce Center West design guidelines encourages all new construction to utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. The landscape concept for Colony Commerce Center West incorporates a plant palette of drought tolerant materials and includes requirements that the development implement planting and irrigation systems designed to conserve water.*
Policy LU1-3: Adequate Capacity. We require adequate infrastructure and services for all development.	***Consistent.*** *The Colony Commerce Center West Specific Plan establishes an infrastructure and public facilities plan to ensure that adequate roadways and public utilities including sewer, water, and drainage facilities, along with other public facilities, are provided to serve the project.*
Policy LU1-4: Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.	***Not Applicable.***
Policy LU1-5: Jobs-Housing Balance. We coordinate land use, infrastructure, and transportation planning and analysis with regional, county and other local agencies to further regional and subregional goals for jobs-housing balance.	***Consistent.*** *The industrial uses planned for on the Colony Commerce Center West will have the ability to generate jobs for City of Ontario residents.*
Policy LU1-6: Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.	***Consistent.*** *The industrial uses planned for on the Colony Commerce Center West will have the ability to generate jobs for City of Ontario residents.*

Plan Policy	Specific Plan Consistency
Policy LU1-7: Revenues and Costs. We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts.	***Not Applicable.***
Goal LU2: Compatibility between a wide range of uses.	
Policy LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.	***Consistent.*** *Many of the adjacent properties to the Colony Commerce Center West have transitioned to more industrials uses.*
Policy LU2-2: Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.	***Not Applicable.***
Policy LU2-3: Hazardous Uses. We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants or hazardous materials.	***Consistent.*** *The project will comply with all local and state requirements for using, storing, producing, or transporting toxic substances, air emissions, other pollutants, or hazardous materials.*
Policy LU2-4: Regulation of Nuisances. We regulate the location, concentration and operations of potential nuisances.	***Not Applicable.***
Policy LU2-5: Regulation of Uses. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.	***Consistent.*** *Many of the adjacent properties to the Colony Commerce Center West have transitioned to more industrials uses.*
Policy LU2-6: Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.	***Consistent.*** *Streets within and adjacent to the Specific Plan area will be landscaped in an aesthetically pleasing manner with 4-7 foot wide landscaped parkways on each side of the street. Decorative project monuments will be constructed at key project entries providing project identification and establishing a sense of arrival.*
Policy LU2-7: Inter-jurisdictional Coordination. We maintain an ongoing liaison with IEUA, LAWA, Caltrans, Public Utilities Commission, the railroads and other agencies to help minimize impacts and improve the operations and aesthetics of their facilities.	***Not Applicable.***
Policy LU2-8: Transitional Areas. We require development in transitional areas to protect the quality of life of current residents.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy LU2-9: Methane Gas Sites. We require sensitive land uses and new uses on former dairy farms or other methane-producing sites be designed to minimize health risks.	***Consistent.*** *If necessary, the project will comply with appropriate mitigation measures identified in the project EIR for soil remediation and proper venting to address the potential existence of methane gases within the project.*
Goal LU3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.	
Policy LU3-1: Development Standards. We maintain clear development standards which allow flexibility to achieve our Vision.	***Consistent.*** *This Specific Plan includes development standards that allow for flexibility to achieve the City's vision.*
Policy LU3-2: Design Incentives. We offer design incentives to help projects achieve the Vision.	***Not Applicable.***
Policy LU3-3: Land Use Flexibility. We consider uses not typically permitted within a land use category if doing so improves livability, reduces vehicular trips, creates community gathering places and activity nodes, and helps create identity.	***Not Applicable.***
Goal LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.	
Policy LU4-1: Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.	***Not Applicable.***
Policy LU4-2: Interim Development. We allow development in growth areas that is not immediately reflective of our ultimate Vision provided it can be modified or replaced when circumstances are right. We will not allow development that impedes, precludes or compromises our ability to achieve our Vision.	***Not Applicable.***
Policy LU4-3: Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.	***Consistent.*** *Approval of the Colony Commerce Center West Specific Plan is accompanied by an application for approval of a development agreement. The development agreement shall include, but not be limited to, methods for financing, acquisition, and construction of infrastructure.*

Plan Policy	Specific Plan Consistency
Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.	
Policy LU5-1: Coordination with Airport Authorities. We collaborate with FAA, Caltrans Division of Aeronautics, airport owners, neighboring jurisdictions, and other shareholders in the preparation, update and maintenance of airport-related plans.	***Not Applicable.***
Policy LU5-2: Airport Planning Consistency. We coordinate with airport authorities to ensure The Ontario Plan is consistent with state law, federal regulations and/or adopted master plans and land use compatibility plans for the ONT and Chino Airport.	***Consistent.*** *The Specific Plan will comply with the ALUCP requirements for Ontario Airport (ONT) and Chino Airport as outlined in Colony Commerce Center West Specific Plan Section 3.4.*
Policy LU5-3: Airport Impacts. We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations.	***Not Applicable.***
Policy LU5-4: ONT Growth Forecast. We support and promote an ONT that accomodates 30 million annual passengers and 1.6 million tons of cargo per year, as long as the impacts associated with that level of operations are planned for and mitigated.	***Not Applicable.***
Policy LU5-5: Airport Compatibility Planning for ONT. We create and maintain the Airport Land Use Compatibility Plan for ONT.	***Not Applicable.***
Policy LU5-6: Alternative Process. We fulfill our responsibilities and comply with state law with regard to the Alternative Process for proper airport land use compatibility planning.	***Not Applicable.***
Policy LU5-7: ALUCP Consistency and Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.	***Consistent.*** *The Specific Plan will comply with the ALUCP requirements for Ontario Airport (ONT) and Chino Airport as outlined in Colony Commerce Center West Specific Plan Section 3.4.*

Plan Policy	Specific Plan Consistency
Policy LU5-8: Chino Airport. We will support the creation and implementation of the Airport Land Use Compatibility Plan for Chino Airport.	***Consistent.*** *The Specific Plan will comply with the ALUCP requirements for Ontario Airport (ONT) and Chino Airport as outlined in Colony Commerce Center West Specific Plan Section 3.4.*

Community Design (CD) Element

Goal CD1:

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

Policy CD1-1: City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.	***Not Applicable.***
Policy CD1-2: Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.	***Consistent.*** *The Specific Plan includes design guidelines to guide the physical character of all future industrial development and all project related features, including the overall landscape treatment within the project.*
Policy CD1-3: Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.	***Not Applicable.***
Policy CD1-4: Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.	***Not Applicable.***
Policy CD1-5: View Corridors. We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees.	***Consistent.*** *The Specific Plan includes improvements to Carpenter Avenue which is a north-south street and will be designed in accordance to the Master Plan of Streets and Highways.*

Goal CD2:

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

Plan Policy	Specific Plan Consistency
Policy CD2-1: Quality Architecture. We encourage all development projects to convey visual interest and character through: » Building volume, massing, and height to provide appropriate scale and proportion; » A true industrial style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and » Exterior building materials that are visually interesting, high quality, durable, and appropriate for the industrial style.	***Consistent.*** *The Specific Plan includes design guidelines to guide the construction of the project so that it is implemented in a comprehensive manner.*
Policy CD2-2: Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as: » a pattern of smaller, walkable blocks that promote access, activity and safety; » variable setbacks and parcel sizes to accommodate a diversity of housing types; » traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows; » floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and » landscaped parkways, with sidewalks separated from the curb.	***Not Applicable.***
Policy CD2-3: Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.	***Not Applicable.***
Policy CD2-4: Mixed Use, Urban Office and Transit Serving Areas. We require mixed use, urban office and transit serving areas to be designed and developed as pedestrian oriented "villages" that promote a vibrant, comfortable and functional environment.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy CD2-5: Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.	***Consistent.*** *The Specific Plan is designed with comprehensive street improvements to accommodate the safe and efficient movement of automobiles as well as bicycle and pedestrian mobility and connectivity along the property frontage. The Colony Commerce Center West project will construct the half-width of the appropriate frontage roads as identified in this Specific Plan and the project Development Agreement.*
Policy CD2-6: Connectivity. We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent "islands" through the following means (Link to Mobility): » local street patterns that provide access between subdivisions and within neighborhoods and discourage through traffic; » a local street system that is logical and understandable for the user. A grid system is preferred to avoid circuitous and confusing travel paths between internal neighborhood areas and adjacent arterials; and » neighborhoods, centers, public schools, and parks that are linked by pedestrian greenways/open space networks. These may also be used to establish clear boundaries between distinct neighborhoods and/or centers.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy CD2-7: Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.	***Consistent.*** *Sustainable Community/Smart Growth principles are incorporated into the Colony Commerce Center West Land Use Plan. The sustainable goals for the project as stated in the Specific Plan include the following:* » *1. Encourage walking and other non-vehicular modes of travel.* » *2. Provide pedestrian connectivity through the project perimeter.* » *3. Provide shaded outdoor areas for employee break areas.* » *4. Encourage the use of architectural elements designed to reduce interior heat gain.* » *5. Encourage the use of recycled, recyclable, and environmentally friendly building materials.* » *6. Require the use of low energy glass and low water plumbing features.* » *7. Encourage the use of drought tolerant landscaping and water efficient irrigation methods.* *The Colony Commerce Center West design guidelines encourages all new construction to utilize design features, fixtures, and heating and cooling controls to conserve energy and water. The landscape concept for Colony Commerce Center West incorporates a plant palette of drought tolerant materials and requirements that the development implement planting and irrigation systems designed to conserve water.*
Policy CD2-8: Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.	***Not Applicable.***
Policy CD2-9: Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.	***Consistent.*** *The landscape concept for Colony Commerce Center West incorporates the use of durable landscaping materials, a drought tolerant plant palette, and a planting and irrigation system designed to conserve water. Open space areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities. All materials utilized in private and public common areas will be durable landscaping materials.*

Plan Policy	Specific Plan Consistency
Policy CD2-10: Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.	***Not Applicable.***
Policy CD2-11: Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.	***Consistent.*** *Landscaping will be provided at entries within the Colony Commerce Center West. At key entries, a monumentation program may be utilized to help identify the project, as well as convey a sense of arrival and a welcoming feel for both vehicular and pedestrian traffic.These monuments and entries will be designed with durable, lasting materials approved by the City of Ontario.*
Policy CD2-12: Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.	***Consistent.*** *The Specific Plan requires the developer of Colony Commerce Center West to obtain approval by the City of a Sign Program to address project monumentation, building identification and wayfinding/signage within the project.*
Policy CD2-13: Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.	***Not Applicable.***
Policy CD2-14: Availability of Information. We provide easy access to information for developers, builders and the public about design quality, construction quality, and sustainable building practices.	***Not Applicable.***
Policy CD2-15: Leverage Professional and Trade Organizations. We support excellence in design and construction quality through collaboration with trade and professional organizations that provide expertise, resources and programs for developers, builders and the public.	***Not Applicable.***

Goal CD3:

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

Plan Policy	Specific Plan Consistency
Policy CD3-1: Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.	***Not Applicable.***
Policy CD3-2: Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.	***Not Applicable.***
Policy CD3-3: Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.	***Not Applicable.***
Policy CD3-4: Ground Floor Usage of Commercial Buildings. We create lively pedestrian streetscapes by requiring the location of uses, such as shopping, galleries, restaurants, etc., on ground floors adjacent to sidewalks.	***Not Applicable.***
Policy CD3-5: Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.	***Consistent.*** *The Specific Plan requires that the design and materials used for all road surfaces and sidewalks within the project be subject to approval by the Engineering Department.*
Goal CD4: Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.	
Policy CD4-1: Cultural Resource Management. We update and maintain an inventory of historic sites and buildings, professional collections, artifacts, manuscripts, photographs, documents, maps and other archives.	***Not Applicable.***
Policy CD4-2: Collaboration with Property Owners and Developers. We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy CD4-3: Collaboration with Outside Agencies. We pursue opportunities to team with other agencies, local organizations and non-profits in order to preserve and promote Ontario's heritage.	***Not Applicable.***
Policy CD4-4: Incentives. We use the Mills Act and other federal, state, regional and local programs to assist property owners with the preservation of select properties and structures.	***Not Applicable.***
Policy CD4-5: Adaptive Reuse. We actively promote and support the adaptive reuse of historic sites and buildings to preserve and maintain their viability.	***Not Applicable.***
Policy CD4-6: Promotion of Public Involvement in Preservation. We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.	***Not Applicable.***
Policy CD4-7: Public Outreach. We provide opportunities for our residents to research and learn about the history of Ontario through the Planning Department, Museum of History and Art, Ontario and the Robert E. Ellingwood Model Colony History Room.	***Not Applicable.***
Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.	
Policy CD5-1: Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.	***Consistent.*** *The Specific Plan includes a Maintenance Responsibility Matrix defining the public, private, and utility entities responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, traffic signals, infrastructure, and utilities within the project.*
Policy CD5-2: Maintenance of Infrastructure. We require the continual maintenance of infrastructure.	***Consistent.*** *The Specific Plan includes a Maintenance Responsibility Matrix defining the responsible entities for continual maintenance of roadways, sidewalks, traffic signals, off site and on site public water, sewer, and storm drain infrastructure facilities.*

Plan Policy	Specific Plan Consistency
Policy CD5-3: Improvements to Property & Infrastructure. We provide programs to improve property and infrastructure.	***Not Applicable.***
Policy CD5-4: Neighborhood Involvement. We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.	***Not Applicable.***

Mobility (M) Element

Goal M1:

A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

Policy M1-1: Roadway Design and Maintenance. We require our roadways to: » Comply with federal, state and local design and safety standards. » Meet the needs of multiple transportation modes and users. » Handle the capacity envisioned in the Functional Roadway Classification Plan. » Maintain a peak hour Level of Service (LOS) E or better at all intersections. » Be compatible with the streetscape and surrounding land uses. » Be maintained in accordance with best practices and our Right-of-Way Management Plan.	***Consistent.*** *The Specific Plan requires consistency with the requirements of the City's Functional Roadway Classification Plan and the Ontario Ranch Streetscape Master Plan. The roadway system is designed to maintain a peak hour Level of Service (LOS) E or better at all intersections as discussed in the project EIR. Site design, source control for the project are required to be submitted by the developer for approval by the City prior to issuance of permits for the project.*
Policy M1-2: Mitigation of Impacts. We require development to mitigate its traffic impacts.	***Consistent.*** *All mitigation measures, standard conditions, and project design features identified in the project EIR to mitigate traffic impacts of the project will be implemented by the project prior to any occupancy.*
Policy M1-3: Roadway Improvements. We work with Caltrans, SANBAG and others to identify, fund and implement needed improvements to roadways identified in the Functional Roadway Classification Plan.	***Not Applicable.***
Policy M1-4: Adjacent Jurisdictions. We work with neighboring jurisdictions to meet our level of service standards at the City limits.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Goal M2: A system of trails and corridors that facilitate and encourage bicycling and walking.	
Policy M2-1: Bikeway Plan. We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.	***Consistent.*** *The Specific Plan includes a plan for providing connectivity to the multipurpose trail along the Cucamonga Creek Channel. From these connection points, pedestrians will have access to the larger City of Ontario system of trails and bikeways.*
Policy M2-2: Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances.	***Consistent.*** *The Specific Plan includes a plan for providing connectivity to the multipurpose trail along the Cucamonga Creek Channel. From these connection points, pedestrians will have access to the larger City of Ontario system of trails and bikeways.*
Policy M2-3: Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.	***Consistent.*** *The Specific Plan includes a plan for construction of an off-street pedestrian circulation system comprised of an interconnected, paved sidewalk system within all roadway rights-of-ways, separated from vehicular travel lanes by a landscaped parkway.*
Policy M2-4: Network Opportunities. We explore opportunities to expand the pedestrian and bicycle networks. This includes consideration of utility easements, levees, drainage corridors, road right-of-ways, medians and other potential options.	***Consistent.*** *The Specific Plan includes a plan for construction of an off-street pedestrian circulation system comprised of an interconnected, paved sidewalk system within all roadway rights-of-ways, separated from vehicular travel lanes by a landscaped parkway.*
Goal M3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.	
Policy M3-1: Transit Partners. We maintain a proactive working partnership with transit providers to ensure that adequate public transit service is available.	***Not Applicable.***
Policy M3-2: Transit Facilities at New Development. We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as necessary.	***Not Applicable.***
Policy M3-3: Transit-Oriented Development. We may provide additional development-related incentives to those inherent in the Land Use Plan for projects that promote transit use.	***Not Applicable.***
Policy M3-4: Bus Rapid Transit (BRT) Corridors. We work with regional transit agencies to implement BRT service to target destinations and along corridors, as shown in the Transit Plan.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy M3-5: Light Rail. We support extension of the Metro Rail Gold Line to Ontario, and will work to secure station locations adjacent to the Meredith site and at the proposed multimodal transit center.	***Not Applicable.***
Policy M3-6: Metrolink Expansion. We advocate expansion of Metrolink service to include the Downtown and the multimodal transit center.	***Not Applicable.***
Policy M3-7: High Speed Rail. We encourage the development of high-speed rail systems that would enhance regional mobility in Southern California and serve the City of Ontario.	***Not Applicable.***
Policy M3-8: Feeder Systems. We work with regional transit agencies to secure convenient feeder service from the Metrolink station and the proposed multimodal transit center to employment centers in Ontario.	***Not Applicable.***
Policy M3-9: Ontario Airport Metro Center Circulator. We will explore development of a convenient mobility system, including but not limited to shuttle service, people mover, and shared car system, for the Ontario Airport Metro Center.	***Not Applicable.***
Policy M3-10: Multimodal Transit Center. We intend to ensure the development of a multimodal transit center near LAONT airport to serve as a transit hub for local buses, BRT, the Gold Line, high-speed rail, the proposed Ontario Airport Metro Center circulator and other future transit modes.	***Not Applicable.***
Policy M3-11: Transit and Community Facilities. We require the future development of community-wide serving facilities to be sited in transit-ready areas that can be served and made accessible by public transit. Conversely, we plan (and coordinate with other transit agencies to plan) future transit routes to serve existing community facilities.	***Not Applicable.***
Goal M4: An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.	
Policy M4-1: Truck Routes. We designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown in the Truck Routes Plan.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy M4-2: Regional Participation. We work with regional and subregional transportation agencies to plan and implement goods movement strategies, including those that improve mobility, deliver goods efficiently and minimize negative environmental impacts	***Not Applicable.***
Policy M4-3: Railroad Grade Separations. We eliminate at-grade rail crossings identified on the Functional Roadway Classification Plan.	***Not Applicable.***
Policy M4-4: Environmental Considerations. We support efforts to reduce/eliminate the negative environmental impacts of goods movement.	***Not Applicable.***
Policy M4-5: Air Cargo. We support and promote a LAONT airport that accommodates 1.6 million tons of cargo per year, as long as the impacts associated with that level of operations are planned for and mitigated.	***Not Applicable.***
Goal M5: A proactive leadership role to help identify and facilitate implementation of strategies that address regional transportation challenges.	
Policy M5-1: Regional Leadership. We maintain a leadership role to help identify and implement potential solutions to long-term regional transportation problems.	***Not Applicable.***
Policy M5-2: Land Use Compatibility with Regional Transportation Facilities. We work with LAWA, railroads, Caltrans, SANBAG, and other transportation agencies to minimize impacts.	***Not Applicable.***
Environmental Resources (ER) Element	
Goal ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.	
Policy ER-1: Local Water Supply. We increase local water supplies to reduce our dependence on imported water.	***Not Applicable.***
Policy ER-2: Matching Supply to Use. We match water supply and quality to the appropriate use.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy ER1-3: Conservation. We require conservation strategies that reduce water usage.	***Consistent.*** *The Specific Plan requires all public and common area landscaping within the project to utilize plant materials listed on the approved Specific Plan Landscape Plant Matrix which is comprised of drought tolerant and California-friendly plant materials. The Specific Plan requires that irrigation systems for both public and private landscaped areas be designed to be as water-efficient as possible and includes the following minimum requirements.* » *All irrigation systems shall have automatic controllers designed to properly water plant materials given the site's soil conditions, and irrigation systems for all public landscapes shall have automatic rain shut-off devices.* » *Drip bubblers or low volume irrigation is required in areas less than 8' wide.* » *Spray systems shall have low volume matched precipitation heads.* » *All CFD areas a*re to be controlled with central *control irrigation systems, and all trees are to be irrigated utilizing a pop up stream bubbler system on a separate valve. All CFD areas shall be designed to City Standard Specifications.*
Policy ER1-4: Supply-Demand Balance. We require that available water supply and demands be balanced.	***Not Applicable.***
Policy ER1-5: Groundwater Management. We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.	***Consistent.*** *The Specific Plan requires that the developer obtain approval of a StormWater Pollution Prevention Plan (SWPPP) prior to issuance of grading or construction permits. The SWPPP will be prepared to comply with California State Water Resources Control Board's current "General Permit to Discharge StormWater Associated With Construction Activity" and current "Area Wide Urban Storm Water Runoff (Regional NPDES) Permit."The SWPPP will identify and detail all appropriate Best Management Practices (BMP's) to be implemented or installed during construction of the project.* *In addition to the preparation of a SWPPP for construction-related activities, and as part of the approval of any grading plans for the project, the developer is required to submit a Water Quality Management Plan (WQMP) on the regional model form provided by the City. The WQMP shall identify and detail all Site Design BMP's, Source Control BMP's and Treatment Control BMP's to be implemented or installed as part of the project in order to reduce storm water pollutants and site runoff.*

Plan Policy	Specific Plan Consistency
Policy ER1-6: Urban Run-off Quantity. We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.	***Consistent.*** *The Specific Plan requires that grading and drainage for the project be designed to detain, filter, and treat surface runoff in a manner which is practical in order to comply with the most recent requirements of the San Bernardino County NPDES Storm Water Program's Quality Management (WQMP) for significant new development projects. Site design for the project is required to incorporate features which will minimize the use of impervious surfaces and maximize on-site infiltration, Source Control Best Management Practices (BMP's) and either on-site Structural Treatment Control BMP's or participation in regional or watershed-based Treatment Control BMP's.*
Policy ER1-7: Urban Run-off Quality. We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.	***Consistent.*** *The Specific Plan requires that the project comply with the most recent requirements of the San Bernardino County NPDES Storm Water Program's Quality Management (WQMP) for significant new development projects. A final WQMP is required to be submitted by the developer for approval by the City prior to the issuance of any grading and construction permits for the project.*
Policy ER1-8: Wastewater Management. We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.	***Consistent.*** *The Specific Plan requires the construction of a wastewater system consistent with City requirements and also requires that the project obtain approval of a WQMP for the project prior to the issuance of any grading or construction permit.*
Goal ER2: A cost effective, integrated waste management system that meets or exceeds state and federal recycling and waste diversion mandates.	
Policy ER2-1: Waste Diversion. We shall meet or exceed AB 939 requirements.	***Consistent.*** *The Specific Plan shall comply with all state and federal regulations for waste diversion.*
Policy ER2-2: Hazardous and Electronic Wastes. We prohibit the disposal of hazardous and electronic waste into the municipal waste stream pursuant to state law.	***Consistent.*** *The Specific Plan shall comply with all state and federal regulations for waste diversion.*
Policy ER2-3: Purchase Products Made from Recycled Materials. We purchase recycled-content products where it is cost effective.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Goal ER3: Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.	
Policy ER3-1: Conservation Strategy. We require conservation as the first strategy to be employed to meet applicable energy-saving standards.	***Consistent.*** *The Specific Plan requires all public and common area landscaping within the project to utilize plant materials listed on the approved Specific Plan Landscape Plant Matrix which is comprised of drought tolerant and California Friendly plant materials. The Specific Plan requires that irrigation systems for both public and private landscaped areas be designed to be as water-efficient as possible. The Specific Plan requires the construction of separate water mains for the use of recycled water in public and common areas of the project. All new construction will utilize fixtures, and heating and cooling controls to conserve water and energy.*
Policy ER3-2: Green Development– Communities. We require the use of best practices identified in green community rating systems to guide the planning and development of all new communities.	***Consistent.*** *The Colony Commerce Center West design guidelines encourages all new construction to utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. The landscape concept for Colony Commerce Center West incorporates a plant palette of drought tolerant materials and requirements that the development implement planting and irrigation systems designed to conserve water.*
Policy ER3-3: Building and Site Design. We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.	***Consistent.*** *The Colony Commerce Center West design guidelines encourages all new construction to utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water.*
Policy ER3-4: Green Development– Public Buildings. We require all new and substantially renovated City buildings in excess of 10,000 square feet achieve a LEED Silver Certification standard, as determined by the U.S. Green Building Council.	***Not Applicable.***
Policy ER3-5: Fuel Efficient and Alternative Energy Vehicles and Equipment. We purchase and use vehicles and equipment that are fuel efficient and meet or surpass state emissions requirements and/or use renewable sources of energy.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy ER3-6: Generation- Renewable Sources. We promote the use of renewable energy sources to serve public and private sector development.	***Not Applicable.***
Goal ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.	
Policy ER4-1: Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance.	***Consistent.*** *The industrial uses planned for on the Colony Commerce Center West will have the ability to generate jobs for City of Ontario residents.*
Policy ER4-2: Sensitive Land Uses. We prohibit the future siting of sensitive land uses, within the distances defined by the California Air Resources Board for specific source categories, without sufficient mitigation.	***Not Applicable.***
Policy ER4-3: Greenhouse Gases (GHG) Emissions Reductions. We will reduce GHG emissions in accordance with regional, state and federal regulations.	***Not Applicable.***
Policy ER4-4: Indoor Air Quality. We will comply with State Green Building Codes relative to indoor air quality.	***Consistent.*** *All development within the Specific Plan will be required to comply with the State Green Building Code as implemented by the City.*
Policy ER4-5: Transportation. We promote mass transit and non-motorized mobility options (e.g. walking, biking) to reduce air pollutant emissions.	***Not Applicable.***
Policy ER4-6: Particulate Matter. We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.	***Not Applicable.***
Policy ER4-7: Other Agency Collaboration. We collaborate with other agencies within the South Coast Air Basin to improve regional air quality at the emission source.	***Not Applicable.***
Policy ER4-8: Tree Planting. We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.	***Not Applicable.***
Goal ER5: Protected high value habitat and farming and mineral resource extraction activities that are compatible with adjacent development.	
Policy ER5-1: Habitat Conservation Areas. We support the protection of biological resources through the establishment, restoration and conservation of high quality habitat areas.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy ER5-2: Entitlement and Permitting Process. We comply with state and federal regulations regarding protected species.	***Consistent.*** *The project will comply with all mitigation measures identified in the project EIR with regard to biological resources.*
Policy ER5-3: Right to Farm. We support the right of existing farms to continue their operations within the Ontario Ranch.	***Consistent.*** *The Specific Plan supports the right of existing farms to continue their operations within the Ontario Ranch.*
Policy ER5-4: Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.	***Consistent.*** *The Specific Plan supports the right of existing farms to continue their operations in addition to transitioning their properties to other uses within the Ontario Ranch.*
Policy ER5-5: Mining Operations. We prohibit future mining operations where the resource extraction activities are incompatible with existing or proposed adjacent land uses.	***Not Applicable.***

Safety (S) Element

Goal S1:

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

Policy S1-1: Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.	***Consistent.*** *All development within the Specific Plan will be required to comply with the State of California Building Code as adopted and implemented by the City.*
Policy S1-2: Entitlement and Permitting Process. We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.	***Consistent.*** *All development within the Specific Plan will be required to comply with the State of California Building Code as adopted and implemented by the City.*
Policy S1-3: Continual Update of Technical Information. We maintain up-to-date California Geological Survey seismic hazard maps.	***Not Applicable.***
Policy S1-4: Seismically Vulnerable Structures. We conform to state law regarding unreinforced masonry structures.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Goal S2: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.	
Policy S2-1: Entitlement and Permitting Process. We follow State guidelines and building code to determine when development proposals require hydrological studies prepared by a State-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down-gradient.	***Consistent.*** *All development within the Specific Plan will be required to comply with the State of California Building Code as adopted and implemented by the City.*
Policy S2-2: Flood Insurance. We will limit development in flood plains and participate in the National Flood Insurance Program.	***Not Applicable.***
Policy S2-3: Facilities that Use Hazardous Materials. We comply with state and federal law and do not permit facilities using, storing, or otherwise involved with substantial quantities of onsite hazardous materials to be located in the 100 year flood zone unless all standards of elevation, flood proofing and storage have been implemented to the satisfaction of the Building Department.	***Consistent.*** *All development within the Specific Plan will be required to comply with the State of California Building Code as adopted and implemented by the City.*
Policy S2-4: Prohibited Land Uses. We prohibit the development of new essential and critical facilities in the 100-year floodplain.	***Not Applicable.***
Policy S2-5: Storm Drain System. We maintain and improve the storm drain system to minimize flooding.	***Consistent.*** *The project shall improve the storm drain system has planned by the City of Ontario.*
Policy S2-6: Use of Flood Control Facilities. We encourage joint use of flood control facilities as open space or other types of recreational facilities.	***Not Applicable.***
Goal S3: Reduced risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.	
Policy S3-1: Prevention Services. We proactively mitigate or reduce the negative effects of fire, hazardous materials release, and structural collapse by implementing the adopted Fire Code.	***Consistent.*** *All development within the Specific Plan will be required to comply with the State of California Building Code as adopted and implemented by the City.*

Plan Policy	Specific Plan Consistency
Policy S3-2: Community Outreach. We provide education to local schools and community groups to promote personal and public safety.	***Not Applicable.***
Policy S3-3: Fire and Emergency Medical Services. We maintain sufficient fire stations, equipment and staffing to respond effectively to emergencies.	***Not Applicable.***
Policy S3-4: Special Team Services. We maintain effective special rescue services.	***Not Applicable.***
Policy S3-5: Emergency Communication Services. We maintain a 9-1-1 emergency communication and dispatch center.	***Not Applicable.***
Policy S3-6: Interagency Cooperation. In order to back up and supplement our capabilities to respond to emergencies, we participate in the California Fire Rescue and Mutual Aid Plan.	***Not Applicable.***
Policy S3-7: Water Supply and System Redundancy. We monitor our water system to manage firefighting water supplies.	***Not Applicable.***
Policy S3-8: Fire Prevention through Environmental Design. We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.	***Consistent.*** *The Specific Plan requires all new development to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Fire Department which may require the development to incorporate fire prevention design elements in streetscapes, sites, open spaces and buildings.*
Policy S3-9: Resource Allocation. We analyze fire data to evaluate the effectiveness of our fire prevention and reduction strategies and allocate resources accordingly.	***Not Applicable.***
Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.	
Policy S4-1: Noise Mitigation. We utilize the City's Noise Ordinance, building codes and subdivision and development codes to mitigate noise impacts.	***Consistent.*** *The Specific Plan shall comply with the City's Noise Ordinance and building codes in order to mitigate noise impacts.*

Plan Policy	Specific Plan Consistency
Policy S4-2: Coordination with Transportation Authorities. We collaborate with airport owners, FAA, Caltrans, SANBAG, SCAG, neighboring jurisdictions, and other transportation providers in the preparation and maintenance of, and updates to transportation-related plans to minimize noise impacts and provide appropriate mitigation measures.	***Not Applicable.***
Policy S4-3: Airport Noise Mitigation. We aggressively pursue funding and utilize programs to reduce effects of aircraft noise in impacted areas of our community.	***Not Applicable.***
Policy S4-4: Truck Traffic. We manage truck traffic to minimize noise impacts on sensitive land uses.	***Not Applicable.***
Policy S4-5: Roadway Design. We design streets and highways to minimize noise impacts.	***Not Applicable.***
Policy S4-6: Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.	***Not Applicable.***
Goal S5: Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.	
Policy S5-1: Backup Power in Critical Facilities. We require backup power be maintained in critical facilities.	***Not Applicable.***
Policy S5-2: Dust Control Measures. We require the implementation of Best Management Practices for dust control at all excavation and grading projects.	***Consistent.*** *Construction within the Specific Plan will comply with a City approved construction management plan and all mitigation measures identified in the project EIR with regard to dust control.*
Policy S5-3: Grading in High Winds. We prohibit excavation and grading during strong wind conditions, as defined by the Building Code.	***Not Applicable.***
Goal S6: Reduced potential for hazardous materials exposure and contamination.	
Policy S6-1: Disclosure and Notification. We enforce disclosure laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use or transport.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy S6-2: Response to Hazardous Materials Releases. We respond to hazardous materials incidents and coordinate these services with other jurisdictions.	***Not Applicable.***
Policy S6-3: Safer Alternatives. We minimize our use of hazardous materials by choosing non-toxic alternatives that do not pose a threat to the environment.	***Not Applicable.***
Policy S6-4: Safe Storage and Maintenance Practices. We require that the users of hazardous materials be adequately prepared to prevent and mitigate hazardous materials releases.	***Not Applicable.***
Policy S6-5: Location of Hazardous Material Facilities. We regulate facilities that will be involved in the production, use, storage or disposal of hazardous materials, pursuant to federal, state, county, and local regulations, so that impacts to the environment and sensitive land uses are mitigated.	***Not Applicable.***
Policy S6-6: Location of Sensitive Land Uses. We prohibit new sensitive land uses from locating within airport Safety Zones and near existing sites that use, store, or generate large quantities of hazardous materials.	***Not Applicable.***
Policy S6-7: Household Hazardous Waste. We support the proper disposal of household hazardous substances.	***Not Applicable.***
Policy S6-8: Mitigation and Remediation of Groundwater Contamination. We actively participate in local and regional efforts directed at both mitigating environmental exposure to contaminated groundwater and taking action to clean up contaminated groundwater once exposure occurs.	***Consistent.*** *The project will comply with all mitigation measures identified as part of the project EIR for groundwater remediation and if necessary, proper action to clean up contaminated groundwater within the project.*
Policy S6-9: Remediation of Methane. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	***Consistent.*** *The project will comply with all mitigation measures identified as part of the project EIR for soil remediation and if necessary, proper venting to address the potential existence of methane gases within the project.*
Goal S7: Neighborhoods and commercial and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, community involvement and a system of continuous monitoring.	
Policy S7-1: Police Unit Response. We respond to calls for service in a timely manner.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy S7-2: Community Oriented Problem Solving (C.O.P.S.). We support and maintain the mission of COPS to identify and resolve community problems.	***Not Applicable.***
Policy S7-3: Prevention Services. We provide crime prevention programs targeted to youth, parents, seniors, businesses, and neighborhoods.	***Not Applicable.***
Policy S7-4: Crime Prevention through Environmental Design (CPTED).We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.	***Consistent.*** *The Specific Plan requires all new development to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Police Department which may require the development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.*
Policy S7-5: Interdepartmental Coordination. We utilize all City departments to help reduce crime and promote public safety.	***Not Applicable.***
Policy S7-6: Partnerships. We partner with other local, state and federal law enforcement agencies and private security providers to enhance law enforcement service to Ontario.	***Not Applicable.***
Policy S7-7: Resource Allocation. We analyze crime data to evaluate the effectiveness of crime prevention and reduction strategies and allocate resources accordingly.	***Not Applicable.***
Goal S8: Disaster resilient, prepared community through effective emergency/disaster preparedness, response, mitigation and recovery.	
Policy S8-1: State and Federal Mandates. We maintain emergency management programs that meet the requirements of the State of California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS).	***Not Applicable.***
Policy S8-2: Emergency Management Plans. We maintain, update and adopt the Emergency Operations Plan (EOP) and the Hazard Mitigation Plan (HMP).	***Not Applicable.***
Policy S8-3: Emergency/Disaster Training Exercises. We conduct training and exercises to prepare for and evaluate emergency/disaster response and recovery procedures.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy S8-4: Interagency Collaboration. We partner with public and private organizations, such as participation in the California Master Mutual Aid Agreement, in order to enhance and compliment our planning and response capabilities.	***Not Applicable.***
Policy S8-5: Interdepartmental Coordination. We utilize all City departments to help support emergency/disaster preparedness, response, mitigation and recovery.	***Not Applicable.***
Policy S8-6: Community Outreach. We provide education to the community to promote personal, family and community emergency preparedness.	***Not Applicable.***

Community Economics (CE) Element

Goal CE1:

A complete community that provides for all incomes and stages of life.

Policy CE1-1: Jobs-Housing Balance. We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.	***Consistent.*** *The industrial uses planned for on the Colony Commerce Center West will have the ability to generate jobs for City of Ontario residents.*
Policy CE1-2: Jobs and Workforce Skills. We use our economic development resources to: 1) attract jobs suited for the skills and education of current and future City residents; 2) work with regional partners to provide opportunities for the labor force to improve its skills and education; and 3) attract businesses that increase Ontario's stake and participation in growing sectors of the regional and global economy.	***Not Applicable.***
Policy CE1-3: Regional Approach to Workforce Development. We work with our partners to provide workforce training and development services throughout the region recognizing that Ontario employers rely on workers living outside of the City.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy CE1-4: Business Retention and Expansion. We continuously improve two-way communication with the Ontario business community and emphasize customer service to existing businesses as part of our competitive advantage.	***Not Applicable.***
Policy CE1-5: Business Attraction. We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sectors of the regional and global economy.	***Consistent.*** *The Colony Commerce Center West allows for the development of regionally serving employment centers accommodating a variety of jobs that can meet short- and long-term market demands. The project is also consistent with regional planning goals such as SCAG's Goods Movement Corridor with consideration to strategies that facilitate goods movement through the area.*
Policy CE1-6: Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.	***Not Applicable.***
Policy CE1-7: Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.	***Not Applicable.***
Policy CE1-8: Regional Attraction. We encourage the development and programming of regional, cultural, and entertainment destinations in Ontario.	***Not Applicable.***
Policy CE1-9: Regional Leadership. We provide leadership for public, quasi-public, and private-sector partners that help Ontario and its residents and businesses realize our goals and achieve our Vision.	***Not Applicable.***
Policy CE1-10: Life-Long Education. We work with our partners who provide life-long learning to ensure that our residents and workforce have access to education at all stages of life.	***Not Applicable.***
Policy CE1-11: Socioeconomic Trends. We continuously monitor, plan for, and respond to changing socioeconomic trends.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy CE1-12: Circulation. We continuously plan and improve public transit and non-vehicular circulation for the mobility of all, including those with limited or no access to private automobiles.	***Not Applicable.***
Policy CE1-13: Safety and Security. We invest in public safety and communicate our successes because the perception and reality of safety and security are necessary prerequisites for private investment and economic growth.	***Not Applicable.***
Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.	
Policy CE2-1: Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.	***Consistent.*** *The Specific Plan includes design guidelines that will encourage a quality development that adds value to the surrounding area.*
Policy CE2-2: Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.	***Consistent.*** *The Specific Plan requires all new development to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Planning Department which may require the development to demonstrate how the project will create appropriately unique, functional and sustainable places.*
Policy CE2-3: Interim Development. We require interim development that does not reflect the long-term Vision, be limited in scale of development so that the investment can be sufficiently amortized to make Vision-compatible redevelopment financially feasible.	***Not Applicable.***
Policy CE2-4: Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.	***Not Applicable.***
Policy CE2-5: Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.	***Consistent.*** *The Specific Plan includes a Maintenance Responsibility Matrix defining the private responsibilities for maintenance of private roadways, parkways, trails, common areas, parks, yards, walls, and monuments within the project.*

Plan Policy	Specific Plan Consistency
Policy CE2-6: Public Maintenance. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.	***Consistent.*** *The Specific Plan includes a Maintenance Responsibility Matrix defining the responsible public entities, including special districts, for maintenance of roadways, sidewalks, traffic signals, off site and on site public water, sewer, and storm drain infrastructure facilities.*
Housing (H) Element	
Goal H1: Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity.	
Policy H1-1: Housing Rehabilitation. We support the rehabilitation, maintenance, and improvement of single-family, multiple-family, and mobile homes through code compliance, removal of blight where necessary, and provision of rehabilitation assistance where feasible.	***Not Applicable.***
Policy H1-2: Neighborhood Conditions. We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provision of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.	***Not Applicable.***
Policy H1-3: Community Amenities. We shall provide adequate public services, infrastructure, open space, parking and traffic management, pedestrian, bicycle and equestrian routes and public safety for neighborhoods consistent with City master plans and neighborhood plans.	***Not Applicable.***
Policy H1-4: Historical Preservation. We support the preservation and enhancement of residential structures, properties, street designs, lot configurations, and other reminders of Ontario's past that are considered to be local historical or cultural resources.	***Not Applicable.***
Policy H1-5: Neighborhood Identity. We strengthen neighborhood identity through creating parks and recreational outlets, sponsoring neighborhood events and encouraging resident participation in the planning and improvement of their neighborhoods.	***Not Applicable.***
Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.	

Plan Policy	Specific Plan Consistency
Policy H2-1: Corridor Housing. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.	***Not Applicable.***
Policy H2-2: Historic Downtown. We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.	***Not Applicable.***
Policy H2-3: Ontario Airport Metro Center. We foster a vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.	***Not Applicable.***
Policy H2-4: Ontario Ranch. We support a premier lifestyle community in the Ontario Ranch distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.	***Not Applicable.***
Policy H2-5: Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.	***Not Applicable.***
Policy H2-6: Infill Development. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.	***Not Applicable.***
Goal H3: A City regulatory environment that balances the need for creativity and excellence in residential design, flexibility and predictability in the project approval process, and the provision of an adequate supply and prices of housing.	
Policy H3-1: Incentives. We maintain incentive programs that can be offered to projects that provide benefits to the community such as exceptional design quality, economic advantages, environmental sustainability, or other benefits that would otherwise be unrealized.	***Not Applicable.***
Policy H3-2: Flexible Standards. We allow flexibility in the application of residential and mixed-use development standards in order to gain benefits such as exceptional design quality, economic advantages, sustainability, or other benefits that would otherwise be unrealized.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy H3-3: Development Review. We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review to facilitate quality housing development.	***Not Applicable.***
Policy H3-4: Financial Incentives. We consider financial incentives to facilitate and encourage the production, rehabilitation or improvement of housing, or provision of services where such activity furthers housing and community-wide goals.	***Not Applicable.***
Goal H4: Increased opportunities for low and moderate income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.	
Policy H4-1: Preservation of Affordable Apartments. We strive to facilitate the preservation of the affordability of publicly assisted apartments for lower income households through financial assistance, technical assistance, rehabilitation, and collaborative partnerships.	***Not Applicable.***
Policy H4-2: Homeownership Opportunities. We increase and expand homeownership rates for lower and moderate income households by offering financial assistance, low-interest loans and educational resources, and by working in collaboration with partnerships.	***Not Applicable.***
Policy H4-3: Rental Assistance. We support the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the state and federal government.	***Not Applicable.***
Policy H4-4: Mixed-income Housing. We encourage the integration of affordable housing in the Ontario Ranch, Ontario Airport Metro Center Area, and existing neighborhoods.	***Not Applicable.***
Policy H4-5: Collaborative Partnerships. We support collaborative partnerships of nonprofit organizations, affordable housing developers, major employers, and for-profit developers to produce affordable housing.	***Not Applicable.***
Policy H4-6: Fair Housing. We further fair housing by prohibiting discrimination in the housing market and providing education, support, and enforcement services to address discriminatory practices.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.	
Policy H5-1: Senior Housing. We support the development of accessible and affordable senior housing and provide financial assistance for seniors to maintain and improve their homes.	***Not Applicable.***
Policy H5-2: mily Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.	***Not Applicable.***
Policy H5-3: Disabled People. We increase the supply of permanent, affordable and accessible housing for people with disabilities, and provide assistance to allow them to maintain and improve their homes.	***Not Applicable.***
Policy H5-4: Homeless People. We partner with non-profit partners to provide emergency shelters, transitional housing, permanent supportive housing, and supportive services for people who are homeless.	***Not Applicable.***
Policy H5-5: Supportive Services. We financially support organizations, as feasible, that provide support services that meet the needs of those with special needs and further the greatest level of independence.	***Not Applicable.***
Policy H5-6: Partnerships. We collaborate with non-profit organizations, private developers, employers, government agencies and other interested parties to develop affordable housing and provide support services.	***Not Applicable.***
Parks & Rec (PR) Element	
Goal PR1: A system of safe and accessible parks that meets the needs of the community.	
Policy PR1-1: Access to Parks. We strive to provide a park and/or recreational facility within walking distance (¼ mile) of every residence.	***Not Applicable.***
Policy PR1-2: Adjacency to Schools. We examine locating parks adjacent to school sites to promote joint-use opportunities.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy PR1-3: Funding. We shall seek outside, one-time sources of funding for capital improvements and reserve ongoing City funds primarily for operations and maintenance.	***Not Applicable.***
Policy PR1-4: Joint-use Opportunities. In areas where there is a need but no City recreational facility, we explore joint-use opportunities. (e.g., school sites).	***Not Applicable.***
Policy PR1-5: Acreage Standard. We strive to provide 5 acres of parkland (public and private) per 1,000 residents.	***Not Applicable.***
Policy PR1-6: Private Parks. We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.	***Not Applicable.***
Policy PR1-7: Special Needs/Universal Design. We attempt to provide recreational opportunities at parks for people of all ages and abilities.	***Not Applicable.***
Policy PR1-8: Renovation. We examine renovating existing facilities prior to building replacement facilities.	***Not Applicable.***
Policy PR1-9: Phased Development. We require parks be built in new communities before a significant proportion of residents move in.	***Not Applicable.***
Policy PR1-10: Master Plans for Individual Park Facilities. We require an individual park master plan for parks in excess of 10 acres.	***Not Applicable.***
Policy PR1-11: Environmental Function of Parks. We require new parks to meet environmental management objectives.	***Not Applicable.***
Policy PR1-12: Trails. We promote connections between parks and local trails including those managed by other public agencies.	***Not Applicable.***
Policy PR1-13: Equestrian Trails. We require the design, construction and maintenance of equestrian trails in Rural Residential designated areas.	***Not Applicable.***
Policy PR1-14: Multi-family Residential Developments. We require that new multi-family residential developments of five or more units provide recreational facilities or open space, in addition to paying adopted impact fees.	***Not Applicable.***
Policy PR1-15: Trail Connectivity. We strengthen and improve equestrian, bike and multipurpose trail connections within the City and work to improve trail connections into adjacent jurisdictions.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy PR1-16: Equestrian Master Plan. We use Homer Briggs Park as the primary focal point for the development of a Master Plan of Equestrian Trails in the Rural Residential area.	***Not Applicable.***
Goal PR2: A range of recreational programs provided by public, private and non-profit organizations that meet the needs of the community's varied interests, age groups and abilities.	
Policy PR2-1: Participation. We program park facilities to maximize utilization and participation, while considering park size, location and population served.	***Not Applicable.***
Policy PR2-2: Needs Assessment. We track the needs and priorities for recreational programming and look for ways to meet demand.	***Not Applicable.***
Policy PR2-3: Community Involvement. We involve the local community in planning programs for neighborhood and community park facilities.	***Not Applicable.***
Policy PR2-4: Access to Programs. We provide a range of program opportunities for residents of all income levels.	***Not Applicable.***
Policy PR2-5: Partnerships. We partner with local and regional agencies, non-profit organizations and the private sector to provide a comprehensive range of recreational programs.	***Not Applicable.***
Policy PR2-6: Crime Deterrents. We promote and participate in recreational programming as part of our crime prevention effort.	***Not Applicable.***
Social Resources (SR) Element	
Goal SR1: A community where residents have access to information, services and goods that improve their health and well being.	
Policy SR1-1: Partnering for Healthcare. We work with healthcare providers, and local, regional, state and federal agencies to attract and retain a diversity of affordable, quality healthcare and facilities for the entire community.	***Not Applicable.***
Policy SR1-2: Nutrition Choices. We support the promotion of healthy nutritional food choices in the community.	***Not Applicable.***
Policy SR1-3: Health Education. We promote health education, including disease prevention, mental health, nutrition and physical fitness.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy SR1-4: Physical Activity. We encourage activities and community design that improve the physical fitness of our community members.	***Not Applicable.***
Goal SR2: A range of educational and training opportunities for residents and workers of all ages and abilities that improves their life choices and provides a skilled workforce for our businesses.	
Policy SR2-1: Educational Partners. We partner with educational institutions throughout the region in order to expand the range and quality of educational offerings available to the community.	***Not Applicable.***
Policy SR2-2: Workforce Training. We will work with industrial organizations, businesses and educational institutions to create opportunities for workforce training.	***Not Applicable.***
Policy SR2-3: Joint Use of Facilities. We partner with public and private educational institutions to jointly use facilities for both City and educational purposes.	***Not Applicable.***
Policy SR2-4: Access to Schools. We work with local and regional partners to improve the safety in and around schools and to improve access for citizens of all ages and abilities to schools and community services, such as after school and other programs.	***Not Applicable.***
Policy SR2-5: School Facilities. We plan and coordinate with school districts for designing and locating school facilites to meet the City's goals, such as for health, walkability, and safety and to minimize impacts to existing neighborhoods.	***Not Applicable.***
Goal SR3: A range of community and leisure programs and activities provided by public, private and non-profit organizations that meet the needs of the community's varied interests, age groups and abilities.	
Policy SR3-1: Partnerships. We partner with local and regional agencies, non-profit organizations and the private sector to provide a comprehensive range of community activities and events to citizens.	***Not Applicable.***
Policy SR3-2: Needs Assessment. We track the needs and priorities for community services and look for ways to meet demands and avoid duplication of offerings.	***Not Applicable.***
Policy SR3-3: Program Outreach. We promote information about leisure activities, classes, special events and other services and activities to our community.	***Not Applicable.***
Policy SR3-4: Community Events. We plan and actively participate in regularly scheduled community events and seasonal or yearly citywide events.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy SR3-5: Community Activities as Crime Deterrents. We promote and participate in community activities as part of our crime prevention efforts.	***Not Applicable.***
Goal SR4: City libraries that connect community members of all ages and abilities to a broad range of programs, communication and informational resources.	
Policy SR4-1: Community Needs. We identify and monitor community needs for library services, technologies and facilities, and tailor them to effectively meet those needs.	***Not Applicable.***
Policy SR4-2: Interagency Coordination. We leverage relationships with outside agencies, educational institutions and neighboring jurisdictions to share library resources to the benefit of Ontario residents.	***Not Applicable.***
Policy SR4-3: Library Outreach. We outreach to the community to increase the patronage of the library.	***Not Applicable.***
Policy SR4-4: Coordination with Other Community Services. We coordinate library programs with other recreational and community programs and facilities.	***Not Applicable.***
Policy SR4-5: Focal Points of the Community. We design and program Ontario's libraries as focal points for community engagement, including public outreach and community events.	***Not Applicable.***
Policy SR4-6: Robert E. Ellingwood Model Colony History Room. We work with the Museum of History and Art, Ontario in order to collect, preserve and display artifacts and images from Ontario's heritage and connect the City's past to the present through the History Room.	***Not Applicable.***
Goal SR5: Local heritage, entertainment and cultural experiences that enrich the lives of Ontario's residents, workers, and visitors and serve to attract residents and businesses to the City.	
Policy SR5-1: Provision of Entertainment and Culture. We support a range of entertainment and cultural experiences such as public art, exhibitions and performances.	***Not Applicable.***
Policy SR5-2: Local Heritage Education. We partner with educational providers to promote culture and heritage.	***Not Applicable.***
Policy SR5-3: Public Art. We encourage public art in buildings, parks, open spaces and other public and private spaces.	***Not Applicable.***

Plan Policy	Specific Plan Consistency
Policy SR5-4: Private-Public Sector Events. We partner with private and nonprofit sectors to provide and promote participation in cultural activities including fairs, festivals and other events geared to neighborhoods, the City as a whole and the region.	***Not Applicable.***
Policy SR5-5: Promotion of Ontario Artists and Musicians. We promote awareness of entertainment and culture produced in Ontario.	***Not Applicable.***

B1 APPENDIX GREENHOUSE GAS EMISSIONS

B1.1 CEQA Thresholds and Screening Tables

The Ontario Climate Action Plan (CAP) includes reducing 39,769 Metric Tons of Carbon Dioxide Equivalents per year from new development by 2020 as compared to the 2020 unmitigated conditions. This requires new development to be 25% more efficient. Reductions related to transportation, water, solid waste, energy, and renewable energy sources all play a part in gaining this level of efficiency within new development.

The purpose of this Screening Table is to provide preliminary guidance for the Colony Commerce Center Specific Plan in measuring the reduction of greenhouse gas emissions. The actual design features, choices, and construction measures to be incorporated into the development projects will be presented during the Development Plan submittal process to the City.

The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development within the Colony Commerce Center Specific Plan can implement the GHG reduction measures.

The point levels are based upon improvements compared to 2008 emission levels of efficiency. Projects within the Specific Plan that garner at least 100 points will be consistent with the reduction quantities anticipated in the City's CAP.

As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

Table 2: Screening Table for Implementation of GHG Reduction Measures for Commercial/Industrial Development

Feature	Description	Assigned Point Values	Project Points
Reduction Measure PS E3: Commercial/Industrial Energy Efficiency Development			
Building Envelope			
Insulation	2008 baseline (walls R-13; roof/attic R-30)	0 points	**15**
	Modestly Enhanced Insulation (walls R-13, roof/attic R-38))	15 points	
	Enhanced Insulation (rigid wall insulation R-13, roof/attic R-38)	18 points	
	Greatly Enhanced Insulation (spray foam insulated walls R-15 or higher, roof/attic R-38 or higher)	20 points	
	(Applies to the conditioned space, defined as those areas within the building that have air conditioning and heating.)		
Windows	2008 Baseline Windows (0.57 U-factor, 0.4 solar heat gain coefficient [SHGC])	0 points	**8**
	Modestly Enhanced Window Insulation (0.4 U-factor, 0.32 SHGC)	7 points	
	Enhanced Window Insulation (0.32 U-factor, 0.25 SHGC)	8 points	
	Greatly Enhanced Window Insulation (0.28 or less U-factor, 0.22 or less SHGC)	12 points	
	(Applies to the conditioned space, defined as those areas within the building that have air conditioning and heating.)		
Cool Roof	Modest Cool Roof (CRRC Rated 0.15 aged solar reflectance, 0.75 thermal emittance)	12 points	**12**
	Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance)	14 points	
	Greatly Enhanced Cool Roof (CRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance)	16 points	
Air Infiltration	Minimizing leaks in the building envelope is as important as the insulation properties of the building. Insulation does not work effectively if there is excess air leakage.		-
	Air barrier applied to exterior walls, calking, and visual inspection such as the HERS Verified Quality Insulation Installation (QII or equivalent)	12 points	
	Blower Door HERS Verified Envelope Leakage or equivalent	10 points	
	(Applies to the conditioned space, defined as those areas within the building that have air conditioning and heating.)		
Thermal Storage of Building	Thermal storage is a design characteristic that helps keep a constant temperature in the building. Common thermal storage devices include strategically placed water filled columns, water storage tanks, and thick masonry walls.		

Feature	Description	Assigned Point Values	Project Points
	Modest Thermal Mass (10% of floor or 10% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	4 points	-
	Enhanced Thermal Mass (20% of floor or 20% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	6 points	
	Enhanced Thermal Mass (80% of floor or 80% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	24 points	
Indoor Space Efficiencies			
Heating/ Cooling Distribution System	Minimum Duct Insulation (R-4.2 required)	0 points	**14**
	Modest Duct insulation (R-6)	8 points	
	Enhanced Duct Insulation (R-8)	10 points	
	Distribution loss reduction with inspection (HERS Verified Duct Leakage or equivalent)	14 points	
	(Applies to the conditioned space, defined as those areas within the building that have air conditioning and heating.)		
Space Heating/ Cooling Equipment	2008 Minimum HVAC Efficiency (EER 13/60% AFUE or 7.7 HSPF)	0 points	-
	Improved Efficiency HVAC (EER 14/65% AFUE or 8 HSPF)	7 points	
	High Efficiency HVAC (EER 15/72% AFUE or 8.5 HSPF)	8 points	
	Very High Efficiency HVAC (EER 16/80% AFUE or 9 HSPF)	12 points	
	(Applies to the conditioned space, defined as those areas within the building that have air conditioning and heating.)		
Commercial Heat Recovery Systems	Heat recovery strategies employed with commercial laundry, cooking equipment, and other commercial heat sources for reuse in HVAC air intake or other appropriate heat recovery technology. Point values for these types of systems will be determined based upon design and engineering data documenting the energy savings.	TBD	-
Water Heaters	2008 Minimum Efficiency (0.57 Energy Factor)	0 points	-
	Improved Efficiency Water Heater (0.675 Energy Factor)	14 points	
	High Efficiency Water Heater (0.72 Energy Factor)	16 points	
	Very High Efficiency Water Heater (0.92 Energy Factor)	19 points	
	Solar Pre-heat System (0.2 Net Solar Fraction)	4 points	
	Enhanced Solar Pre-heat System (0.35 Net Solar Fraction)	8 points	
Daylighting	Daylighting is the ability of each room within the building to provide outside light during the day reducing the need for artificial lighting during daylight hours.		

Feature	Description	Assigned Point Values	Project Points
	All peripheral rooms within building have at least one window or skylight	1 points	
	All rooms within building have daylight (through use of windows, solar tubes, skylights, etc.)	5 points	7
	All rooms daylighted	7 points	
Artificial Lighting	2008 Minimum (required)	0 points	
	Efficient Lights (25% of in-unit fixtures considered high efficacy. High efficacy is defined as 40 lumens/watt for 15 watt or less fixtures; 50 lumens/watt for 15-40 watt fixtures, 60 lumens/watt for fixtures >40watt)	9 points	9
	High Efficiency Lights (50% of in-unit fixtures are high efficacy)	12 points	
	Very High Efficiency Lights (100% of in-unit fixtures are high efficacy)	14 points	
Appliances	Energy Star Commercial Refrigerator (new)	4 points	
	Energy Star Commercial Dish Washer (new)	4 points	8
	Energy Star Commercial Cloths Washing	4 points	
Miscellaneous Commercial/Industrial Building Efficiencies			
Building Placement	North/South alignment of building or other building placement such that the orientation of the buildings optimizes conditions for natural heating, cooling, and lighting.	6 point	6
Shading	At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on June 21st.	6 Points	-
Other	This allows innovation by the applicant to provide design features that increases the energy efficiency of the project not provided in the table. Note that engineering data will be required documenting the energy efficiency of innovative designs and point values given based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	-
Existing Commercial building Retrofits	The applicant may wish to provide energy efficiency retrofit projects to existing commercial buildings to further the point value of their project. Retrofitting existing commercial buildings within the City is a key reduction measure that is needed to reach the reduction goal. The potential for an applicant to take advantage of this program will be decided on a case by case basis and must have the approval of the Ontario Planning Department. The decision to allow applicants the ability to participate in this program will be evaluated based upon, but not limited to the following:	TBD	-

Feature	Description	Assigned Point Values	Project Points
	Will the energy efficiency retrofit project benefit low income or disadvantaged communities? Does the energy efficiency retrofit project fit within the overall assumptions in the reduction measure associated with commercial building energy efficiency retrofits? Does the energy efficiency retrofit project provide co-benefits important to the City? Point value will be determined based upon engineering and design criteria of the energy efficiency retrofit project.		
Reduction Measure PS E4: Commercial/Industrial Renewable Energy			
Photovoltaic	Solar Photovoltaic panels installed on commercial buildings or in collective arrangements within a commercial development such that the total power provided augments:		
	Solar Ready Roofs (sturdy roof and electric hookups)	2 points	
	10 percent of the power needs of the project	8 points	
	20 percent of the power needs of the project	14 points	
	30 percent of the power needs of the project	20 points	-
	40 percent of the power needs of the project	26 points	
	50 percent of the power needs of the project	32 points	
	60 percent of the power needs of the project	38 points	
	70 percent of the power needs of the project	44 points	
	80 percent of the power needs of the project	50 points	
	90 percent of the power needs of the project	56 points	
	100 percent of the power needs of the project	60 points	
Wind turbines	Some areas of the City lend themselves to wind turbine applications. Analysis of the areas capability to support wind turbines should be evaluated prior to choosing this feature. Wind turbines as part of the commercial development such that the total power provided augments:		
	10 percent of the power needs of the project	8 points	
	20 percent of the power needs of the project	14 points	-
	30 percent of the power needs of the project	20 points	
	40 percent of the power needs of the project	26 points	
	50 percent of the power needs of the project	32 points	
	60 percent of the power needs of the project	38 points	
	70 percent of the power needs of the project	44 points	

Feature	Description	Assigned Point Values	Project Points
	80 percent of the power needs of the project 90 percent of the power needs of the project 100 percent of the power needs of the project	50 points 56 points 60 points	
Off-site renewable energy project	The applicant may submit a proposal to supply an off-site renewable energy project such as renewable energy retrofits of existing commercial/industrial that will help implement reduction measures associated with existing buildings. These off-site renewable energy retrofit project proposals will be determined on a case by case basis accompanied by a detailed plan documenting the quantity of renewable energy the proposal will generate. Point values will be based upon the energy generated by the proposal.	TBD	-
Other Renewable Energy Generation	The applicant may have innovative designs or unique site circumstances (such as geothermal) that allow the project to generate electricity from renewable energy not provided in the table. The ability to supply other renewable energy and the point values allowed will be decided based upon engineering data documenting the ability to generate electricity.	TBD	-
Reduction Measure PS W2: Commercial/Industrial Water Conservation			
Irrigation and Landscaping			
Water Efficient Landscaping	Eliminate conventional turf from landscaping Only moderate water using plants Only low water using plants Only California Native landscape that requires no or only supplemental irrigation	0 points 3 points 4 points 8 points	4
Trees	Increase tree planting in parking areas 50% beyond City Code requirements	TBD	-
Water Efficient irrigation systems	Low precipitation spray heads< .75"/hr or drip irrigation Weather based irrigation control systems combined with drip irrigation (demonstrate 20 reduced water use)	1 point 5 points	1
Recycled Water	Recycled water connection (purple pipe)to irrigation system on site	5 points	5
Storm water Reuse Systems	Innovative on-site stormwater collection, filtration and reuse systems are being developed that provide supplemental irrigation water and provide vector control. These systems can greatly reduce the irrigation needs of a project. Point values for these types of systems will be determined based upon design and engineering data documenting the water savings.	TBD	-

Feature	Description	Assigned Point Values	Project Points
Potable Water			
Showers	Water Efficient Showerheads (2.0 gpm)	3 points	-
Toilets	Water Efficient Toilets/Urinals (1.5gpm) Waterless Urinals (note that commercial buildings having both waterless urinals and high efficiency toilets will have a combined point value of 6 points)	3 points 4 points	-
Faucets	Water Efficient faucets (1.28gpm)	3 points	-
Commercial Dishwashers	Water Efficient dishwashers (20% water savings)	4 points	**4**
Commercial Laundry Washers	Water Efficient laundry (15% water savings) High Efficiency laundry Equipment that captures and reuses rinse water (30% water savings)	3 points 6 points	-
Commercial Water Operations Program	Establish an operational program to reduce water loss from pools, water features, etc., by covering pools, adjusting fountain operational hours, and using water treatment to reduce draw down and replacement of water. Point values for these types of plans will be determined based upon design and engineering data documenting the water savings.	TBD	-
Reduction Measure PS T1: Land Use Based Trips and VMT Reduction			
Mixed Use	Mixes of land uses that complement one another in a way that reduces the need for vehicle trips can greatly reduce GHG emissions. The point value of mixed use projects will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled	TBD	-
Local Retail Near Residential (Commercial only Projects)	Having residential developments within walking and biking distance of local retail helps to reduce vehicle trips and/or vehicle miles traveled. The point value of residential projects in close proximity to local retail will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled	TBD	-
Reduction Measure PS T2: Bicycle Master Plan			
Bicycle Infrastructure	Ontario's Bicycle Master Plan is extensive and describes the construction on 11.5 miles of Class I bike paths and 23 miles of Class II and Class III bikeways to build upon the current 8 miles of bikeways. Provide bicycle paths within project boundaries. Provide bicycle path linkages between project site and other land uses. Provide bicycle path linkages between project site and transit.	TBD TBD 2 points 5 points	-

Feature	Description	Assigned Point Values	Project Points
Reduction Measure PS T3: Electric Vehicle Infrastructure			
Electric Vehicles	Provide public charging station for use by an electric vehicle. *(ten points for each charging station within the facility)*	10 points	**10**
Reduction Measure PS T4: Employee Based Trip &VMT Reduction Policy			
Compressed Work Week	Reduce the number of days per week that employees need to be on site will reduce the number of vehicle trips associated with commercial/industrial development. Compressed work week such that full time employees are on site: 5 days per week 4 days per week on site 3 days per week on site	TBD	-
Car/Vanpools	Car/vanpool program Car/vanpool program with preferred parking Car/vanpool with guaranteed ride home program Subsidized employee incentive car/vanpool program Combination of all the above	TBD	-
Employee Bicycle/ Pedestrian Programs	Complete sidewalk to residential within ½ mile Complete bike path to residential within 3 miles Bike lockers and secure racks Showers and changing facilities Subsidized employee walk/bike program (Note combine all applicable points for total value)	TBD	-
Shuttle/Transit Programs	Local transit within ¼ mile Light rail transit within ½ mile Shuttle service to light rail transit station Guaranteed ride home program Subsidized Transit passes Note combine all applicable points for total value	TBD	-
CRT	Employer based Commute Trip Reduction (CRT). CRTs apply to commercial, offices, or industrial projects that include a reduction of vehicle trip or VMT goal using a variety of employee commutes trip reduction methods. The point value will be determined based upon a TIA that demonstrates the trip/VMT reductions. Suggested point ranges: Incentive based CRT Programs (1-8 points) Mandatory CRT programs (5-20 points)	TBD	-
Other Trip Reductions	Other trip or VMT reduction measures not listed above with TIA and/or other traffic data supporting the trip and/or VMT for the project.	TBD	-
Total Points from Commercial/Industrial Project:			**103**

Colony Commerce Center West

Specific Plan

Draft | March 2017

PLANNING COMMISSION STAFF REPORT

August 22, 2017

SUBJECT: A Tentative Parcel Map (**File No. PMTT16-001/PM 19643**) to subdivide 65.60 acres of land into two parcels to facilitate a Development Plan (**File No. PDEV16-002**) to construct two industrial buildings totaling 1,289,292 square feet, located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan(APN: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, and 0218-292-14; submitted by Cap Rock Partners.

PROPERTY OWNER: CLDFI Remington LLC

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PMTT16-001 (PM 19643) and PDEV16-002, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of approximately 65.60 acres of land located at the northeast corner of Carpenter Avenue and Remington Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan and is depicted in ***Figure 1: Project Location***, below. The project site has been recently utilized for farming and agricultural purposes. The proposed development will consolidate five parcels into two parcels as part of the related Tentative Parcel Map. The site is bounded to the east by the Cucamonga Creek Flood Control Channel, the City of Eastvale to the southeast, and the City of Chino to the west and southwest. The site currently slopes from north to south at just over 1 percent.

Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	1/13/2016
Hearing Deadline:	12/11/17

Hearing Body	*Date*	*Decision*	*Action*
DAB	8/21/17		Recommend
ZA			
PC	8/22/17		Final
CC			

PROJECT ANALYSIS:

Background — On August 21, 2017, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to departmental conditions of approval included with this report.

The applicant is requesting approval to construct two industrial buildings totaling approximately 1,289,292 square feet on 65.60 acres within Planning Area 2 of the Colony Commerce Center West Specific Plan. The Colony Commerce Center West Specific Plan is composed of 123.17 acres of land within two planning areas and has the potential to be developed with approximately 2,951,146 square feet of industrial development (see ***Figure 2: Land Use Summary Table***).

Table 4.1, Land Use Summary

Planning Area (PA)	Land Use	Acres	Maximum Potential Intensity (Gross Floor Area)	Max.Floor Area Ratio
PA-1	Industrial	57.58 ac	1,379,501 SF	0.55
PA-2	Industrial	65.60 ac	1,571,645 SF	0.55
	Total	123.17 ac	2,951,146 SF	0.55

Figure 2: Land Use Summary Table

Planning Area 1, located along the northern portion of the Specific Plan is 57.58 acres in size and can potentially be developed with 1,379,501 square feet of industrial development (see ***Figure 3: Land Use Plan***). No formal application has been submitted for Planning Area 1 but an application is likely to be submitted in the near future.

Figure 3: Land Use Plan

Site Design/Building Layout —Building "A" located on Parcel 2, will be situated along the western portion of the site and is 589,012 square feet in area. Building "B" located on Parcel 1, will be positioned along the eastern portion of the site and is 700,280 square feet in area. Each building has been designed to feature four potential office elements (one office at each corner of the building), with strategically located enclosed truck courtyard areas. The buildings will be setback 289 feet from Remington Avenue, 157 feet from Carpenter Avenue, 77 feet from the north property line, and 58 feet from the eastern property line (Cucamonga Creek Flood Control Channel). The buildings and screen walls have been situated on the site to minimize public visibility of the loading dock areas (see ***Figure 4: Site Plan***).

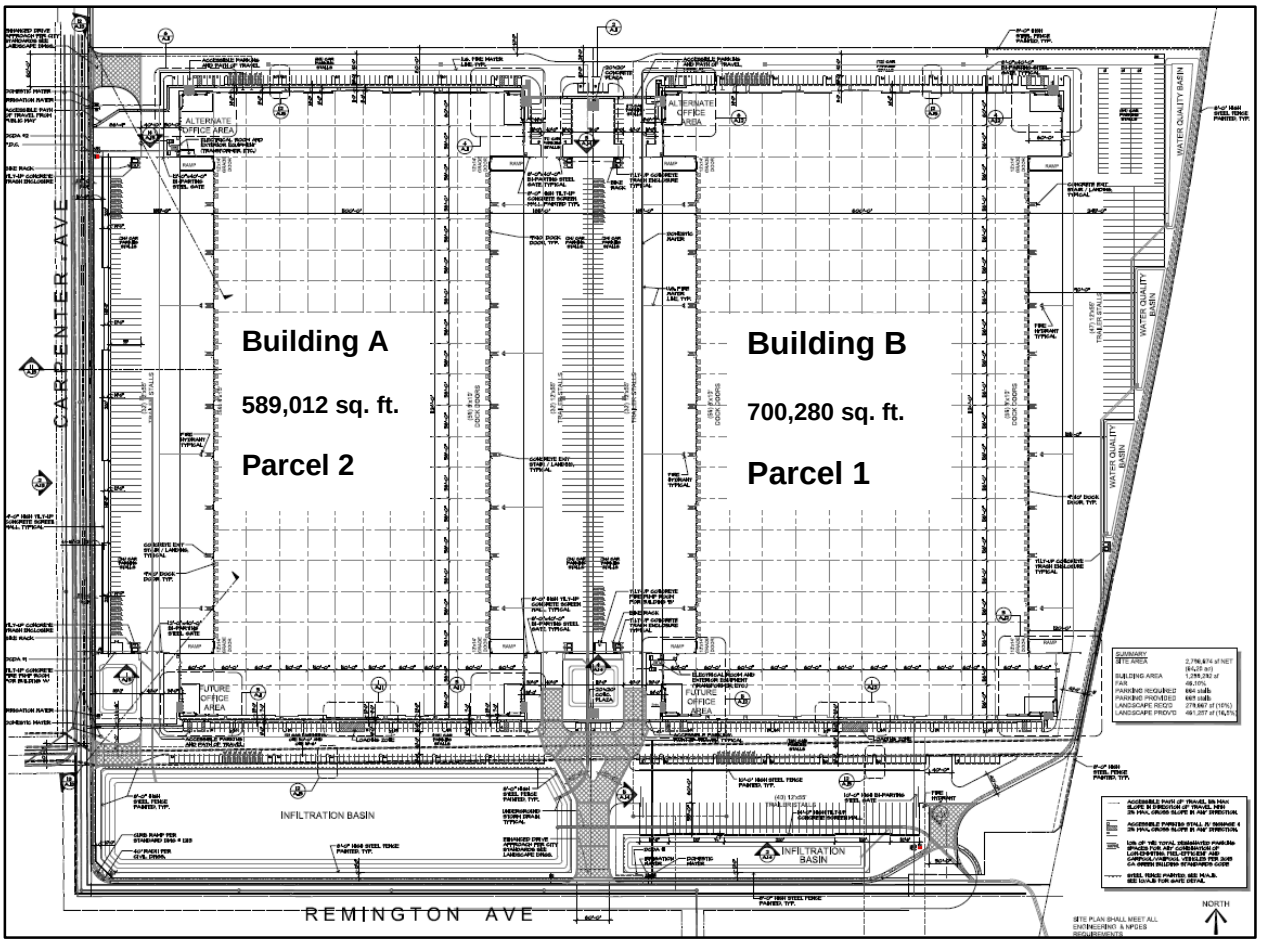

Figure 4: Site Plan

Site Access/Circulation — The circulation plan for the Colony Commerce Center West Specific Plan reinforces the goal of moving vehicles, pedestrians, cyclists, and public transit, safely and efficiently through and around the project (see ***Figure 5: Specific Plan Circulation Plan***). The project has been designed to provide two access points along Carpenter Avenue and two along Remington Avenue. Carpenter and Remington Avenue will be designed and widened to a two-lane, local industrial street standard (70-foot right-of-way). The easterly end of Remington Avenue will terminate with a cul-de-sac. Carpenter and Remington Avenue will each be improved with a four foot wide curb adjacent landscape parkway and a five foot wide sidewalk. Pedestrian access into the development will be provided through a six foot wide sidewalk.

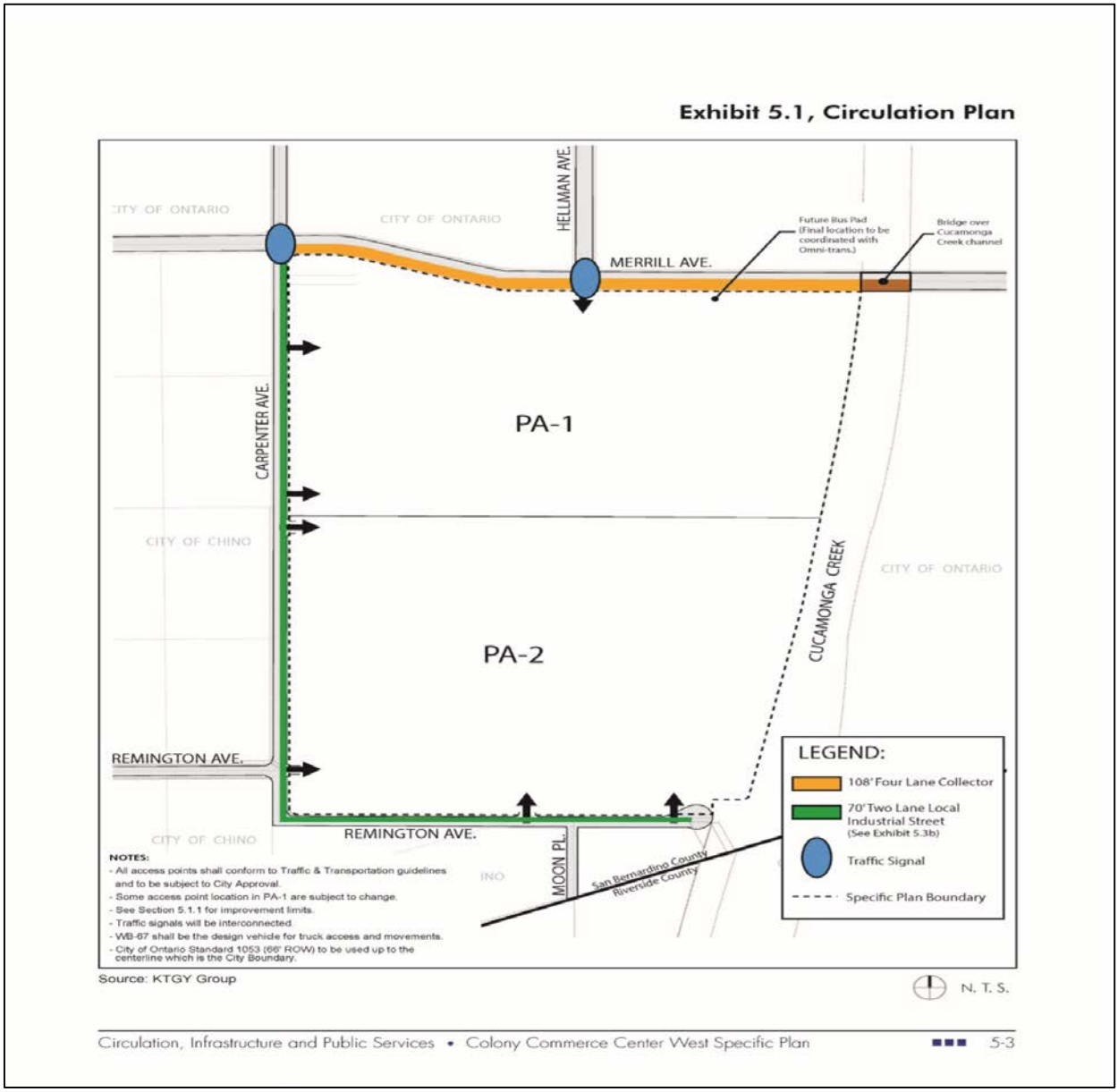

Figure 5: Specific Plan Circulation Plan

The Merrill and Carpenter Avenue intersection is proposed to be a signalized intersection and improvements will be installed as part of the proposed development. The intersection at Merrill Avenue and Hellman Avenue is also proposed to be signalized, however, the signal improvement will not be completed until development along the north side of Merrill Avenue occurs.

Parking —The proposed project complies with the parking requirements of the Colony Commerce Center West Specific Plan and the Ontario Development Code. The Specific Plan requires the project to provide 664 parking spaces and 668 parking spaces will be provided (see **Technical Appendix- Off-Street Parking**). Therefore, no parking issues are anticipated. Parking will consist of 306 parking spaces and 64 trailer stalls for Building "A" and 362 parking spaces and 79 trailer stalls for Building "B". Parking has been located to provide convenience for each building and also to provide opportunities for landscaping.

Architecture —The project is proposing a development which exemplifies the high-quality architecture promoted by the Ontario Development Code and the Colony Commerce Center West Specific Plan. The tilt-up contemporary architecture style (see **Figures 5-7: Building Perspectives**) proposed for the buildings is in keeping with City's high standards for new industrial developments. Special attention has been given to the use of colors, massing, building forms, materials and architectural details. This is exemplified through the use of:

- Incorporation of architectural towers at key locations of the buildings;
- Articulation in building foot print and building roof lines;
- Incorporation of reveal lines and reveal patterns;
- Extensive use of reflective glass at office areas;
- Use of stainless steel aluminum storefront framing to accentuate the main entry areas; and
- Incorporation of decorative metal canopies with clear anodized aluminum finish along the office pods and store front windows.

Figure 5: Perspective View along Remington Avenue

Figure 6: Perspective along Carpenter Avenue - View of North Side of Project

Figure 7: Perspective of Southwest Corner of Project

Landscaping — The Colony Commerce Center West Specific Plan requires the project to provide a 10% (278,935 sq. ft.) minimum landscape coverage. The proposed project will provide a 16.3% (453,930 sq. ft.) landscape coverage, exceeding the minimum landscape requirements (see ***Figure 8: Landscape Plan***). Landscaping will be provided in the form of a 16-foot landscape setback along Carpenter Avenue, a 78-foot setback along Remington Avenue, a 10-foot setback along the north property line and an 8-foot setback along the east property line. A significant portion of the Remington Avenue landscape setback will be utilized as infiltration basins for the project to comply with the National Pollutant Discharge Elimination System (NPDES) requirement. The infiltration basins will be landscaped to enhance the project and to complement the rest of the development. New landscaped parkways will also be provided along Carpenter Avenue and Remington Avenue (see ***Figures 9 & 10: Carpenter & Remington Avenue Cross Sections***).

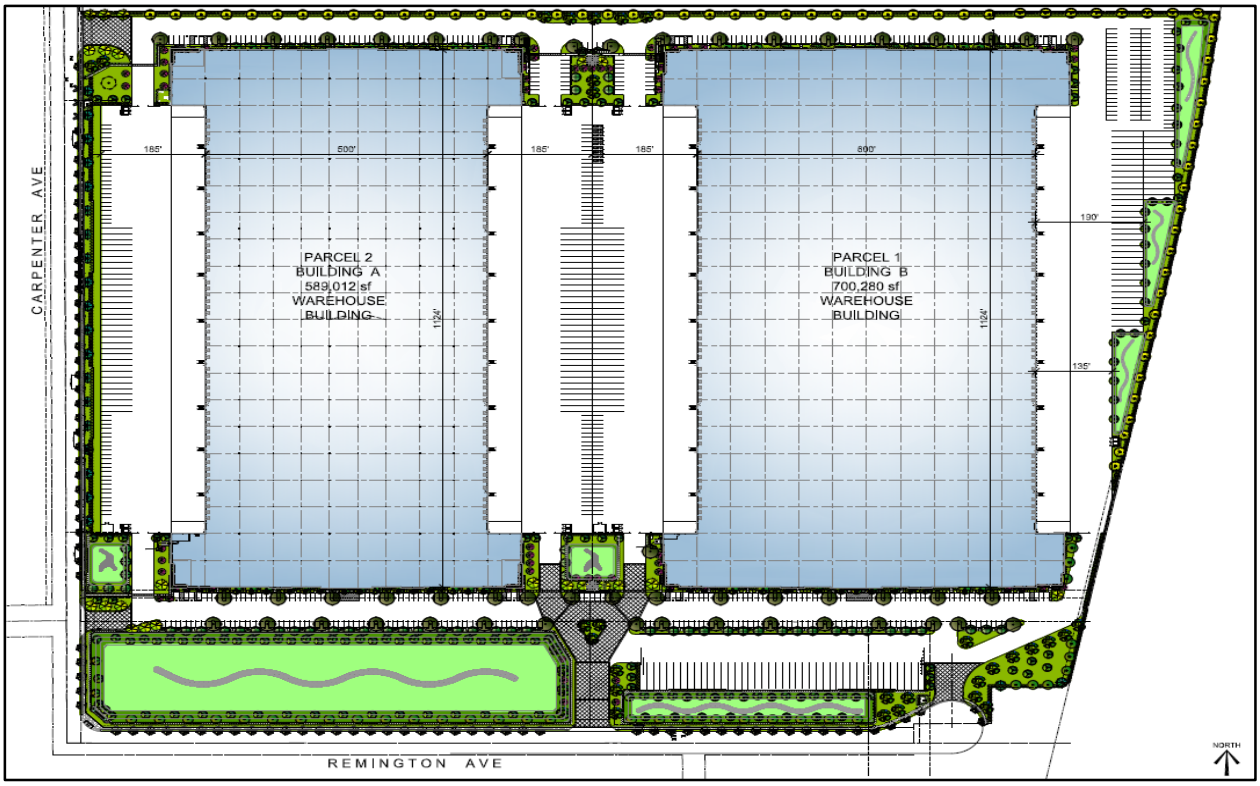

Figure 8: Landscape Plan

Landscaping in the form of ground cover, shrubs and trees will also be provided along the interior parking lot areas to further enhance the project. The front entry areas of the office pods have been designed with large attractive plaza areas. The plaza areas will feature decorative paving, up and down lighting, enhanced landscaping and decorative, weather resistant outdoor furniture. Decorative paving will also be provided along the entry driveways and pedestrian paths of travel, to enhance the appearance for those who visit the site. In addition, 20' x 20' leisure areas have also been incorporated between the buildings for employees and guest to enjoy. The leisure areas have been designed with decorative paving, accent planting, shade trees and decorative, weather resistant outdoor furniture.

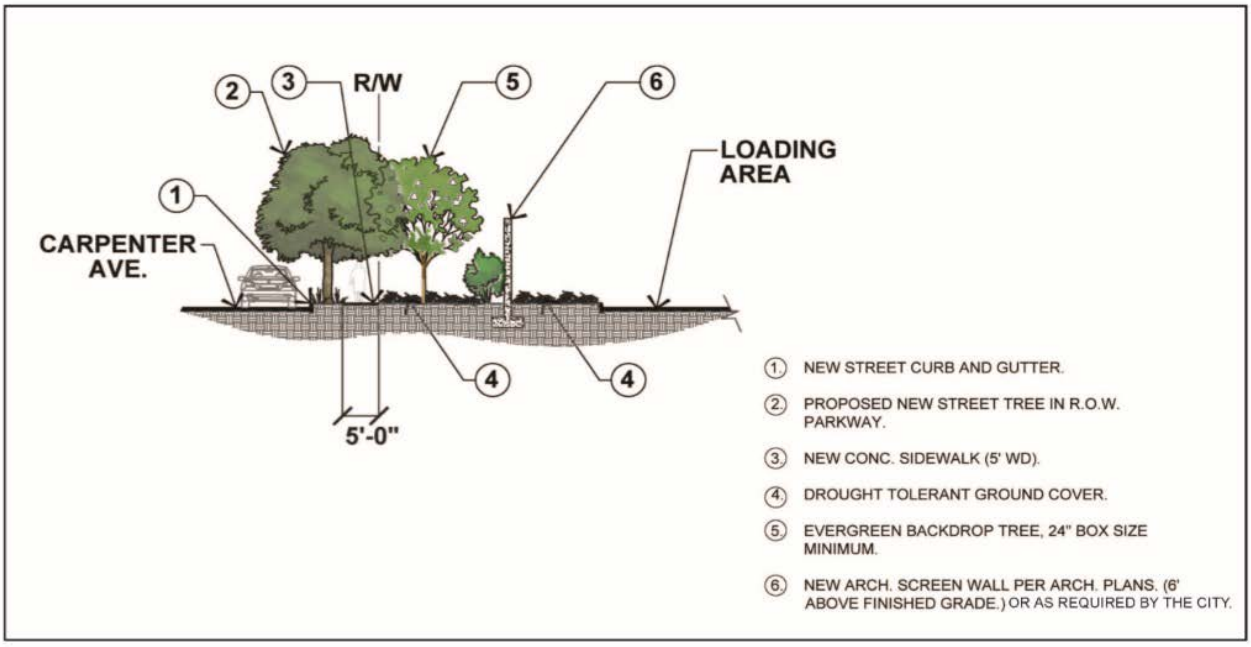

Figure 9: Carpenter Avenue Cross Section

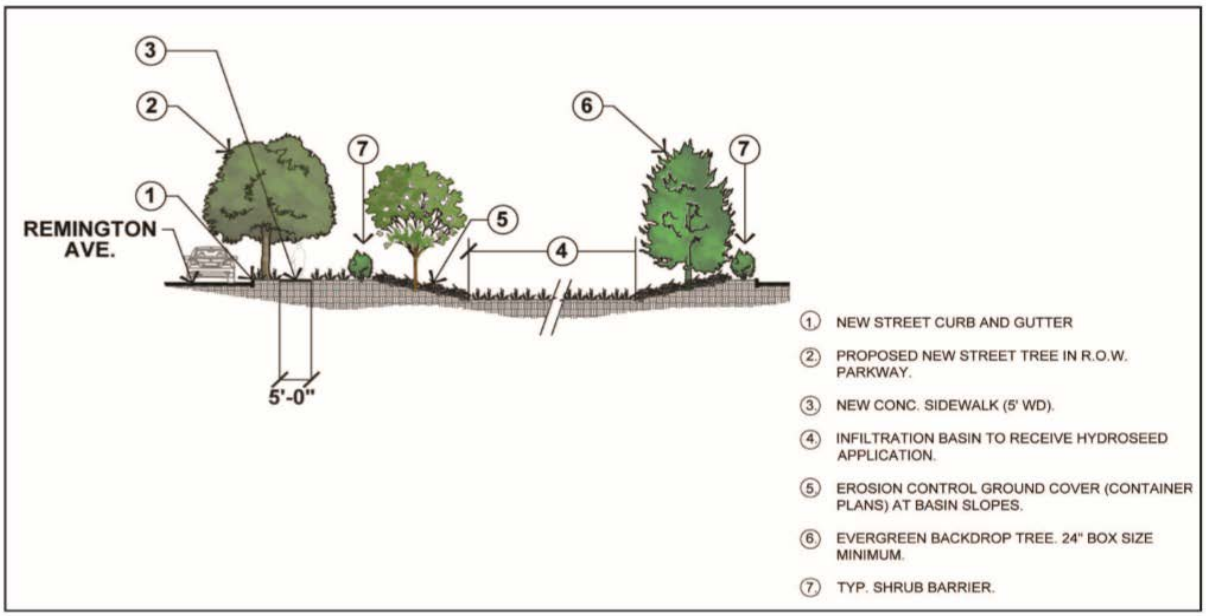

Figure 10: Remington Avenue Cross Section

Utilities (drainage, sewer) — To serve the proposed industrial development, the project will be required to construct the following infrastructure improvements:

- Dedicate to the City a storm drain easement along the north side of Remington Avenue and and east side of Carpenter Avenue (20 feet);
- Install new fire hydrants on Carpenter and Remington Avenue;
- Install a main sewer line in Carpenter Avenue and a main line and lateral in Remington Avenue;
- Install a main line and service water line in Carpenter and Remington Avenues;
- Install a service recycled water line in Carpenter Avenue;
- Install a traffic signal system at the Merrill Avenue/Carpenter Avenue intersection;
- Install street lights along Carpenter and Remington Avenues;
- Install a storm drain in Carpenter and Remington Avenues;
- Install fiber optic conduits in Carpenter and Remington Avenues;
- Underground existing overhead utilities along Carpenter and Remington Avenues; and
- Submit a Water Quality Management Plan (WQMP) to address NPDES requirements.

Tentative Parcel Map — To facilitate the development of the industrial buildings, the applicant has submitted a Tentative Parcel Map to subdivide 65.60 acres of land into two parcels. The minimum parcel size requirement within the Colony Commerce Center West Specific Plan is one acre. Parcel 1 will consist of 34.5 acres and located along the eastern portion of the site and Parcel 2 at 31 acres and be located along the western portion of the project site (see ***Figure 11: Tentative Parcel Map***).

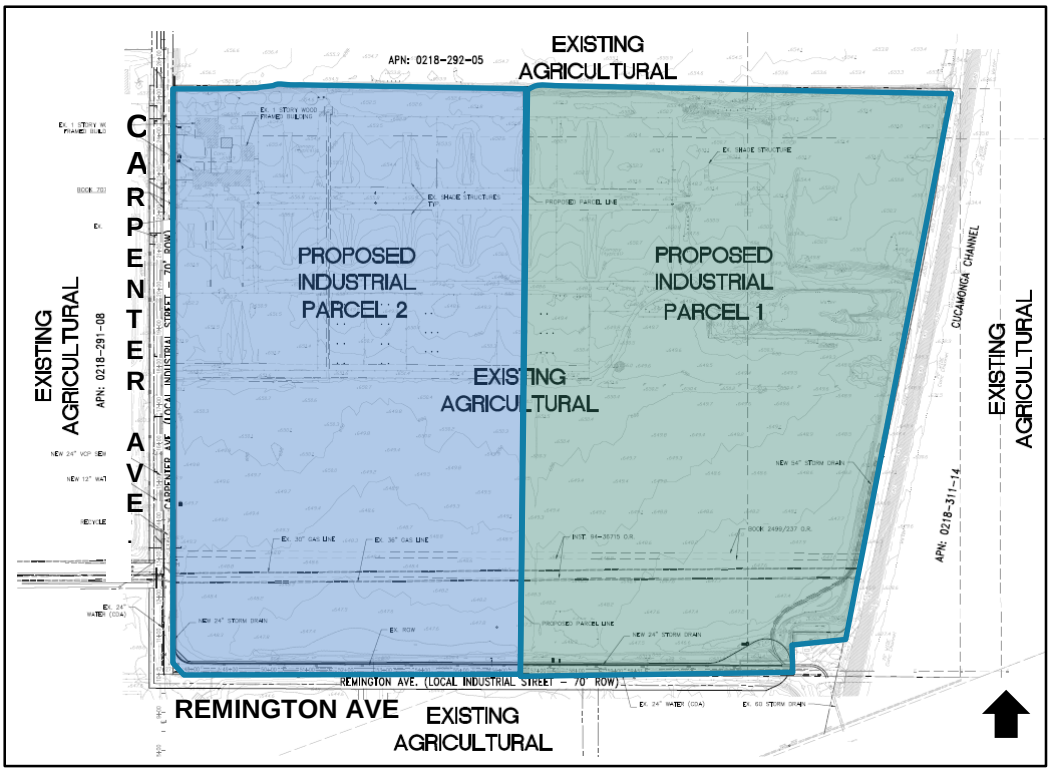

Figure 11: Tentative Parcel Map

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

[1] City Council Goals.

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

[2] Vision.

Distinctive Development:

- Commercial and Residential Development

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

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

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

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

- Goal LU3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

Community Economics Element:

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

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

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

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

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

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

Safety Element:

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

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

➢ S4-4 Truck Traffic. We manage truck traffic to minimize noise impacts on sensitive land uses.

➢ S4-5 Road Design. We design streets and highways to minimize noise impacts.

Community Design Element:

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

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

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

- Building volume, massing, and height to provide appropriate scale and proportion;

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

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

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

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

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

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

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

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

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

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

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

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

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

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT) and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were analyzed in the Colony Commerce Center West Specific Plan EIR (SCH# 2006051081). This application is consistent with the EIR and introduces no new significant environmental impacts. All adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant/Agriculture	Industrial	PA-2 (Industrial)	Colony Commerce Center West
North	Vacant/Agriculture	Industrial	PA-1 (Industrial)	Colony Commerce Center West
South	Vacant/Agriculture-Chino	Agriculture & Industrial	Agriculture & Light Industrial	n/a
East	Vacant/Agriculture	Business Park & Industrial	SP (AG)	n/a
West	Industrial- Chino	Industrial	Industrial	n/a

General Site & Building Statistics:

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	65.60 Acres	N/A	
Lot/Parcel Size:	34.5 Acres- Parcel 1 31 Acres-Parcel 2	1 Acres (Min.)	Yes
Building Area:	Bld. A: 589,012 sq. ft. Bld. B: 700,280 sq. ft. Total: 1,289292 sq. ft.	N/A	Yes
Floor Area Ratio:	46%	55% (Max.)	Yes
Building Height:	44 feet	55 feet (Max.)	Yes

Off-Street Parking:

Use	*Building Area Sq. Ft.*	*Spaces Required*	*Spaces Provided*
Building A	589,012	304 64 trailer stalls	306 64 trailer stalls
Building B	700,280	360 79 trailer stalls	362 79 trailer stalls
TOTAL	**1,289,292**	**664** **143 trailer stalls**	**668** **143 trailer stalls**

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT16-001 (PM 19643), A TENTATIVE PARCEL MAP TO SUBDIVIDE 65.60 ACRES OF LAND INTO TWO PARCEL, FOR PROPERTY LOCATED APPROXIMATELY 1,160 FEET SOUTH OF MERRILL AVENUE, NORTH OF REMINGTON AVENUE, EAST OF THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL AND WEST OF CARPENTER AVENUE, WITHIN PLANNING AREA 2 OF THE COLONY COMMERCE CENTER WEST SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, 0218-292-14.

WHEREAS, Cap Rock Partners ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT16-001 (PM 19643), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 65.60 acres of land located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan; and

WHEREAS, the property to the north of the Project site is within the Planning Area 1 of the Colony Commerce Center West Specific Plan and is developed with a single family home and agricultural/farming land. The property to the east is within the SP (AG) zoning district, and is developed with the agriculture and vacant land. The property to the south is within the agriculture and light industrial zoning district located within the City of Chino and is developed with agriculture and industrial land uses. The property to the west is within the industrial zoning district located within the City of Chino and is developed with industrial and vacant land; and

WHEREAS, the Colony Commerce Center West Specific Plan is composed of 123.17 acres of land and includes the potential development of 2,951,146 square feet of industrial development; and

WHEREAS, the applicant has also submitted a Development Plan (File No. PDEV16-002) to construct two industrial buildings totaling 1,289,292 square feet; and

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing and recommended approval to the Planning Commission; and

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

WHEREAS, the environmental impacts of this project were analyzed in the Colony Commerce Center West Specific Plan (File No. PSP15-001) EIR (SCH# 2015061023). This application is consistent with the EIR and introduces no new significant environmental impacts. All mitigation measures shall be a condition of project approval and are incorporated herein by reference; and

WHEREAS, the project is contingent upon City Council approval of the Colony Commerce Center West Specific Plan and certification and adoption of EIR (SCH# 2015061023); and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

WHEREAS, the project site is also located within the Airport Influence of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California

Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-041 recommending the Planning Commission approve the Application; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

WHEREAS, as the first action on the Project on August 22, 2017, the Planning Commission adopted a resolution recommending the City Council certify the EIR (SCH# 2015061023) and approve the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

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

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

SECTION 1: ***Environmental Determination and Findings.*** As the decision making body for the Project, the Planning Commission has reviewed and considered the information contained in the Colony Commerce Center West Specific Plan (File No. PSP15-001) EIR (SCH# 2015061023) and supporting documentation. Based upon the facts and information contained in the EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Environmental Impact Report (SCH# 2015061023) in conjunction with File No. PSP15-001; and

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

(3) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous 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 EIR, and all mitigation measures adopted with the EIR, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the EIR that will require major revisions to the 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 EIR was prepared, that will require major revisions to the 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 EIR was reviewed, that shows any of the following:

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

(b) Significant effects examined will be substantially more severe than shown in the 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 EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

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

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

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

(1) ***The proposed Tentative 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 (TOP), and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located

within the Industrial land use district of the Policy Plan Land Use Map, and Planning Area 2 (Industrial) land use designation of the Colony Commerce West 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 (TOP), as the project will contribute to the establishment of "[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses" (Goal CD1). Furthermore, the project will promote the City's policy to "take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods" (Policy CD1-1 *City Identity*); and

(2) ***The site is physically suitable for the type of development proposed.*** The proposed Tentative Parcel Map meets the minimum parcel size requirements within the Design Guidelines and Development Standards of Planning Area 2 land use designation of the Colony Commerce Center West Specific Plan. The minimum parcel size required within the Specific Plan is one acre, and the Map is proposing a minimum parcel size of approximately 31 acres. The proposed parcel sizes of approximately 31 and 33 acres, exceed the Specific Plan's minimum lot requirement of 1-acre. As a result, the project will be physically suitable for the development of two industrial buildings totaling 1,289,292 square feet; and

(3) ***The site is physically suitable for the density/intensity of development proposed.*** The project site meets the minimum lot area and dimensions of the Planning Area 2 land use designation, and is physically suitable for this proposed intensity of development. The applicant is not requesting a Variance to deviate from the Specific Plan requirements, therefore, the site is suitable for the proposed intensity of industrial development; and

(4) ***The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*** The environmental impacts of this project were analyzed in the Colony Commerce Center West Specific Plan (File No. PSP15-001) EIR (SCH# 2015061023). This application is consistent with the EIR and introduces no new significant environmental impacts. All mitigation measures shall be a condition of project approval and are incorporated herein by reference; and

(5) ***The design of the subdivision or type of improvements thereon, are not likely to cause serious public health problems.*** The environmental impacts of this project were analyzed in the Colony Commerce Center West Specific Plan (File No. PSP15-001) EIR (SCH# 2015061023). This application is consistent with the EIR and introduces no new significant environmental impacts. All mitigation measures shall be a condition of project approval and are incorporated herein by reference; and

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

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

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

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PMTT16-001 (PM 19643)
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: August 22, 2017

File No: PMTT16-001/PM 19643

Related Files: PDEV16-002

Project Description: A Tentative Parcel Map (File No. PMTT16-001/PM 19643) to subdivide approximately 64.04 acres of land into two parcels, for property located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan. APN(s): 218-292-09, 218-292-10, 218-292-12, 218-292-13, 218-292-14; **submitted by Cap Rock-Partners.**

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

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

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

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

2.1 Time Limits.

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

(b) Approval of this project is not final until the related Specific Plan (File No. PSP15-001) has been approved and adopted by City Council. Construction permits will not be issued until the Specific Plan has been approved and adopted by City Council.

2.2 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.

2.3 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP15-001 (Colony Commerce Center West Specific Plan for which an Environmental Impact Report (EIR) was previously adopted by the City Council on September 19, 2017. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

2.4 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.

2.5 Additional Fees.

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

CITY OF ONTARIO

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

☐ DEVELOPMENT PLAN ☐ OTHER	☒ **PARCEL MAP** ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-19643 **RELATED FILE NO(S). PMTT16-001 / PDEV16-002**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Bryan Lirley, P.E., 909-395-2137 BL

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

DAB MEETING DATE: August 21, 2017

PROJECT NAME / DESCRIPTION: PM-19643, A Development Plan to build two industrial warehouse buildings totaling over 1.28 million SF on 61.56 acres of vacant land within the Industrial land use designation within the Colony Commerce Center Specific Plan.

LOCATION: Northeast corner of Carpenter and Remington Avenue

APPLICANT: CapRock Partners

REVIEWED BY:
Omar Gonzalez, P.E.
Sr. Associate Civil Engineer
Date 8/1/17

APPROVED BY:
Khoi Do, P.E.
Assistant City Engineer
Date 8/8/17

Last Revised: 7/31/2017

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

☒ **1.01** **Dedicate to the City of Ontario in fee simple, the right-of-way, described below:** ☐

1. **East side of Carpenter Avenue to achieve the ultimate half street width of 33 feet along the project frontage.**
2. **North side of Remington Avenue to achieve the ultimate half street width of 33 feet.**
3. **Property line corner 'cut-back' required at the intersection of Carpenter Avenue and Remington Avenue.**

☒ **1.02** **Dedicate to the City of Ontario, the following easement(s):** ☐

1. **Storm Drain easement along the north and east sides of Remington Avenue and Carpenter Avenue, respectively. Proposed easement shall be 20' wide minimum, depending on layout and placement of the storm drain.**

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

☒ **1.04** **Vacate the following street(s) and/or easement(s):** ☐

1. **10' wide pipeline easement as shown on Tentative Parcel Map 19643 for the use and maintenance of an existing pipeline for the conveyance of water from an on-site well.**

☒ **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 Management Services Department at (909) 395-2124 regarding this requirement. ☐

(1) _____

(2) _____

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

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

☒ 1.11 **Provide a preliminary title report current to within 30 days.** ☐

☒ 1.12 **File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.** ☐

☒ 1.13 **New Model Colony (NMC) Developments:** ☐

☒ **1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.**

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☒ **3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).**

☒ 1.14 **Other conditions:** ☐

1. **The applicant/developer shall grant a 20' wide (minimum) storm drain easement, for use and maintenance, in favor of the property owner to the north for the proposed private storm drain that will be used to convey existing drainage flows from northerly property.**
2. **The applicant/developer shall grant easements for the existing 30" and 36" gas lines in favor of Southern California Gas Company.**
3. **The applicant/developer shall provide a blanket cross lot drainage easement in favor of all parcels.**
4. **The applicant/developer shall acquire a 20' wide minimum public utility easement for waterline purposes across APNs 0218-311-07 & 08. Refer to Section 2.D herein.**
5. **The applicant/developer shall record a Reciprocal Access easement for proposed shared driveway serving Parcels 1 and 2.**

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

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

☒ **2.01** **Record Parcel Map No. 19643 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.** ☐

☒ **2.02** **Submit a duplicate photo mylar of the recorded map to the City Engineer's office.** ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per_____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of_____. ☐

☐ 2.05 Apply for a: ☐ Certificate of Compliance with a Record of Survey; ☐ Lot Line Adjustment ☐

☐ Make a Dedication of Easement.

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

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

☒ **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) - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- ☐ 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) - Recycled Water connection**
- ☒ **Other: Army Corps of Engineers - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- ☒ **Other: City of Chino - for any improvements encroaching into the City of Chino.**

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

_____ feet on _____

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

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

_____

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

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

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

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

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

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

☒ 2.15 **Pay all Development Impact Fees (DIF) to the Building Department.** ☐

☐ 2.16 Other conditions: _____. ☐

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

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

Improvement	Carpenter Avenue	Remington Avenue	Merrill Avenue	County Line Channel
Curb and Gutter	☒ **New; 24 ft. East of C/L** ☐ Replace damaged ☐ Remove and replace	☒ **New; 24 ft. North of C/L** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement (see Sec. 2.F)	☒ **Replacement** ☒ **New; 22 ft. east of C/L along frontage, including pavm't transitions**	☒ **Replacement** ☒ **New; 22 ft. east of C/L along frontage, including pavm't transitions**	☐ Replacement ☐ Widen ____ additional feet along frontage, including	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☒ **New** ☐ Remove and replace replace	☒ **New** ☐ Remove and replace replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace replace
Sidewalk	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and	☐ New ☐ Remove and replace
ADA Access Ramp	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Fire Hydrant	☒ **New** ☐ Relocation	☒ **New** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation

Sewer (see Sec. 2.C)	☒ **Main** ☐ Lateral	☒ **Main** ☒ **Lateral**	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☒ **Main** ☒ **Service**	☒ **Main** ☒ **Service**	☒ **Main** ☐ Service	☒ **Main** ☐ Service
Recycled Water (see Sec. 2.E)	☐ Main ☒ **Service**	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☒ **New** ☐ Modify existing	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **New** ☐ Relocation	☒ **New** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☒ **Main** ☐ Lateral	☒ **Main** ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances
Overhead Utilities	☒ **Underground** ☐ Relocate	☒ **Underground** ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	**Removal of existing pavement that is not constructed to ultimate depth**	**Removal of existing pavement that is not constructed to ultimate depth**	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

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

- **Carpenter and Remington Avenues shall be constructed with a 14-foot-wide circulation lane and 5-foot-wide shoulder on the west and south sides respectively.**

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

☐ 2.19 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan. ☐

☐ 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☒ **2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).** ☐

☐ 2.22 Other conditions: _____ ☐

C. SEWER

☐ 2.23 A _____inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____) ☐

☒ **2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 500 feet away.** ☐

☐ 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.26 Other conditions:** ☐

1. **The applicant/developer shall design and construct sewer main improvements to serve this tentative parcel map, including sewer improvements south along Carpenter; east along Remington; south along Moon Place to the point of connection with IEUA Eastern Trunk Sewer in Hellman Avenue is being evaluated/analyzed as part of the current Sewer Master Plan update. To meet the minimum design standards, it is anticipated that above mentioned sewer will range in diameter between 21 and 27 inches. Hydraulic analyses and sizing are required as part of the final design.**
2. **A monitoring manhole is required for each Building.**

D. WATER

☐ 2.27 A _____inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____) ☐

☒ **2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 2,600 feet away.** ☐

☒ **2.29 Other conditions:** ☐

1. **The proposed project is required to have a minimum of two separate points of connection to the 925 PZ potable water system. In order to meet minimum fire flow, one point of connection will be at Archibald & Merrill and the second at Archibald & the County Line Channel/Bellegrave Avenue. Applicant/developer is responsible for acquiring all necessary easements from the owner of APN's 0218-311-07 & 08.**
   a. **The backbone water network that will service the subject project will consist of constructing the following:**

i. **12-inch water line in Merrill Avenue, between Archibald Avenue and Carpenter Avenue;**

ii. **12-inch water line in Carpenter Avenue, between Eucalyptus Avenue and Remington Avenue; and**

iii. **12-inch water line in Remington Avenue, between Carpenter Avenue and Archibald Avenue.**

E. RECYCLED WATER

☒ **2.30** **A 30 inch IEUA recycled water main is available for connection by this project in Carpenter Avenue.** ☐

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

☐ 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant. ☐

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

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

☒ **2.34** **Other conditions:** ☐

1. **All irrigation meters shall connect to the recycled water system and not potable water.**

F. TRAFFIC / TRANSPORTATION

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

☒ **2.36** **Other conditions:** ☐

1. **The applicant/developer shall be responsible to perform mitigation measures as identified and required in the Environmental Impact Report for the Colony Commerce Specific Plan.**

2. **Carpenter Avenue and Remington Avenue shall be signed "No Parking Anytime".**

3. **The applicant/developer shall be responsible to design and construct ultimate street improvements along project frontage along Remington Avenue and Carpenter Avenue to an ultimate half width right of way and curb to be 33' and 24 feet, respectively. Carpenter and Remington Avenues shall be constructed with a 14-foot-wide circulation lane and 5-foot-wide shoulder on the west and south sides (City of Chino). These and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, parkway landscaping, and, where designated, "neighborhood edge" and/or multi-purpose trail.**

4. **The applicant/developer shall be responsible to design and construct the traffic signal at Merrill Avenue and Carpenter Avenue. The new traffic signal shall include, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal**

equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.

5. If, at the time of PM 19643 public improvement construction, Carpenter Avenue has not been fully constructed between the northerly project boundary to Merrill Avenue, Applicant/Developer shall design and construct a 14-foot-wide circulation lane and 5-foot-wide shoulder on both sides of Carpenter Avenue between northerly project boundary and Merrill Avenue, with appropriate pavement transitions.

6. If, at the time of construction of PM 19643, the intersection of Carpenter and Merrill Avenue has not been improved to its "ultimate" configuration, Applicant/Developer shall design and construct intersection improvements at the intersection of Carpenter and Merrill Avenue to facilitate turning movements and trucks. This shall include:

   - Westbound left-turn pocket with appropriate length and pavement transitions;
   - Eastbound left-turn pocket with appropriate length and pavement transitions;
   - Enhanced intersection geometry at southeast corner sufficient to accommodate WB-67 design-vehicle attempting all allowable turning movements, including the NB right-turn;
   - Acquisition of all right-of way necessary to achieve above.

7. Driveways shall be constructed in accordance with Standard Drawing No. 1204.

8. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal, signing and striping and/or street lighting design to discuss items such as signal phasing, striping layout and tie-ins to existing or future street light circuits.

G. DRAINAGE / HYDROLOGY

☐ 2.37 **A 60 inch Army Corps of Engineers storm drain main is available to accept flows from this project in Remington Avenue.** ☐

☒ 2.38 **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.** ☐

☐ 2.39 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. ☐

☐ 2.40 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. ☐

☐ 2.41 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. ☐

☒ 2.42 **Pay Storm Drain Development Impact Fee, approximately $2,800,000. Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.** ☐

☒ 2.43 **Other conditions:** ☐

1. **The applicant/developer shall accept the 100-year pre-developed flow generated from the property to the north entirely on the PM 19643 project site. The pre-developed flow rate shall be conveyed through the PM 19643 via a private storm drain sized to contain the 100-year pre-developed flow rate or by equal methods.**

2. **The applicant/developer shall design and construct a public storm drain within Remington and Carpenter for tributary street flows as necessary. The private storm drain shall be located beneath a drivable surface.**

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

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

☒ 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.46 Other conditions: _____ ☐

J. SPECIAL DISTRICTS

☒ 2.47 **File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.** ☐

☐ 2.48 Other conditions: _____ ☐

K. FIBER OPTIC

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

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

L. Solid Waste

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

☒ 2.52 **Other conditions:** ☐
1. **Volumetrically, Building 2 requires twenty, 4-CY trash bins; and Building 1 requires**

twenty-two, 4-CY trash bins. Show on site/grading plans. Compactors may be used in conjunction with required trash bins and will need to be shown on the plans.

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 OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☒ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☒ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office. ☐

☒ 3.04 NMC Projects: For developments located at an intersection of any two paved 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, studie and reports (i.e. hydrology, traffic, WQMP, etc.). ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV16-002 , and Parcel Map No. 19643

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

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

21. ☒ **Three (3) copies of Final Map/Parcel Map**

22. ☒ **One (1) copy of approved Tentative Map**

23. ☒ **One (1) copy of Preliminary Title Report (current within 30 days)**

24. ☒ **One (1) copy of Traverse Closure Calculations**

25. ☒ **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**

26. ☒ **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**

27. ☐ Other: _____

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV16-002, A DEVELOPMENT PLAN TO CONSTRUCT TWO INDUSTRIAL BUILDINGS TOTALING 1,289,292 SQUARE FEET, LOCATED 1,160 FEET SOUTH OF MERRILL AVENUE, NORTH OF REMINGTON AVENUE, EAST OF THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL AND WEST OF CARPENTER AVENUE, WITHIN PLANNING AREA 2 OF THE COLONY COMMERCE CENTER WEST SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, 0218-292-14.

WHEREAS, Cap Rock Partners ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV16-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 65.60 acres of land located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan; and

WHEREAS, the property to the north of the Project site is within the Planning Area 1 of the Colony Commerce Center West Specific Plan and is developed with a single family home and agricultural/farming land. The property to the east is within the SP (AG) zoning district and is developed with the agriculture and vacant land. The property to the south is within the agriculture and light industrial zoning district located within the City of Chino and is developed with agriculture and industrial land uses. The property to the west is within the industrial zoning district located within the City of Chino and is developed with industrial and vacant land; and

WHEREAS, the Colony Commerce Center West Specific Plan is composed of 123.17 acres of land which includes the potential development of 2,951,146 square feet of industrial development; and

WHEREAS, the applicant has also submitted a Tentative Parcel Map (File No. PMTT16-002) to subdivide the project site into two parcel to allow the proposed 1,289,292 square foot industrial development; and

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing and recommended approval to the Planning Commission; and

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

WHEREAS, the environmental impacts of this project were analyzed in the Colony Commerce Center West Specific Plan (File No. PSP15-001) EIR (SCH# 2015061023). This application is consistent with the EIR and introduces no new significant environmental impacts. All mitigation measures shall be a condition of project approval and are incorporated herein by reference; and

WHEREAS, the project is contingent upon City Council approval of the Colony Commerce Center West Specific Plan and certification and adoption of EIR (SCH# 2015061023); and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

WHEREAS, the project site is also located within the Airport Influence of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California

Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-040 recommending the Planning Commission approve the Application; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

WHEREAS, as the first action on the Project on August 22, 2017, the Planning Commission adopted a resolution recommending the City Council certify the EIR (SCH# 2015061023) and approve the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

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

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

SECTION 1: ***Environmental Determination and Findings.*** As the decision making body for the Project, the Planning Commission has reviewed and considered the information contained in the Colony Commerce Center West Specific Plan (File No. PSP15-001) EIR (SCH# 2015061023) and supporting documentation. Based upon the facts and information contained in the EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Environmental Impact Report (SCH# 2015061023) in conjunction with File No. PSP15-001; and

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

(3) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous 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 EIR, and all mitigation measures adopted with the EIR, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the EIR that will require major revisions to the 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 EIR was prepared, that will require major revisions to the 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 EIR was reviewed, that shows any of the following:

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

(b) Significant effects examined will be substantially more severe than shown in the 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 EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

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

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and

Planning Area 2 of the Colony Commerce Center West Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Area 2 of the Colony Commerce Center West Specific Plan, including standards relative to the particular land use proposed (industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Colony Commerce Center West Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Colony Commerce Center West Specific Plan.

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

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby

APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV16-002
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
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Planning Department
Land Development Division
Conditions of Approval

Meeting Date: August 22, 2017

File No: PDEV16-002

Related Files: PMTT16-001/PM 19643

Project Description: A Development Plan (File No. PDEV16-002) to construct two industrial buildings totaling 1,289,292 square feet, located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan. APN(s): 218-292-09, 218-292-10, 218-292-12, 218-292-13, 218-292-14; **submitted by Cap Rock-Partners.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

(e) The tenant(s) or building owner for each building shall work with staff during the plan check process to incorporate attractive outdoor furniture within the outside plaza and patio/leisure areas.

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 All exterior wrought iron/metal work shall be power coated to prevent rust.

2.6 Parking, Circulation and Access.

(a) 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.

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

(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).

2.7 Outdoor Loading and Storage Areas.

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

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

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

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

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

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

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

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

2.8 Site Lighting.

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

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

2.9 Mechanical and Rooftop Equipment.

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

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

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

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

2.12 A Sign Program shall be submitted to the Planning Department for review and approval prior to the installation of any signs on the project or buildings.

2.13 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).

2.14 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.

2.15 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP15-001, Colony Commerce Center West Specific Plan for which an Environmental Impact Report (EIR) was previously adopted by the City Council on September 19, 2017. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

2.17 Additional Fees.

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

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

2.18 Additional Requirements.

(a) All pedestrian paths of travel on the site outside of the enclosed truck yard areas shall feature decorative color paving.

(b) Within all the outside plaza areas/leisure areas, the project shall provide decorative up and down lighting to enhance the project area in the evening hour. Cut sheets of what is proposed shall be included with the construction documents.

(c) Project shall provide high quality decorative outdoor furniture for areas within the plaza/leisure areas. Furniture shall compliment the architecture style, materials and textures used on the office pod areas of the project.

(d) Approval of this project is not final until the related Specific Plan (File No. PSP15-001) has been approved and adopted by City Council. Construction permits will also not be issued until the Specific Plan has been approved and adopted by City Council.

CITY OF ONTARIO

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

☐ DEVELOPMENT PLAN ☐ OTHER	☒ **PARCEL MAP** ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-19643 **RELATED FILE NO(S). PMTT16-001 / PDEV16-002**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

BL

CITY PROJECT ENGINEER & PHONE NO:	**Bryan Lirley, P.E., 909-395-2137**
CITY PROJECT PLANNER & PHONE NO:	**Luis Batres, 909-395-2431**
DAB MEETING DATE:	**August 21, 2017**
PROJECT NAME / DESCRIPTION:	**PM-19643, A Development Plan to build two industrial warehouse buildings totaling over 1.28 million SF on 61.56 acres of vacant land within the Industrial land use designation within the Colony Commerce Center Specific Plan.**
LOCATION:	**Northeast corner of Carpenter and Remington Avenue**
APPLICANT:	**CapRock Partners**
REVIEWED BY:	**Omar Gonzalez, P.E.** **Sr. Associate Civil Engineer** 8/1/17 **Date**
APPROVED BY:	**Khoi Do, P.E.** **Assistant City Engineer** 8/8/17 **Date**

Last Revised: 7/31/2017

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

☒ **1.01** **Dedicate to the City of Ontario in fee simple, the right-of-way, described below:** ☐

1. **East side of Carpenter Avenue to achieve the ultimate half street width of 33 feet along the project frontage.**
2. **North side of Remington Avenue to achieve the ultimate half street width of 33 feet.**
3. **Property line corner 'cut-back' required at the intersection of Carpenter Avenue and Remington Avenue.**

☒ **1.02** **Dedicate to the City of Ontario, the following easement(s):** ☐

1. **Storm Drain easement along the north and east sides of Remington Avenue and Carpenter Avenue, respectively. Proposed easement shall be 20' wide minimum, depending on layout and placement of the storm drain.**

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

☒ **1.04** **Vacate the following street(s) and/or easement(s):** ☐

1. **10' wide pipeline easement as shown on Tentative Parcel Map 19643 for the use and maintenance of an existing pipeline for the conveyance of water from an on-site well.**

☒ **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 Management Services Department at (909) 395-2124 regarding this requirement. ☐

(1) _____

(2) _____

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

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

☒ **1.11 Provide a preliminary title report current to within 30 days.** ☐

☒ **1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.** ☐

☒ **1.13 New Model Colony (NMC) Developments:** ☐

☒ **1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.**

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☒ **3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).**

☒ **1.14 Other conditions:** ☐

1. **The applicant/developer shall grant a 20' wide (minimum) storm drain easement, for use and maintenance, in favor of the property owner to the north for the proposed private storm drain that will be used to convey existing drainage flows from northerly property.**
2. **The applicant/developer shall grant easements for the existing 30" and 36" gas lines in favor of Southern California Gas Company.**
3. **The applicant/developer shall provide a blanket cross lot drainage easement in favor of all parcels.**
4. **The applicant/developer shall acquire a 20' wide minimum public utility easement for waterline purposes across APNs 0218-311-07 & 08. Refer to Section 2.D herein.**
5. **The applicant/developer shall record a Reciprocal Access easement for proposed shared driveway serving Parcels 1 and 2.**

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

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

☒ **2.01** **Record Parcel Map No. 19643 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.** ☐

☒ **2.02** **Submit a duplicate photo mylar of the recorded map to the City Engineer's office.** ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per_____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of_____. ☐

☐ 2.05 Apply for a: ☐ Certificate of Compliance with a Record of Survey; ☐ Lot Line Adjustment ☐

☐ Make a Dedication of Easement.

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

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

☒ **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) - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- ☐ 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) - Recycled Water connection**
- ☒ **Other: Army Corps of Engineers - for any improvements affecting the Cucamonga Creek Channel or adjacent storm drains owned by said jurisdiction.**
- ☒ **Other: City of Chino - for any improvements encroaching into the City of Chino.**

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

_____ feet on _____

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

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

_____

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

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

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

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

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

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

☒ **2.15 Pay all Development Impact Fees (DIF) to the Building Department.** ☐

☐ 2.16 Other conditions: _____. ☐

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

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

Improvement	Carpenter Avenue	Remington Avenue	Merrill Avenue	County Line Channel
Curb and Gutter	☒ **New; 24 ft. East of C/L** ☐ Replace damaged ☐ Remove and replace	☒ **New; 24 ft. North of C/L** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement (see Sec. 2.F)	☒ **Replacement** ☒ **New; 22 ft. east of C/L along frontage, including pavm't transitions**	☒ **Replacement** ☒ **New; 22 ft. east of C/L along frontage, including pavm't transitions**	☐ Replacement ☐ Widen ____ additional feet along frontage, including	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☒ **New** ☐ Remove and replace replace	☒ **New** ☐ Remove and replace replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace replace
Sidewalk	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and	☐ New ☐ Remove and replace
ADA Access Ramp	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Fire Hydrant	☒ **New** ☐ Relocation	☒ **New** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation

Sewer (see Sec. 2.C)	☒ **Main** ☐ Lateral	☒ **Main** ☒ **Lateral**	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☒ **Main** ☒ **Service**	☒ **Main** ☒ **Service**	☒ **Main** ☐ Service	☒ **Main** ☐ Service
Recycled Water (see Sec. 2.E)	☐ Main ☒ **Service**	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☒ **New** ☐ Modify existing	☒ **New** ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **New** ☐ Relocation	☒ **New** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☒ **Main** ☐ Lateral	☒ **Main** ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances
Overhead Utilities	☒ **Underground** ☐ Relocate	☒ **Underground** ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	**Removal of existing pavement that is not constructed to ultimate depth**	**Removal of existing pavement that is not constructed to ultimate depth**	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

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

- **Carpenter and Remington Avenues shall be constructed with a 14-foot-wide circulation lane and 5-foot-wide shoulder on the west and south sides respectively.**

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

☐ 2.19 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan. ☐

☐ 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☒ **2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).** ☐

☐ 2.22 Other conditions: _____ ☐

C. SEWER

☐ 2.23 A _____inch sewer main is available for connection by this project in _____ ☐
(Ref: Sewer plan bar code: _____)

☒ **2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 500 feet away.** ☐

☐ 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.26 Other conditions:** ☐

1. **The applicant/developer shall design and construct sewer main improvements to serve this tentative parcel map, including sewer improvements south along Carpenter; east along Remington; south along Moon Place to the point of connection with IEUA Eastern Trunk Sewer in Hellman Avenue is being evaluated/analyzed as part of the current Sewer Master Plan update. To meet the minimum design standards, it is anticipated that above mentioned sewer will range in diameter between 21 and 27 inches. Hydraulic analyses and sizing are required as part of the final design.**

2. **A monitoring manhole is required for each Building.**

D. WATER

☐ 2.27 A _____inch water main is available for connection by this project in _____ ☐
(Ref: Water plan bar code: _____)

☒ **2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 2,600 feet away.** ☐

☒ **2.29 Other conditions:** ☐

1. **The proposed project is required to have a minimum of two separate points of connection to the 925 PZ potable water system. In order to meet minimum fire flow, one point of connection will be at Archibald & Merrill and the second at Archibald & the County Line Channel/Bellegrave Avenue. Applicant/developer is responsible for acquiring all necessary easements from the owner of APN's 0218-311-07 & 08.**

   a. **The backbone water network that will service the subject project will consist of constructing the following:**

i. **12-inch water line in Merrill Avenue, between Archibald Avenue and Carpenter Avenue;**

ii. **12-inch water line in Carpenter Avenue, between Eucalyptus Avenue and Remington Avenue; and**

iii. **12-inch water line in Remington Avenue, between Carpenter Avenue and Archibald Avenue.**

E. RECYCLED WATER

☒ **2.30** **A 30 inch IEUA recycled water main is available for connection by this project in Carpenter Avenue.** ☐

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

☐ 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant. ☐

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

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

☒ **2.34** **Other conditions:** ☐

1. **All irrigation meters shall connect to the recycled water system and not potable water.**

F. TRAFFIC / TRANSPORTATION

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

☒ **2.36** **Other conditions:** ☐

1. **The applicant/developer shall be responsible to perform mitigation measures as identified and required in the Environmental Impact Report for the Colony Commerce Specific Plan.**

2. **Carpenter Avenue and Remington Avenue shall be signed "No Parking Anytime".**

3. **The applicant/developer shall be responsible to design and construct ultimate street improvements along project frontage along Remington Avenue and Carpenter Avenue to an ultimate half width right of way and curb to be 33' and 24 feet, respectively. Carpenter and Remington Avenues shall be constructed with a 14-foot-wide circulation lane and 5-foot-wide shoulder on the west and south sides (City of Chino). These and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, parkway landscaping, and, where designated, "neighborhood edge" and/or multi-purpose trail.**

4. **The applicant/developer shall be responsible to design and construct the traffic signal at Merrill Avenue and Carpenter Avenue. The new traffic signal shall include, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal**

equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.

5. If, at the time of PM 19643 public improvement construction, Carpenter Avenue has not been fully constructed between the northerly project boundary to Merrill Avenue, Applicant/Developer shall design and construct a 14-foot-wide circulation lane and 5-foot-wide shoulder on both sides of Carpenter Avenue between northerly project boundary and Merrill Avenue, with appropriate pavement transitions.

6. If, at the time of construction of PM 19643, the intersection of Carpenter and Merrill Avenue has not been improved to its "ultimate" configuration, Applicant/Developer shall design and construct intersection improvements at the intersection of Carpenter and Merrill Avenue to facilitate turning movements and trucks. This shall include:

   - Westbound left-turn pocket with appropriate length and pavement transitions;
   - Eastbound left-turn pocket with appropriate length and pavement transitions;
   - Enhanced intersection geometry at southeast corner sufficient to accommodate WB-67 design-vehicle attempting all allowable turning movements, including the NB right-turn;
   - Acquisition of all right-of way necessary to achieve above.

7. Driveways shall be constructed in accordance with Standard Drawing No. 1204.

8. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal, signing and striping and/or street lighting design to discuss items such as signal phasing, striping layout and tie-ins to existing or future street light circuits.

G. DRAINAGE / HYDROLOGY

☐ 2.37 **A 60 inch Army Corps of Engineers storm drain main is available to accept flows from this project in Remington Avenue.** ☐

☒ 2.38 **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.** ☐

☐ 2.39 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. ☐

☐ 2.40 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. ☐

☐ 2.41 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. ☐

☒ 2.42 **Pay Storm Drain Development Impact Fee, approximately $2,800,000. Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.** ☐

☒ 2.43 **Other conditions:** ☐

1. **The applicant/developer shall accept the 100-year pre-developed flow generated from the property to the north entirely on the PM 19643 project site. The pre-developed flow rate shall be conveyed through the PM 19643 via a private storm drain sized to contain the 100-year pre-developed flow rate or by equal methods.**

2. **The applicant/developer shall design and construct a public storm drain within Remington and Carpenter for tributary street flows as necessary. The private storm drain shall be located beneath a drivable surface.**

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

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

☒ 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.46 Other conditions: _____ ☐

J. SPECIAL DISTRICTS

☒ 2.47 **File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.** ☐

☐ 2.48 Other conditions: _____ ☐

K. FIBER OPTIC

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

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

L. Solid Waste

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

☒ 2.52 **Other conditions:** ☐
1. **Volumetrically, Building 2 requires twenty, 4-CY trash bins; and Building 1 requires**

twenty-two, 4-CY trash bins. Show on site/grading plans. Compactors may be used in conjunction with required trash bins and will need to be shown on the plans.

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 OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☒ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☒ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office. ☐

☒ 3.04 NMC Projects: For developments located at an intersection of any two paved 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, studie and reports (i.e. hydrology, traffic, WQMP, etc.). ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV16-002 , and Parcel Map No. 19643

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

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

21. ☒ **Three (3) copies of Final Map/Parcel Map**

22. ☒ **One (1) copy of approved Tentative Map**

23. ☒ **One (1) copy of Preliminary Title Report (current within 30 days)**

24. ☒ **One (1) copy of Traverse Closure Calculations**

25. ☒ **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**

26. ☒ **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**

27. ☐ Other: _____

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV16-002 & PMTT16-001

Address: NEC of Remington Avenue and Carpenter Avenue

APN: 0210-292-09 thru 14

Existing Land Use: Vacant/Agricultural Dairy Farm

Proposed Land Use: Subdivide 61 acres into two parcels and construct 1.28 million SF industrial warehouse buildings

Site Acreage: 64 acres Proposed Structure Height: 45 ft

ONT-IAC Project Review: n/a

Airport Influence Area: ONT & Chino Airports

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Luis Batres

Date: 8/8/17

CD No.: 2016-011 Rev.

PALU No.: n/a

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

Safety

- ☐ Zone 1
- ☐ Zone 1A
- ☐ Zone 2
- ☐ Zone 3
- ☐ Zone 4
- ☐ Zone 5

Noise Impact

- ☐ 75+ dB CNEL
- ☐ 70 - 75 dB CNEL
- ☐ 65 - 70 dB CNEL
- ☐ 60 - 65 dB CNEL

Airspace Protection

- ☐ High Terrain Zone
- ☐ FAA Notification Surfaces
- ☐ Airspace Obstruction Surfaces
- ☐ Airspace Avigation Easement Area

Allowable Height: 200 ft plus

Overflight Notification

- ☐ Avigation Easement Dedication
- ☐ Recorded Overflight Notification
- ☑ Real Estate Transaction Disclosure

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: 70 ft

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. The proposed project is located within the Airport Influence Areas of Chino Airport and the following items must be addressed:

Airport Planner Signature: Lorena Mejia

PROJECT CONDITIONS

1. The project will need to provide a minimum of 10% open land for the project net area of 64.20 acres, 6.42 acres of open land is required.

1a. Open Land must have a minimum dimensions of (75 feet by 300 feet). Open Land area must be free of structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.

1b. The airport land use compatibility planning exhibit identifies the on-site detention basin for being the primary acceptable locations to meet open land requirements. The on-site detention basin shall not have any large boulders or obstructions contained within them. In addition, trees surrounding the basin on the east and west ends shall have a mature height of 15ft, trees along the northern and southern boundaries of the basin shall have a mature height of 20-25ft. The basins shall not contain any plant species that attract birds to the site.

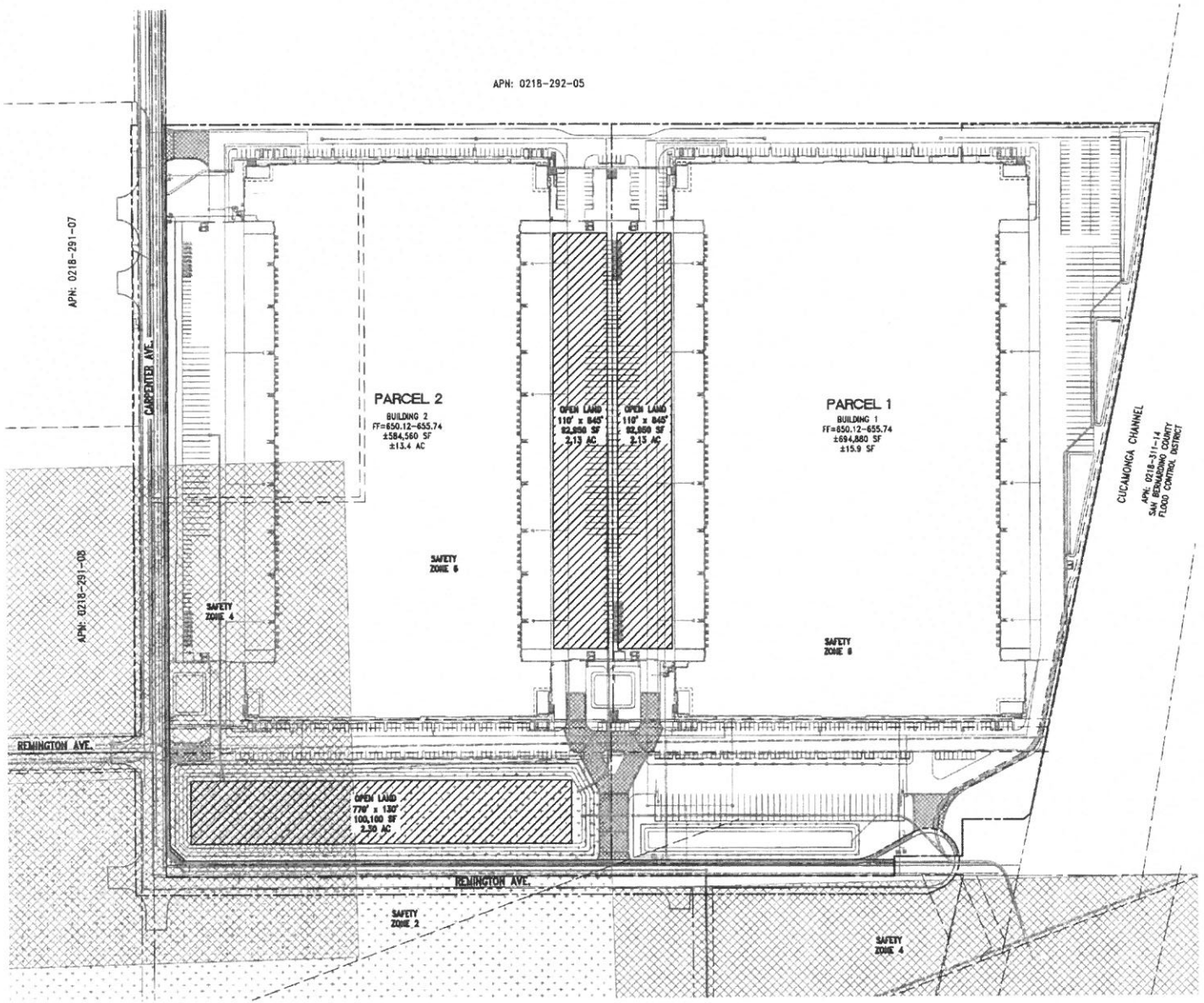
1c. The attached open land exhibit also identifies the interior truck yard as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.

2. The project is located within Chino Airport Safety Zones 2, 4 and 6, the Airport Land Use Compatibility Plan Exhibit includes the location of Chino Safety Zones on the Site Plan. A portion of the proposed building for Parcel 2 is located within Safety Zone 4, and meets the land use intensity requirements for Zone 4. Safety Zone 4 requires a minimum sitewide average of 200 people and single-acre intensity of 600 people.

2a. The attached Land Use Intensity calculations show that 6.7 acres of the project site is located within Safety Zone 4 with 82,774 square feet of the building located within Safety Zone 4 (Warehouse 81,574 SF and Office 1,200 SF). The occupancy load factors for warehouse use is calculated at 1person /1,000 SF and office use at 1 person / 215 SF. The attached calculations show that the intensity requirements are satisfied.

3. Project is located within Safety Zones 2, 4 and 6 and above ground storage of hazardous materials greater than 6,000 gallons is not allowed.

4. The maximum height limit for the project site is 70 feet and as such, any construction equipment such as cranes or any other equipment/permanent structures exceeding 70 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed with the FAA and approved prior to operating such equipment on the project site during construction.



LEGEND

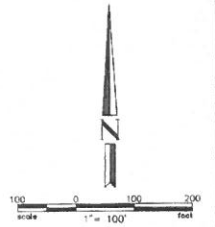
- OPEN LAND
- CHINO AIRPORT SAFETY ZONE 2
- CHINO AIRPORT SAFETY ZONE 4

OPEN LAND AREA DATA TABLE

PARCEL	BLDG	BLDG (SF)	PARCEL (SF)	PARCEL (AC)	OPEN LAND AREA (AC)	% OPEN LAND
1	BUILDING 1	694,880	1,444,790	33.17	2.13	6.4%
2	BUILDING 2	584,560	1,344,557	30.87	4.43	14.3%
	TOTAL	**1,279,440**	**2,789,347**	**64.04**	**6.56**	**10.2%**

PROJECT AREA BY SAFETY ZONE TABLE

SAFETY ZONE	PROJECT AREA (SF)	OFFICE AREA (SF)	WAREHOUSE AREA (SF)
2	168,920	0	0
4	294,058	1,200	81,574
6	2,326,391	8,400	1,197,866



COLONY COMMERCE CENTER

AIRPORT LAND USE COMPATIBILITY PLANNING EXHIBIT
TENTATIVE PARCEL MAP NO. 19643

CITY OF ONTARIO

DATE: 08/29/18

SHEET 1 OF 1

Intensity Calculations for
PDEV16-002
PMTT16-001

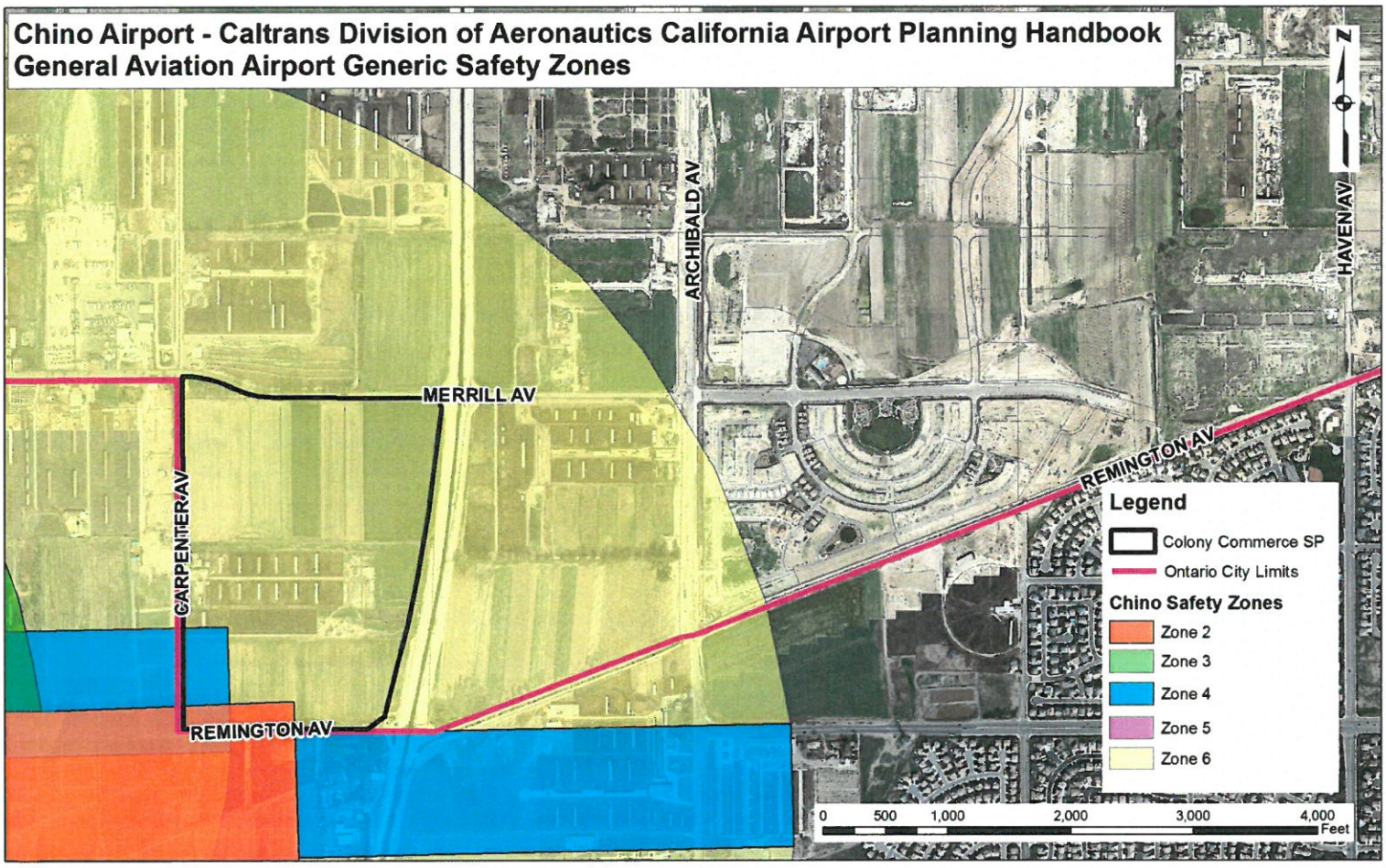
CD No. 2016-011

				Load Factors	Sitewide Average Calculations (Zone 4 = 200 P/AC max)	Single Acre SF	Single Acre Intensity Calculations (Zone 4 = 600 P/AC max)
Proposed Land Use	**Land Use SF**	**Acreage**	**Safety Zone**	**ALUCP Load Factor**	**ALUCP Load Factor**	**Land Use SF**	**ALUCP Load Factor**
Warehouse	81,574		4	1,000	**82**	**42,360**	**42**
Office	1,200		4	215	**6**	**1,200**	**6**
Totals	**82,774**	**6.7**			**13**		**48**

Sitewide Average Calculation	Single Acre Intensity Calculation
13	48

Site Wide Average Calculation is for Zone 4. Chino Airport criteria for Zone 4 allows a maximum of 200 people. The proposed project would generate a site wide average of 13 people as indicated in the calculations above.

Single Acre Intensity Calculation is for Zone 4. Chino Airport single acre criteria for Zone 4 allows a maximum of 600 people. The proposed project would generate a single acre intensity of 48 people as indicated in the above calculations.


Chino Airport - Caltrans Division of Aeronautics California Airport Planning Handbook
General Aviation Airport Generic Safety Zones
ARCHIBALD AV
HAVEN AV
MERRILL AV
CARPENTER AV
REMINGTON AV
REMINGTON AV
N
Legend
Colony Commerce SP
Ontario City Limits
Chino Safety Zones
Zone 2
Zone 3
Zone 4
Zone 5
Zone 6
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CITY OF ONTARIO
MEMORANDUM

TO: **Luis Batres, Senior Planner**
Planning Department

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

DATE: **August 1, 2017**

SUBJECT: **PDEV16-002 - A Development Plan to build two industrial warehouse buildings totaling over 1.28 million SF on 61.56 acres of vacant land, generally located on the east side of Carpenter Avenue, approximately 1,200 feet south of Merrill Avenue within the Industrial land use designation within the Colony Commerce Center Specific Plan. APNs: 0128-292-09, 10, 12, 13, and 14**

☒ The plan **does** adequately address Fire Department requirements at this time.

- ☐ No comments.
- ☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2013 CBC Type of Construction: Type IIIB, Ordinary non-rated

B. Type of Roof Materials: Wood non rated

C. Ground Floor Area(s): Building 1 – 589,012 sq. ft., Building 2 – 699,726 sq. ft.

D. Number of Stories: 1 story

E. Total Square Footage: 1,288,738 sq. ft.

F. 2013 CBC Occupancy Classification(s): B, F-1, S-1

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

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

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty (20) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s). The loop shall be required to have two or more points of connection from a public circulating water main.

☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

☒ 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

☒ 4.8 Hose valves with one and one half inch (1 ½") connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

☒ 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 OTHER SPECIAL USES

☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

CITY OF ONTARIO
MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: January 15, 2016

SUBJECT: PDEV16-002

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

☐ No comments

☒ Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm

CITY OF ONTARIO
MEMORANDUM

TO: LUIS BATRES, PLANNING DEPARTMENT

FROM: DOUGLAS SOREL, POLICE DEPARTMENT

DATE: FEBRUARY 10,2016

SUBJECT: PDEV16-002 – A DEVELOPMENT PLAN FOR TWO INDUSTRIAL WAREHOUSE BUILDINGS GENERALLY LOCATED EAST OF CARPENTER AVENUE AND SOUTH OF MERRILL AVENUE.

The "Standard Conditions of Approval" contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways and other areas used by the public shall be provided and shall operate on photosensor. Photometrics shall be provided and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting fixtures.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

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

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell, Sr. Landscape Planner	8/2/17 Date

Reviewer's Name: **Carolyn Bell, Sr. Landscape Planner**	Phone: **(909) 395-2237**
D.A.B. File No.: PDEV16-002 Rev 3	Case Planner: Luis Batres

Project Name and Location:
CapRock Partners - Colony Commerce Center
Remington and Carpenter Ave

Applicant/Representative:
CLDFI Remington LLC / Patrick Daniels
2050 Main Street
Irvine, CA 92614

☒	**A Preliminary Landscape Plan (dated 9/19/16) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

CORRECTIONS REQUIRED

Civil Plans

1. Revise grading and protect in place existing historic Olive tree at northwest corner and canary island palms. Show no grading at trees and add retaining wall at driveway, if necessary. Add tree protection notes on construction and demo plans.
2. Move fire water line out of tree locations at Building B entry drive east side.
3. Show backflows and transformers dimensioned 5' from paving edge for landscape screening.
4. Dimension basins and swales to be no greater than 50% of the on-site landscape area to allow for ornamental landscape. Or provide a level grade minimum 15' from perimeter paving for ornamental landscaping. Consider underground storm water chambers or use engineered soil in the basin for a 35% porosity and shallow slopes.
5. Change 2:1 slopes to 3:1 slopes.
6. Note for compaction to be no greater than 85% at landscape areas. Note all finished grades at 1 ½" below finished surfaces.
7. Show corner at Carpenter and Remington per City standard detail 1213 with ramp total 10' paving curb to landscape edge.
8. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs or 12" width of pavers or 12" of decomposed granite paving with aluminum edge at the 6" concrete curb, where parking spaces are adjacent to planters.
9. Show ADA access route from the public sidewalk. Verify if access from Remington Ave is required by Building Department.

Landscape Plans

10. 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. Protect in place existing historic Olive tree at northwest corner and canary island palms. Show no grading at trees and add retaining wall at driveway. Add tree protection notes on construction and demo plans.
11. Note parkway landscape max 18" high and street trees spaced 30' apart.

12. Show preliminary MAWA calculation. Separate onsite landscape SF from right of way SF.

13. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards

14. **After a project's entitlement approval, the applicant shall pay all applicable fees for l**andscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

Plan Check—5 or more acres	$2,326.00
Plan Check—less than 5 acres	$1,301.00
Inspection—Construction (up to 3 inspections)	$278.00
Inspection—Field - additional	$83.00

Once items are complete and Building permit is attained, you may email an electronic set for plan checking to: landscapeplancheck@ontarioca.gov

PLANNING COMMISSION STAFF REPORT

August 22, 2017

SUBJECT: A Development Agreement between the City of Ontario and CLDFI Remington, LLC., to establish the terms and conditions for the development of Tentative Parcel Map 19643 (File No. PMTT16-001), located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan. (APNs: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, AND 0218-292-14); submitted by CLDFI Remington, LLC. City Council action is required.

PROPERTY OWNER: CLDFI Remington, LLC

RECOMMENDED ACTION: That the Planning Commission recommend to the City Council approval of File No. PDA16-001, a Development Agreement between CLDFI Remington, LLC, and the City of Ontario pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of 65.60 acres of land located 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan, and is depicted in ***Figure 1: Project Location***, below. The project site gently slopes from north to south and is vacant and previously used for diary/agriculture uses.

Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — In conjunction with the Development Agreement application, the application has submitted a Specific Plan (Colony Commerce Center West) to facilitate the development of the property.

Case Planner:	Rudy Zeledon, Principal Planner
Planning Director Approval:	
Submittal Date:	04/18/2016
Hearing Deadline:	N/A

Hearing Body	*Date*	*Decision*	*Action*
DAB	N/A	N/A	
ZA			
PC	08/22/2017		Recommend
CC			Final

The Specific Plan (File No. PSP15-001) will establish the land use designations, development standards, design guidelines and infrastructure improvements for 123.17 acres of land, which includes the potential development of 2,951,146 square feet of industrial development.

The Ontario Ranch financial commitments required for construction of properties within a specific plan are substantial. Therefore, in order to adequately forecast these costs and gain assurance that the project may proceed under the existing policies, rules and regulations, CLDFI Remington, LLC., has requested that the City enter into negotiations to create a Development Agreement ("Agreement").

In accordance with California Government Code Section 65865 that states, in part, that "Any city…may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property…" and California Government Code Section 65865.52 which states, in part, that a Development Agreement shall specify the duration of the Agreement, the permitted uses of the property… and may include conditions, terms, restrictions…," the City of Ontario adopted Resolution No. 2002-100 that sets forth the procedures and requirements for consideration of Development Agreements. Furthermore, the Financing and Construction Agreement with the NMC Builders, LLC (NMC Builders), requires those developments wishing to use the infrastructure it creates to enter into Development Agreements with the City of Ontario. Pursuant to these procedures and requirements, staff entered into negotiations with the Owner to create a Development Agreement staff would recommend to the Planning Commission and City Council.

The proposed Development Agreement with the Owner is based upon the model development agreement that was developed in coordination with the City attorney's office and legal counsel for NMC Builders. This model Development Agreement is consistent with the provisions of the Construction Agreement. The LLC agreement between NMC Builders' members requires that members of the LLC enter into Development Agreements that are consistent with the provisions of the Construction Agreement.

[2] Staff Analysis —The Development Agreement proposes to include 65.60 acres of land within Planning Area 2 of the Colony Commerce Center West Specific Plan as shown attached **Exhibit "A"**. The Agreement grants CLDFI Remington, LLC, a vested right to develop Tentative Parcel Map 19643 as long as CLDFI Remington, LLC, complies with the terms and conditions of the Colony Commerce Center West Specific Plan and Environmental Impact Report. Tentative Parcel Map 19643 (see **Exhibit "B"**) is located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue and proposes to subdivide 65.60 acres of land into two parcels to facilitate a Development Plan (File No. PDEV16-002) to construct two industrial buildings totaling 1,289,292 square feet.

The term of the Development Agreement is for ten years with a five year option. The main points of the agreement address funding for all new City expenses created by the project which includes; Development Impact Fees (DIF) for construction of public improvements (i.e. streets and bridges, police, and fire, etc.); Public Service Funding to ensure adequate provisions of public services (police, fire and other public services); the creation of a Community Facilities District (CFD) for reimbursement of public improvements and maintenance of public facilities.

Staff finds that the Development Agreement is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application to the Planning Commission. If the Commission finds the Development Agreement is acceptable, a recommendation of approval to the City Council would be appropriate.

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

[1] City Council Goals.

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

[2] Vision.

Distinctive Development:

- Infrastructure

➢ Infrastructure systems that are properly sized to support approved land uses and their occupancy and are maintained in a timely fashion through funding by user groups.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

  - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element – Balance

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and make it possible for people to live and work in Ontario and maintain a quality of life.

  - LU1-3 *Adequate Capacity*. We require adequate infrastructure and services for all development.

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

Land Use Element — Phased Growth

- Goal LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.

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

  - LU4-3 Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.

Community Design Element — Protection of Investment

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

  - CD5-2 Improvements to property and Infrastructure. We provide programs to improve property and Infrastructure

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project

site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT) and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were analyzed in the Colony Commerce Center West Specific Plan EIR (SCH# 2015061023). This application is consistent with the EIR and introduces no new significant environmental impacts. All adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

Exhibit "A"
Colony Commerce Center West Specific Plan

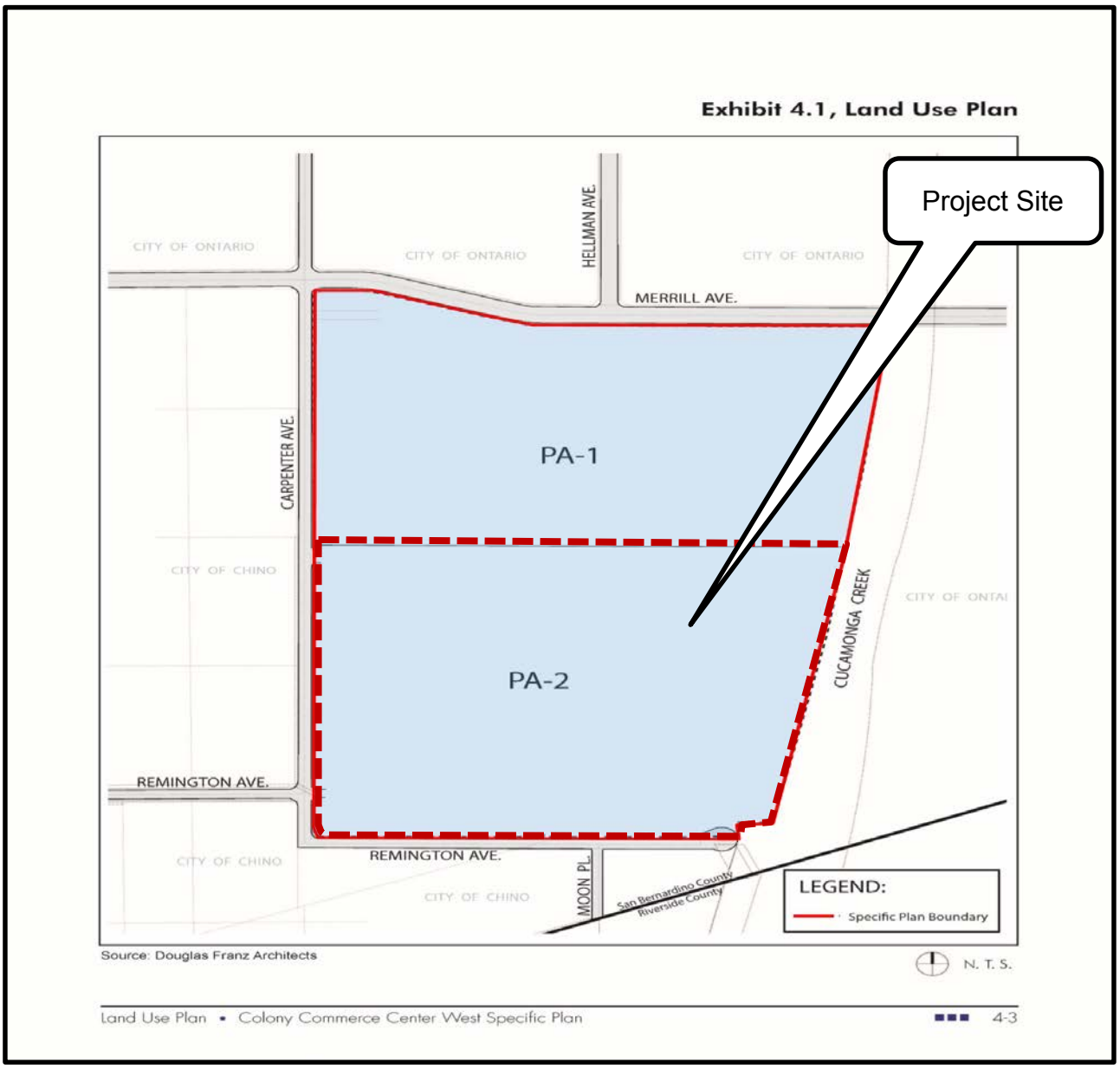


Exhibit "B"
Tentative Parcel Map 19643

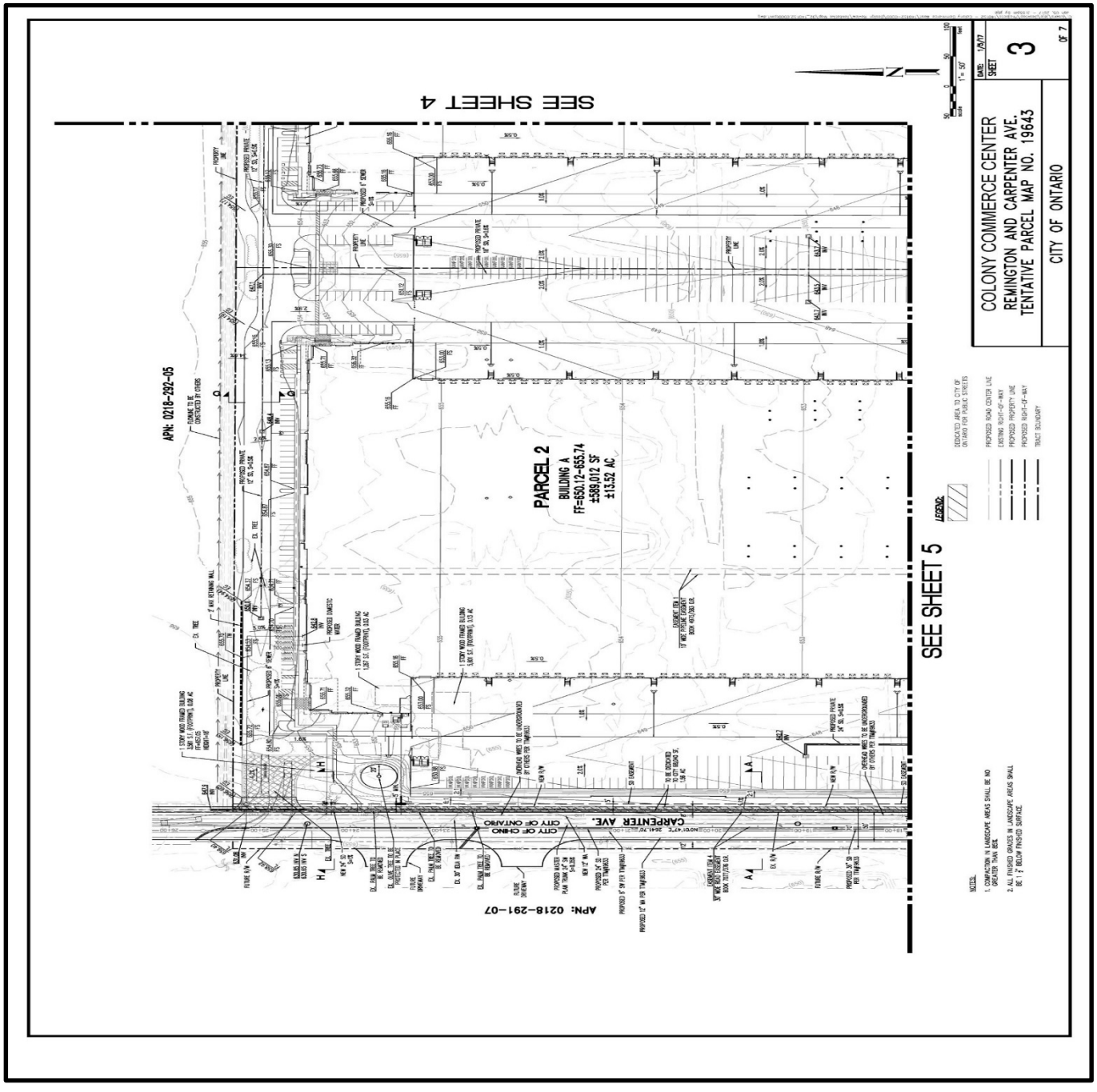


Exhibit "B"
Tentative Parcel Map 19643 (Continued)

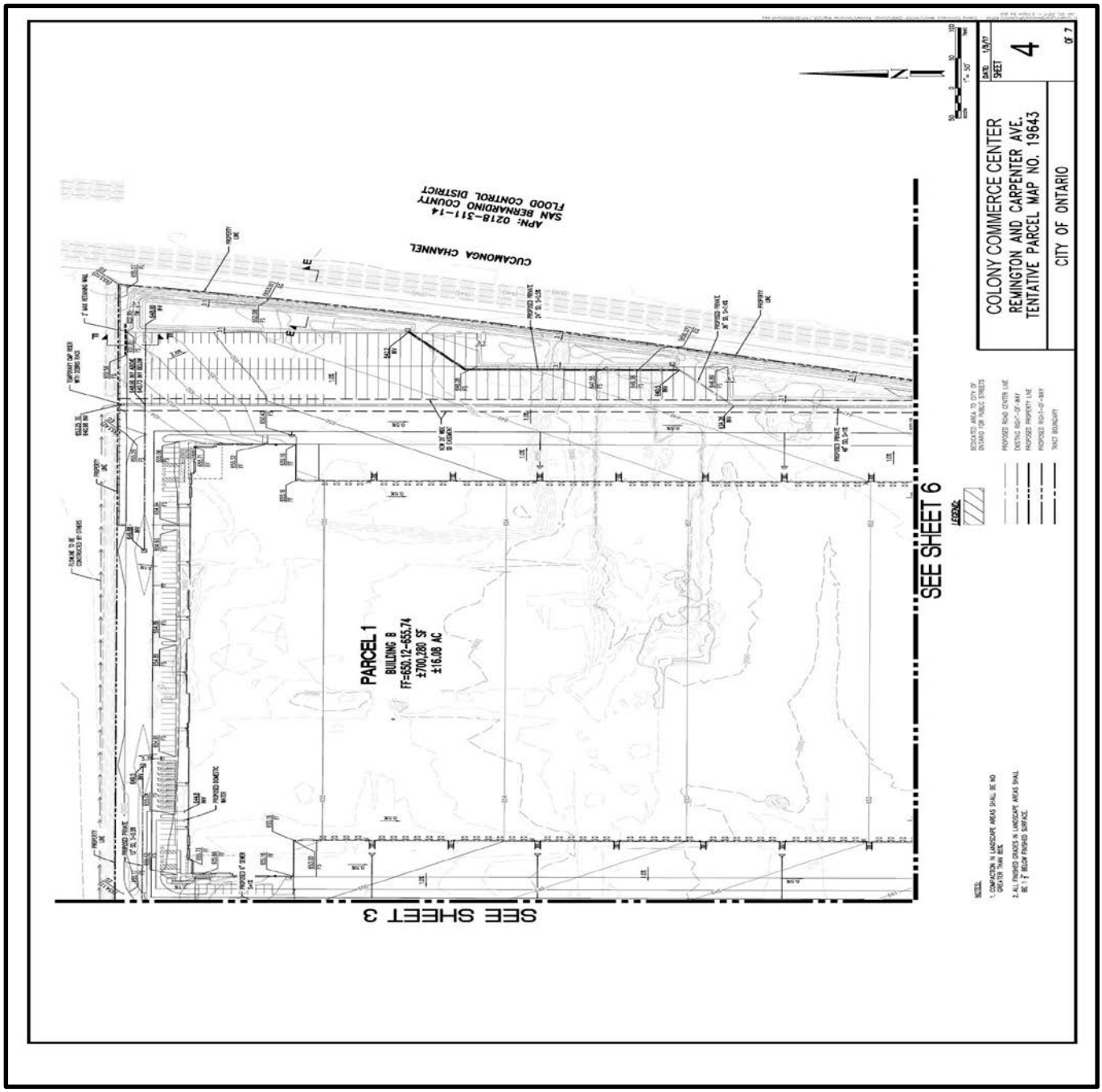


Exhibit "B"
Tentative Parcel Map 19643 (Continued)

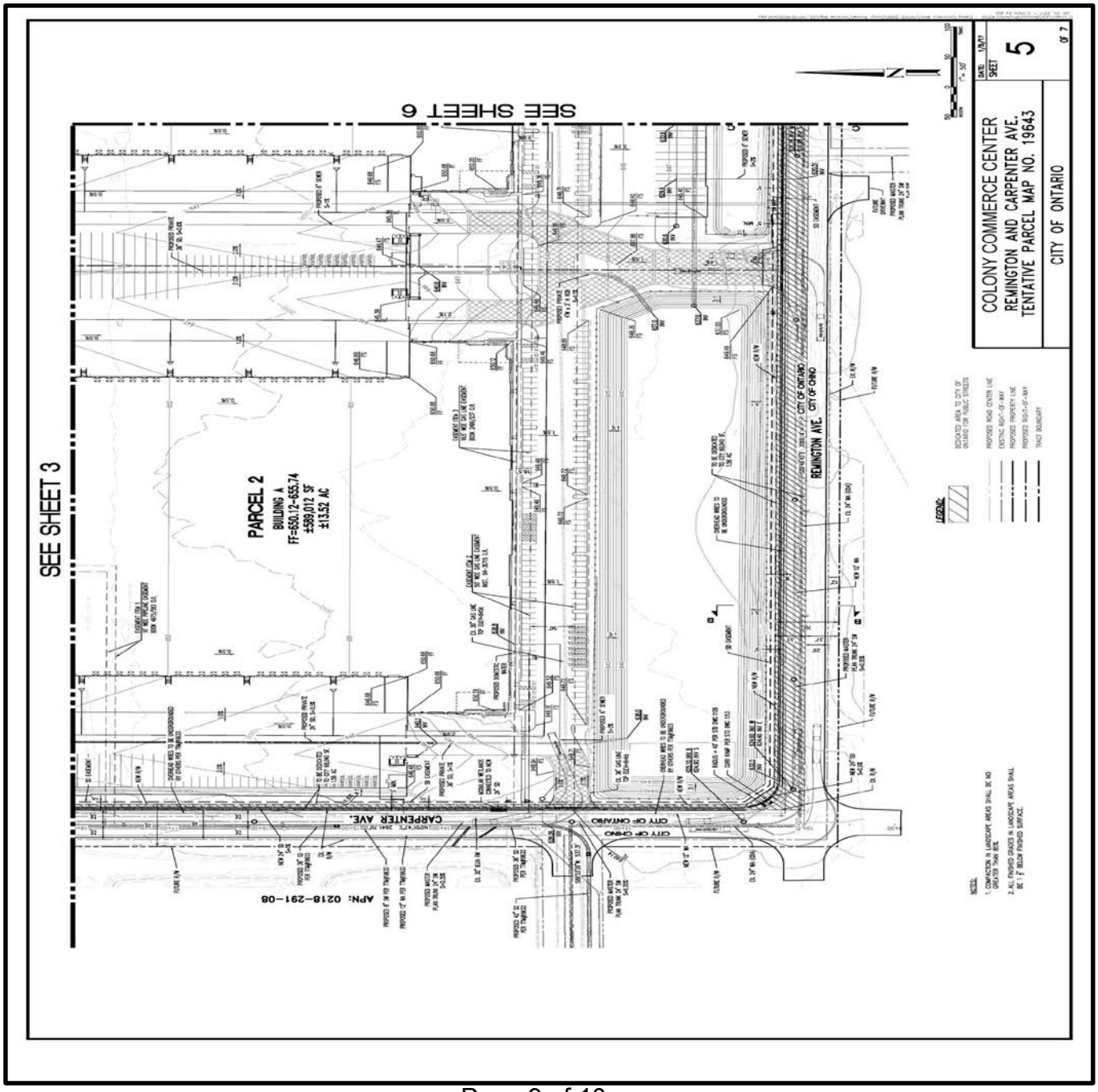
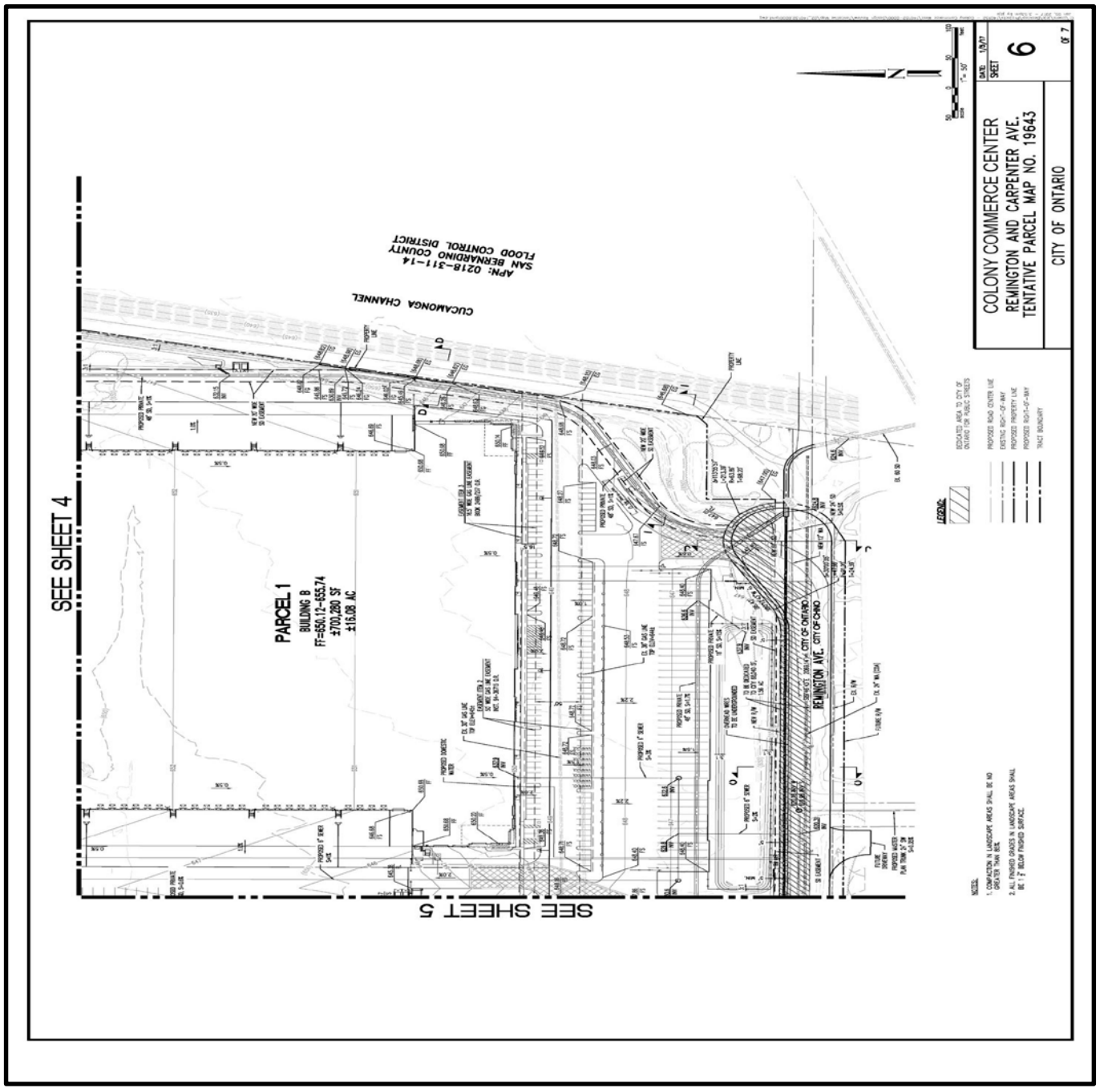


Exhibit "B"
Tentative Parcel Map 19643 (Continued)



RESOLUTION NO. PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT (FILE NO. PDA16-001) BETWEEN THE CITY OF ONTARIO AND CLDFI REMINGTON, LLC TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAPS 19643 (FILE NO. PMTT16-001) WITHIN PLANNING AREA 2 OF THE COLONY COMMERCE CENTER WEST SPECIFIC PLAN, LOCATED APPROXIMATELY 1,160 FEET SOUTH OF MERRILL AVENUE, NORTH OF REMINGTON AVENUE, EAST OF THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL AND WEST OF CARPENTER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, AND 0218-292-14).

WHEREAS, California Government Code Section 65864 now provides, in pertinent part, as follows:

"The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development."

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

"Any city … may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article …"

WHEREAS, California Government Code Section 65865.2. provides, in part, as follows:

"A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of the land for the uses and to the density of intensity of development set forth in this Agreement …"

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, attached to this resolution, marked Exhibit "A" and incorporated herein by this reference, is the proposed Development Agreement between CLDFI Remington, LLC., and the City of Ontario, File No. PDA16-001, concerning those 65.60 acres of land (Tentative Parcel Map 19643), located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan and as legally described in the attached Development Agreement. Hereinafter in this Resolution, the Development Agreement is referred to as the "Development Agreement"; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued Resolution PCXX-XX recommending City Council certification of the Colony Commerce Center West Specific Plan EIR (SCH# 2015061023) and Issued Resolution PCXX-XX recommending to City Council approval of the Colony Commerce Center West Specific Plan (File No. PSP15-001); and

WHEREAS, the environmental impacts of this project were analyzed in the Colony Commerce Center West Specific Plan (File No. PSP15-001) EIR (SCH# 2015061023). This application is consistent with the EIR and introduces no new significant environmental impacts. All mitigation measures shall be a condition of project approval and are incorporated herein by reference; and

WHEREAS, the project is contingent upon City Council approval of the Colony Commerce Center West Specific Plan and certification and adoption of EIR (SCH# 2015061023); and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Agreement, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project on August 22, 2017, the Planning Commission adopted a resolution recommending the City Council certify the EIR (SCH# 2015061023) and approve the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

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

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Ontario as follows:

SECTION 1. ***Environmental Determination and Findings.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted Colony Commerce Center West Specific Plan EIR (SCH# 2015061023) and supporting documentation. Based upon the facts and information contained in the Colony Commerce Center West Specific Plan EIR (SCH# 2006051081) and supporting documentation, the Planning Commission finds as follows:

a. The previous Colony Commerce Center West Specific Plan EIR (SCH# 2015061023) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previous Colony Commerce Center West Specific Plan EIR (SCH# 2015061023) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

c. The previous Colony Commerce Center West Specific Plan EIR (SCH# 2015061023) reflects the independent judgment of the Planning Commission; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

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

(1) Does not constitute substantial changes to the EIR that will require major revisions to the 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 EIR was prepared, that will require major revisions to the 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 EIR was reviewed, that shows any of the following:

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

(b) Significant effects examined will be substantially more severe than shown in the 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 EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. ***Housing Element Consistency.*** 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 Planning Commission finds that based upon the facts and information contained in the Application and supporting documentation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

Department of Transportation, Division of Aeronautics. As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5. ***Concluding Facts and Reasons.*** Based upon substantial evidence presented to the Planning Commission during the above-referenced hearing on August 22, 2017, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to 65.60 acres of land acres of land (Tentative Parcel Map 19643), located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan, and is presently vacant and previously used for dairy and agricultural uses; and

b. The property to the north of the Project Site is within Planning Area 1 of the Colony Commerce Center West Specific Plan, and is presently used for agricultural purposes. The property to the east is developed with the Cucamonga Creek Flood Control Channel. The property to the south is within City of Eastvale and developed with residential uses. The property to the west is within the City of Chino and currently under construction with industrial buildings; and

c. The Development Agreement establishes parameters for the development of Tentative Parcel Map 19643 within Planning Area 2 of the Colony Commerce Center West Specific Plan for industrial development. The Development Agreement also grants CLDFI Remington, LLC., the right to develop, the ability to quantify the fees; and establish the terms and conditions that apply to those projects. These terms and conditions are consistent with The Ontario Plan Policy Plan (General Plan), design guidelines and development standards for the Colony Commerce Center West Specific Plan.

d. The Development Agreement focuses on Tentative Parcel Map 19643, which proposes to subdivide 65.60 acres of land into 2 parcels, located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan; and

e. The Development Agreement will provide for the development of up to 1,289,292 square feet of industrial uses as established for Planning Area 2 of the Colony Commerce Center West Specific Plan; and

f. The Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

g. The Development Agreement does not conflict with the Land Use

Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development; and

h. This Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

i. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were analyzed in the EIR (SCH# 2015061023) prepared for the Colony Commerce Center West Specific Plan (File No. PSP15-001). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference.

SECTION 6. ***Planning Commission Action.*** Based upon the findings and conclusions set forth in paragraphs 1, 2, 3 and 4 above, the Planning Commission hereby RECOMMENDS APPROVAL of the Development Agreement to the City Council subject to each and every condition set forth in the Colony Commerce Center West Specific Plan and EIR, incorporated by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August, 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit “A”
Development Agreement

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

City of Ontario
303 East “B” Street
Ontario California, California 91764
Attn: City Clerk

Exempt from Fees Per Gov. Code § 6301

Space above this line for Recorder’s Use Only

DEVELOPMENT AGREEMENT (FILE NO. PDA16-001)

By and Between

City of Ontario, a California municipal corporation,

and

CLDFI Remington, LLC

a Delaware Limited Liability Company

_____, 2017

San Bernardino County, California

DEVELOPMENT AGREEMENT NO. __

This Development Agreement (hereinafter "Agreement") is entered into effective as of the ____ day of _____, 2017 by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and CLDFI Remington, LLC, a Delaware limited liability company (hereinafter "OWNER"):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code and Section 4.01.015 of the Ontario Development Code; and

WHEREAS, OWNER has requested CITY to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement in that Colony Commerce West Specific Plan Environmental Impact Report (State Clearinghouse No. 2015061023 (the "FEIR"). The City Council found and determined that the FEIR was prepared in accordance with the requirements of the California Environmental Quality Act and adequately describes the impacts of the project described in the FEIR, which included consideration of this Agreement; and

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and the Colony Commerce Specific Plan; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864 et seq. of the Government Code are intended; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with this Agreement; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

WHEREAS, the Property is located in an area of the City of Ontario that has been known as the "New Model Colony" area and the New Model Colony area has now been renamed as "Ontario Ranch.

WHEREAS, Owner's Property is presently outside the boundaries defined in Exhibit A of the Construction Agreement between the CITY and NMC Builders and the Property covered by this Agreement is what is known as a "Phase 2 Water Property" as such, shall be required to provide funding for CITY's future construction of the "Phase 2 Water Improvements" which will result in the availability of additional Net MDD Water Availability required for the development.

WHEREAS,), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter" (Exhibit "I"). Property owner may wish to provide the attached 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.asp?global_id=T10000004658.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "CITY" means the City of Ontario, California, a California municipal corporation.

1.1.3 “Construction Agreement” means that certain Agreement for the Financing and Construction of Phases I and II Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony, entered into between the CITY and NMC Builders as of the 4th day of October, 2005, and all future amendments thereto and including the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve and Easterly Portion of the New Model Colony entered into between the CITY and NMC Builders as of the 21st day of August, 2012.

1.1.4 “Development” means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of public infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. “Development” does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.5 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

(a) specific plans and specific plan amendments;

(b) tentative and final subdivision and parcel maps;

(c) development plan review.

1.1.6 “Development Exaction” means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.7 “Development Impact Fee” means a monetary exaction, other than a tax or special assessment, whether characterized as a fee or a tax and whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and, for purposes of this Agreement only, includes fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4. For purposes of this Agreement only, "Development Impact Fee" shall not include processing fees and charges imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued, including, without limitation, fees for zoning variances; zoning changes; use permits; building inspections; building permits; filing and processing applications and petitions filed with the local agency formation commission or conducting preliminary proceedings or proceedings

under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code; the processing of maps under the provisions of the Subdivision Map Act, Division 2 (commencing with Section 66410) of Title 7 of the Government Code; or planning services under the authority of Chapter 3 (commencing with Section 65100) of Division 1 of Title 7 of the Government Code, fees and charges as described in Sections 51287, 56383, 57004, 65104, 65456, 65863.7, 65909.5, 66013, 66014, and 66451.2 of the Government Code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code, as such codes may be amended or superseded, including by amendment or replacement.

1.1.8 "Development Plan" means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.9 "Effective Date" means the date that the ordinance approving this Agreement goes into effect.

1.1.10 "Existing Development Approvals" means all Development Approvals approved or issued on or prior to the Effective Date. Existing Development Approvals includes the Approvals incorporated herein as Exhibit "C" and all other Approvals which are a matter of public record on the Effective Date.

1.1.11 "Existing Land Use Regulations" means all Land Use Regulations in effect on the date of the first reading of the Ordinance adopting and approving this Agreement. Existing Land Use Regulations includes the Regulations incorporated herein as Exhibit "D" and all other Land Use Regulations that are in effect and a matter of public record on such date.

1.1.12 "General Plan" means the The Ontario Plan adopted on January 26, 2010.

1.1.13 "Improvement" or "Improvements" means those public improvements required to support the development of the Project as described in the Tentative Parcel Map conditions for Parcel Map No. 19643 and as further described in Exhibit "F-1a", "F-1b", "F-1c", "F-2", "F-3", "F-4", and "F-5" (the "Infrastructure Improvements Exhibits").

1.1.14 "Land Use Regulations" means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, timing and phasing of development, the maximum height and size of buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. "Land Use Regulations" does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

(a) the conduct of businesses, professions, and occupations;

(b) taxes and assessments;

(c) the control and abatement of nuisances;

(d) the granting of encroachment permits and the conveyance of similar rights and interests that provide for the use of or the entry upon public property;

(e) the exercise of the power of eminent domain.

1.1.15 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.16 "Net MDD" means net maximum daily water demand

1.1.17 "NMC Builders" means the consortium of investors and developers responsible for the construction of infrastructure within the New Model Colony incorporated as NMC Builders, LLC.

1.1.18 "OWNER" means the persons and entities listed as owner on page 1 of this Agreement and their permitted successors in interest to all or any part of the Property.

1.1.19 **"**Phase 2 Water EDUs**"** means the number of equivalent dwelling units or non-residential square footage assigned to OWNER upon payment to City of the Phase 2 Water Participation Fee for the Project and evidenced by the issuance by CITY of a Certificate of Phase 2 Net MDD Availability in the form attached as Exhibit G.

1.1.20 "Phase 2 Water Improvements" means the future water infrastructure Improvements required for the issuance by CITY of the "Water Availability Equivalents" (WAE) for the Project.

1.1.21 "Phase 2 Water Participation Fee" means the fee paid to City upon City approval of the first Development Entitlement for the Project, to fund the Property's respective share of the projected costs of the design and construction of the Phase 2 Water Improvements by City. The Phase 2 Water Participation Fee shall be the calculated amount of the Regional Water DIF for the Project based upon the number of units, and land use category for residential units or the number of square feet, and land use category for non-residential square footage of the Project.

1.1.22 "Project" means the development of the Property contemplated by the Development Plan, as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.23 "Property" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.24 "Reservations of Authority" means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.6 of this Agreement.

1.1.25 "Amendment to the Construction Agreement" means the amendment to the Construction Agreement modifying the boundaries of the property in Exhibit A of such Construction Agreement to include the Property covered by this Agreement and to provide for the additional funds required for CITY's future construction of the "Phase 2 Water Improvements" described in a modification to Exhibit C-3 of the Construction Agreement.

1.1.26 "Specific Plan" means that certain specific plan adopted by the City Council, and entitled, "Colony Commerce Specific Plan."

1.1.27 "Subsequent Development Approvals" means all discretionary Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.28 "Subsequent Land Use Regulations" means any discretionary Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.29 "Water Availability Equivalent (WAE)" means a designated portion of the total Net MDD made available through the construction of each Phase described in the Water Phasing Plan of the Construction Agreement. The number of Water Availability Equivalents (of portions thereof) required for the approval of a Tract or Subdivision Map 19643 shall be based upon water demand factors and assumptions listed in the Construction Agreement.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit "A" — Legal Description of the Property.

Exhibit "B" — Map showing Property and its location.

Exhibit "C" — Existing Development Approvals.

Exhibit "D" — Existing Land Use Regulations.

Exhibit "E" — (Not Used)

Exhibit "F" — Infrastructure Improvements Exhibits, F-1a, F-1b, F-1c, F-2, F-3, F-4, F-5

Exhibit "G" – Form of Certificate of Net MDD to be issued by CITY

Exhibit "H" – Form of Certificate of DIF Credit to be issued by CITY

Exhibit "I" - Form of Disclosure letter

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to the Property or a portion thereof, or has the right to acquire fee simple title to the Property or a portion thereof from the current owner(s) thereof. To the extent OWNER does not own fee simple title to the Property, OWNER shall obtain written consent from the current fee owner of the Property agreeing to the terms of this Agreement and the recordation thereof.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for an initial term of ten (10) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement. The term of this Agreement may be extended for an additional five (5) years following expiration of the initial ten (10) year term, provided the following have occurred:

(a) OWNER provides at least 180 days written notice to CITY prior to expiration of the initial term; and

(b) OWNER is not then in uncured default of this Agreement.

2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.), to any person, partnership, limited liability company, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement with respect to the portion of the Property sold and be made in strict compliance with the following:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property. OWNER may be required to provide disclosure that the Property is within the South Archibald Trichloroethylene (TCE) Plume. OWNER may wish to provide the attached Disclosure Letter (Exhibit I) as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq.

(b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, OWNER shall notify CITY's City Manager, in writing, of such sale, transfer or assignment and shall provide CITY with: (1) an executed agreement, in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally

assumes all the duties and obligations of OWNER under this Agreement with respect to the portion of the Property so sold, transferred or assigned.

(c) Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed. The City Manager shall have the authority to review, consider and either approve, conditionally approve, or deny any proposed sale, transfer or assignment that is not made in compliance with this section 2.4.

(d) Notwithstanding the foregoing OWNER shall have the right to assign this Agreement to an Owner Affiliate subject to the notice requirements to CITY as described in Paragraph (b) of Section 2.4.1. above. The term Owner Affiliate shall mean any of the following:

(1) any general or limited partnership in which OWNER is the managing general partner.

(2) any limited liability company in which OWNER is the managing member.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring owner is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring owner of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the portion of the Property sold, transferred or assigned.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed an agreement as required under Paragraph (b) of Subsection 2.4.1 above. .

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER (if any) to secure performance of its obligations hereunder which are to be performed upon portion of the Property sold, transferred or assigned .

2.4.3 Effect of Assignment and Release of Obligations. In the event of a sale, transfer or assignment pursuant to the provisions of Section 2.4.2 above:

(a) The assignee shall be liable for the performance of all obligations of OWNER with respect to transferred property, but shall have no obligations with respect to the portions of the Property, if any, not transferred (the “Retained Property”).

(b) The owner of the Retained Property shall be liable for the performance of all obligations of OWNER with respect to Retained Property, but shall have no further obligations with respect to the transferred property.

(c) The assignee's exercise, use and enjoyment of the Property or portion thereof shall be subject to the terms of this Agreement to the same extent as if the assignee were the OWNER.

2.4.4 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section 2.4.

2.4.5 Termination of Agreement With Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any parcel which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user of the parcel. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,

(b) A certificate of occupancy has been issued for a building on the parcel, and the fees set forth under Section 4 of this Agreement have been paid.

2.4.6 Partial Assignment and Assumption. CITY and OWNER agree OWNER may partially assign obligations and rights under this Development Agreement, and all amendments hereto, to a purchaser, transferee or assignee of a lot, which has been subdivided subject to provisions of a partial assignment and assumption agreement in a form approved by CITY. Any such completed and executed Partial Assignment and Assumption of Development Agreement shall be submitted to CITY for approval pursuant to Section 2.4.1 of the Development Agreement. Within thirty (30) days following such submittal, CITY shall review, and if the above conditions are satisfied shall approve the partial assignment and release and notify the purchaser, transferee or assignee in writing thereof. No such release approved pursuant to this Subsection 2.4.6 shall cause, or otherwise affect, a release of OWNER from the duties and obligations under this Development Agreement that are retained by OWNER and excluded from the transfer or assignment.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only in the manner provided for in Government Code Section 65868.1. Any amendment of this Agreement, which amendment has been requested by OWNER, shall be considered by the CITY only upon the payment of the applicable

processing charge. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement. Either Party or successor in interest, may propose an amendment to or cancellation, in whole or in part, of this Agreement. Any amendment or cancellation shall be by mutual consent of the parties or their successors in interest except as provided otherwise in this Agreement or in Government Code Section 65865.1. For purposes of this section, the term "successor in interest" shall mean any person having a legal or equitable interest in the whole of the Property, or any portion thereof as to which such person wishes to amend or cancel this Agreement. The procedure for proposing and adopting an amendment to, or cancellation of, in whole or in part, this Agreement shall be the same as the procedure for adopting and entering into this Agreement in the first instance. Notwithstanding the foregoing sentence, if the CITY initiates the proposed amendment to, or cancellation of, in whole or in part, this Agreement, CITY shall first give notice to the OWNER of its intention to initiate such proceedings at least sixty (60) days in advance of the giving the public notice of intention to consider the amendment or cancellation.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement. Upon such termination, any public facilities and services mitigation fees paid pursuant to Section 4.2 of this Agreement by OWNER to CITY on which construction has not yet begun shall be refunded to OWNER by CITY within ten (10) business days.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person, including, without limitation, by courier, to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to CITY:

Al C. Boling, City Manager
City of Ontario
303 East "B" Street
Ontario California, California 91764
with a copy to:

John Brown, City Attorney
Best Best & Krieger
2855 East Guasti Road, Suite 400
Ontario CA 91761
If to OWNER:

CDLFI Remington, LLC
c/o CapRock Partners
2050 Main Street, Suite 240
Irvine, CA 92614
Attn: Patrick Daniels
Email: pdaniels@caprock-partners.com
Phone: (949) 342-8000

with a copy to:

Manatt Phelps and Phillips LLP
695 Town Center Drive, 14th Floor
Costa Mesa, CA 92626
Attn: Roger A. Grable E
Email: rgrable@manatt.com
Phone: (714) 371-2537

Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, CITY shall exercise discretion in accordance with the same manner as it exercises its discretion under its police powers, including the Reservations of Authority set forth herein; provided however, that such discretion shall not prevent development of the Property for the uses and to the density or intensity of development set forth in this Agreement.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.3.1 Infrastructure Improvement Exhibit. Attached hereto as Exhibits "F-1a, F-1b, F-1c, F-2, F-3, F-4, and F-5" collectively are a description of the Infrastructure Improvements needed for the development of the Property ("the Infrastructure Improvement Exhibits").

3.4 Reservations of Authority.

3.4.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the CITY shall not be prevented from applying new rules, regulations and policies upon the OWNER, nor shall a development agreement prevent the CITY from denying or conditionally approving any subsequent development project

application on the basis of such new rules, regulations and policies where the new rules, regulations and policies consist of the following:

(a) Processing fees by CITY to cover costs of processing applications for development approvals or for monitoring compliance with any development approvals;

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records and any other matter of procedure;

(c) Regulations, policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including all uniform codes adopted by the CITY and any local amendments to those codes adopted by the CITY; provided however that, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the standards and specifications that are expressly identified in the Specific Plan and the building codes in effect as of the Effective Date;

(d) Regulations that may conflict with this Agreement and the Development Plan but that are reasonably necessary to protect the occupants of the Project and/or of the immediate community from a condition perilous to their health or safety;

(e) Regulations that do not conflict with those rules, regulations and policies set forth in this Agreement or the Development Plan and which do not impose additional obligations, costs, and expenses on Owner or the Project;

(f) Regulations that may conflict but to which the OWNER consents.

3.4.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations that do not conflict with the Development Plan and/or the Existing Development Approvals, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan and/or the Existing Development Approvals.

3.4.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce. In the event OWNER alleges that such State or Federal laws or regulations preclude or prevent compliance with one or more provisions of this Agreement, and the CITY does not agree, the OWNER may, at its sole cost and expense, seek declaratory relief (or other similar non-monetary remedies); provided however, that nothing contained in this Section 3.6.3 shall impose on CITY any

monetary liability for contesting such declaratory relief (or other similar non-monetary relief).

3.4.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority which cannot be restricted by contract.

3.5 Public Works; Utilities. If OWNER is required by this Agreement or a condition of project approval to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction. As a condition of development approval, OWNER shall connect the Project to all utilities necessary to provide adequate water, recycled water, sewer, gas, electric, and other utility service to the Project. As a further condition of development approval, OWNER shall to the extent possible contract with the CITY for CITY-owned or operated utilities for this purpose, for such price and on such terms as may be available to similarly situated customers in the CITY.

3.5.1 OWNER agrees that development of the Project shall require the construction of storm drain Improvements from the Property to the connection with the Cucamonga Creek Channel as described in Exhibit F.-3. OWNER shall be responsible for the construction of the necessary extension of storm drain facilities, as described in Exhibit F-3. OWNER and CITY agree that CITY may issue grading, building permits and other required permits for OWNER to initiate construction of structures on the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of the storm drain Improvements described in Exhibit F-3. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy prior to completion of the storm drain improvements.

3.5.2 OWNER agrees that development of the Project shall require the construction of street improvements as described in Exhibits F.-1a, F-1b and F-1c. OWNER and CITY agree that CITY may issue grading, building permits and other required permits for OWNER to initiate construction of structures on the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings on the Property prior to Substantial Completion of the street Improvements as described in Exhibits F-1a, F-1b, and F-1c. For purposes of the foregoing, street improvements shall be deemed Substantially Complete even if the final lift of pavement has not been completed (i.e., Owner may install the final lift after completion of all other construction). CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to Substantial Completion of the street improvements. OWNER agrees that the street improvements shall be completed and subject to final

acceptance by CITY prior to the release any security for the construction of the street improvements.

3.5.2.1 CITY agrees that OWNER shall be required to construct four-way signalized intersection improvements at the intersection of Merrill and Carpenter Avenues as described in Exhibit F-1c. Such intersection is within both the City of Ontario and the City of Chino. If OWNER constructs such four-way intersection improvements and such improvements are constructed by OWNER at their ultimate locations to serve the full width of the master planned street improvements, OWNER shall be entitled to any reimbursements paid to, and received by, CITY from the City of Chino or from other benefitting properties within the City of Ontario, for the costs of the construction of the four-way signalized intersection of Merrill and Carpenter Avenues.

3.5.3 OWNER agrees that development of the Property shall require the extension of permanent master planned water utility Improvements as described in Exhibit F-4 consisting generally of the construction of the extension of permanent master planned water utility Improvements from two (2) points of connection to serve the Property. OWNER and CITY agree that CITY may issue grading, building and other required permits for OWNER to initiate construction of structures on the Property according to plans approved by CITY upon completion of sufficient water and recycled water improvements to serve the Property from at least one point of connection and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings on the Property until the completion of the water and recycled water improvements described in Exhibit F-4 and Exhibit F-5. City agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to completion of the water and recycled water improvements if there is available permanent water and recycled water service from a minimum of one point of connection and sufficient water is available for fire protection purposes for any buildings while under construction.

3.5.4 OWNER agrees that development of the Property shall require the construction of permanent master planned sewer Improvements as described in Exhibit F.-2. OWNER and CITY agree that CITY may issue grading, building permits and other required permits for OWNER to initiate construction of structures on the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of the sewer improvements described in Exhibit F-2. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to the completion of the sewer improvements described in Exhibit F-2.

3.6 Acquisition of Offsite Provision of Real Property Interests. In any instance where OWNER is required by any Development Approval or Land Use Regulation and the Construction Agreement to construct any public improvement on land not owned by OWNER ("Offsite Improvements"), the CITY and OWNER shall cooperate in acquiring the necessary legal interest ("Offsite Property") in accordance with the procedures set forth in Section 2.4 of the Construction Agreement. This section 3.6 is not intended by

the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the CITY upon the development of the Project under the Subdivision Map Act or other legal authority.

3.6.1 CITY Acquisition of Non-Construction Agreement Offsite Property. In the event OWNER is required to construct any public improvements on land not owned by OWNER, but such requirement is not based upon the Construction Agreement, Sections 3.8.1 and 3.8.2 shall control the acquisition of the necessary property interest(s) ("Non-Construction Agreement Offsite Property"). If the OWNER is unable to acquire such Non-Construction Agreement Offsite Property, and following the written request from the OWNER to CITY, CITY agrees to use reasonable and diligent good faith efforts to acquire the Non-Construction Agreement Offsite Property from the owner or owners of record by negotiation to the extent permitted by law and consistent with this Agreement. If CITY is unable to acquire the Non-Construction Agreement Offsite Property by negotiation within thirty (30) days after OWNER'S written request, CITY shall, initiate proceedings utilizing its power of eminent domain to acquire that Non-Construction Agreement Subject Property at a public hearing noticed and conducted in accordance with California Code of Civil Procedure Section 1245.235 for the purpose of considering the adoption of a resolution of necessity concerning the Non-Construction Agreement Offsite Property, subject to the conditions set forth in this Section 3.6.1 The CITY and OWNER acknowledge that the timelines set forth in this Section 3.6.1 represent the maximum time periods which CITY and OWNER reasonably believe will be necessary to complete the acquisition of any Non-Construction Agreement Offsite Property. CITY agrees to use reasonable good faith efforts to complete the actions described within lesser time periods, to the extent that it is reasonably able to do so, consistent with the legal constraints imposed upon CITY.

3.6.2 Owner's Option to Terminate Proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to making an offer to the owner of the Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease all acquisition proceedings with respect to that Non-Construction Agreement Offsite Property, whereupon CITY shall cease such proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to the date of the hearing on CITY'S intent to consider the adoption of a resolution of necessity as to any Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease condemnation proceedings, whereupon CITY shall cease such proceedings. If OWNER does not notify CITY to cease condemnation proceedings within said fifteen (15) day period, then the CITY may proceed to consider and act upon the Non-Construction Agreement Offsite Property resolution of necessity. If CITY adopts such resolution of necessity, then CITY shall diligently institute condemnation proceedings and file a complaint in condemnation and seek an order of immediate possession with respect to the Non-Construction Agreement Offsite Property.

3.7 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this Agreement does not limit the authority of such other public agencies. CITY agrees to cooperate fully, at no cost to CITY, with OWNER in obtaining any required permits or compliance with the regulations of other public agencies provided such cooperation is not in conflict with any laws, regulations or policies of the CITY.

3.8 Tentative Parcel Maps; Extension. With respect to applications by OWNER for tentative parcel maps for portions of the Property, CITY agrees that OWNER may file and process tentative maps in accordance with Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the California Government Code and the applicable provisions of CITY's subdivision ordinance, as the same may be amended from time to time. In accordance with the provisions of Section 66452.6 of the Government Code, each tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be deemed to have been granted an extension of time to and until the date that is five (5) years following the Effective Date of this Agreement. The CITY's City Council may, in its discretion, extend any such map for an additional period of up to five (5) years beyond its original term, so long as the subdivider files a written request for an extension with the City prior to the expiration of the initial five (5) year term.

3.9 Specific Plan Charge. Pursuant to Government Code section 65456, the City Council may consider adopting a specific plan charge upon persons seeking CITY approvals that are required to be consistent with the Specific Plan. Any such charges shall, in the aggregate, defray, but not exceed, the estimated cost of preparation, adoption, and administration of the Specific Plan, including costs incurred pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.). As nearly as can be estimated, the charges shall be a prorated amount in accordance with the applicant's relative benefit derived from the Specific Plan. If such charges are adopted, the CITY shall use such charges to reimburse the applicant(s) who originally paid the cost of preparing the Specific Plan (in this case, the OWNER, who acquired the property from such applicant), including costs incurred pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.) to the extent such applicant(s) paid more than its relative benefit from the Specific Plan. Such charges, if adopted, shall be imposed on persons seeking CITY approvals that are required to be consistent with the Specific Plan, to the extent such person(s) has/have not entered into a reimbursement agreement with, and satisfactory to, the person(s) originally responsible for the cost of preparing the Specific Plan, including costs incurred pursuant to CEQA.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits

conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Impact Fees.

4.2.1 Amount of Development Impact Fee. Development Impact Fees (DIF) shall be paid by OWNER. The Development Impact Fee amounts to be paid by OWNER shall be the amounts that are in effect at the time such amounts are due. Nothing contained in this Agreement shall affect the ability of the CITY to impose new Development Impact Fees or amend the amounts of existing Development Impact Fees. Additionally, nothing contained in this Agreement shall affect the ability of other public agencies that are not controlled by CITY to impose and amend, from time to time, Development Impact Fees established or imposed by such other public agencies, even though such Development Impact Fees may be collected by CITY.

4.2.2 Time of Payment. The Development Impact Fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permit for each applicable residential or other building (subject to the application/use of available fee deferrals or credits), except for the Open Space and Habitat Acquisition Development Impact fee, which shall be paid by OWNER to CITY prior to the issuance of a grading permit

4.3 Responsibility for Construction of Public Improvements.

4.3.1 Timely Construction of Public Infrastructure. The phasing of the area wide infrastructure construction within the New Model Colony will be as approved by the CITY. OWNER shall be responsible for the timely construction and completion of all public infrastructure required for the Project as shown on the attached Exhibit "F" and any and all tentative parcel map conditions. Unless otherwise specified in the Parcel Map conditions, and subject to the provisions of Section 3.6, all other required Improvements for each Parcel Map, shall be completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of a final occupancy permit for any buildings to be constructed on the Property. All Infrastructure and Improvements shall be completed as required by the Subdivision Agreement/Parcel Map conditions for Parcel Map No.19643.

4.3.2 Availability and Use of Recycled Water. OWNER agrees that recycled water shall be available and utilized by OWNER for all construction-related water uses including prior to, and during, any grading of the Property

4.3.3 Construction of DIF Program Infrastructure To the extent OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program CITY agrees that CITY shall issue DIF Credit and DIF Reimbursement in accordance with the provisions of a separate Fee Credit Agreement between CITY and OWNER. Limitations on the use of DIF Credit issued to OWNER to offset OWNER's DIF payment obligations shall also be subject to the provisions of a separate Fee Credit Agreement. OWNER may also be eligible to

receive reimbursement from DIF collected by CITY and paid by other development that benefits from OWNER's construction of DIF Program Infrastructure. Any such DIF Reimbursement shall be subject to a Fee Credit Agreement between CITY and OWNER. CITY and OWNER agree that the Fee Credit Agreement between CITY and OWNER shall comply with CITY's adopted policies applicable to such agreements.

4.4 Public Services Funding Fee.

4.4.1 Requirement for Payment of Public Services Funding Fee. In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to each Project in a timely manner, OWNER shall pay to CITY a "Public Services Funding Fee." The Public Services Funding Fee shall apply to residential and non-residential uses as set forth below.

4.4.2 Public Services Funding Fee Amount. OWNER shall pay a Public Services Funding fee in a single installment payment in the amount of Fifty-Six Cents ($.56) per square foot of each non-residential building. The single installment for non-residential uses shall be due and payable on a building-by-building basis prior to the issuance of the building permit for a non-residential building. The amount of the Single Installment for non-residential uses shall automatically increase by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2017. OWNER may exercise the option to pay any single installment amounts for the remainder of the non-residential square footage within the Project on or before December 31st, before the Single Installment amount is automatically increased

4.5 Net MDD/Water Availability Equivalents.

4.5.1 CITY issuance Water Availability Equivalents. Upon OWNER's payment to CITY of the amount of Three Million, Five Hundred, Thousand dollars ($3,500,000.00) CITY shall issue a Certificate of Water Availability Equivalents in the form attached hereto as Exhibit G. Such Water Availability Equivalents Certificate shall be issued by CITY within five (5) business days of the receipt of such required payment. CITY and OWNER agree that the amount of Water Availability Equivalents issued to OWNER shall be based on the maximum projected need for Water Availability Equivalents required for the Property based upon water demand factors and assumptions listed in Exhibit C-2R of the Construction Agreement and Amendment to the Construction Agreement "Water Demand Equivalents by Land Use" for each land use category. Additionally, within five (5) business days of CITY's receipt of OWNER's payment as required under this Section 4.5.2, CITY shall issue a certificate of DIF Credit against OWNER's DIF obligations in the regional water DIF Category. The amount of the DIF Credit issued by CITY shall be three million, five hundred thousand dollars ($3,500,000.00). The form of the Certificate of DIF Credit shall be as described in Exhibit H, attached hereto and incorporated herein. CITY and OWNER agree that the amount of DIF Credit to be issued by CITY to OWNER is expected to exceed OWNER's DIF obligation in the regional water DIF Category and any

and all excess DIF Credit issued to OWNER shall be available to OWNER or OWNER's assignees for use as an offset against any DIF obligations in the regional water DIF Category related to the development of other property within the Ontario Ranch area OWNER and CITY agree that OWNER's payment to CITY required by this Section 4.5.3 below represents OWNER's contribution to the funding required for the future construction of the Phase 2 Water Improvements and the availability of additional Net MDD Water Availability required for the development of the Property described in Exhibit A of this Agreement.

4.5.2 Assignment of Regional Water DIF Credits. OWNER shall have the right to transfer or assign the regional water DIF Credit issued by CITY under Section 4.5.3 as provided for herein, to any person, partnership, limited liability company, joint venture, firm or corporation. All sale, transfer or assignment of any DIF Credit shall be conditioned upon OWNER providing CITY with notice concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter. OWNER shall notify the City Manager, in writing, of such sale, transfer or assignment and shall provide the City with an executed agreement, in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee has accepted the assignment and that such purchaser, transferee or assignee understands and agrees that such DIF credit shall only be used as an offset against any DIF obligations in the regional water DIF Category and that such DIF Credit shall only be used as an offset the payment of DIF required for the issuance of building permits by CITY within the modified Exhibit A area of the Construction Agreement between the CITY and NMC Builders.

4.6 Requirement for other Water System Improvements. A Certificate of Net MDD Availability is evidence only of available water capacity and does not satisfy any other conditions applicable to OWNER's Project, including those relating to design and construction of master-planned potable water and recycled water transmission and distribution system for the respective pressure zone and other public infrastructure requirements.

4.7 Compliance with Public Benefits Requirements.

4.7.1 Failure to Provide Public Benefits. In the event OWNER fails or refuses to comply with any condition referenced in Section 4.1 through 4.6, or challenges (whether administratively or through legal proceedings) the imposition of such conditions, OWNER shall be deemed in default of this Agreement pursuant to Section 8 hereof, thereby entitling the City to any and all remedies available to it, including, without limitation, the right of the City to withhold OWNER's Project-related building permits, certificates of occupancy, or discretionary approvals, without liability. Nothing herein shall waive Owner's right to assert a default (or failure to perform) by the City has excused Owner's performance under this Agreement.

5. FINANCING OF PUBLIC IMPROVEMENTS.

5.1 Financing Mechanism(s). As further described in the Memorandum of Agreement between CITY and NMC Builders, CITY will cooperate with OWNER in the formation of a CFD, or CFDs, to include all of the Project, to provide a financing mechanism to reimburse the OWNER for funds paid to NMC Builders for OWNER's share of the costs of public infrastructure pursuant to the Construction Agreement. Notwithstanding such reimbursements, OWNER shall remain entitled to DIF Credits as provided for in Article 3 of the Construction Agreement and/or as provided for in a separate Fee Credit Agreement between CITY and OWNER. OWNER agrees that, prior to the recordation of any Parcel Map, the property subject to such Parcel Map shall be included in a CFD to finance City services through annual special taxes that will initially be $1,387.00 per Single Family Detached Dwelling Unit, $1,202.00 per Multiple-Family Dwelling Unit, $1,008.00 per Gated Apartment Community Dwelling Unit, and $.27 per square foot for Non-Residential buildings. These amounts shall be subject to an automatic increase at a rate not to exceed four (4%) percent per year. CITY shall be the sole and exclusive lead agency in the formation of any CFD, assessment district or other public financing mechanism within the Property; provided however, that the proceeds of any such CFD, assessment district, or financing mechanism may be used, subject to restrictions that may be imposed by applicable law, for the purposes of acquiring, constructing or maintaining public facilities to be owned or operated by other public agencies, including, without limitation those facilities owned or operated by a school district. In addition to the rights of the CITY pursuant to section 5.2 hereof, CITY shall have the right, but not the obligation, to condition the formation of any CFD, assessment district or other public financing mechanism within the Property on the OWNER mitigating all Project-related impacts to the applicable school district(s) as required by such school district(s). Written evidence by such school district(s) may be required by the CITY as the condition to the formation of any CFD, assessment district or other public financing mechanism within the Property, or any steps preliminary thereto, including, without limitation, the adoption of any resolution of intention to form such CFD, assessment district or other public financing mechanism within the Property. It is not the intent of the parties hereto, by this provision, to prohibit or otherwise limit the City's ability to take any and all necessary steps requisite to the formation of the CFD to finance City services through annual special taxes as set forth in this Section 5.1. Formation of any CFD, assessment district or other public financing mechanism within the Property, shall be subject to CITY's ability to make all findings required by applicable law and complying with all applicable legal procedures and requirements including, without limitation, CITY's public financing district policies as such policies may be amended from time to time. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic and Special Reviews.

6.1.1 Time for and Initiation of Periodic Review. The CITY shall review this Agreement every twelve (12) months from the Effective Date in order to ascertain the

good faith compliance by the OWNER with the terms of this Agreement. The OWNER shall submit an Annual Monitoring Report to CITY, in a form acceptable to the City Manager, along with any applicable processing charge within ten (10) days after each anniversary date of the Effective Date of this Agreement. Within fifteen (15) days after the receipt of the Annual Monitoring Report, CITY shall review the Annual Monitoring Report. Prior to the expiration of the fifteen (15) day review period, CITY shall either issue a notice of continuing compliance or a notice of non-compliance and a notice of CITY's intent to conduct a Special Review pursuant to Sections 6.1.2 through 6.1.6. Issuance of a notice of continuing compliance may be issued by the City Manager or his designee.

6.1.2 Initiation of Special Review. A special review may be called either by agreement between the parties or by initiation in one or more of the following ways:

(a) Recommendation of the Planning staff;

(b) Affirmative vote of at least four (4) members of the Planning Commission; or

(c) Affirmative vote of at least three (3) members of the City Council.

6.1.3 Notice of Special Review. The City Manager shall begin the special review proceeding by giving notice that the CITY intends to undertake a special review of this Agreement to the OWNER. Such notice shall be given at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission.

6.1.4 Public Hearing. The Planning Commission shall conduct a hearing at which the OWNER must demonstrate good faith compliance with the terms of this Agreement. The burden of proof on this issue is upon the OWNER.

6.1.5 Findings Upon Public Hearing. The Planning Commission shall determine upon the basis of substantial evidence whether or not the OWNER has, for the period under review, complied in good faith with the terms and conditions of this Agreement.

6.1.6 Procedure Upon Findings.

(a) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has complied in good faith with the terms and conditions of this Agreement during the period under review, the review for that period is concluded.

(b) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has not complied in good faith with the terms and conditions of this Agreement during the period under review, the Planning Commission may recommend to the City Council to modify or terminate this Agreement.

(c) The OWNER may appeal a determination pursuant to paragraph (b) to the City Council in accordance with the CITY's rule for consideration of appeals in zoning matters generally.

6.2 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.1.6(b), the CITY determines to proceed with modification or termination of this Agreement, the CITY shall give notice to the property OWNER of its intention so to do. The notice shall contain:

(a) The time and place of the hearing;

(b) A statement as to whether or not the CITY proposes to terminate or to modify this Agreement; and

(c) Other information that the CITY considers necessary to inform the OWNER of the nature of the proceeding.

6.3 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, the OWNER shall be given an opportunity to be heard. The OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on the OWNER. If the City Council finds, based upon substantial evidence in the administrative record, that the OWNER has not complied in good faith with the terms and conditions of the agreement, the City Council may terminate this Agreement or modify this Agreement and impose those conditions to the action it takes as it considers necessary to protect the interests of the CITY. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.4 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon written request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Planning Director and City Council that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Planning Director or City Council.

7. [RESERVED]

8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof. In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any

successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

8.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

(a) Money damages are unavailable against CITY as provided in Section 8.1 above.

(b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 Release. Except for nondamage remedies, including the remedy of specific performance and judicial review as provided for in Section 6.5, OWNER, for itself, its successors and assignees, hereby releases the CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the CITY because it entered into this Agreement or because of the terms of this Agreement.

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.3 herein, CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as “default”); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER

to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.5 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

9. THIRD PARTY LITIGATION.

9.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its Comprehensive General Plan, as such General Plan exists as of the Effective Date ("General Plan"), and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination. CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any such claim, action or proceeding, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action or proceeding, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action or proceeding.

9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, to the extent relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study,

design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

9.4 Environment Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, to the extent based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property during OWNER'S period of ownership of the Property, including, but not limited to, soil and groundwater conditions caused by OWNER, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, CITY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend CITY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse CITY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 Survival. The provisions of this Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

10. MORTGAGEE PROTECTION.

10.1 Mortgagee Protection. The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement

(e) In the event of a default by Owner, any Mortgagee shall have the right to remedy, or cause to be remedied, such default within sixty (60) days following the later to occur of (i) the date of Mortgagee's receipt of the notice referred to in Section 10.1(b) above, or (ii) the expiration of the period provided herein for Owner to remedy or cure such default, and City shall accept such performance by or at the insistence of the Mortgagee as if the same had been timely made by Owner; provided, however, that (i) if such default is not capable of being cured within the timeframes set forth in this Section and Mortgagee commences to cure the default within such timeframes, then Mortgagee shall have such additional time as is required to cure the default so long as Mortgagee diligently prosecutes the cure to completion and (ii) if possession of the Property (or portion thereof) is required to effectuate such cure or remedy, the Mortgagee shall be deemed to have timely cured or remedied if it commences the proceedings necessary to obtain possession thereof within sixty (60) days after receipt of the copy of the notice, diligently pursues such proceedings to completion, and, after obtaining possession, diligently completes such cure or remedy.

11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the San Bernardino County Recorder by the City Clerk within the ten (10) days after the CITY executes this Agreement, as required by Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement as provided for herein and in Government Code

Section 65868, or if the CITY terminates or modifies the agreement as provided for herein and in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of this Agreement, the City Clerk shall have notice of such action recorded with the San Bernardino County Recorder.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Singular and Plural. As used herein, the singular of any word includes the plural.

11.7 Joint and Several Obligations. Subject to section 2.4, if at any time during the term of this Agreement the Property is owned, in whole or in part, by more than one owner, all obligations of such owners under this Agreement shall be joint and several, and the default of any such owner shall be the default of all such owners. Notwithstanding the foregoing, no owner of a single lot which has been finally subdivided and sold to such owner as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as provided under Section 4 hereof.

11.8 Time of Essence. Time is of the essence in the performance of .the provisions of this Agreement as to which time is an element.

11.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

11.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

11.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

11.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that

each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement. The City Manager may delegate his powers and duties under this Agreement to an Assistant City Manager or other management level employee of the CITY.

11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

11.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Planning Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of the Hague Convention (Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20 U.S.T. 361, T.I.A.S. No. 6638).

11.20 Estoppel Certificate. Within thirty (30) business days following a written request by any of the parties, the other party shall execute and deliver to the requesting party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the responding party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification

except as may be represented by the requesting party and that there are no uncured defaults in the performance of the requesting party, except as may be represented by the requesting party. OWNER shall pay to CITY all costs incurred by CITY in connection with the issuance of estoppel certificates requested by Owner under this Section 11.20 prior to CITY's issuance of such certificates.

11.21 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

SIGNATURE PAGE
TO DEVELOPMENT AGREEMENT

"OWNER"

CLDFI Remington, LLC,
a Delaware limited liability company

By: _____
Name:
Its: _____
Date: _____

"CITY"

CITY OF ONTARIO

By:_____
Al C. Boling
City Manager

Date: _____

ATTEST:

_____
City Clerk, Ontario

APPROVED AS TO FORM:

BEST, BEST & KREIGER LLP

_____
City Attorney

STATE OF CALIFORNIA

COUNTY OF _____)

On , 2017, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:_____(Seal)

EXHIBIT "A"
TO DEVELOPMENT AGREEMENT

Legal Description of Property

THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
PARCEL NO.1
THAT PORTION OF THE SOUTH 112 OF SECTION 22, AND THOSE PORTIONS OF GOVERNMENT LOTS 3, 4, 5 AND 8, ALL IN THE SOUTH 112 OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, SEPTEMBER 16, 1893, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 3, SECTION 22, WHICH IS 129.75 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST 2069.11 FEET PARALLEL WITH THE SOUTH LINE OF SAID LOT 3, TO A POINT WHICH IS 663.29 FEET WEST OF THE EAST LINE OF THE NORTHWEST 114 OF THE SOUTHEAST 114 OF SAID SECTION 22; THENCE SOUTH 1449.75 FEET (RECORDED 1529.65 FEET IN BOOK 8, PAGE 71, RECORD OF SURVEY), TO THE SOUTH LINE OF SAID LOT 8, SECTION 22; THENCE WEST 2069.11 FEET ALONG THE SOUTH LINE OF SAID LOT 8 AND 4 TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 1449.75 FEET (RECORDED 1529.65 FEET IN BOOK 8, PAGE 71, RECORDS OF SURVEY), ALONG THE WEST LINE OF SAID LOTS 4 AND 3, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT BY THE DEED RECORDED OCTOBER 28, 1944 IN BOOK 1720, PAGE 136 OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE INTEREST IN THE WEST 25 FEET OF SAID LAND AS CONVEYED TO THE COUNTY OF SAN BERNARDINO FOR HIGHWAY PURPOSES, BY DEED RECORDED IN BOOK 355, PAGE 287 OF DEEDS. ALSO EXCEPTING THEREFROM A 401100TH INTEREST IN AND TO A WELL SITE, AS CONVEYED TO HENRY BEKENDAM AND HOPE BEKENDAM, HUSBAND AND WIFE, AS JOINT TENANTS, BY DEED RECORDED MARCH 4, 1963 IN BOOK 5863 PAGE 192 OFFICIAL RECORDS, DESCRIBED AS FOLLOWS: THE NORTH 20.00 FEET OF THE SOUTH 74.75 FEET OF THE EAST 20.00 FEET OF THE WEST 437.00 FEET OF GOVERNMENT LOT 3 SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO GOVERNMENT SURVEY.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT BY DEED RECORDED SEPTEMBER 12, 1977 IN BOOK 9260 PAGE 60 OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO SANTA ANA WATERSHED PROJECT AUTHORITY, A PUBLIC AGENCY BY DEED RECORDED JUNE 16, 1999, INSTRUMENT NO. 99-256762, OFFICIAL RECORDS.

PARCEL NO.2
A 401100 INTEREST IN AND TO WELL SINE DESCRIBED AS FOLLOWS:

THE NORTH 20.00 FEET OF THE SOUTH 74.75 FEET OF THE EAST 20.00 FEET OF THE WEST 437.00 FEET OF GOVERNMENT LOT 3, SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND APPROVED BY THE SURVEYOR GENERAL, DATED AUGUST 30, 1873.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT OVER A STRIP OF LAND FOR THE CONVEYANCE OF WATER THROUGH AN EXISTING PIPE LINE WITH THE RIGHT TO ENTER UPON SAID STRIP OF LAND IN A PRUDENT AND CAREFUL MANNER WHEN NECESSARY TO REPLACE OR REPAIR SAID PIPE LINE AND ALSO FOR INGRESS TO AND EGRESS FROM THE ABOVE MENTIONED WELL SITE. SAID STRIP OF LAND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 427.00 FEET EAST OF AND 54.75 FEET; NORTH OF THE NORTHWEST CORNER OF GOVERNMENT LOT 4, SECTION 22, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO GOVERNMENT SURVEY; THENCE SOUTH AND PARALLEL WITH THE WEST LINE OF SAID LOT 4 TO A POINT 635 FEET SOUTH OF THE NORTH LINE OF SAID LOT 4; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOT 4,427.00 FEET TO THE WEST LINE OF SAID LOT 4.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.
APN(S): 0218-292-09-0-000,0218-292-10-0-000,
0218-292-13-0-000, 0218-292-14-0-000 AND
0218-292-12-0-000

THE LAND SHOWN IN THIS SURVEY IS THE SAME AS THAT DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-626317-ONT1, DATED AUGUST 19, 2013.

EXHIBIT "B"
TO DEVELOPMENT AGREEMENT

Map showing Property and its location

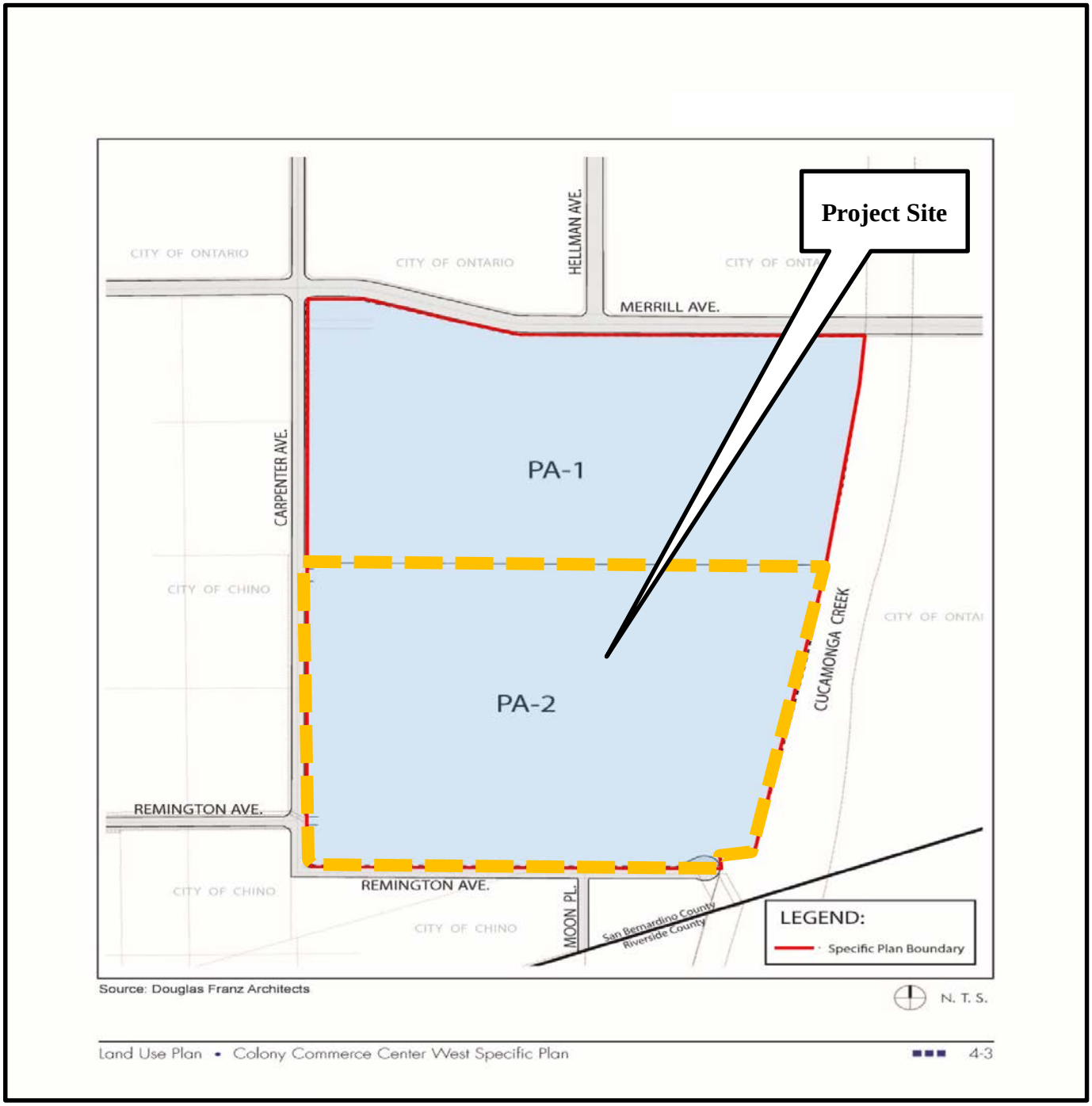


EXHIBIT "C"
TO DEVELOPMENT AGREEMENT

Existing Development Approvals

On August 22, 2017, the Planning Commission:

a) Issued Resolution No. issued Resolution PC17-XX recommending City Council certification of the Colony Commerce Center West Specific Plan EIR.
b) Issued Resolution PC17-XX recommending City Council approval of the Colony Commerce Center West Specific Plan (File No. PSP15-001).

c) Issued Resolution No. PC17-XX recommending City Council approval of the Development Agreement (File No. PDA16-001).

d) Issued Resolution No. PC17-XX approving Tentative Parcel Map 19643 (File No. PMTT16-001).

e) Issued Resolution No. PC17-XX approving Development Plan (File No. PDEV16-002).

On September 19, 2017, the City Council:

f) Issued Resolution 2017-XX to certifying the Colony Commerce Center West Specific Plan EIR (SCH #2015061023).
g) Adopted Ordinance No. XXXX approving the Colony Commerce Center West Specific Plan EIR.

EXHIBIT "D"
TO DEVELOPMENT AGREEMENT

Existing Land Use Regulations

These documents are listed for reference only:

1. The Colony Commerce Center West Specific Plan (File No. PSP15-001) Environmental Impact Report, Resolution No. 2017-XX.

2. The Colony Commerce Center West Specific Plan (File No. PSP15-001), Ordinance No. XXXX.

3. Tentative Parcel Map 19643 (File No. PMTT16-001), Resolution No. PC17-XXX.

4. Development Plan (File No. PDEV16-002), Resolution No. PC17- XXX.

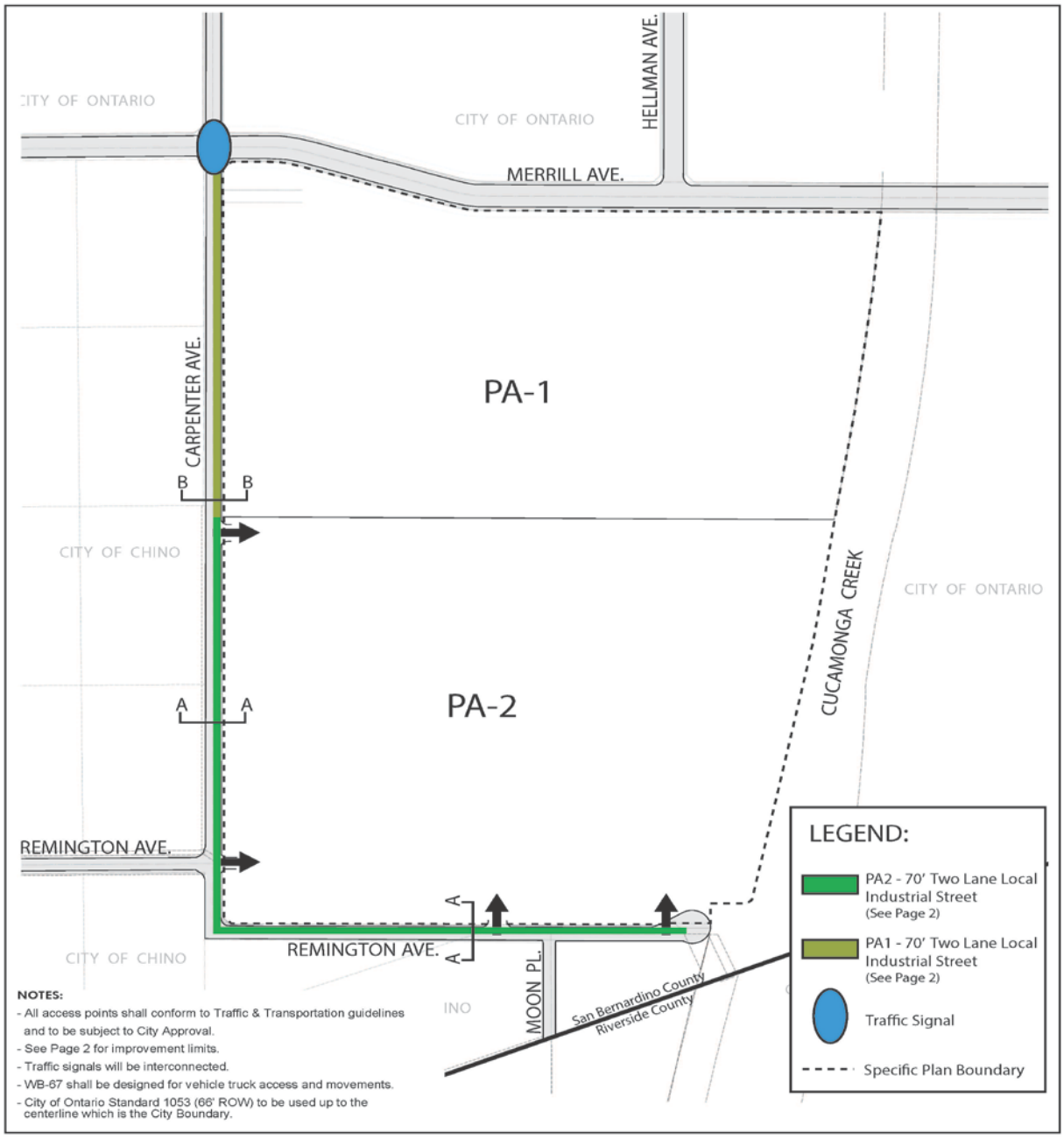
5. City of Ontario Municipal Code

    a. Six – Sanitation & Health
    b. Seven – Public Works
    c. Eight – Building Regulations
    d. Nine – Development Code

EXHIBIT "F-1a"
Required Infrastructure Improvements

Parcel 19643
Street Improvements

Development Agreement
Exhibit F-1a

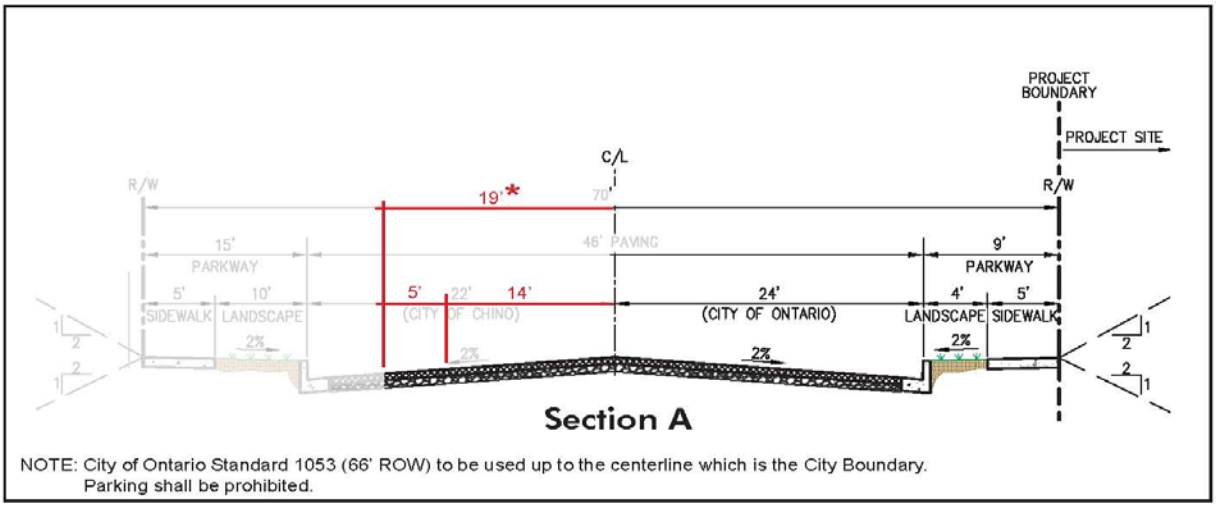


Source: KTGY Group

N. T. S.

Parcel 19643
Street Improvements -
Carpenter Avenue & Remington Avenue (70' ROW)

Development Agreement
Exhibit F-1b



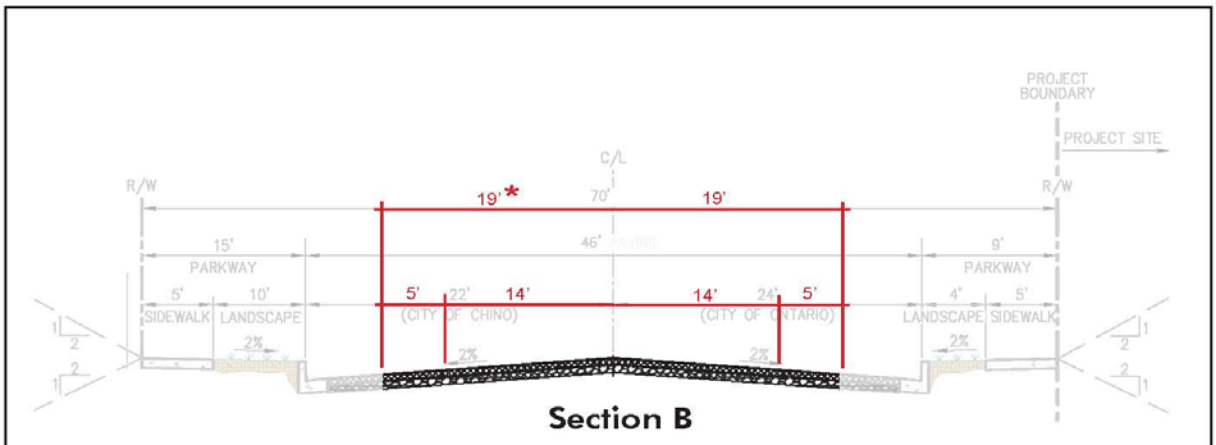
Section A

NOTE: City of Ontario Standard 1053 (66' ROW) to be used up to the centerline which is the City Boundary.
Parking shall be prohibited.

Source: David Evans & Associates

* Depending on development timing, project will construct 19' (14' Circulation Lane + 5' Shoulder) of ultimate paving beyond centerline.

Street Improvements -
Carpenter Avenue (70' ROW)



Section B

NOTE: City of Ontario Standard 1053 (66' ROW) to be used up to the centerline which is the City Boundary.
Parking shall be prohibited.

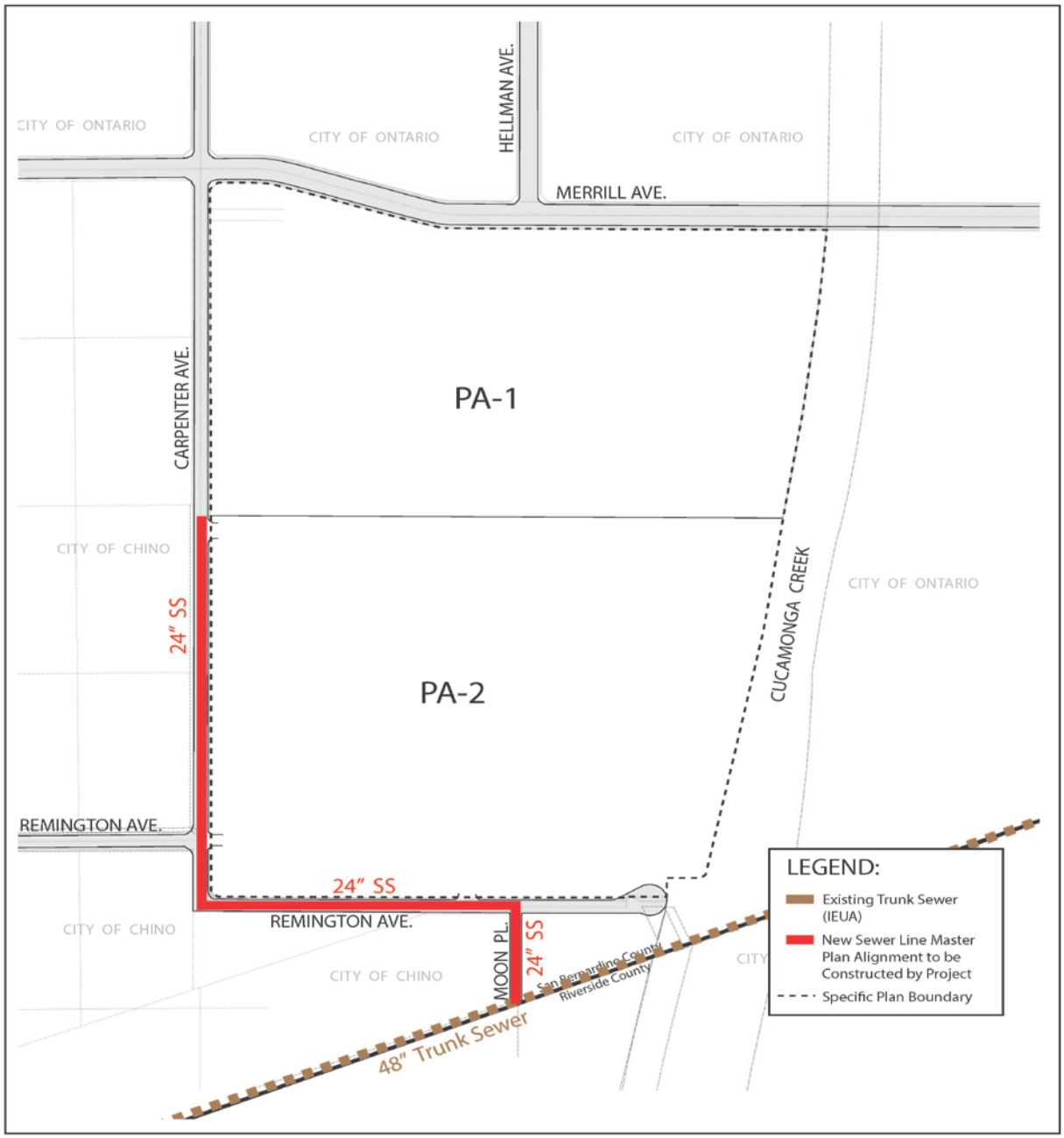
Source: David Evans & Associates

* Depending on development timing, project will construct 19' (14' Circulation Lane + 5' Shoulder) of ultimate paving beyond centerline.

EXHIBIT "F-2"
Required Infrastructure Improvements

Parcel 19643
Sewer Improvements

Development Agreement
Exhibit F-2



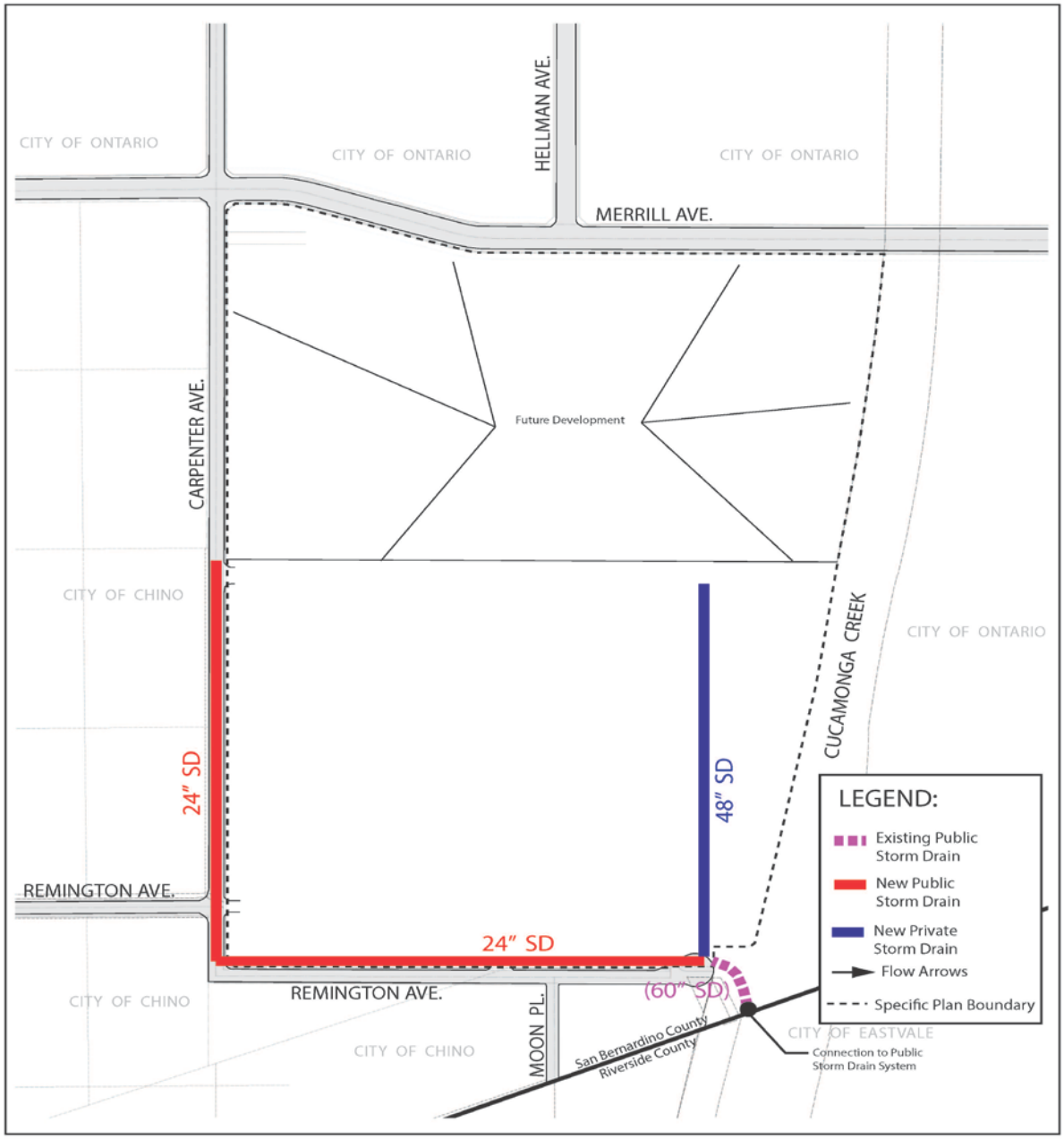
Source: David Evans & Associates

N. T. S.

EXHIBIT "F-3"
Required Infrastructure Improvements

Parcel 19643
Storm Drain Improvements

Development Agreement
Exhibit F-3



Source: David Evans & Associates

N. T. S.

EXHIBIT "F-4"
Required Infrastructure Improvements

Parcel 19643
Water Improvements

Development Agreement
Exhibit F-4

Source: David Evans & Associates

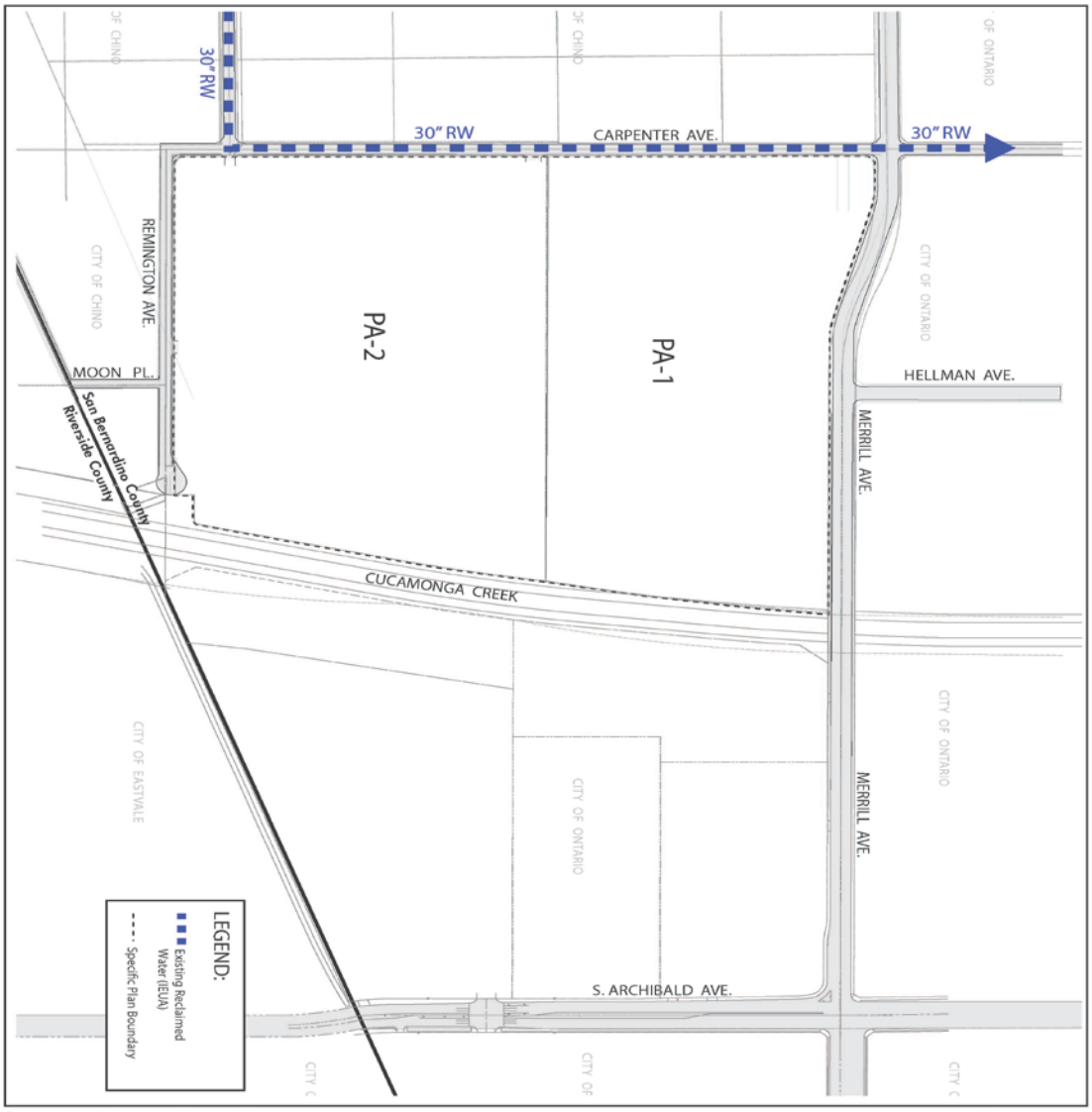
N. T. S.

Sheet 5 of 6 ■■■ Colony Commerce Center Required Infrastructure • Development Agreement • Parcel 19643

EXHIBIT "F-5"
Required Infrastructure Improvements

Parcel 19643
Reclaimed Water Improvements

Development Agreement
Exhibit F-5



Source: David Evans & Associates

N. T. S.

Sheet 6 of 6 ■■■ Colony Commerce Center Required Infrastructure • Development Agreement • Parcel 19643

EXHIBIT "G"
TO DEVELOPMENT AGREEMENT

FORM OF CERTIFICATE OF NET MDD AVAILABILITY

Pursuant to Section ___ of this Agreement between the City of Ontario, a California municipal corporation, and CLDFI Remington, LLC, a Delaware limited liability company, hereinafter called "OWNER", the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called "Agreement", the City of Ontario hereby certifies based on CITY receipt of payment of OWNER's share of the funding for the Phase 2 Water Improvements, that OWNER is entitled to the following Net MDD Water Availability.

Amount of Net MDD _____ gpm

_____
Al C. Boling, City Manager

Dated:_____

Exhibit "H"

FORM OF CERTIFICATE OF REGIONAL OR LOCAL ADJACENT DIF CREDIT

Pursuant to Section 4.5.3 of this Agreement by and between the City of Ontario and CLDFI Remington, LLC, dated _____, 2016, the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called the "Development Agreement', the City of Ontario hereby certifies that OWNER is entitled to the following amount and nature of DIF Credits in the Regional Water DIF Infrastructure Category:

Amount of Credit: $_____

_____
Al C. Boling, City Manager

Dated:_____

317129390.1

Exhibit "I"

FORM OF PLUME DISCLOSURE LETTER

CITY OF ONTARIO

ONTARIO MUNICIPAL UTILITIES COMPANY

PAUL S. LEON
MAYOR

DEBRA DORST-PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

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CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT BURTON
UTILITIES GENERAL MANAGER

March 2017

DISCLOSURE NOTICE
SOUTH ARCHIBALD TRICHLOROETHYLENE PLUME

Dear Property Owner/Developer/Applicant:

The City of Ontario ("City") has approved or will be approving development in the Ontario Ranch area in the next few years, subject to the appropriate and required statutory process. This letter is intended to serve as notice to all potential property owners of the existence of a groundwater plume, known as the South Archibald Trichloroethylene (TCE) Plume which may exist in, under or near owner's property.

The groundwater plume is in an area in the central Chino Basin south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue. The plume primarily consists of TCE, a discontinued industrial solvent, and is subject to a clean-up under the oversight and direction of the Santa Ana Regional Water Quality Control Board ("Regional Board").

The Regional Board's approved clean-up procedure involves the removal and treatment of groundwater containing TCE via groundwater wells to reduce the plume concentrations and control its migration. In addition, the City is providing potable water supplies for domestic purposes to residences with private domestic wells affected by the plume. Finally, the Regional Board will continue to monitor all impacted areas and private domestic wells to ensure that residents' health and the environment are properly safeguarded. These remedial actions are documented in a Remedial Action Plan approved by the Regional Board in September 2016.

Further and current information may be found on the Regional Board's Geotracker website at https://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

Property owners may wish to include this letter as a part of a Real Estate Transfer Disclosure under California Civil Code Section 1102 et seq.

1425 SOUTH BON VIEW - ONTARIO, CALIFORNIA 91761-4406 - (909) 395-2605 - FAX (909) 395-2601

PLANNING COMMISSION STAFF REPORT

August 22, 2017

SUBJECT: A Tentative Tract Map (**File No. PMTT17-008; TT 18984**) to subdivide 6.11 acres of land into 55 numbered lots and 2 lettered lots in conjunction with a Development Plan (**File No. PDEV17-026**) for the construction of 55 single family detached homes, private/common open space areas and recreational amenities, located at 2041 East Fourth Street, within the MDR-11 (Low-Medium Density Residential) zoning district; **submitted by KB Home Coastal, Inc.**

PROPERTY OWNER: Los Angeles Daily News

RECOMMENDED ACTION: That the Planning Commission approve File No's. PMTT17-008 (TT 18984) and PDEV17-026 pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 6.11 acres of land located at 2041 East Fourth Street, within the MDR-11 (Low-Medium Density Residential) zoning district, and is depicted in ***Figure 1: Project Location***, below. The project site was developed in the mid-1980s and utilized as a newspaper printing facility and offices for The Inland Valley Daily Bulletin. From the mid-1980s until May of 2013 the Daily Bulletin published and printed periodicals and related inserts within the 76,000 square foot building. The existing building lies in the center of the project site and is surrounded by paved areas that are utilized for parking and on-site circulation. There is an existing 20 foot-wide water, sewer and drainage easement adjacent to the eastern property line that runs north-south through the parcel that will remain.

Figure 1: Project Location

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	6/26/2017
Hearing Deadline:	n/a

Hearing Body	*Date*	*Decision*	*Action*
DAB	8/21/17	Approve	Recommend
ZA			
PC	8/22/17		Final
CC			

There are existing block walls along the west, north and east property lines that will also remain. The zoning and land uses surrounding the project site are as follows:

- The zoning for the area north of the project site is MDR-18 (Medium Density Residential) and it was developed in 1981 as a multi-family residential, two-unit attached product.

- The zoning for the area east of the project site is MHP (Mobile Home Park). The Lamplighter Mobile Home Park was developed between the late 1960s and early 1970s and contains mobile home units.

- The zoning for the area south of the project site is Meredith International Center Specific Plan with a land use designation of Industrial PA-1 and is developed with a warehouse/distribution facility.

- The zoning for the area west of the project site is MDR-18 (Medium Density Residential), and was developed in 2004 as a multi-family residential, three-unit attached product.

PROJECT ANALYSIS:

[1] Background — In late 2013, Warmington Residential approached the City about changing the land use designation from commercial to residential for the existing Daily Bulletin property. Since the project site is surrounded by multi-family residential uses to the north, west and east, staff determined that a residential land use would be a more compatible land use within the immediate area. In May 2014, Warmington Residential submitted a General Plan Amendment, Zone Change, Planned Residential Development, Tentative Tract Map and Development Plan to facilitate the proposed residential development.

On November 18, 2014, the Ontario City Council approved a Mitigated Negative Declaration (MND), General Plan Amendment, File No. PGPA14-002, and Zone Change (File No. PZC14-003) to change the land use designation from General Commercial (GC) to Low-Medium Density Residential (LMDR - 5.1 -11 du/ac) and zoning from C3 (Commercial Service District) to R1.5 (Low-Medium Density Residential- 5.1-11 du/ac). The Planned Residential Development (PRD), Tentative Tract Map and Development Plan were subsequently approved on December, 15, 2014, by the Planning Commission.

Since the project was approved, the City Council adopted a comprehensive Development Code Update to establish consistency with The Ontario Plan, which included zoning district name changes. As a result, the zoning for the project site was changed from R1.5 (Low-Medium Density Residential (5.1-11 du/ac)) to MDR-11 (Low-Medium Density Residential (5.1 to 11.0 du/ac)), maintaining the same density range.

Additionally, the developer (Warmington Residential) did not move forward with the project, consequently leaving the property owner to find another developer to build the approved project. The Tentative Tract Map and Development Plan expired on December 15, 2016 and an extension was not filed with the City Planning Department prior to the expiration date. In early 2017, KB Home entered into negotiations with the property owner to purchase the site and develop project site. Since the Tentative Tract Map and Development Plan expired, KB Home submitted an application on June 26, 2017, seeking approval of the previously approved project. KB Home is not proposing any changes to the previously approved project that is described further within this report.

[2] Site Plan/ Circulation — The project proposes the development of 55 single family detached homes within a gated community. The development will include private/common open space areas and a major/minor recreational facility (see ***Exhibit A: Site Plan***). Access to the site will be taken from 4th Street with the entry gate recessed 74 feet from the front property line, allowing for adequate vehicle stacking. The internal street system consists of private loop street and alleyways that connect to the main entryway along 4th Street. The private street located on the eastern property line will be 36 feet wide and provide parking on both sides of the street, the private streets located near the western and southern property lines will be 32 feet wide and provide parking on one side of the street. The private streets will be able to accommodate a total of 44 parking spaces for visitors and residents to utilize. The private streets will be paved with asphalt and have a 5-foot adjacent parkway and 5-foot sidewalk. The alleys are 20 feet wide, running east-west connecting to the main street loop. The alleys will have decorative pavers installed with rolled curbs along the edges separating them from the adjacent properties. There is a secondary emergency entry point at the southeast corner of the project site that is accessed from 4th Street. The emergency access will be gated and the driveway treated with grasscrete to minimize hardscape along the 4th Street frontage.

The major and minor recreational facility were combined in one location to create a 19,864 square foot community park. The park is located across the main entryway of the site creating a major focal point upon entering the community. The community park is surrounded by residential homes and includes a pool, a recreation building with an attached covered patio (storage, bathroom & janitor equipment), picnic tables, a tot-lot, BBQ's and a rectangular lawn area approximately 80 feet by 130 feet in size for active play.

[3] Site Design/Building Layout — The 55 residential lots range in size from 2,448 to 4,867 square feet and the minimum lot dimension is 36 feet by 68 feet. There are four floor plans proposed, each with two elevations per plan. The four plans are described in the following table.

Plan1	Plan 2	Plan 3	Plan 4
• 1,822 – 2,115 SF • 3 bedrooms + loft, 2.5 bath • 2 stories (opt. 3rd) • 36'x68' min. lot size • 450 SF Minimum Private Open Space • 16 Units (29%)	• 1,939 SF • 3 bedrooms + loft, 2.5 bath • 2 stories • 36'x68' min. lot size • 450 SF Minimum Private Open Space • 18 Units (33%)	• 2,042 – 2,388 SF • 3 bedrooms + loft, 2.5 bath • 2 stories (opt. 3rd) • 43'x68' min. lot size • 450 SF Minimum Private Open Space • 10 Units (18%)	• 2,154 SF • 4 bedrooms + loft, 3.5 bath • 2 stories • 44'x68' min. lot size • 450 SF Minimum Private Open Space • 11 Units (20%)

The proposed single family product is a reverse layout of typical alley loaded product. Typically, alley loaded product have garage access from an alley, with front of the home (living area) fronting onto a street or garden paseo. The proposed product floor plan layout places the living area towards the rear yard, with garage access of the private street or an alley (**Figure 2: *Typical Plotting***). Placing the living area towards the rear of the lot allows for larger useable yard and functional floor plans that take advantage of the yard area. The main entrance for all interior lots will be taken off a common paseo between the homes. On all corner lots, each home will have the front entries oriented towards the private streets with the entry walkway leading to the sidewalk.

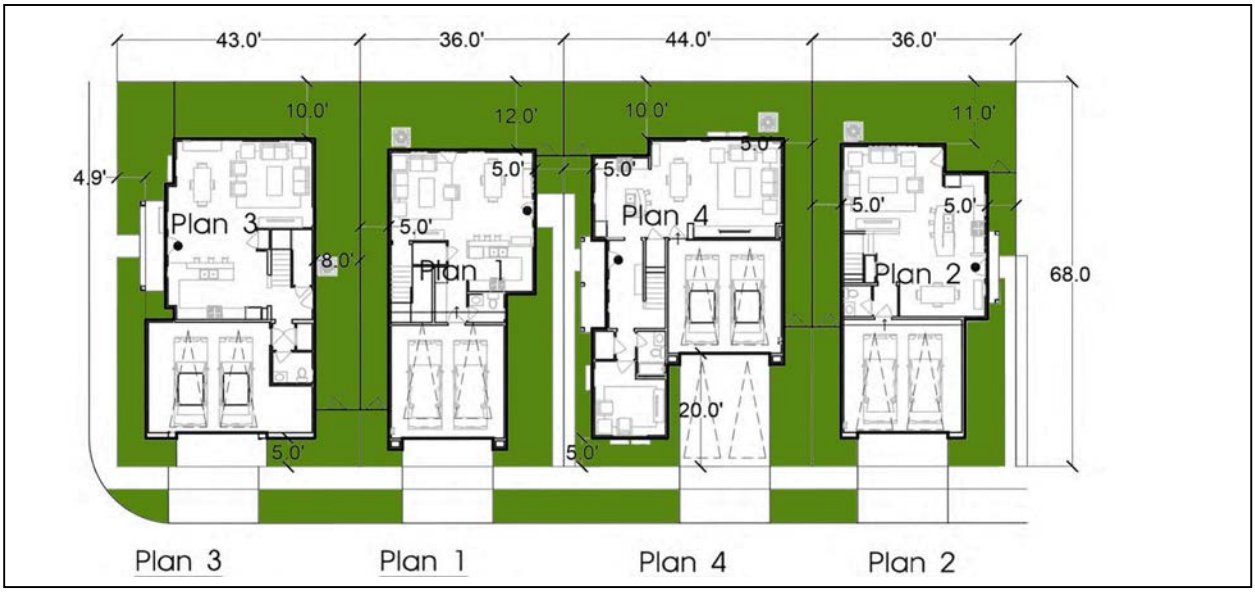


Figure 2: Typical Plotting

All plans incorporate various design features, such as single and second story massing, varied covered entries, front porches, 2nd floor laundry facilities, and an open concept living area. All homes will have a two-car garage, with the Plan 4 providing a standard driveway. To minimize visual impacts of garages and avoid a "canyon like" effect along the alleys and private streets varied massing, second story projections over garages,

recessed garages, single story articulation, varied roof lines and a combination of lot sizes are proposed.

[4] Parking — A single family residential unit is required to provide a 2-car garage per unit. However, since there is limited opportunities to park outside of the project site the table below demonstrates that there is an average of 3.2 parking spaces per unit when on-street parking and driveway spaces are considered. Staff believes that there is sufficient parking on site to accommodate visitors and residents of the proposed development.

Summary of Parking Analysis							
Product	**Number of Units**	**Garages**	**Driveways Parking**	**On-Street Parking**	**Total Provided**	**Req. Per Unit**	**Additional Parking**
SF Conventional	**55**	**2-car garage (110 spaces)**	**22**	**44**	**176**	**2-car garage (110 spaces)**	66
					3.2 spaces per unit		

[5] Architecture — The proposed architectural design of the community will be themed and reflect one architectural style - California Cottage. The homes will be two or three-stories tall, creating a varying non-uniform skyline. The design of the homes emphasizes traditional proportioning and massing and focus living areas onto outdoor yards and patios. There is a variety in garage placement, including front facing and front recessed. To provide articulation along the private streets and alleys there are 2nd story cantilever elements that project over the garages. Each plan provides a different covered entryway, color palette, a combination of vertical and horizontal siding, shutters, multi-paned windows surrounded by trim, exposed rafter tails, varying gable roofs, decorative vents and varying garage door patterns with glazing to create a range of architectural interest throughout the community (***Exhibit B - Elevations***).

View looking towards private streets

View looking towards 20 foot alley adjacent units

[6] Landscaping / Open Space — The conceptual landscape plan for the project site incorporates a variety of tree species that are considered California native and drought tolerant plants. The proposed parkways adjacent to the private streets will be planted with trees that will provide shade to promote pedestrian walkability. The Conceptual Landscape Plan is included in this report as ***Exhibit C: Conceptual Landscape Plan***. Entries into the alleys will be enhanced with accent trees and planting areas.

The development proposes passive and active common open space areas totaling 93,880 square feet. The Development Code requires that 20% of the project site be devoted to common open space and this development is providing 35%, exceeding the minimum requirement by 15%. The major focal of the project site is the 19,864 square foot active open space community park that fulfills the requirement of one major and one minor recreational facility. The Development Code also requires 450 square feet of private open space to be provided on each lot. The project exceeds the private open space requirement with yards ranging from 475 to 1,693 square feet.

There is a 24-foot wide area located along 4th Street that will be landscaped with trees and drought tolerant plants. In addition, there will be a six-foot high, decorative stucco wall with stone veneer pilasters that will be located along 4th Street, behind the landscape area. Decorative masonry walls, six-feet in height will be required for private yard areas that are visible from the private streets. The interior property line fencing proposed will be constructed with decorative vinyl fencing.

[7] Tentative Tract Map – The proposed Tentative Tract Map will subdivide the 6.11-acre parcel into 55 numbered lots and two lettered lots (A & B). The 55 numbered lots represent residential lots and the lettered lots establishes the private streets, alleys,

landscape areas and the community park (see **Exhibit D: Tentative Tract Map**). The numbered lots range in size from 2,448 to 4,867 square feet, with a minimum lot size of 36 feet by 68 feet.

[8] Ensley Cottages Planned Residential Development (PRD) — The Ensley Cottages Planned Residential Development Guidelines and Standards (File No. PRD14-001) was approved by the Planning Commission on December 4, 2014 (Resolution No. PC14-113). The proposed Development Plan is consistent with the development standards and design guidelines established within the approved Ensley Cottages PRD. The PRD allowed for a reduction in lot sizes, increased lot coverages and reduced setbacks to achieve a superior development by providing exceptional architectural and providing common and private open space areas that exceed the minimum development standards on an infill site that would otherwise be difficult to redevelop.

[9] CC&R's — As a Condition of Approval, staff will require that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the private streets, open space areas, recreation amenities, drive aisles, alleys, utilities and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities.

[10] Utilities (drainage, sewer) — The project site is located within Cucamonga Valley Water District service area and a letter was received from the Cucamonga Valley Water District stating that there will be an adequate supply of water and sewer available to meet the needs of the development. The project site drains from north to south and dry wells are being proposed along the southern portion of the project site to capture run-off water from leaving the site.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] Vision.

Distinctive Development:

- Commercial and Residential Development

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

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

  - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

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

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

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

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

Housing Element:

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Landscaped parkways, with sidewalks separated from the curb.

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

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

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

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

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

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

- Goal CD3:

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (55) and density (9) specified in the Available Land Inventory.

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No's. PGPA14-002 and PZC14-003, a General Plan Amendment and Zone Change, for which a Mitigated Negative Declaration ("MND") was adopted by the City Council on November 18, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are to be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant Commercial/Office Building	LMDR (Low-Medium Density Residential)	MDR-11 (Low-Medium Density Residential)	N/A
North	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A
South	Warehouse	Mixed Use	Meredith International Centre Specific Plan	Industrial PA 1
East	Mobile Home Park	LMDR (Low-Medium Density Residential)	MHP (Mobile Home Park)	N/A
West	Multi-Family Residential	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A

General Site & Building Statistics

Item	*PRD Required Min./Max.*	*Provided (Ranges)*	*Meets Y/N*
Maximum project density (dwelling units/ac):	5.1 – 11 du/ac	9 du/ac	Y
Maximum coverage (in %):	62%	31% - 62%	Y
Minimum lot size (in SF):	2,448 SF	2,448 – 4,867 FT	Y
Minimum lot depth (in FT):	68 FT	68 FT – 78 FT	Y
Minimum lot width (in FT):	36 FT	36 FT – 49 FT	Y
Front yard setback (in FT):	5 FT	5 FT	Y
Side yard setback (in FT):	5 FT	5 FT	Y
Rear yard setback (in FT):	10 FT	10 FT	Y
Maximum height (in FT):	35 FT	35 FT	Y
Parking – resident:	2 spaces	2 Spaces	Y
Open space – private:	450 SF	475 – 1,693 SF	Y
Open space – common:	20% of the Project Site	35%	Y

Dwelling Unit Statistics:

Unit Type	*Size (in SF)*	*No. Bedrooms*	*No. Bathrooms*	*No. Stories*	*Private Open Space (in SF)*
Plan 1	1,822 – 2,115	3	2.5	3	450 SF min.
Plan 2	1,939	3	2.5	2	450 SF min.
Plan 3	2,042 – 2,388	3	2.5	3	450 SF min.
Plan 4	2,154	4	3.5	2	450 SF min.

Exhibit A: *Site Plan*

Exhibit B: *Elevations*

Plan 1 Elevations - California Cottage - Style 2

Plan 2 Elevations - California Cottage - Style 1

California Cottage - Style 2
24'-5"
Front Elevation
Right Elevation
Partial First Floor Plan
Left Elevation
Rear Elevation
Plan 2 Elevations - California Cottage - Style 2

California Cottage - Style 1
30'-1"
23'-1"
Front Elevation
Right Elevation
Partial First Floor Plan
Left Elevation
Rear Elevation
Plan 3 Elevations - California Cottage - Style 1

California Cottage - Style 2
Roof: Concrete Shake Tile
Fascia: 2x6 Typical with Soffit
Gutters/Downspouts: Metal, Factory Finish
Window Frames: Vinyl Windows with Mullions, Factory Finish, White
Walls: Stucco: 16/20 Sand Finish, Painted
Board and Batten: Painted
Trim: Stucco over foam trim, Wood Trim
Accents: Decorative gable vents, prefabricated shutters, trellises, etc. at enhanced elevations only
Entry Door: Accent color, design per architectural style, painted
Garage Door: Accent color, metal sectional roll-up garage door. Glazing optional
All elevation are artist's impression and do not necessarily reflect all proposed details
30'-10"
25'-4"
Front Elevation
Right Elevation
Partial First Floor Plan
Left Elevation
Rear Elevation
Plan 3 Elevations - California Cottage - Style 2

California Cottage - Style 1
Roof: Concrete Slate Tile
Fascia: 2x6 Typical and 2x8 Rafter Tails
Gutters/Downspouts: Metal, Factory Finish
Window Frames: Vinyl Windows with Mullions, Factory Finish, White
Walls: Stucco: 16/20 Sand Finish, Painted
Siding: Painted
Trim: Stucco over foam trim, Wood Trim
Accents: Decorative prefabricated gable vents, shutters, outlookers, trellises, etc. at enhanced elevations only
Entry Door: Accent color, design per architectural style, painted
Garage Door: Accent color, metal sectional roll-up garage door. Glazing optional
All elevation are artist's impression and do not necessarily reflect all proposed details
25'-7"
Front Elevation
Right Elevation
Partial First Floor Plan
Left Elevation
Rear Elevation
Plan 4 Elevations - California Cottage - Style 1

California Cottage - Style 2
Roof: Concrete Shake Tile
Fascia: 2x6 Typical with Soffit
Gutters/Downspouts: Metal, Factory Finish
Window Frames: Vinyl Windows with Mullions, Factory Finish, White
Walls: Stucco: 16/20 Sand Finish, Painted
Board and Batten: Painted
Trim: Stucco over foam trim, Wood Trim
Accents: Decorative gable vents, prefabricated shutters, trellises, etc. at enhanced elevations only
Entry Door: Accent color, design per architectural style, painted
Garage Door: Accent color, metal sectional roll-up garage door. Glazing optional
All elevation are artist's impression and do not necessarily reflect all proposed details
24'-6"
Front Elevation
Right Elevation
Partial First Floor Plan
Left Elevation
Rear Elevation
Plan 4 Elevations - California Cottage - Style 2

Exhibit C: *Conceptual Landscape Plan*

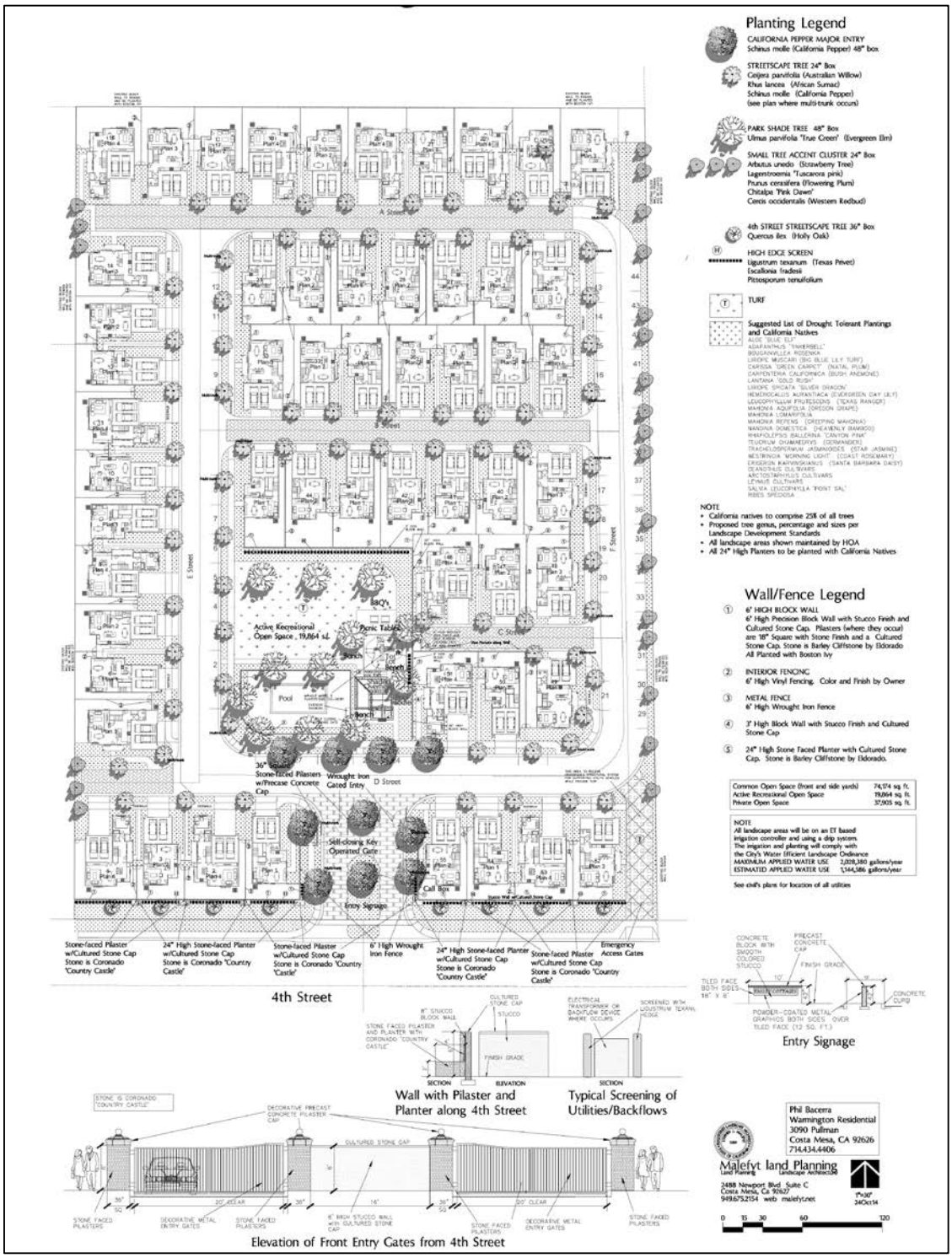
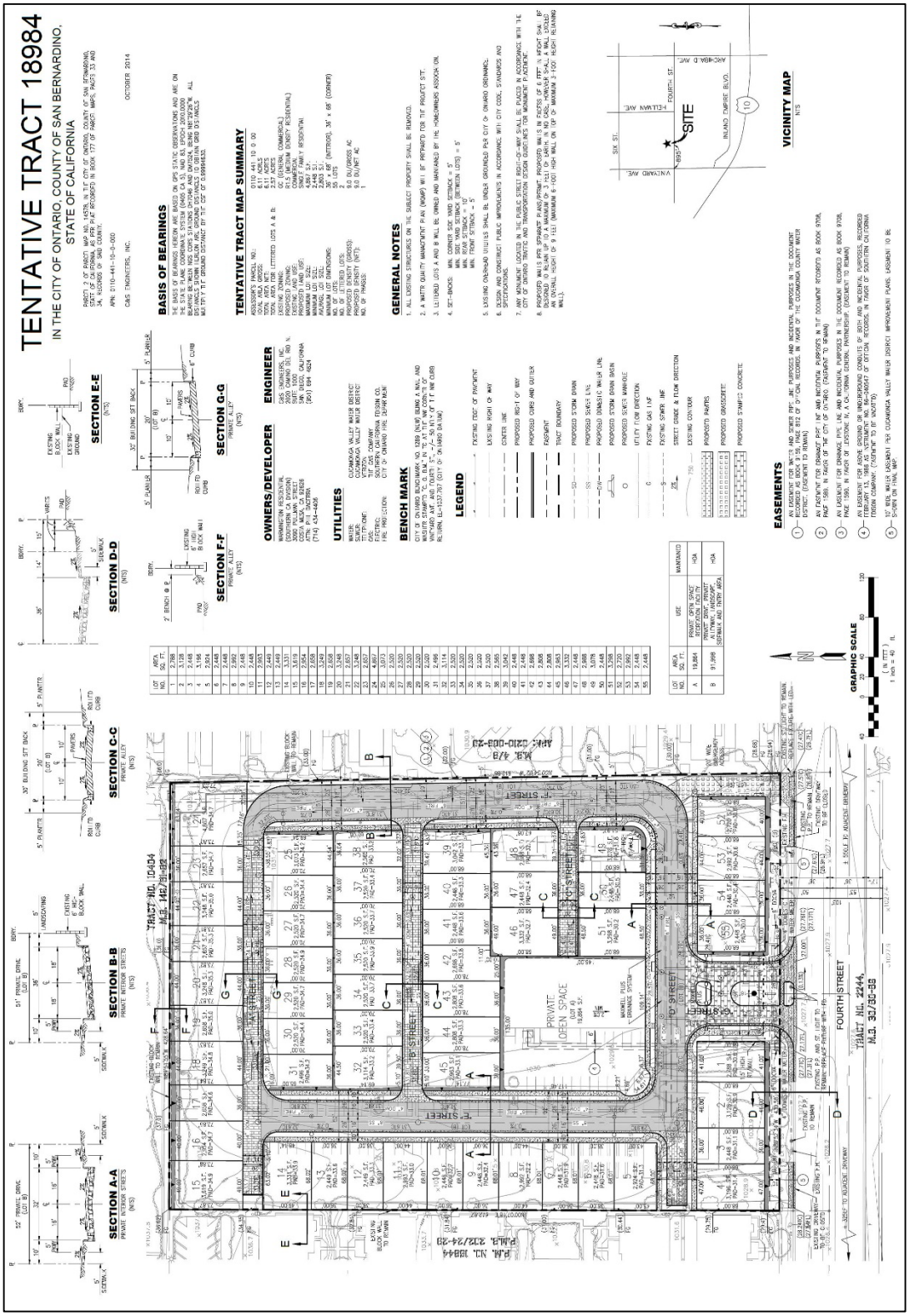


Exhibit D: *Tentative Tract Map*



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT17-008, A TENTATIVE TRACT MAP FOR THE SUBDIVISION 6.11 ACRES OF LAND INTO 55 NUMBERED LOTS AND TWO LETTERED LOTS, LOCATED 2041 EAST FOURTH STREET, WITHIN THE MDR-11 (LOW-MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0110-441-10.

WHEREAS, KB HOME COASTAL, INC. ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT17-008 (TT18984), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 6.11 acres of land, located at 2041 East Fourth Street within the MDR-11 (Low-Medium Density Residential) zoning district and is presently improved with a 76,000 square foot commercial building; and

WHEREAS, the property to the north of the Project site is within the MDR-18 (Medium Density Residential) zoning district and is developed with a multi-family residential, two-unit attached product. The property to the south is within the Meredith International Centre Specific Plan (Industrial PA1 land use designation) and is developed with a warehouse. The property to the east is within the MHP (Mobile Home Park) zoning district and is developed with the Lamplighter Mobile Home Park. The property to the west is within the MDR-18 (Medium Density Residential) zoning district and is developed with a multi-family residential, three-unit attached product; and

WHEREAS, a Development Plan (File No. PDEV17-026) was submitted in conjunction with the proposed Tentative Tract Map that will allow for the construction of 55 single family detached homes, private/common open space areas and recreational amenities; and

WHEREAS, the proposed Tentative Tract Map will subdivide the 6.11 acre parcel into 55 numbered lots and two lettered lots (A & B); and

WHEREAS, the Ensley Cottages Planned Residential Development Guidelines and Standards (File No. PRD14-001) was approved by the Planning Commission on December 4, 2014 (Resolution No. PC14-113), which established development criteria (lot size, lot dimensions and lot coverages) and architectural and design guidelines for the 6.11 acre project site; and

WHEREAS, the proposed Tentative Tract Map is consistent with the minimum lot sizes and lot dimensions established within Ensley Cottages Planned Residential Development Guidelines and Standards; and

WHEREAS, the lots range in size from 2,448 to 4,867 square feet, with a minimum lot size of 36 feet by 68 feet. The 55 numbered lots represent residential lots and the lettered lots establishes the private streets, alleys, landscape areas and the community park; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No's. PGPA14-002 and PZC14-003, a General Plan Amendment and Zone Change, for which a Mitigated Negative Declaration ("MND") was adopted by the City Council on November 18, 2014, and this Application introduces no new significant environmental impacts; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. [insert DAB Decision #] recommending the Planning Commission approve the Application; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: ***Environmental Determination and Findings.*** As the "decision-making" body for the Project, the Planning Commission has reviewed and considered the information contained in the previous MND and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to a MND, previously adopted by the City of Ontario City Council on November 18, 2014, in conjunction with File No's. PGPA14-002 and PZC14-003.

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

(3) The previous MND was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous MND 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 MND, and all mitigation measures previously adopted with the MND, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the MND that will require major revisions to the MND 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 MND was prepared, that will require major revisions to the MND 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 MND was certified/adopted, that shows any of the following:

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

(b) Significant effects previously examined will be substantially more severe than shown in the MND; 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 MND would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the "decision-making" 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. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (55) and density (9) specified in the Available Land Inventory.

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

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

(1) ***The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the LMDR (Low-Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR-11 (Low-Medium Density Residential) 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 LMDR (Low-Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR-11 (Low-Medium Density Residential) 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;
- 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 Ensley Cottages – Planned Residential Development Guidelines and Standards (File No. PRD14-001), 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 9 DUs/acre. The project site meets the minimum lot area and dimensions of the Ensley Cottages – Planned Residential Development Guidelines and Standards (File No. PRD14-001), 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 driveway/access and parkway improvements proposed on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

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

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PMTT17-008
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: August 21, 2017

File No: PMTT17-008 (TT18984)

Related Files: PDEV17-026

Project Description: A Tentative Tract Map (File No. PMTT17-008; TT 18984) to subdivide 6.11 acres of land into 55 numbered lots and 2 lettered lots, located at 2041 East Fourth Street, within the MDR-11 (Low Medium Density Residential) zoning district. (APN: 0110-441-10); **submitted by KB Home Coastal, Inc.**

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, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

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

2.1 Time Limits.

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

2.2 Subdivision Map.

(a) The Final Tract/Parcel Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations rom 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/Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

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

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

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

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

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

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

2.4 Landscaping.

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

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

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

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

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

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.

2.7 Mechanical and Rooftop Equipment.

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

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

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 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.

2.11 Disclosure Statements.

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

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

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No's. PGPA14-002 and PZC14-003, a General Plan Amendment and Zone Change for which an "MND" was adopted by the City Council on November 18, 2014. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

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

2.15 Additional Requirements.

(a) Proposed vinyl fencing and gates shall be decorative to complement the architectural style of building. Vinyl fencing shall be reviewed and approved by the Planning Department and will be allowed within the interior side and rear yard areas not visible from the private street.

(b) Decorative masonry walls shall be reviewed and approved by the Planning Department and be constructed with a decorative cap and will be required in areas visible from private streets, public streets and common open space areas.

(c) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The mailboxes shall be located within areas that are highly visible and heavily used to promote safety and convenience.

(d) Provide a connecting pedestrian pathways at the terminus of "C" Street and the park entryway.

(e) Street naming and address numbering shall be consistent with the Development Code and subject to Planning, Building and Fire Department review and approval.

(f) The community monument sign shall be architecturally compatible to the proposed development, incorporate project building materials and meet Development Code Sign Standards.

(g) All Conditions of Approval for Development Plan (File No. PDEV17-026) shall apply.

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

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

☒ **DEVELOPMENT PLAN** ☐ OTHER	☐ PARCEL MAP ☒ **TRACT MAP** ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. TM-18984 **RELATED FILE NO(S). PMTT17-008, PDEV17-026**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO:	**Miguel Sotomayor (909) 395-2108** MS
CITY PROJECT PLANNER & PHONE NO:	**Lorena Mejia (909) 395-2276**
DAB MEETING DATE:	**August 21st, 2017**
PROJECT NAME / DESCRIPTION:	**TM-18984, a Tentative Tract Map to subdivide 6.11 acres and a development plan to construct 55 single family residential dwellings.**
LOCATION:	**4th Street East of Vineyard Avenue**
APPLICANT:	**KB Home Coastal, Inc.**
REVIEWED BY:	**Bryan Lirley, P.E.** **Principal Engineer** 7/31/17 **Date**
APPROVED BY:	**Khoi Do, P.E.** **Assistant City Engineer** 8-8-17 **Date**

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL:

			Check When Complete
☐	1.01	Dedicate to the City of Ontario, the right-of-way, described below: _____ feet on _____ Property line corner 'cut-back' required at the intersection of _____ and _____.	☐
☒	**1.02**	**Dedicate to the City of Ontario, the following easement(s):** **1. Emergency Access Easement "A" through "G" Streets and 20' wide along the southeast portion of Lot (B).**	☐
☐	1.03	Restrict vehicular access to the site as follows: _____	☐
☐	1.04	Vacate the following street(s) and/or easement(s): _____	☐
☐	1.05	Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	☐
☒	**1.06**	**Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.**	☐
☐	1.07	File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement. (1) _____ (2) _____	☐
☒	**1.08**	**Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.**	☐
☒	**1.09**	**Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.**	☐
☒	**1.10**	**Provide a preliminary title report current to within 30 days.**	☐
☐	1.11	File an application, together with an initial deposit (if required), to establish a Community Facilities	☐

District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.

☐ 1.12 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.13 Other conditions: _____ ☐

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

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

☒ **2.01** **Record Tract Map No. 18984 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.** ☐

☒ **2.02** **Submit a duplicate photo mylar of the recorded map to the City Engineer's office.** ☐

☒ **2.03** **Note that the subject parcel is a recognized parcel in the City of Ontario per PM-14578.** ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of_____. ☐

☐ 2.05 Apply for a: ☐ Certificate of Compliance with a Record of Survey; ☐ Lot Line Adjustment ☐

☐ Make a Dedication of Easement.

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

☒ **2.07** **Submit a soils/geology report.** ☐

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

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)

☒ **Cucamonga Valley Water District (CVWD) for sewer/water service and proposed construction on easement**
☐ United States Army Corps of Engineers (USACE)
☐ California Department of Fish & Game
☐ Inland Empire Utilities Agency (IEUA)
☒ **Other:**

a. **Southern California Edison (proposed construction on easement)**
b. **Levstone IV, California General Partnership (proposed construction on easement)**

☐ 2.09 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 _____.

☐ 2.10 Dedicate to the City of Ontario the following easement(s):_____ ☐

_____

☐ 2.11 New Model Colony (NMC) Developments: ☐

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

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

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

☐ 2.12 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein 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. ☐

☐ 2.13 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. ☐

☒ **2.14 Pay all Development Impact Fees (DIF) to the Building Department.** ☐

☐ 2.15 Other conditions: _____ ☐

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

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

Improvement	Fourth Street	Street 2	Street 3	Street 4
Curb and Gutter	☒ **New on existing driveway approach removal locations** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement	☒ **Replacement along driveways** ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☒ **New** ☒ **Remove Two existing driveway approaches**	☐ New ☐ Remove and replace replace	☐ New ☐ Remove and replace replace	☐ New ☐ Remove and replace replace
Sidewalk	☒ **New on existing driveway approach removal locations** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace

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

Specific notes for improvements listed in item no. 2.16, above:

a. **The applicant/developer shall pay an in-lieu fee in the amount of $154,000 for the undergrounding of the overhead utilities along the project frontage.**

☐ 2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): _____ ☐

_____

☐ 2.18 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan. ☐

☒ **2.19 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.** ☐

☒ **2.20 Other conditions:** ☐

a. **On-site private streets from curb to curb shall be designed and constructed per City of Ontario Public street standards.**

C. SEWER

☐ 2.21 A _____inch sewer main is available for connection by this project in _____ ☐
(Ref: Sewer plan bar code: _____)

☐ 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.23 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. ☐

☒ **2.24 Other conditions:** ☐

a. **Cucamonga Valley Water District Sewer Improvement Plans prepared for this development shall be submitted to City of Ontario for review and approval prior to the encroachment permit issuance.**

D. WATER

☐ 2.25 A _____inch water main is available for connection by this project in _____ ☐
(Ref: Water plan bar code: _____)

☐ 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.27 Other conditions:** ☐

a. **Cucamonga Valley Water District Water Improvement Plans prepared for this development shall be submitted to City of Ontario for review and approval prior to the encroachment permit issuance.**

E. RECYCLED WATER

☐ 2.28 A _____inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code:_____) ☐

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

☐ 2.30 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant. ☐

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

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

☒ **2.32 Other conditions:** ☐

a. **Cucamonga Valley Water District Recycled Water Improvement Plans prepared for this development shall be submitted to City of Ontario for review and approval prior to the encroachment permit issuance.**

F. TRAFFIC / TRANSPORTATION

☐ 2.33 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

☒ **2.34 Other conditions:** ☐

a. **The applicant/developer shall be responsible to replace the existing street light fixtures with the current City approved LED equivalent fixtures along Fourth Street. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans.**

b. **The main entry to the tract from Fourth Street shall be limited to right-turn ingress/egress only.**

c. **The project frontages of Fourth Street shall be signed "No Stopping Anytime."**

G. DRAINAGE / HYDROLOGY

☐ 2.35 A _____inch storm drain main is available to accept flows from this project in _____. (Ref: Storm Drain plan bar code:_____) ☐

☒ **2.36 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.** ☐

☒ **2.37 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.** ☐

☐ 2.38 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.39 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.40 Other conditions: _____ ☐

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

☐ 2.41 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.42 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☒ **2.43 Other conditions:** ☐

a. The applicant/developer shall amend the previously approved WQMP to include a new cover sheet and other revisions necessary to comply with current standards.

J. SPECIAL DISTRICTS

☐ 2.44 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process. ☐

☐ 2.45 Other conditions: _____ ☐

K. FIBER OPTIC

☒ 2.46 **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 (see Fiber Optic Exhibit herein).** ☐

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

L. Solid Waste

☒ 2.48 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:** ☐

http://www.ontarioca.gov/municipal-utilities-company/solid-waste

☐ 2.49 Other conditions: _____ ☐

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

☒ **3.01** **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☐ 3.02 Complete all requirements for recycled water usage. ☐

☐ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☐ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☐ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03** **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a benchmark 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.).** ☐

☒ **3.07** **Request existing street light mylars (L-10236 and L-10696) from City and make revisions to reflect LED upgrade.** ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV17-026, and/or Tract Map No.18984 (PMTT17-008)

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

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

23. ☒ **One (1) copy of Preliminary Title Report (current within 30 days)**

24. ☒ **One (1) copy of Traverse Closure Calculations**

25. ☒ **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**

26. ☐ Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use

27. ☐ Other: _____

TENTATIVE TRACT 18984

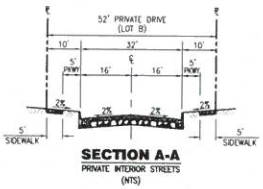
IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

PDEV17-026
Engineer: Miguel Sotomayor
Reviewed by Jimmy Chang, Fiber Team 8-07-17

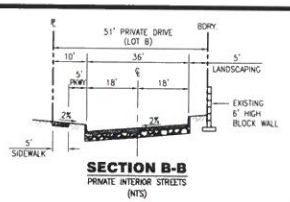
PARCEL 2 OF PARCEL MAP NO. 14578, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 177 OF PARCEL MAPS, PAGES 33 AND 34, RECORDS OF SAID COUNTY.

APN: 0110-441-10-0-000

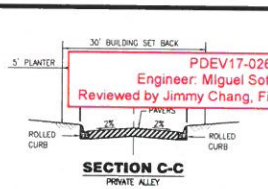
L.D. KING, INC. JUNE 2017



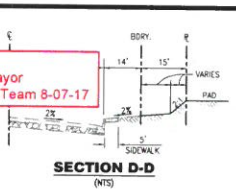
SECTION A-A
PRIVATE INTERIOR STREETS
(NTS)



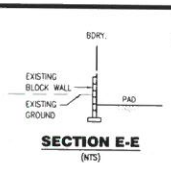
SECTION B-B
PRIVATE INTERIOR STREETS
(NTS)



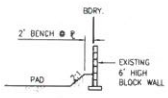
SECTION C-C
PRIVATE ALLEY
(NTS)



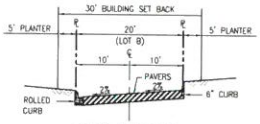
SECTION D-D
(NTS)



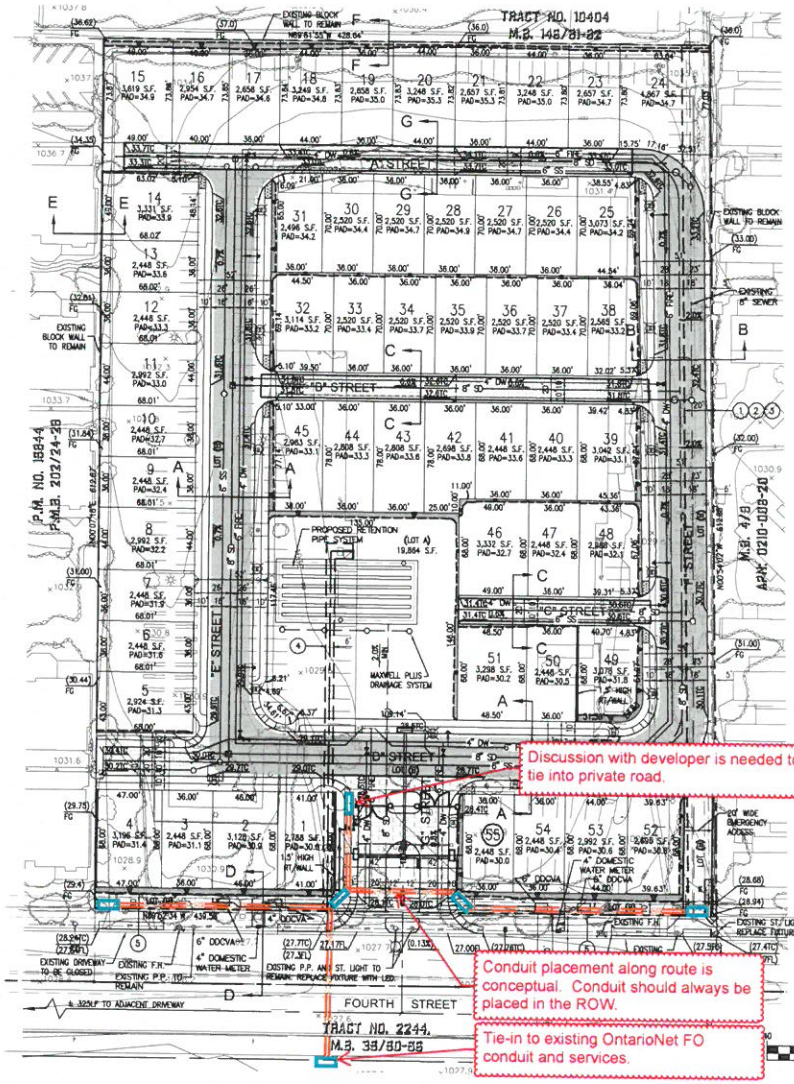
SECTION E-E
(NTS)



SECTION F-F
PRIVATE ALLEY
(NTS)



SECTION G-G
PRIVATE ALLEY
(NTS)



LOT NO.	AREA SQ. FT.
1	2,788
2	3,128
3	2,448
4	3,196
5	2,924
6	2,448
7	2,448
8	2,992
9	2,448
10	2,448
11	2,993
12	2,449
13	2,449
14	3,331
15	3,819
16	2,954
17	2,658
18	3,249
19	2,658
20	3,248
21	2,657
22	3,248
23	2,657
24	4,867
25	3,073
26	2,520
27	2,520
28	2,520
29	2,520
30	2,520
31	2,496
32	3,114
33	2,520
34	2,520
35	2,520
36	2,565
37	2,520
38	2,565
39	3,042
40	2,446
41	2,448
42	2,698
43	2,808
44	2,808
45	2,963
46	3,332
47	2,448
48	2,988
49	3,298
50	2,448
51	3,298
52	2,695
53	2,992
54	2,448
55	2,448

OWNER

MNG REAL ESTATE HOLDINGS LLC.
101 WEST COLFAX, SUITE 1100
DENVER, COLORADO 80202
(408) 920-5096

DEVELOPER

KB HOME COASTAL INC.
36310 INLAND VALLEY DRIVE
WILDOMAR, CALIFORNIA 92595
(951) 691-5300

ENGINEER

L.D.KING, INC.
10390 COMMERCE CENTER DRIVE,
SUITE 250
RANCHO CUCAMONGA,
CALIFORNIA 91730
(909) 945-0526

UTILITIES

WATER:	CUCAMONGA VALLEY WATER DISTRICT
SEWER:	CUCAMONGA VALLEY WATER DISTRICT
TELEPHONE:	VERIZON
GAS:	THE GAS COMPANY
ELECTRIC:	SOUTHERN CALIFORNIA EDISON CO.
FIRE PROTECTION:	CITY OF ONTARIO FIRE DEPARTMENT

BENCH MARK

CITY OF ONTARIO BENCHMARK NO. 1289 (NEW) BEING A NAIL AND WASHER STAMPED "C. O. B.M." IN TC AT THE NW CORNER OF VINEYARD AVE. AND FOURTH ST., +/- 50 N'LY OF THE NW CURB RETURN, EL=1037.767 (CITY OF ONTARIO DATUM)

LEGEND

- EXISTING EDGE OF PAVEMENT
- EXISTING RIGHT OF WAY
- CENTER LINE
- PROPOSED RIGHT OF WAY
- PROPOSED CURB AND GUTTER
- EASEMENT
- TRACT BOUNDARY
- PROPOSED STORM DRAIN
- PROPOSED SEWER LINE
- PROPOSED DOMESTIC WATER LINE
- PROPOSED STORM DRAIN BASIN
- PROPOSED SEWER MANHOLE
- UTILITY FLOW DIRECTION
- EXISTING GAS LINE

BASIS OF BEARINGS

THE BASIS OF BEARINGS HEREON ARE BASED ON GPS STATIC OBSERVATIONS AND ARE ON THE STATE PLANE COORDINATE SYSTEM (0405 CA 5), NAD 83, EPOCH 2010.0000. BEARING BETWEEN NGS CORS STATIONS DM7046 AND DM7524, BEING N81°29'16"W. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES TO OBTAIN GRID DISTANCES MULTIPLY THE GROUND DISTANCE BY THE CSF OF 0.999946430.

TENTATIVE TRACT MAP SUMMARY

ASSESSOR'S PARCEL NO.:	0110-441-10-0-00
TOTAL AREA GROSS:	6.11 ACRES
TOTAL AREA NET:	6.11 ACRES
TOTAL AREA FOR LETTERED LOTS A & B:	2.57 ACRES
EXISTING ZONING:	GC (GENERAL COMMERCIAL)
PROPOSED ZONING:	R1.5 (MEDIUM DENSITY RESIDENTIAL)
EXISTING LAND USE:	COMMERCIAL
PROPOSED LAND USE:	SINGLE FAMILY RESIDENTIAL
MAXIMUM LOT SIZE:	4,867 S.F.
MINIMUM LOT SIZE:	2,448 S.F.
AVERAGE LOT SIZE:	2,803 S.F.
MINIMUM LOT DIMENSIONS:	36' x 68' (INTERIOR), 36' x 68' (CORNER)
NO. OF LOTS:	55 LOTS
NO. OF LETTERED LOTS:	2
PROPOSED DENSITY (GROSS):	9.0 DU/GROSS AC
PROPOSED DENSITY (NET):	9.0 DU/NET AC
NO. OF PHASES:	1

GENERAL NOTES

1. ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY SHALL BE REMOVED.
2. A WATER QUALITY MANAGEMENT PLAN (WQMP) WILL BE PREPARED FOR THE PROJECT SITE.
3. LETTERED LOTS A AND B WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
4. SET-BACKS: MIN. CORNER SIDE YARD SETBACK = 5'
   MIN. SIDE YARD SETBACK (BETWEEN LOTS) = 5'
   MIN. REAR SETBACK = 10'
   MIN. FRONT SETBACK = 5'
5. EXISTING OVERHEAD UTILITIES SHALL BE UNDER-GROUNDED PER CITY OF ONTARIO ORDINANCE.
6. DESIGN AND CONSTRUCT PUBLIC IMPROVEMENTS IN ACCORDANCE WITH CITY CODE, STANDARDS AND SPECIFICATIONS.
7. ANY MONUMENT LOCATED IN THE PUBLIC STREET RIGHT-OF-WAY SHALL BE PLACED IN ACCORDANCE WITH THE CITY OF ONTARIO TRAFFIC AND TRANSPORTATION DESIGN GUIDELINES FOR MONUMENT PLACEMENT.
8. PROPOSED WALLS PER SEPARATE PLANS/PERMIT. PROPOSED WALLS IN EXCESS OF 6 FEET IN HEIGHT SHALL BE DESIGNED TO RETAIN UP TO A MAXIMUM OF 3 FEET OF EARTH. IN NO CASE, HOWEVER SHALL A WALL EXCEED AN OVERALL HEIGHT OF 9 FEET (MAXIMUM 6-FOOT HIGH WALL ON TOP OF MAXIMUM 3-FOOT HEIGHT RETAINING WALL).

VICINITY MAP
NTS

Discussion with developer is needed to tie into private road.

Conduit placement along route is conceptual. Conduit should always be placed in the ROW.

Tie-in to existing OntarioNet FO conduit and services.

One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
One (1) 17x30x24 Composite Polymer Concrete Hand Hole (HH2)
One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

HH-1/*22 – PCA132418-90087 – Size 13" x 24" x 18"
HH-2/*22 – PCA173024-90116 – Size 17" x 30" x 24"
HH-2A/*22 – PCA243630-90064 – Size 24" x 36" x 30"
HH-3/*22 - PCA304836-90244 – Size 30" x 48" x 36"
HH-4/*22 – PCA366036-90146 – Size 36" x 60" x 36"

AN EASEMENT FOR WATER AND SEWER PIPE LINE PURPOSES AND INCIDENTAL PURPOSES IN THE DOCUMENT ... IN FAVOR OF THE CUCAMONGA COUNTY WATER

...RPOSES IN THE DOCUMENT RECORDED AS BOOK 9708, ... TO REMAIN)

...RPOSES IN THE DOCUMENT RECORDED AS BOOK 9708, ...RAL PARTNERSHIP. (EASEMENT TO REMAIN)

...DUITS OF BOTH AND INCIDENTAL PURPOSES, RECORDED ...FFICIAL RECORDS. IN FAVOR OF SOUTHERN CALIFORNIA

...DISTRICT IMPROVEMENT PLANS. EASEMENT TO BE

(5) SHOWN ON FINAL MAP.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-026, A DEVELOPMENT PLAN FOR 55 SINGLE FAMILY DETACHED UNITS ON 6.11 ACRES OF LAND, LOCATED 2041 EAST FOURTH STREET, WITHIN THE MDR-11 (LOW-MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0110-441-10.

WHEREAS, KB HOME COASTAL, INC. ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-026, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 6.11 acres of land, located at 2041 East Fourth Street within the MDR-11 (Low-Medium Density Residential) zoning district and is presently improved with a 76,000 square foot commercial building; and

WHEREAS, the property to the north of the Project site is within the MDR-18 (Medium Density Residential) zoning district and is developed with a multi-family residential, two-unit attached product. The property to the south is within the Meredith International Centre Specific Plan (Industrial PA1 land use designation) and is developed with a warehouse. The property to the east is within the MHP (Mobile Home Park) zoning district and is developed with the Lamplighter Mobile Home Park. The property to the west is within the MDR-18 (Medium Density Residential) zoning district and is developed with a multi-family residential three-unit attached product; and

WHEREAS, a Tentative Tract Map (File No. PMTT17-008; TT18984) was submitted in conjunction with the proposed Development plan that will subdivide the 6.11 acre parcel into 55 numbered lots and two lettered lots (A & B) to facilitate the construction of 55 single family detached homes, private/common open space areas and recreational amenities; and

WHEREAS, the Ensley Cottages Planned Residential Development Guidelines and Standards (File No. PRD14-001) was approved by the Planning Commission on December 4, 2014 (Resolution No. PC14-113), which established development criteria (lot size, lot dimensions and lot coverages) and architectural and design guidelines for the 6.11 acre project site; and

WHEREAS, the proposed Development Plan is consistent with the development standards and design guidelines established within the approved Ensley Cottages Planned Residential Development Guidelines and Standards; and

WHEREAS, access to the site will be taken from 4th Street with the entry gate recessed 74 feet from the front property line, allowing for adequate vehicle stacking. The internal street system consists of private loop street and alleyways that connect to the main entryway along 4th Street; and

WHEREAS, there is a secondary emergency entry point on the southeast corner of the project site that is accessed from 4th Street. The emergency access will be gated and the driveway treated with grasscrete to minimize hardscape along the 4th Street frontage; and

WHEREAS, the major and minor recreational facility were combined in one location to create a 19,864 square foot community park located across the main entryway of the project site, creating a major focal point upon entering the community. The community park includes a pool, a recreation building with an attached covered patio (storage, bathroom & janitor equipment), picnic tables, a tot-lot, BBQ's and a rectangular lawn area approximately 80 feet by 130 feet in size for active play; and

WHEREAS, the 55 residential lots range in size from 2,448 to 4,867 square feet and the minimum lot dimension is 36 feet by 68 feet; and

WHEREAS, there are four floor plans proposed, each with two elevations per plan; and

WHEREAS, the proposed product floor plan places the living area towards the rear yard, with garage access of the private street or an alley. Placing the living area towards the rear of the lot allows for larger useable yard and functional floor plans that take advantage of the yard area. The main entrance for all interior lots will be taken off a common paseo between the homes and, on corner lots, front entries will be oriented towards the private streets with the entry walkway leading to the sidewalk; and

WHEREAS, the proposed architectural design of the community will be themed and reflect one architectural style - California Cottage. The homes will be two or three-stories tall, creating a varying non-uniform skyline. The design of the homes emphasizes traditional proportioning and massing and focus living areas onto outdoor yards and patios. There is a variety in garage placement, including front facing and front recessed. To provide articulation along the private streets and alleys there are 2nd story cantilever elements that project over the garages. Each plan provides a different covered entryway, color palette, a combination of vertical and horizontal siding, shutters, multi-paned windows surrounded by trim, exposed rafter tails, varying gable roofs, decorative vents and varying garage door patterns with glazing to create a range of architectural interest throughout the community; and

WHEREAS, all single-family homes will meet the Development Code parking requirement of a two-car garage; and

WHEREAS, the conceptual landscape plan for the project site incorporates a variety of tree species that are considered California native and drought tolerant plants. The proposed parkways adjacent to the private streets will be planted with trees that will provide shade to promote pedestrian walkability; and

WHEREAS, the development proposes passive and active common open space areas totaling 93,880 square feet. The Development Code requires that 20% of the project site be devoted to common open space and the Project is providing 35%, exceeding the minimum requirement by 15%. The Development Code also requires 450 square feet of private open space to be provided on each lot. The project exceeds the private open space requirement with yards ranging from 475 to 1,693 square feet; and

WHEREAS, CC&R's shall be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the private streets, open space areas, recreation amenities, drive aisles, alleys, utilities and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; and

WHEREAS, the project site is located within Cucamonga Valley Water District service area and a letter was received from the Cucamonga Valley Water District stating that there will be an adequate supply of water and sewer available to meet the needs of the development. The project site drains from north to south and dry wells are being proposed along the southern portion of the project site to capture run-off water from leaving the site; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No's. PGPA14-002 and PZC14-003, a General Plan Amendment and Zone Change, for which a Mitigated Negative Declaration ("MND") was adopted by the City Council on November 18, 2014, and this Application introduces no new significant environmental impacts; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. [insert DAB Decision #] recommending the Planning Commission approve the Application; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

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

SECTION 1: ***Environmental Determination and Findings.*** As the "decision-making" body for the Project, the Planning Commission has reviewed and considered the

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

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to a Mitigated Negative Declaration, previously adopted by the City of Ontario City Council on November 18, 2014, in conjunction with File No's. PGPA14-002 and PZC14-003.

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

(3) The previous MND was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous MND 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 MND, and all mitigation measures previously adopted with the MND, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the MND that will require major revisions to the MND 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 MND was prepared, that will require major revisions to the MND 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 MND was certified/adopted, that shows any of the following:

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

(b) Significant effects previously examined will be substantially more severe than shown in the MND; 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 MND would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the "decision-making" 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. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (55) and density (9) specified in the Available Land Inventory.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the LMDR (Low-Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR-11 (Low-Medium Density Residential) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Ensley Cottages – Planned Residential Development Guidelines and Standards (File No. PRD14-001), including standards relative to the particular land use proposed (single-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Ensley Cottages – Planned Residential Development Guidelines and Standards (File No. PRD14-001) are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Ensley Cottages – Planned Residential Development Guidelines and Standards (File No. PRD14-001).

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed

for consistency with the general development standards and guidelines of the Ensley Cottages – Planned Residential Development Guidelines and Standards (File No. PRD14-001) that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking, design and landscaping, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (single-family residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Ensley Cottages – Planned Residential Development Guidelines and Standards (File No. PRD14-001).

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

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

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV17-026
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: August 21, 2017

File No: PDEV17-026

Related Files: PMTT17-008 (TT18984)

Project Description: A Development Plan (File No. PDEV17-026) for the construction of 55 single family detached homes, private/common open space areas and recreational amenities on 6.11 acres of land, located at 2041 East Fourth Street, within the MDR-11 (Low Medium Density Residential) zoning district. (APN: 0110-441-10); **submitted by KB Home Coastal, Inc.**

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, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

2.6 Mechanical and Rooftop Equipment.

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

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

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

2.8 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).

2.9 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.

2.10 Disclosure Statements.

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

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

2.11 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No's. PGPA14-002 and PZC14-003, a General Plan Amendment and Zone Change for which an "MND" was adopted by the City Council on November 18, 2014. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

2.13 Additional Fees.

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

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

2.14 Additional Requirements.

(a) Proposed vinyl fencing and gates shall be decorative to complement the architectural style of building. Vinyl fencing shall be reviewed and approved by the Planning Department and will be allowed within the interior side and rear yard areas not visible from the private street.

(b) Decorative masonry walls shall be reviewed and approved by the Planning Department and be constructed with a decorative cap and will be required in areas visible from private streets, public streets and common open space areas.

(c) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The mailboxes shall be located within areas that are highly visible and heavily used to promote safety and convenience.

(d) Provide a connecting pedestrian pathways at the terminus of "C" Street and the park entryway.

(e) Street naming and address numbering shall be consistent with the Development Code and subject to Planning, Building and Fire Department review and approval.

(f) The community monument sign shall be architecturally compatible to the proposed development, incorporate project building materials and meet Development Code Sign Standards.

(g) All Conditions of Approval for Tentative Tract Map (File No. PMTT17-008; TT18984) shall apply.

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PMTT17-008 and PDEV17-026

Address: 2041 East Fourth Street

APN: 0110-441-10

Existing Land Use: Newspaper offices and printing press

Proposed Land Use: Tentative Map to subdivide 6.11 acres into 55 numbered lots and 2 numbered lots and a Development Plan to construct 55 Single Family Homes

Site Acreage: 6.11 acres

Proposed Structure Height: 35 ft

ONT-IAC Project Review: n/a

Airport Influence Area: ONT Airport

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 7/11/17

CD No.: 2017-042

PALU No.: n/a

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

Safety

- ☐ Zone 1
- ☐ Zone 1A
- ☐ Zone 2
- ☐ Zone 3
- ☐ Zone 4
- ☐ Zone 5

Noise Impact

- ☐ 75+ dB CNEL
- ☐ 70 - 75 dB CNEL
- ☐ 65 - 70 dB CNEL
- ☐ 60 - 65 dB CNEL

Airspace Protection

- ☑ High Terrain Zone
- ☑ FAA Notification Surfaces
- ☑ Airspace Obstruction Surfaces
- ☐ Airspace Avigation Easement Area

Allowable Height: 70 ft plus

Overflight Notification

- ☐ Avigation Easement Dedication
- ☐ Recorded Overflight Notification
- ☑ Real Estate Transaction Disclosure

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, provided the following condition is met:

Airport Planner Signature: Lorena Mejia

PROJECT CONDITIONS

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

NOTICE OF AIRPORT IN VICINITY

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

CITY OF ONTARIO
MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: July 10, 2017

SUBJECT: PDEV17-026

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

☐ No comments

☒ Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm

CITY OF ONTARIO
MEMORANDUM

TO: **Lorena Mejia, Senior Planner**
Planning Department

FROM: **Lora L. Gearhart, Fire Protection Analyst**
Fire Department

DATE: **August 9, 2017**

SUBJECT: **PDEV17-026 – A Development Plan To Construct 55-Sfr Detached Homes Located On 6.11 Acres, Within The MDR 11 Zoning District, At 2041 East Fourth Street. APN: 0110-441-10 This Project Was Previously Approved By Planning Commission On December 15, 2014 And Expired On December 15, 2016. The Applicant Is Submitting The Previously Approved Project And The Associated File Numbers Are PDEV14-016 And PMTT14-008.**

☒ The plan **does** adequately address Fire Department requirements at this time.

☐ No comments.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: VB

B. Type of Roof Materials:

C. Ground Floor Area(s): Varies

D. Number of Stories: 2 Story

E. Total Square Footage: Varies

F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

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

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty (20) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

3.0 WATER SUPPLY

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

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 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. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

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

FROM: Lorena Mejia, Senior Planner

DATE: June 29, 2017

SUBJECT: FILE #: PDEV17-026 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, July 13, 2017**.

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

PROJECT DESCRIPTION: A Development Plan to construct 55-SFR detached homes located on 6.11 acres, within the MDR 11 zoning district, at 2041 East Fourth Street. APN: 0110-441-10
This project was previously approved by Planning Commission on December 15, 2014 and expired on December 15, 2016. The applicant is submitting the previously approved project and the associated file numbers are PDEV16-014 and PMTT14-008.

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

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

Department	Signature	Title	Date
Police	Douglas Sorel	Management Analyst	7/26/17

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
Carolyn Bell	7/2/17
Carolyn Bell, Sr. Landscape Planner	Date

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

D.A.B. File No.:	Related Files:	Case Planner:
PDEV17-026	Previous PDEV14-016 Rev 2, 11/18/14	Lorena Mejia

Project Name and Location:

Ensley Cottages
2041 East 4th Street

Applicant/Representative:

Warmington Residential – Phil Bacerra
3090 Pullman Street
Costa Mesa, CA 92626

☒	**A conceptual landscape plan (dated 6/29/17) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**A conceptual landscape plan (dated) has not been approved. Corrections noted below are required prior to DAB approval.**

CORRECTIONS REQUIRED - (DESIGNER SHALL CHECK OFF ITEMS WHEN CORRECTED AND RETURN WITH RESUBMITTAL)

1. Show street lights, fire hydrants and all utilities on landscape plan to avoid conflicts with trees.
2. Show transformers on landscape plan for coordination with landscape and street trees.
3. Coordinate with civil to avoid conflict with utility locations to maintain 30' on center for all street trees.
4. Move AC units in front yards to behind front yard fence (lots 5, 16, 24, 25, etc.)
5. Move AC units in back yards to side yard location when space is wider than 5' (lots 4, 14,15, etc.)
6. Show location of private utility meters on each unit in front of fence and gate location.
7. Show trash can storage location and access path.
8. Show street trees in parkway; (civil plan note 5, for all overhead lines to be undergrounded). Back ground trees at wall clear of easement.
9. Change the 2 Pepper trees at southeast and southwest of front entry in narrow parkway to match street background tree - type for a 5' space (holly oak, etc).
10. Identify water meter as recycled or potable; verify existing recycled water line on 4th Street.
11. Show shrub masses to screen fire and irrigation backflows with 36" high strappy leaf shrubs.
12. Show transformers screened with tall shrubs on three sides and 18" high groundcovers in front. Set 5' away from roadways to avoid bollards for protection.
13. Show landscape areas with a min inside dimension of 5' feet wide including planter on east.
14. Construction documents shall have a maximum scale of 1:20.
15. Show storm water infiltration devices on landscape plans, including catch basins and flow lines. Move storm water chambers shown adjacent to picnic area min 12' clear or to the north to allow shade trees along walk way and west of picnic area.
16. Show canopy type street trees for the interior narrow parkways such as Koelreuteria panniculata, Pistacia chinensis, Fraxinus Raywood. Use accent multi-trunk trees on the corners in front yards where trucks will not damage low branches in the parkway
17. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
18. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

19. Plan Check—5 or more acres $2,326.00
20. Plan Check—less than 5 acres $1,301.00
21. Inspection—Construction (up to 3 inspections) $278.00
22. Inspection—Field - additional..... $83.00
23. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

PLANNING COMMISSION STAFF REPORT

August 22, 2017

SUBJECT: A Planned Unit Development **(File No. PUD17-002)** establishing land use designations and development standards and guidelines, which will govern the development of 4.18 acres of land bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district (APNs: 1048-472-01, 1048-472-02, 1048-472-03, 1048-472-04, and 1048-472-11); submitted by National Community Renaissance of California. City Council action is required.

PROPERTY OWNER: City of Ontario

RECOMMENDED ACTION: That the Planning Commission recommend the City Council approve File No. PUD17-002, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: As illustrated in Figure 1 (Project Location Map), the project site is comprised of 4.18 acres of land generally bordered by Holt Boulevard on the south, Nocta Street on the north, Virginia Avenue on the west, and residentially developed properties on the east. The project site encompasses 5 vacant parcels within the Mixed Use Land Use District of the Policy Plan (General Plan) and the MU-2 (East Holt Mixed-Use) zoning district. Properties surrounding the project site to the west, south and east are also within the Mixed Use Land Use District of the Policy Plan (General Plan) and the MU-2 (East Holt Mixed-Use) zoning district. Properties to the north, however, are in the Medium Density Residential Land Use District of the Policy Plan and are within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district.

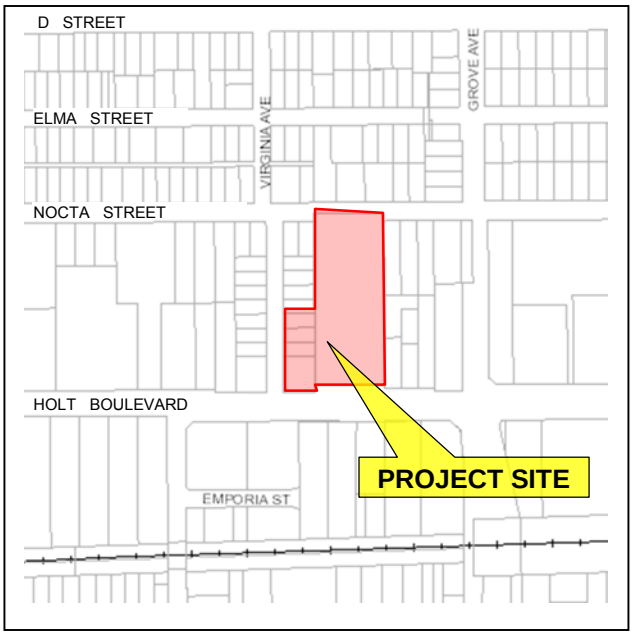


Figure 1: Project Location

Land uses surrounding the project site are characterized by residential uses and

Case Planner:	Charles Mercier
Planning Director Approval:	
Submittal Date:	7/24/2017
Hearing Deadline:	11/21/2017

Hearing Body	*Date*	*Decision*	*Action*
PC	8/22/2017		Recommend
CC-1st read'g	9/5/2017		Introduction
CC-2nd read'g	9/19/2017		Final

vacant property across Virginia Avenue to the west; a motel and vacant property across Hotel Boulevard to the south; a mix of single-family and multiple-family uses to the east; and a mix of single-family and multiple-family uses across Nocta Street to the north (see Figure 2 (Aerial Photograph), below). The surrounding existing land uses, Policy Plan (General Plan), and zoning information are summarized in the Technical Appendix Section of this report.

Figure 2—AERIAL PHOTOGRAPH

PROJECT ANALYSIS:

[1] Background — The project site is located within the Center City Redevelopment Project Area, established in 1983. While the practice of redevelopment was eliminated by the State, the Center City Redevelopment Project Area Plan is still in effect and encourages the development of a high intensity, multi-use central business district. In addition, The Ontario Plan ("TOP") Policy Plan (General Plan) contains goals and policies for the City's Downtown and East Holt Mixed Use Areas, which further support the goals of the Center City Redevelopment Project Area Plan.

The Center City Redevelopment Project Area Plan envisions revitalization of the City's East Holt Mixed Use Area, in part, by infusing medium and high density residential developments and mixed-use developments, into the area. The Policy Plan was established to further this vision, and provides for the creation of low-rise developments (up to 5 stories in height) consisting of a mixture of retail, office and residential uses, for the purpose of creating identity and place along the Holt Corridor and to connect the

Downtown Mixed Use Area with the Ontario Airport Metro Center. Furthermore, within the East Holt Mixed Use Area, the Policy Plan specifies a residential density range of 14 to 40 dwelling units per acre and a maximum floor area ratio ("FAR") of 2.0 for office developments and 1.0 for retail developments.

The Policy Plan specifies that the East Holt Mixed Use Area is to be implemented through the approval of an Area Plan or Planned Unit Development (PUD) prior to the development of properties within the Area. In compliance with this requirement, the Applicant, National Community Renaissance of California, has submitted the Virginia + Holt PUD (included as Attachment "A" to the attached Resolution), which is consistent with this vision and the goals and policies of the Policy Plan.

The purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to:

- Promote high standards in urban design;
- Encourage the development of exceptionally high quality, mixed-use, medium to high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and
- Ensure harmonious relationships with surrounding land uses.

A PUD is comparable to a Specific Plan in that it sets development regulations that are unique to a specific area; however, it is also unlike a Specific Plan in that a PUD is typically intended to apply to a single development project or several interrelated development projects that function together as a single, comprehensive project.

[2] Land Use and Development Regulations — Consistent with the requirements of the MU-2 (East Holt Mixed-Use) zoning district, the Virginia + Holt PUD allows for residential uses at a density of 14 to 40 dwelling units per acre. The maximum building height is 50 feet or 5 stories.

Building setbacks are 10 feet from the Holt Boulevard and Virginia Avenue rights-of-way and 20 feet from the Nocta Street right-of-way. Setbacks from interior property lines are 5 feet for structures, except that carports may be setback 3 feet from interior property lines.

[3] Landscaping and Drainage — A conceptual landscape plan is required to be submitted with the Development Plan for construction of the project site. Broad canopy shade trees are to be used to reduce heat gain on buildings, paving and parking areas. The PUD also requires the use of low water plant materials and a water efficient irrigation system with weather-based controllers. Furthermore, landscaped areas may incorporate vegetated swales for storm water infiltration and retention basins or dry wells as may be needed.

[4] Off-Street Parking and Circulation —

[a] *Parking.* The PUD proposes parking ratios that are below the standards specified in the Development Code. Market rate projects (without affordability restrictions) would be required to fully comply with the Development Code's parking standards. The reduction is requested due to the PUD's proximity to major transportation corridors, including Metrolink lines, multiple bus lines in the area, and the future West Valley Connector Bus Rapid Transit, or BRT, line on Holt Boulevard, as-well-as a study prepared by the City of San Diego, which surveyed more than 2,700 households in existing affordable projects, assessing the number of vehicles available to each household, vehicle use, travel patterns, number of persons per household, and demographic characteristics of each household.

The San Diego Study concluded that:

- The need for parking in an affordable housing project is about half that of market-rate projects;
- Vehicle availability substantially decreases based on overall household income; and
- Neighborhood characteristics influence vehicle ownership levels in affordable projects, because residents may not need cars if transit is available, or they can walk to destinations.

Based on study results, the City of San Diego created a parking model for four types of affordable housing (Family, SRO, Senior, and Studio/One-bedroom) and three different scenarios, based on the availability of transit and area walkability. Based on parking model results, reduced parking ratios have been proposed for affordable housing projects, which average 1.6.spaces per dwelling unit.

A comparison of the proposed reduced off-street parking standards and current Development Code requirements, as they would apply to the proposed project, is shown below. The proposed parking ratios are based on the results of the City of San Diego parking model for affordable housing projects.

Development Code Requirement		***Projects With Affordability Restrictions***	
One-Bedroom:	1.75 spaces per dwelling, including one space in a garage or carport	One-Bedroom:	1.0 spaces per dwelling, including one space in a garage or carport
2-Bedrooms:	2.0 spaces per dwelling, including one space in a garage or carport	2-Bedrooms:	1.3 spaces per dwelling, including one space in a garage or carport

Development Code Requirement	***Projects With Affordability Restrictions***
3 or more Bedrooms: 2.5 spaces per dwelling, including one space in a garage or carport	3 or more Bedrooms: 1.75 spaces per dwelling, including one space in a garage or carport
Visitor Parking: Portion < 50 dwellings: 0.25 spaces per dwelling 50 to 100 dwellings: 0.20 spaces per dwelling Portion > 100 dwellings: 0.17 spaces per dwelling A minimum of 3 guest spaces shall be provided regardless of the number of dwellings proposed.	Visitor Parking: 0.15 spaces per dwelling
Staff Parking: N/A	Staff Parking: 0.05 spaces per dwelling

[b] *Access.* The PUD limits project access to the site to a single primary access along Virginia Avenue and a secondary access point along Nocta Street, at the northern end of the PUD area. Nocta Street access will be limited to emergency vehicles only, unless otherwise permitted by the Planning Director and City Engineer.

[c] *Circulation*. The PUD provides for safe vehicular and pedestrian circulation throughout the project site by promoting separate pedestrian and vehicular accesses.

[d] *Access to Mass Transit*. Existing bus stops are located on Holt Boulevard for Omnitrans routes 61 and 80. Additionally, the future West Valley Connector Bus Rapid Transit (BRT) line is proposed along Holt Boulevard.

[5] Architectural Character — As all sides of buildings will be visible from the public street, common access drives, common parking areas or adjacent parcels, the PUD requires that architectural treatments be carried around to all sides of the buildings, providing full 360-degree architecture. Furthermore, all towers and raised elements will be finished on all sides, to appear as three-dimensional features, and buildings will feature articulated walls with offsets of at least two feet in depth. In addition, the PUD promotes the use of enhanced materials, such as stone or tile, for use as base treatments and to highlight architectural features, such as columns or popped-out tower elements.

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

[1] City Council Goals.

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

[2] Vision.

Distinctive Development:

- Commercial and Residential Development

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

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal—LU1 A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

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

Community Design Element:

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

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

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

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

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

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

➢ Policy—CD2-5 *Streetscapes*. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

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

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

➢ Policy—CD3-1 *Design*. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics. (Link to Bicycle and Pedestrians Section of the Mobility Element and Policies M2-3 and M2-4)

➢ Policy—CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies

and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

Housing Element:

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

- Policy—H2-1 *Corridor Housing*. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

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

- Policy—H2-6 *Infill Development*. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.

- Goal—H4 Increased opportunities for low and moderate income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

  - Policy—H4-3 *Rental Assistance*. We support the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the state and federal government.

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

  - Policy—H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities

Community Economics Element:

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

  - Policy—CE1-6 *Diversity of Housing*. We collaborate with residents, housing providers and the development community to provide housing opportunities for

every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site contains one property listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (101 low income dwelling units required, 101 low income dwelling units proposed) and density (a minimum of 24.1 du/acre proposed, 24.1 du/acre proposed) specified in the Available Land Inventory.

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

ENVIRONMENTAL REVIEW: 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 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. Class 32 consists of projects characterized as infill development, meeting the following conditions:

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

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant Property	Mixed Use	MU-2 (East Holt Mixed-Use)	N/A
North	Residential	Medium Density Residential	MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre)	N/A
South	Hotel & Vacant Property	East Holt Mixed Use	MU-2 (East Holt Mixed-Use)	N/A
East	Residential	East Holt Mixed Use	MU-2 (East Holt Mixed-Use)	N/A
West	Residential & Vacant Property	East Holt Mixed Use	MU-2 (East Holt Mixed-Use)	N/A

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PUD17-002, A PLANNED UNIT DEVELOPMENT ESTABLISHING LAND USE DESIGNATIONS AND DEVELOPMENT STANDARDS AND GUIDELINES GOVERNING THE DEVELOPMENT OF 4.18 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE SOUTH, NOCTA STREET ON THE NORTH, AND VIRGINIA AVENUE ON THE WEST, WITHIN THE MU-2 (EAST HOLT MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 1048-472-01, 1048-472-02, 1048-472-03, 1048-472-04 AND 1048-472-11.

WHEREAS, National Community Renaissance of California ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD17-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.18 acres of land generally bordered by Holt Boulevard on the south, Nocta Street on the north, Virginia Avenue on the west, and residentially developed properties on the east, within the MU-2 (East Holt Mixed-Use) zoning district, and is presently unimproved; and

WHEREAS, the property to the north of the Project site, across Nocta Street, is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and is developed with a mix of single-family and multiple-family uses. The property to the east is within the MU-2 (East Holt Mixed-Use) zoning district and is developed with a mix of single-family and multiple-family uses. The property to the south, across Hotel Boulevard, is within the MU-2 (East Holt Mixed-Use) zoning district and is developed with a motel and vacant property. The property to the west, across Virginia Avenue, is within the MU-2 (East Holt Mixed-Use) zoning district and includes undeveloped property and a mix of residential uses; and

WHEREAS, the project site is located within the Center City Redevelopment Project Area, established in 1983. While the redevelopment practice was eliminated by the State, the Center City Redevelopment Project Area Plan is still in effect. The plan encourages the development of a high intensity, multi-use central business district. In addition, The Ontario Plan (“TOP”) Policy Plan (General Plan) contains goals and policies for the City’s Downtown and East Holt Mixed Use Areas, which further support the goals of the Center City Redevelopment Project Area Plan; and

WHEREAS, the Center City Redevelopment Project Area Plan envisions revitalization of the City’s East Holt Mixed Use Area, in part, by infusing medium and high density residential developments, and mixed-use developments, into the area. The Policy

Plan was established to further this vision, and provides for the creation of low-rise developments (up to 5 stories in height) consisting of a mixture of retail, office and residential uses. The intent is to create identity and place along the Holt Corridor and connect the Downtown Mixed Use Area with the Ontario Airport Metro Center. Furthermore, within the East Holt Mixed Use Area, the Policy Plan specifies a residential density range of 14 to 40 dwelling units per acre, and a maximum floor area ratio ("FAR") of 2.0 for office developments and 1.0 for retail developments; and

WHEREAS, the Policy Plan specifies that the East Holt Mixed Use Area is to be implemented through the approval of an Area Plan or Planned Unit Development (PUD) prior to the development of properties within the Area. In compliance with this requirement, the Applicant has submitted the Virginia + Holt PUD (included as Attachment "A"), which is consistent with this vision and the goals and policies of the Policy Plan; and

WHEREAS, the purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to:

- Promote high standards in urban design;
- Encourage the development of exceptionally high quality, mixed-use, medium to high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs;
- Ensure harmonious relationships with surrounding land uses; and

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

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

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

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

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

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

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

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

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

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

(2) 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 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. Class 32 consists of projects characterized as infill development, meeting the following conditions:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(b) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(c) The project site has no value as habitat for endangered, rare, or threatened species;

(d) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(e) The Project site can be adequately served by all required utilities and public services.

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (101 low income dwelling units required, 101 low income dwelling units proposed) and density (a minimum of 24.1 du/acre required, 24.1 du/acre proposed) specified in the Available Land Inventory.

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

that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The proposed PUD is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed project is located within the East Holt Mixed Use land use district of the Policy Plan Land Use Map, and the MU-2 (East Holt Mixed-Use zoning district. The development standards and conditions under which the proposed project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed PUD would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The Planning Commission has required certain safeguards, and has required certain changes, which have been established to ensure that: [i] the purposes of the Planned Unit Development are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan.

(3) ***The proposed PUD will not adversely affect the harmonious relationship with adjacent properties and land uses.*** A thorough review and analysis of the proposed project and its potential to adversely impact properties surrounding the subject site was completed by City staff. As a result of this review, certain design considerations were incorporated into the project to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements, and decorative hardscape elements.

(4) ***The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** In preparing the proposed PUD, a thorough review and analysis of the proposed project and the project site's physical suitability for the proposed project was completed, including analysis of the project size, shape, intensity of development, building height, building setbacks, site access, site landscaping and drainage, fences and walls, vehicle circulation, pedestrian connections, availability of

mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and other infrastructure needs, off-street parking and circulation, building orientation and streetscapes, architectural character, building materials and color, and site signage.

(5) ***The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.*** The proposed PUD addresses aspects of the project that are specifically related to the Development Plan proposed in conjunction with the PUD application, including necessary building setbacks, site access points, off-street parking and site circulation, and architectural character.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Planned Unit Development, attached hereto as "Attachment A," and incorporated herein by this reference, subject to the following conditions of approval:

(1) Correct description of Nocta Street throughout document; 33 foot half width section with 18 foot half roadway width with 15 parkway.

(2) Provide cross sections of Virginia Avenue and Nocta Street in Section 5, similar to the Holt Boulevard cross section provided in Exhibit 5.1.

(3) Modify section 5.6 Infrastructure to include a discussion of water service on Virginia Avenue and proposed connection to the existing storm drain in Holt Boulevard.

(4) Add Fiber Optics discussion in accordance to the attached Fiber Team Exhibit A—Fiber Optics Corrections and Figure 1.0.

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

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

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

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

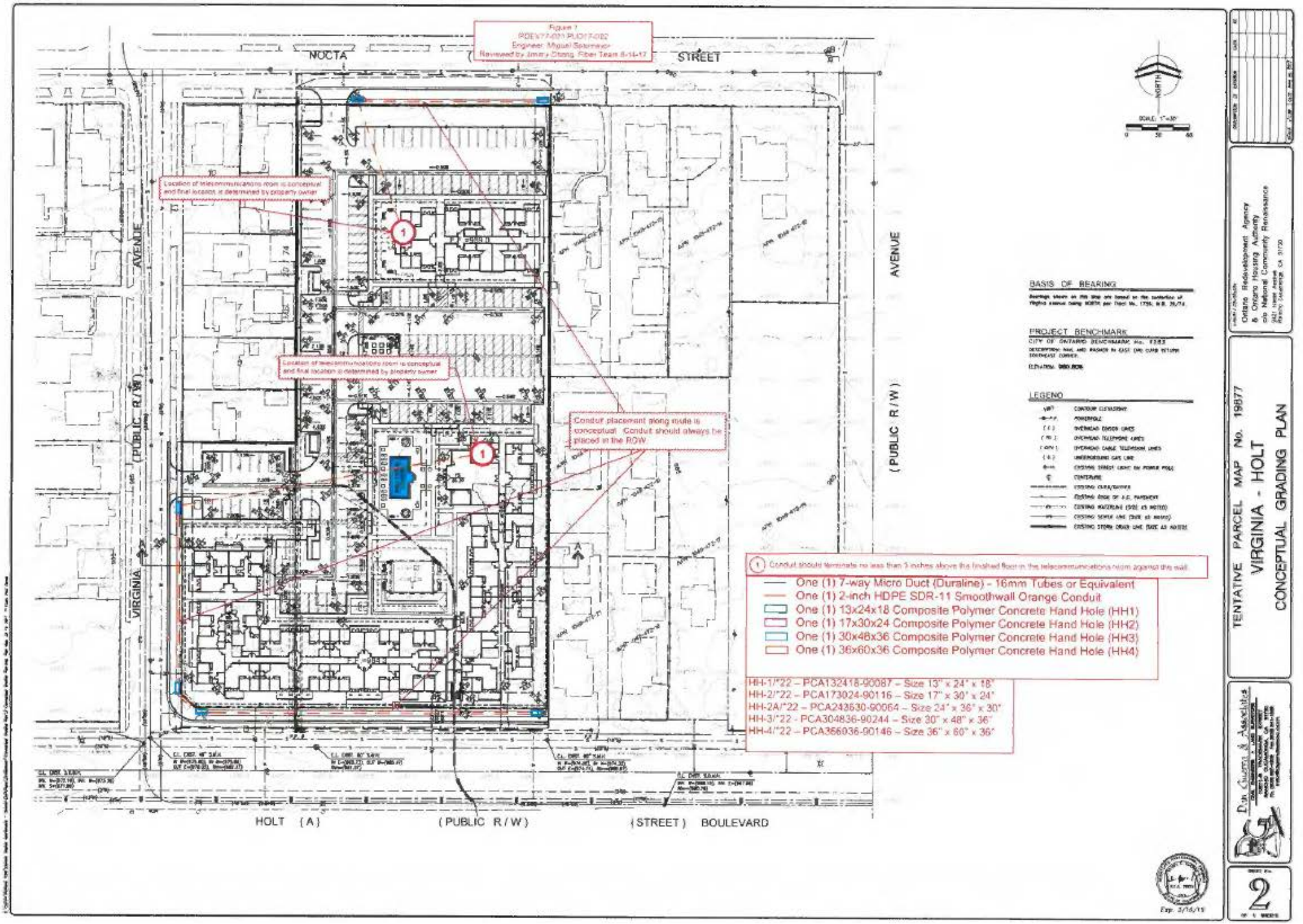
NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

EXHIBIT A—Fiber Optics Corrections



ATTACHMENT A:

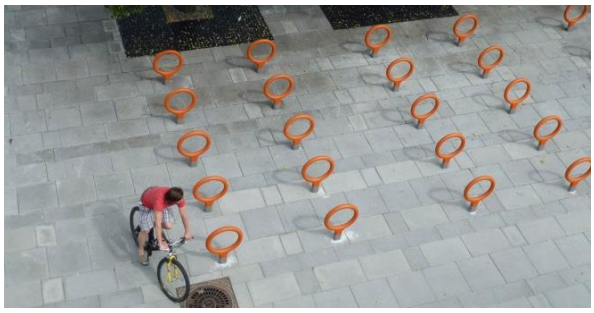
File No. PUD17-002;
Virginia + Holt Planned Unit Development

(Document to follow this page)

VIRGINIA + HOLT PLANNED UNIT DEVELOPMENT

FILE NO. PUD17-002

August 9, 2017



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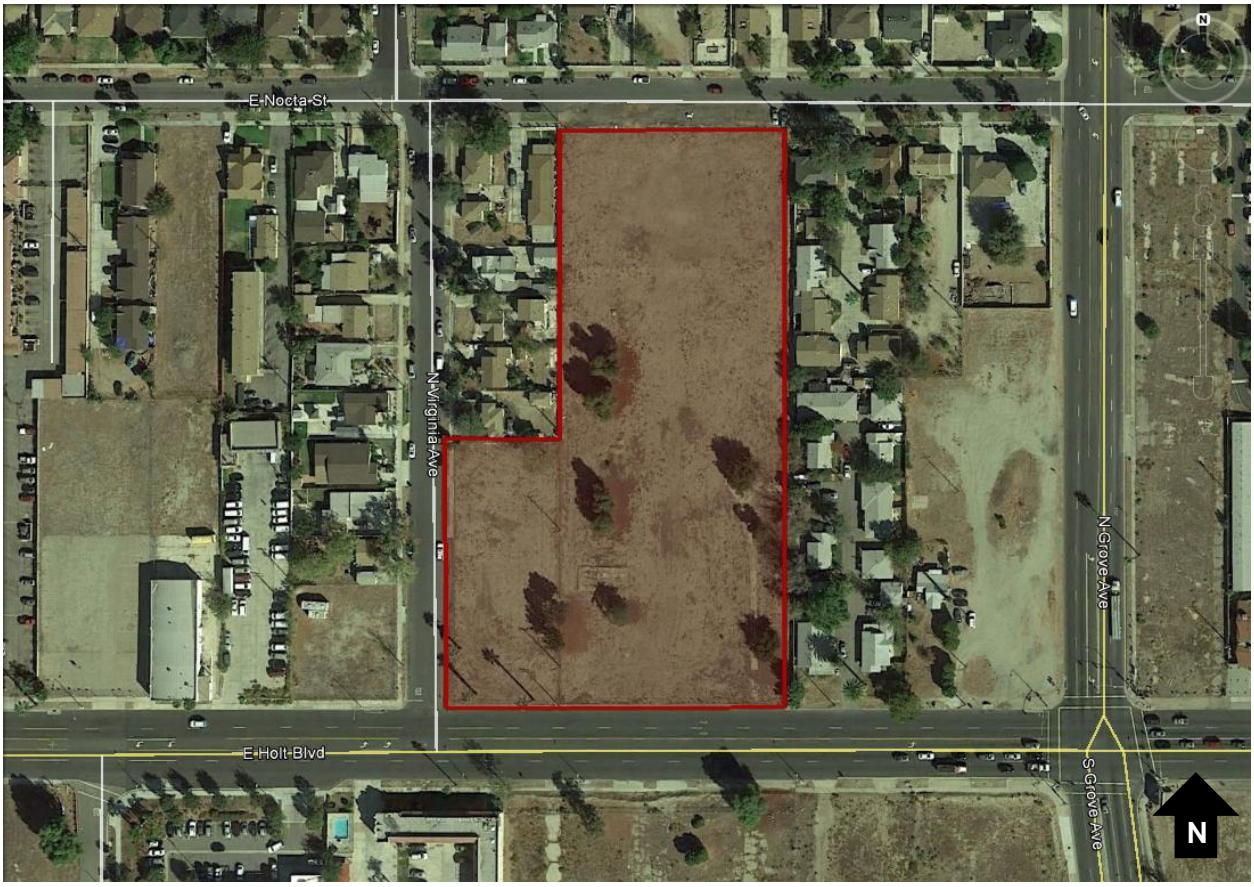
1 INTRODUCTION

1.1 OVERVIEW

The Virginia + Holt Planned Unit Development (PUD) is intended to function as a set of planning and design principles, development regulations and performance standards to guide and govern the development of five parcels within one block area bounded by Holt Boulevard to the south, Grove Avenue to the west, Nocta Street to the North, and Virginia Avenue to the east [see Exhibit 1-1, Project Location Map], as a high quality residential use development on the parcels that face Holt Blvd, Virginia Ave, and Nocta Street. The Virginia + Holt Planned Unit Development (PUD) will replace the existing zone district designations and zoning standards that apply to the affected properties. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply. City staff and private developers will rely on this PUD to determine whether precise plans for development ("Development Plans") will adequately meet the City's land use and design objectives.

Located at the northwest corner of East Holt Boulevard and North Virginia Avenue, the 3.84-acre site is situated along the Holt Commercial Corridor and within the East Holt Mixed Use Area. Through these designations, the Ontario Plan seeks to encourage the redevelopment of Holt Avenue into medium-density residential uses integrated with commercial, workplace, and urban facades.

EXHIBIT 1-1: PUD LOCATION MAP



PUD Area

2 PROJECT OBJECTIVES

2.1 GENERAL PLAN CONSISTENCY

Within the Ontario Plan Policy Plan (General Plan) the Virginia + Holt PUD site is designated Mixed Use. The Ontario Plan describes the Mixed Use designations as "an intense mixture of uses that, when concentrated, create focal points for community activity and identity and facilitate the use of transit." The Mixed Use land use category accommodates a horizontal and/or vertical mixture of retail, service, office, restaurant, entertainment, cultural, and residential uses.

The Virginia Apartments is consistent with the principles, goals and policies contained within the components that make up the Ontario Policy Plan, including: (1) Vision, (2) Policy Plan, (3) Implementation Programs, and (4) City Council Priorities. The policies implemented by this PUD are as follows:

1. VISION

On February 13, 2007, the Ontario City Council adopted The Ontario Vision. The central theme that motivates the Vision is – *"A sustained, community-wide prosperity which continuously adds value and yields benefits."* Everything the City does and every action the City takes is done with this simple yet comprehensive theme in mind, from the design quality of the built environment, to the intent of designing socio-economic programs, to the way in which its leaders govern as a community. In discussing a Vision that would endure for the lifetime of The Ontario Plan (30 years

or more), the City Council recognized that there are four components that serve as the basic building blocks that set the foundation for a unified and prosperous community. These foundational blocks must be expressed and widely accepted throughout the Plan's lifetime. They are:

1. A **Dynamic Balance** that enables our community to confront the continued dynamic growth of the region and technological change with confidence and a sense of opportunity.

2. A **Prosperous Economy** that sustains the perception and reality of prosperity across our entire community that positively impacts all the people of Ontario and is broadly – though not uniformly – shared.
3. **Distinctive Development** that integrates our varied and diverse focal points, districts, villages, and neighborhoods to provide a feeling of coherence without sacrificing uniqueness.

4. **Recognized Leadership** in local governance that stimulates excellence and serves to unify the people of Ontario in support of best practices in conducting public endeavors.

The Virginia + Holt PUD will implement the Ontario Vision in several ways that will further the City's desire to be a sustainable and prosperous community.

COMMERCIAL AND RESIDENTIAL DEVELOPMENT

- The PUD allows for the development of multifamily housing on a site in close proximity to schools, recreation and cultural facilities, places of worship, places of employment and shopping, and a future high quality public transportation line.

- The development standards encourage multifamily residential development, further diversifying the City's housing stock and balancing the City's jobs-to-housing ratio that is essential to maintain quality of life within the community.

- The PUD encourages a comprehensive and diverse housing stock that offers broad choices for the diverse workforce and local families, by introducing new affordable multifamily housing units.

DEVELOPMENT QUALITY

- The PUD requires a well-designed project with high-quality materials that are complementary of the existing neighborhood and will enhance the distinctive architectural styles found within the City.

- The development standards require future projects to take into account the existing built environment and open spaces ensuring careful attention to detail at every scale, including public and private spaces and structures.

MOBILITY

- The PUD is located along the future West County Connector bus rapid transit (BRT) line and encourages the development of higher density development near high frequency transportation facilitating an exceptional degree of movement and connectivity.

- Within the development standards, proposed projects will provide features and amenities to encourage the use of alternative forms of transportation including bicycles, buses and walking.

PUBLIC SAFETY

- The PUD will ensure that the project is integrated into the existing neighborhood and that connections are made to residential neighborhoods, schools, parks, community centers and cultural facilities in the surrounding area.

LEISURE AND CULTURAL ACTIVITIES

- The PUD will require recreational amenities, community facilities and programs that offer ample recreation and cultural involvement by a diverse resident population.

RESOURCE CONSERVATION AND ENHANCEMENT

- The location of the PUD on the future West County Connector line provides a unique opportunity to reduce vehicle trips and air pollutants, resulting in improved air quality in Ontario and the region.

2. POLICY PLAN

Goal LU1: Balance. A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- The PUD allows for the development of a multifamily residential project on an infill parcel preserving open space and ensuring access to necessary services and infrastructure. The proposed project will be affordable to households earning less than 60 percent of the area median income (AMI) which will provide opportunities for lower income families to live close to work, commute via public transportation, and maintain a decent quality of life. The

PUD will also encourage sustainable development practices and LEED certification within all applicable projects.

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

- The PUD takes into account the existing uses surrounding the property and buffers new development through setbacks and step backs.

Goal LU3: Flexibility. Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

- The establishment of the PUD allows for clear development standards which allow flexibility to achieve the Ontario Vision, improves livability, reduces vehicular trips, creates community gathering places and activity nodes, and helps create identity.

Goal LU4: Phased Growth. Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.

- The establishment of the PUD allows for long term value through the development of affordable multifamily housing on an infill site that is surrounded by existing development.

Goal H1: Neighborhoods + Housing Development Standards. Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity

- The PUD will improve the long-term sustainability of neighborhoods through comprehensive planning, provision of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts. The PUD will also ensure that adequate public services, infrastructure, open space, parking and traffic management, pedestrian and bicycle routes and public safety for related to the project are provided consistent with City master plans and neighborhood plans.

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

- The PUD will revitalize the Holt Boulevard corridor, in anticipation of the West County Connector by encouraging the production of higher density residential uses that are architecturally, functionally and aesthetically suited to corridors. The PUD also encourages infill development on a vacant parcel that is identified within the City's 2014-2021 Housing Element as an opportunity site to meet the City's Regional Housing Needs Allocation (RHNA). A proposed project on the site will be affordable to households earning less than

60 percent of the area median income (AMI) which will provide opportunities for lower income families to live close to work, commute via public transportation, and maintain a decent quality of life.

Goal H4: Housing Assistance. Increased opportunities for low and moderate income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

- The PUD is a collaborative partnership with a nonprofit affordable housing developer to produce affordable housing and supports the City's goal to provide rental assistance for individuals and families earning extremely low, very low, and low income with funding from the state and federal government.

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

- The PUD allows for and encourages the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of supportive services, recreation and other amenities.

3. CITY COUNCIL PRIORITIES

The Virginia + Holt PUD is consistent with the City Council's desire to:

- Invest in the Growth and Evolution of the City's Economy.
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

5. IMPLEMENTATION

The Virginia + Holt PUD implements the Ontario Plan as the Plan is a public-private partnership proposing a multifamily Development Project on a site identified within the City's Housing Element land inventory and furthers the City's goal to become a Transformative Climate Community.

2.2 CENTER CITY REDEVELOPMENT PLAN OBJECTIVES

The Center City Project Area encompasses the historic Euclid Avenue District, as well as East Holt Boulevard. Ontario's City Hall and surrounding Civic Center, Senior Center, Main Library, the

Museum of History and Art, Ontario Town Square, and the Law School of the University of La Verne are all within the Center City project area. Development is designed to create an immediate and positive identity transforming the area into a comfortable place to stroll and be seen. Specifically along the Holt Boulevard Corridor and surrounding neighborhoods the Plan encourages development of low-rise buildings to include residential uses and mixture of retail in order to maximize the economic productivity of the commercial areas by increasing the housing opportunities of the residential areas, improving aesthetics on major corridors Create an urban environment, with the ability to live, work, in the neighborhood. While offering a variety of goods and services to serve the surrounding neighborhood, the District will also take advantage of the area's excellent regional access.

The current goals of the Center City Project include:

- Improving aesthetics on major corridors;
- Promoting the creation of a mixed-use urban village in the Civic Center area; and
- Preserving the City's historic commercial structures, neighborhoods and housing stock.

2.3 PUD DISTRICT PURPOSE AND OBJECTIVES

The purpose of the Virginia + Holt PUD as part of the East Holt Mixed-Use MU-1 District is to secure the residential uses of the general plan; promoting high quality design standards in urban design; encouraging the development of mixed-use residential communities while establishing regulations and standards appropriate to the specific need for affordable housing for working families in the area.

The intent of the Virginia + Holt PUD is to:

- Promote development projects that are consistent with the land use/downtown revitalization objectives of the Center City Redevelopment Project area.

- Establish a sense of place and identity along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center.

- Achieve high density residential development or mixed use development, and diversification of housing types, while maintaining high quality in design and construction.

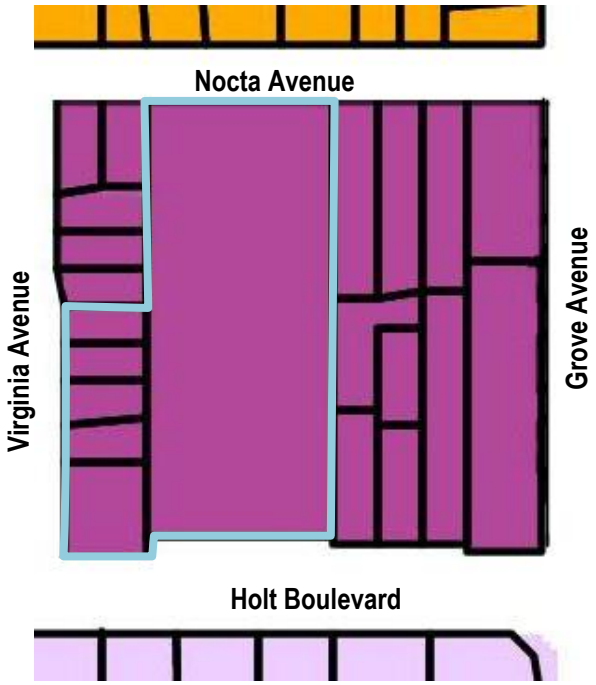
- Encourage clustering of structures to preserve a maximum amount of continuous open space.

3 LAND USE PLAN

3.1 LAND USE DESIGNATION

The Virginia + Holt Planned Unit Development (PUD) includes 5 parcels that are designated Mixed Use (MU-2) within the Ontario Plan and on the City's Zoning Map. The MU-2 zoning district was established to accommodate the intensification of the Holt Boulevard Corridor with low-rise (up to 5 stories) buildings accommodating a mix of retail and office uses at a development intensity of up to 2.0 FAR and 1.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of MU-2 zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center. The MU-2 zoning district is consistent with and implements the East Holt Mixed Use Area land use designation of the Policy Plan component of The Ontario Plan.

EXHIBIT 3-1: LAND USE DISTRICT MAP [EXHIBIT LU-01 LAND USE PLAN]



Project Area: Mixed Use

Adjacent Uses: Business Park (0.6 FAR) Medium Density (11.1 - 25 du / ac)

3.2 PERMITTED USES

Virginia + Holt Planned Unit Development does not deviate from the permitted uses as shown in Table 5.02-1, *Land Use Matrix* of the City of Ontario Development Code.

TABLE 5.02-1, LAND USE MATRIX

2012 NAICS Code	Land Uses	MU-1	MU-2	MU-11
	Multiple Family Dwellings	P	P	P
	Second Dwellings	…	…	…
	Senior Citizen Housing Developments	C	…	…
	Single-Family Dwellings	P	…	…
	Single Room Occupancy Facilities	P	…	…
	Supportive Housing	C	…	…
	Work/Live Units	C	C	

P – Per section 5.02.010 of the Ontario Zoning Code, **Permitted** shall mean the land use, activity, or facility within the specified district is permitted by right of bring in the proper zoning district, and is subject to each Development Code provision applicable to the specified zoning district and the standards for specific uses, activities, and facilities contained in division 5.03 (Standards for Specific Uses, Activities, and Facilities) of the City's Development Code.

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4 DEVELOPMENT REGULATIONS

4.1 INTENSITY

Residential land uses within the Virginia + Holt Planned Unit Development will be consistent with the Mixed Use-2 zoning district allowing for residential uses at a density of 14 to 40 dwelling units per acre (DUA) or non-residential development at an FAR of up to 2.0.

4.2 BUILDING HEIGHT

Development within the Virginia + Holt Planned Unit Development will be consistent with the Mixed Use-2 zoning district allowing for a maximum of five (5) stories or fifty feet (50') in height.

4.3 SETBACKS

Street front and side setbacks within the Virginia + Holt Planned Unit Development shall be maintained at a minimum of ten feet (10') front yard setback along Holt Boulevard to allow for the future West Valley Connector Bus Rapid Transit (BRT) line. Side yard setbacks to the east will be maintained at ten feet (10') along Virginia Avenue. The interior side yard setback to the east property line (adjacent to existing commercial property) will be five feet (5") minimum for any building structures and three feet (3') minimum for carports or parking stalls. The interior "rear"

north property line setback (adjacent to single family dwelling), will be maintained at a minimum of nine feet (9') to any parking areas. Along Nocta Street, to the north, a twenty foot (20') minimum rear yard setback is required. All setbacks shall be measured from the ultimate property lines after all dedications to develop streets to the ultimate right-of-way width. Placement of buildings, structures, fences, walls, utility facilities, yards, etc. will be based on the street rights-of-way and property line dimensions. Allowable encroachments in yards include (maximum 6' high) property line fences and gates, landscaping, paving, and public utilities.

4.4 ACCESS

Along Virginia Avenue, one access driveway is allowed, providing primary access to the site. A secondary access point is permitted along Nocta Street, at the northern end of the PUD area, for emergency vehicle access, only. Use of the secondary acess point along Nocta Street by project residents for normal ingress and/or egress shall first require review and approval by the Planning Director and City Engineer.

4.5 LANDSCAPING + DRAINAGE PLAN

A conceptual landscape plan and preliminary drainage pan shall be submitted with each Development Plan proposed within the Virginia + Holt Planned Unit Development area. The plan shall specify all landscape and hardscape elements for the development plan site and indicate how the improvements will coordinate with the other sites within the PUD. The landscape plans and/or civil plans shall show the location of all ground mounted utility structures such as transformers, back flow prevention devices, trash enclosures, and HVAC equipment and indicate the methods for screening these items. All utility structures and equipment shall be screened from view of the public streets and adjacent development.

Water conservation shall be provided through low water using plant materials, hydro zones, water efficient irrigation and weather based controllers. Landscaped areas may be used for storm water infiltration through vegetated swales, retention basins, or dry wells as needed with the use of appropriate planting materials. Broad canopy shade trees shall be used to reduce heat gain on buildings, paving and parking areas. The plan shall identify all existing trees on site and preserve them where possible. The landscape design shall meet the requirements of the Landscape Development Standards and shall create well-functioning spaces within a sustainable design.

Within the entire PUD area, parkways shall be installed adjacent to the curb with the public sidewalk located adjacent to the property line. Along Holt Boulevard, the right-of-way section will vary in width to accommodate the future BRT Plan requirements. At the time of this application,

the most recent BRT plans show the Holt parkway (landscape + sidewalk) to be a consistent ten and a half feet (10.5') width. Along Virginia Avenue, the right-of way section is sixty feet (60') wide with a half street section of thirty feet (30') that includes a twelve foot (12') wide parkway [7 foot landscape parkway + 5 foot sidewalk]. Along Nocta Street, the right-of way section is required to be sixty-six (66') feet wide with a half street section of thirty-three feet (33') that includes a thirteen foot (13') wide parkway [8 foot landscape parkway + 5 foot sidewalk]. Parkway landscaping and irrigation within the public right-of-way shall be installed and maintained by each development. Trees along street frontages shall comply with the variety, size, and spacing as directed by the City of Ontario Master Street Tree Plan.

4.6 EQUIPMENT SCREENING

All roof mounted and ground mounted equipment shall be fully screened from view of the public street and adjacent developments. The location of items shall be designed to allow screening with landscape materials, walls, architectural features, parapet walls, etc. Screening shall be designed to be integrated into the design of a proposed Development Project.

4.7 FENCES AND WALLS

Fences and walls for a proposed Development Project shall be made of decorative materials which are compatible with the overall architectural character of the development within the PUD area. All fences and walls shall be in scale with the development to fulfill such needs as screening and security. Fences, walls and hedges within the PUD area shall comply with Engineering Corner Sight Distance Standards and other applicable standards. A fifteen foot (15') radius corner dedication is provided at the corner of Holt Boulevard and Virginia Avenue. All decorative walls, monuments and/or other similar features shall not encroach into the public street right-of-way. Within the PUD area, fences and walls shall be limited to a maximum of 4 feet (4') in height within any front yard area. Interior or rear walls shall be a maximum of 6 feet (6') in height consistent with the requirements of the Mixed Use-2 land use district.

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5 CIRCULATION & PARKING

5.1 VEHICLE CIRCULATION

For any proposed Development Project within the PUD area, the developer shall be responsible to improve Holt Boulevard and Virginia Avenue to their ultimate widths. These streets will provide primary vehicular access to the site. On-site circulation will be provided from Virginia Avenue and Nocta Street.

5.2 PEDESTRIAN CONNECTIONS

Proposed Development Projects within the PUD area are required to ensure adequate pedestrian connections from potential buildings to the public street. This can be achieved through pedestrian gates along street frontages and/or access gates near driveways.

5.3 MASS TRANSIT

Proposed Development Project within the PUD area should encourage the use of existing bus stops by providing pedestrian connections to westbound lines [Omnitrans 61 + 80] with bus stops located on the northwest corner of Holt Boulevard.

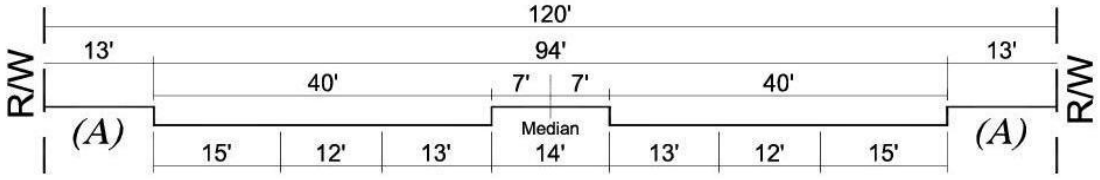
5.4 STREET DEDICATIONS AND EASEMENTS

Proposed Development Projects within the PUD area shall dedicate right-of-way along all street frontages as necessary to increase the right-of-way to ultimate width, including corner cutbacks per City Standard Drawing No. 1051 (Virginia Avenue and Nocta Street) and No. 1058 with modified parkway section (Holt Boulevard). The ultimate right-of-way widths for roadways surrounding the PUD area are as follows:

- **Holt Boulevard**: 120 feet – 60 feet half width
- **Virginia Avenue**: 60 feet – 30 feet half width
- **Nocta Street:** 66 feet – 33 feet half width

Exhibit 5-1 shows the anticipated ultimate right-of-way for Holt Boulevard as shown in the City of Ontario Master Plan of Streets and Highways. Development projects will also ensure that all proposed right-of-ways can accommodate the future development of the West Valley Connector BRT line.

EXHIBIT 5.1 – ULTIMATE RIGHT-OF-WAY - HOLT BOULEVARD



HOLT BLVD + GROVE AVE
[Per City of Ontario Master Plan of Streets and Highways - November 2015]

5.5 PUBLIC RIGHT-OF-WAY IMPROVEMENTS

As development projects are proposed within the PUD area, prospective developers are responsible for improving the public right-of-way to be consistent with the City's General Plan and Municipal Code. Public right-of-way improvements are required to include, but are not limited to the following: street pavement, curb & gutter, parkway landscaping, parkway irrigation, raised landscape median with irrigation on Holt Boulevard, public sidewalks, traffic signage and striping, street lights, bus stop, bus shelter and amenities. The extent of the required improvements shall be determined for each development plan. At a minimum the improvements shall incorporate all items along the street frontages of the properties to be developed with proper transitioning if the

entire block frontage is not being installed simultaneously. Improvements along the street frontage for the entire block may be required at the time of development plan review.

5.6 INFRASTRUCTURE

Water service for the PUD site will be provided by existing water lines under Holt Boulevard. Waste water flows for the PUD will also be designed to connect to existing sewer lines in Holt Boulevard. On-site stormwater drainage facilities shall be provided to capture and infiltrate a 2-year, 1 hour storm event, consistent with the San Bernardino County Stormwater Program's Water Quality Management Plan (WQMP) requirements for new development projects. Stormwater capture and infiltration facilities may include the utilization of vegetated swales, depressed landscaped basins, pervious concrete pavement or underground stormwater retention/infiltration vaults. All building roof and paved area runoff shall be directed into depressed landscaped swales, trenches or basins, within the development, in order to comply with the requirement to capture and infiltrate the 2-year, 1 hour storm event runoff. All proposed Development Plans are required to prepare a Preliminary Water Quality Management Plan.

All utility lines (electric, communications, TV, etc.) along Virginia Avenue that are currently overhead will be placed underground. The exiting overhead utility lines and utility pole along Nocta Street may remain. Existing overhead utility lines on-site along Virginia Avenue shall be under-grounded at or before the time of development by the developer or property owner.

Street lighting shall be installed along the public right-of-way of Holt Boulevard in accordance with City of Ontario Standards. The type of street lighting will be determined at the time of development.

5.7 PARKING

Given the PUD area's location along a major transportation corridor, with access to multiple bus lines and the future West Valley Connector BRT line, future projects should consider a parking ratio that is below the parking standards included in the City of Ontario Zoning Code. Based on recent legislation (AB 744), best practices in the region, and the PUD location and proximity to transit, a Development Plan that proposes multifamily residential development that has affordability restrictions in place will be required to provide parking based on the following ratios:

- 1 bedroom unit/studio – 1.0 spaces per unit
- 2 bedroom unit – 1.3 spaces per unit
- 3+bedroom unit – 1.75 spaces per unit

- Visitor parking - 0.15 spaces per unit
- Staff parking – 0.05 spaces per unit

Market rate residential projects or mixed use projects that do not require affordability restrictions on the housing units, are subject to the City of Ontario parking standards as shown in the Municipal Code.

A proposed Development Plan may propose secured resident and guest parking within the PUD site. A Development Project will ensure that a parking management plan is in place by a property manager.

On-street parking will be allowed on Virginia Avenue and Nocta Avenue only. No street parking will be allowed on Holt Boulevard. On-street parking may not be used to meet the requirements for on-site parking as indicated in the Development Code.

6 DESIGN GUIDELINES

6.1 BUILDING ORIENTATION AND STREETSCAPES

By blending residential and on-site community amenities, the design of development projects should promote increased walkability. Whenever feasible, Development Projects should locate building edges near the property line along Holt and Virginia to strengthen and define the urban edge and encourage pedestrian activity. Development Projects should create interest and interact with the streetscape when appropriate and feasible.

6.2 ARCHITECTURAL CHARACTER

Due to the size and scale of the PUD project area, virtually all sides of the buildings will be visible from the public street, common access drives, common parking areas or adjacent parcels with commercial uses. As such the architectural treatments should be carried around to the visible portions of all sides of the buildings. All towers or raised elements should be fully finished on all sides to appear as three-dimensional features.

The architecture for the buildings should feature articulation of the walls with offsets a minimum of two feet (2') in depth. Enhanced materials such as stone, or tile should be used as a base treatment and to highlight architectural features such as columns or popped-out tower elements. All enhanced materials shall terminate at logical points, such as an interior corner, and shall incorporate cap treatments to provide a transition between materials.

6.3 MATERIALS AND COLOR

A variety of durable high quality materials with a range of texture and pattern that is naturally inherent in the materials is used. The proposed color scheme for developments within the PUD area should be neutral whites, cool greys, contrasted with warm terracotta earth tones or complementary of these materials and color tones.

6.4 SIGNS

Signs shall comply with the requirements of the City of Ontario Development Code and shall be coordinated through a comprehensive sign program.

6.5 SERVICE FACILITIES

Service facilities such as trash enclosures, parking areas shall be designed, located and oriented to have a minimal visual impact on the development within the PUD area. Trash enclosures shall be designed to coordinate with the architecture, colors and materials of the style of the development and shall be located to provide adequate access for trash pickup without encroaching on access drives or landscaped areas. Trash enclosures shall be designed and constructed with a solid roof cover which shall also be designed to match the architecture of the development.

7 ADMINISTRATION

7.1 ITEMS NOT ADDRESSED IN PUD

Any terms, requirements, or regulations not addressed within the PUD document shall be governed by the City of Ontario Development Code, the regulations of the General Mixed Use zones and City Standards.

7.2 DEVELOPMENT APPLICATIONS

Development Plans for projects within the Virginia + Holt PUD area, along with fees and other required items, shall be submitted for review and approval per the requirements contained in Article 8 of the City of Ontario Development Code and the General Application.

7.3 ADMINISTRATIVE EXCEPTIONS

Deviation from the development standards set forth in this document may be granted up to a maximum of ten percent (10%) by the Zoning Administrator. Any deviations from the City of Ontario's development standards will be considered an incentive/concession in lieu of a variance.

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PLANNING COMMISSION STAFF REPORT

August 22, 2017

SUBJECT: A Tentative Parcel Map **(File No. PMTT17-009)** to consolidate 5 lots into a single 4.18-acre parcel and a Development Plan **(File No. PDEV17-031)** for the construction of a 101-unit apartment project for property bordered by Holt Boulevard on the south, Nocta Street on the north, Virginia Avenue on the west, and existing residential development on the east, within the MU-2 (East Holt Mixed-Use) zoning district (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 & 1048-472-04); **submitted by National Community Renaissance of California.**

PROPERTY OWNER: City of Ontario

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PMTT17-009 (PM 19877) and PDEV17-031 pursuant to the facts and reasons contained in the staff report and attached resolutions and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: As illustrated in ***Figure 1 (Project Location Map)***, the project site is comprised of 4.18 acres of land generally bordered by Holt Boulevard on the south, Nocta Street on the north, Virginia Avenue on the west, and residentially developed properties on the east. The project site encompasses five vacant parcels within the Mixed Use Land Use District of the Policy Plan (General Plan) and the MU-2 (East Holt Mixed-Use) zoning district. Properties surround the project site to the west, south and east are also within the Mixed Use Land Use District of the Policy Plan (General Plan) and the MU-2 (East Holt Mixed-Use) zoning district. Properties to the north, however, are in the Medium Density Residential Land Use District of the Policy Plan, and are within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district.

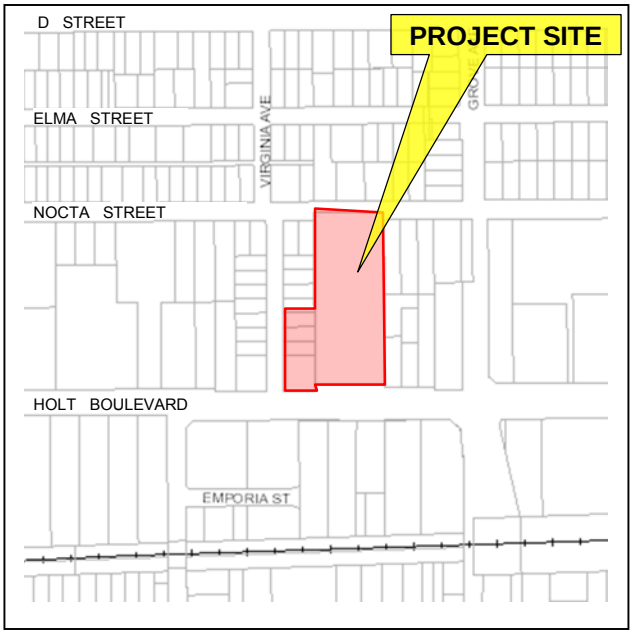


Figure 1: Project Location

Case Planner:	Charles Mercier
Planning Director Approval:	
Submittal Date:	7/24/2017
Hearing Deadline:	11/21/2017

Hearing Body	*Date*	*Decision*	*Action*
DAB	8/21/2017		Recommend
ZA			
PC	8/22/2017		Final
CC			

Land uses surrounding the project site are characterized by residential uses and vacant property across Virginia Avenue, to the west; a motel and vacant property across Holt Boulevard, to the south; a mix of single-family and multiple-family uses to the east; and a mix of single-family and multiple-family uses across Nocta Street, to the north (see ***Figure 2 (Aerial Photograph)***, below). The surrounding existing land uses, Policy Plan (General Plan), and zoning information are summarized in the Technical Appendix Section of this report.

Figure 2—AERIAL PHOTOGRAPH

PROJECT ANALYSIS:

[1] Background — The Applicant is requesting that the Planning Commission approve a Tentative Parcel Map (File No. PMTT17-009) and Development Plan (File No. PDEV17-031) for the development of the 4.18-acre project site. The applications being considered are fully described in Sections 2 and 3, below.

The development project has been submitted in conjunction with the Virginia + Holt Planned Unit Development (File No. PUD17-001) which establishes the land use designations, development standards, and design guidelines that will govern the proposed project. The Planned Unit Development is described and analyzed in a separate staff report.

[2] Tentative Parcel Map No. 19877 (File No. PMTT17-009) — A Tentative Parcel Map (PM 19877) has been submitted to provide for the consolidation of five existing lots

into a single parcel to facilitate the proposed multiple-family residential development project. Any future request to subdivide the project into condominium units and common area will require Planning Commission approval of a Tentative Tract Map.

[3] Development Plan (File No. PDEV17-031)

[a] *Site Design/Building Layout* — Two, three-story apartment buildings containing a total of 101 dwelling units, in a stacked-flat configuration, are proposed. Consistent with the requirements of the Virginia + Holt Planned Unit Development, the development is pedestrian friendly, designed with a larger building (Building A), containing 83 dwellings, focused along the project's Holt Boulevard frontage. The intensity of development significantly lessens as you cross the site to the north, with a smaller a building (Building B) containing 18 dwellings proposed near the project's Nocta Street frontage. The resulting overall residential density of the project is 26.2 dwelling units per acre (see *Figure 3—Proposed Site Plan*, below), based on a 3.85-acre net project area after the dedication of required street right-of-way on Holt Boulevard and Nocta Street.

The project contains a mix of two and three-bedroom units, which range from 790 to 1,120 square feet in area. A breakdown of the unit count by size and number of bedrooms is contained in the ***Technical Appendix*** Section of this report

The project has provided private open space and common recreation amenities consistent with the requirements of the Development Code. Each unit has been provided with a private patio or balcony that exceeds minimum Development Code requirements (60 SF minimum).

Additionally, the project exceeds the minimum Development Code requirements for common recreation amenities and open space, which requires one major recreation facility and two minor facilities for projects with 101 to 150 dwellings, as well as a minimum of 250 square feet of common open space for each dwelling unit, or a total of 25,250 square feet. In fulfillment of these recreation and open space requirements, the project is proposing a swimming pool,

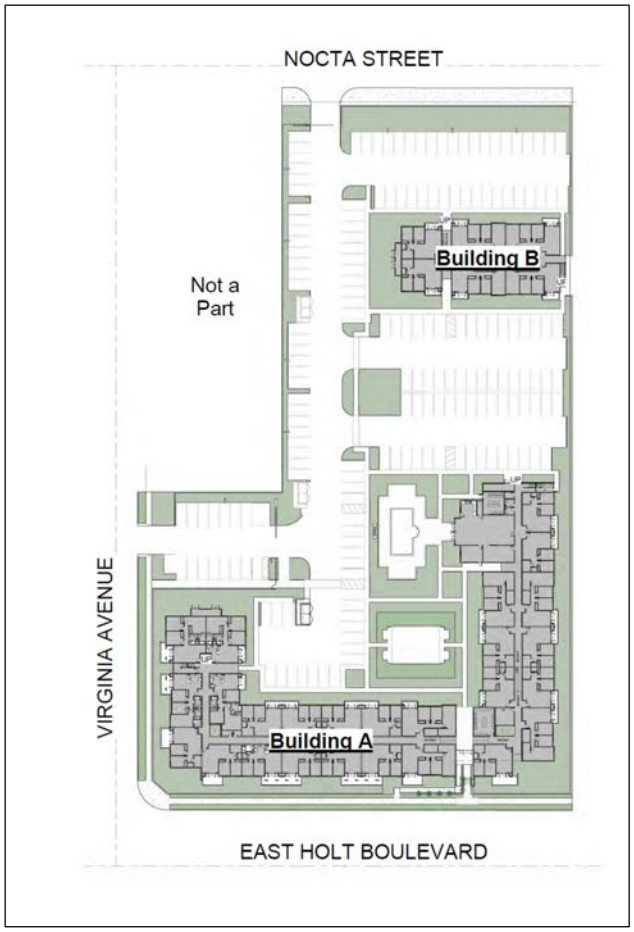


Figure 3 — Proposed Site Plan

recreation room with kitchen and conference room/computer lab, tot lot, community garden, and passive open space areas, totaling more than 25,990 square feet.

[b] *Site Access/Circulation* — The project provides for safe pedestrian circulation across the project site by promoting separate vehicular and pedestrian accesses. Vehicular access to the site by tenants and their guests is provided from Virginia Avenue. The Nocta Avenue entrance will remain locked and may be use for emergency vehicle access only. Pursuant to the requirements of the Virginia + Holt Planned Unit Development, use of the Nocta Street access for normal ingress and egress will first require review and approval by the Planning Director and City Engineer.

[c] *Parking* — Consistent with the requirements of the Virginia + Holt Planned Unit Development, the applicant has proposed a parking reduction for the project. The reduction is requested due to the project's proximity to major transportation corridors, including Metrolink lines, multiple bus lines in the area, and the future West Valley Connector Bus Rapid Transit, or BRT, line on Holt Boulevard, as-well-as a study prepared by the City of San Diego, which surveyed more than 2,700 households in existing affordable projects, assessing the number of vehicles available to each household, vehicle use, travel patterns, number of persons per household, and demographic characteristics of each household.

The San Diego Study concluded that:

- The need for parking in an affordable housing project is about half that of market-rate projects;
- Vehicle availability substantially decreases based on overall household income; and
- Neighborhood characteristics influence vehicle ownership levels in affordable projects, because residents may not need cars if transit is available, or they can walk to destinations.

Based on study results, the City of San Diego created a parking model for four types of affordable housing (Family, SRO, Senior, and Studio/One-bedroom) and three different scenarios, based on the availability of transit and area walkability.

In comparing the project against the San Diego study, the parking demand for the project is estimated to be 161 spaces (1.6.spaces per unit), which is well below the 181 parking spaces proposed for the project (1.79 spaces per unit).

A comparison of the proposed reduced off-street parking standards and current Development Code requirements, as they would apply to the proposed project, is shown below. As discussed in the Virginia + Holt Planned unit Development staff report (for File No. PUD17-002), the proposed parking ratios are based on the results of the City of San Diego parking model for affordable housing projects.

Development Code Requirement		***Projects With Affordability Restrictions***	
One-Bedroom:	1.75 spaces per dwelling, including one space in a garage or carport	One-Bedroom:	1.0 spaces per dwelling, including one space in a garage or carport
2-Bedrooms:	2.0 spaces per dwelling, including one space in a garage or carport	2-Bedrooms:	1.3 spaces per dwelling, including one space in a garage or carport
3 or more Bedrooms:	2.5 spaces per dwelling, including one space in a garage or carport	3 or more Bedrooms:	1.75 spaces per dwelling, including one space in a garage or carport
Visitor Parking:		Visitor Parking:	0.15 spaces per dwelling
Portion < 50 dwellings:	0.25 spaces per dwelling		
50 to 100 dwellings:	0.20 space per dwelling		
Portion > 100 dwellings:	0.17 space per dwelling		
A minimum of 3 guest spaces shall be provided regardless of the number of dwellings proposed.			
Staff Parking:	N/A	Staff Parking:	0.05 spaces per dwelling

[d] *Architecture* — A contemporary architectural style is proposed, which will blend with the existing and proposed architecture in the area (see *Figure 4 — Holt Boulevard View*, below). The buildings are linear in design, using changes in parapet height, wall plane, color, and materials, to differentiate units. Architectural elements proposed include a mix of cement plaster walls and fiber cement siding, clear anodized aluminum trim, metal eyebrow canopies, and metal eaves and fascias.

Figure 4 — Holt Boulevard View

[e] *Landscaping* — The project provides substantial landscaping the full length of the Holt Boulevard, Virginia Avenue and Nocta Street frontages, throughout the off-street parking areas, and throughout the stormwater retention areas, for an overall landscape coverage of approximately 25 percent. A landscaped setback along Holt Boulevard and Virginia Avenue street frontages varies from 10 feet to 15 feet in depth, measured from the street property lines to the nearest buildings, and a 20-foot setback has been provided along the Nocta Street frontage.

A variety of accent and shade trees in 24-inch, 36-inch and 48-inch box sizes will be provided to enhance the project. Moreover, decorative paving and lighting will be provided at vehicular entries, pedestrian walkways, and other key locations throughout the project.

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

[1] City Council Goals.

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

[2] Vision.

Distinctive Development:

- Commercial and Residential Development

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

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal—LU1 A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

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

Community Design Element:

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

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

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

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

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

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

  - Policy—CD2-5 *Streetscapes*. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

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

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

- Policy—CD3-1 *Design*. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics. (Link to Bicycle and Pedestrians Section of the Mobility Element and Policies M2-3 and M2-4)

- Policy—CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

Housing Element:

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

- Policy—H2-1 *Corridor Housing*. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

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

- Policy—H2-6 *Infill Development*. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.

- Goal—H4 Increased opportunities for low and moderate income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

- Policy—H4-3 *Rental Assistance*. We support the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the state and federal government.

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

- Policy—H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities

Community Economics Element:

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

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

HOUSING ELEMENT COMPLIANCE: Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (101 low income dwelling units required, 101 low income dwelling units provided) and density (a minimum density of 20-40 du/acre required, 26.2 du/acre provided) specified in the Available Land Inventory.

ONTARIO INTERNATIONAL AIRPORT LAND USE COMPATIBILITY PLAN COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles

Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, against the required 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.

ENVIRONMENTAL REVIEW: 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 Divisions) 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 the previous 2 years, and the parcel does not have an average slope greater than 20 percent, and Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development, meeting the following conditions:

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

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant Property	Mixed Use	MU-2 (East Holt Mixed-Use)	N/A
North	Residential	Medium Density Residential	MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre)	N/A
South	Hotel & Vacant Property	East Holt Mixed Use	MU-2 (East Holt Mixed-Use)	N/A
East	Residential	East Holt Mixed Use	MU-2 (East Holt Mixed-Use)	N/A
West	Residential & Vacant Property	East Holt Mixed Use	MU-2 (East Holt Mixed-Use)	N/A

Off-Street Parking:

Parking Ratios		*Spaces Required*	*Spaces Provided*
One-Bedroom Dwellings:	1.0 spaces per dwelling, including one space in a garage or carport	0	0
2-Bedroom Dwellings:	1.3 spaces per dwelling, including one space in a garage or carport	90	90
3 or more Bedroom Dwellings:	1.75 spaces per dwelling, including one space in a garage or carport	56	56
Guest:	0.15 spaces per dwelling	15	30
Staff:	0.05 spaces per dwelling	5	5
TOTAL		166	181

General Site & Building Statistics

Item	*Required Min./Max.*	*Provided (Ranges)*	*Meets (Y/N)*
Project area (in acres):	N/A	3.85 Acres	Y
Maximum project density (dwelling units/ac):	14 DU/Acre Min. / 40 DU/Acre Max.	26.2 DU/Acre	Y
No. Dwellings	53 Min. / 154 Max.	101	Y
Maximum coverage (in %):	100%	26%	Y
Holt Boulevard setback (in FT):	10 FT	10 to 15 FT	Y
Virginia Avenue setback (in FT):	10 FT	10 t 15 FT	Y
Nocta Street setback (in FT):	20 FT	20 FT	Y
Interior Side yard setback (in FT):	5 FT	5 FT	Y
Maximum height (in FT):	50 FT or 5 stories	38 FT	Y
Parking – resident:	146	146	Y
Parking – guest:	15	30	Y
Open space – private:	60 SF/DU	60 SF/DU (150 SF/DU patio at ground floor)	Y
Open space – common:	250 SF/DU	250 SF/DU	Y

Dwelling Unit Count:

Building	*2 Bedroom (790 SF)*	*3 Bedroom (1,075 SF)*	*3 Bedroom (1,120 SF)*	*3 Bedroom (1,090 SF)*	*Total*
Building A	59	17	4	3	83
Building B	10	8	0	0	18
TOTAL	69	25	4	3	101

Dwelling Unit Statistics:

Unit Type	*Size (in SF)*	*No. Bedrooms*	*No. Bathrooms*	*No. Stories*	*Private Open Space (in FT)*
Type A	790	2	1	1	60
Type B	1,075	3	2	1	60
Type B1	1,120	3	2	1	60
Type B2	1,090	3	2	1	60

Exhibit A—PROJECT LOCATION

Exhibit B—SITE PLAN

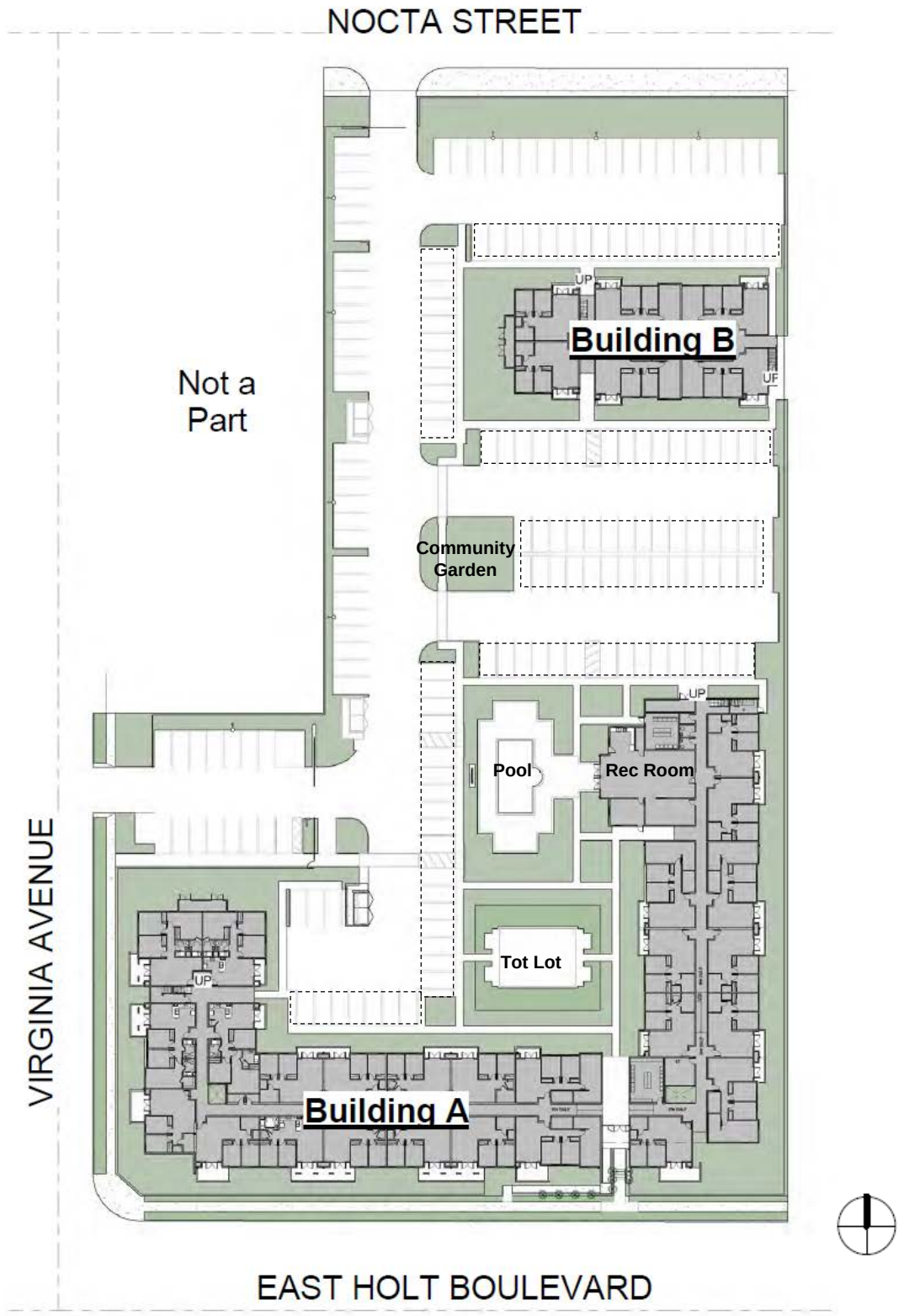


Exhibit C-1—EXTERIOR ELEVATIONS

Exhibit C-2—EXTERIOR ELEVATIONS

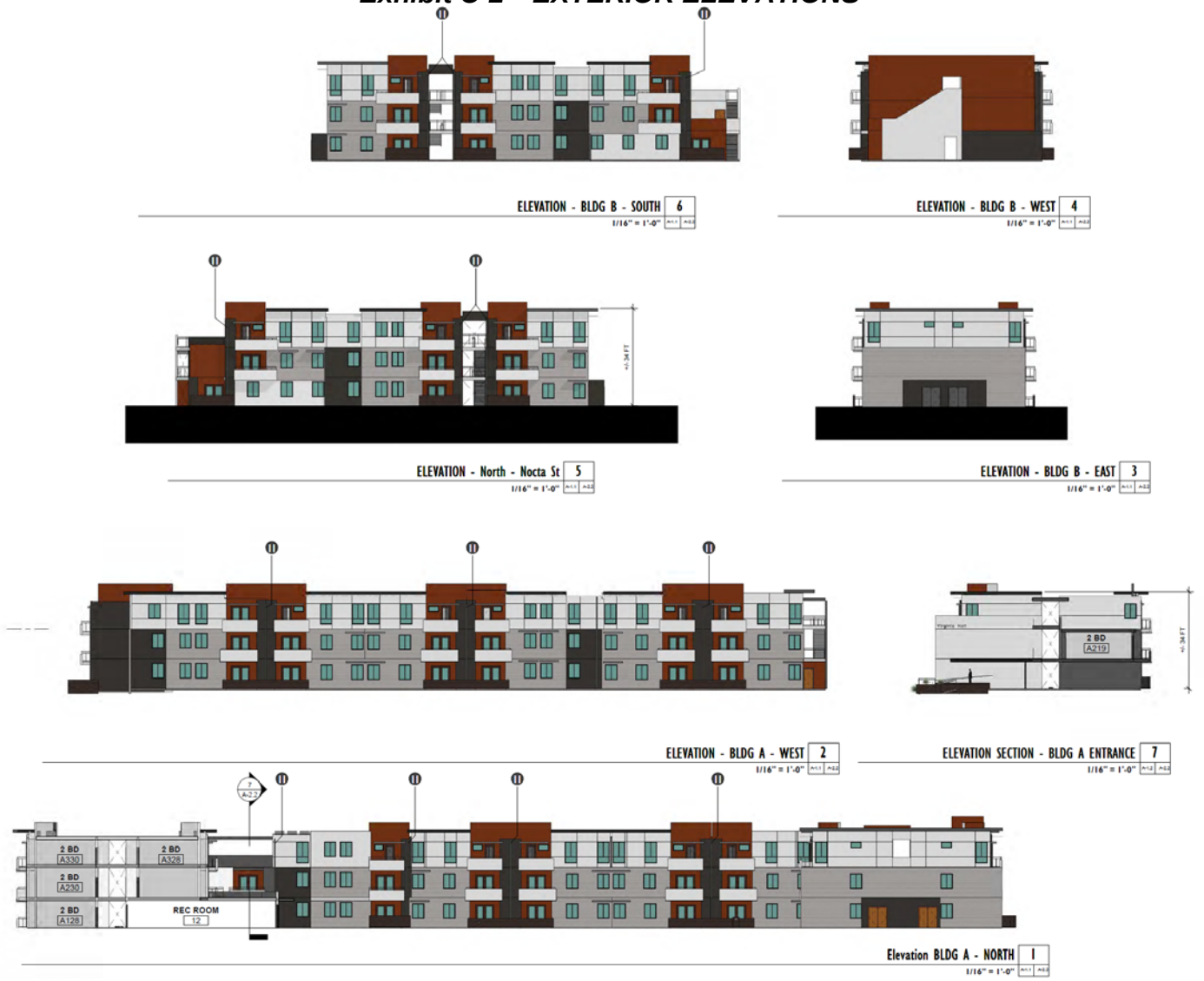
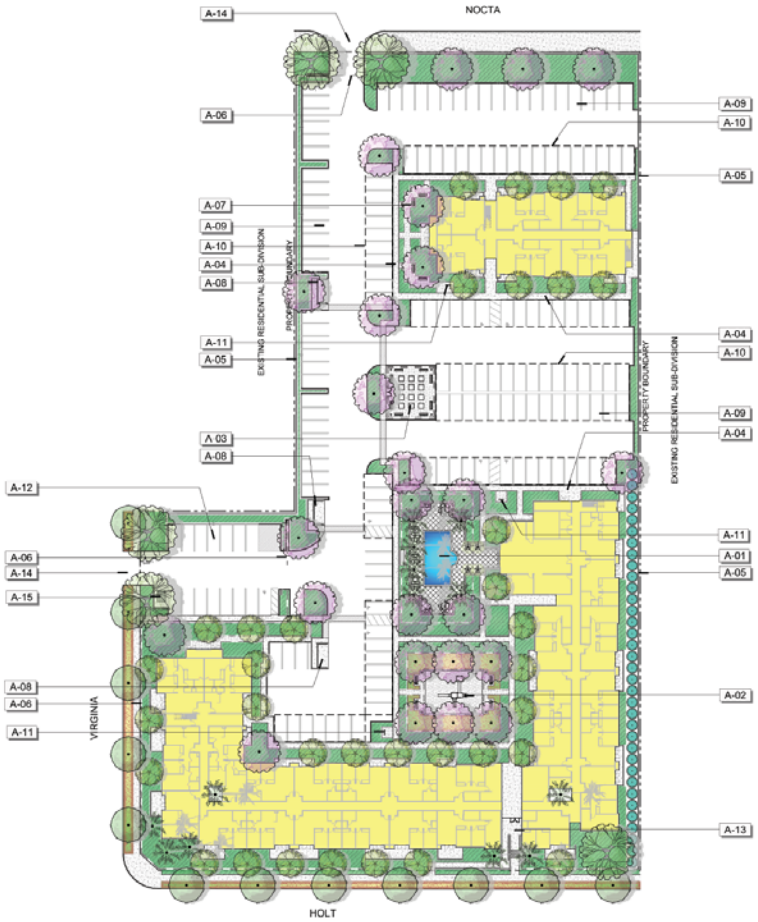


Exhibit D—LANDSCAPE PLAN



CONCEPT PLANT SCHEDULE

SPECIMEN PALMS
BRAHEA ARMATA / MEXICAN BLUE PALM
PHOENIX DACTYLIFERA / DATE PALM
WASHINGTONIA ROBUSTA / MEXICAN FAN PALM

SPECIMEN TREES
PLATANUS RACEMOSA / CALIFORNIA SYCAMORE
QUERCUS AGRIFOLIA / COAST LIVE OAK
QUERCUS LOBATA / VALLEY OAK
SCHINUS MOLLE / CALIFORNIA PEPPER

ACCENT TREES
AGONIS FLEXUOSA 'AFTERDARK' / BLACK PEPPERMINT TREE
CHITALPA TASHKENTENSIS / CHITALPA
JACARANDA MIMOSIFOLIA / JACARANDA
MELALEUCA QUINQUENERVIA / CAJEPUT TREE
OLEA EUROPAEA / EUROPEAN OLIVE
RHUS LANCEA / AFRICAN SUMAC

STREET TREES
CITY OF ONTARIO APPROVED STREET TREE

SMALL ACCENT TREES
ARBUTUS UNEDO / STRAWBERRY TREE
CASSIA LEPTOPHYLLA / GOLD MEDALLION TREE
CERCIS CANADENSIS / EASTERN REDBUD
ERIOBOTRYA DEFLEXA / BRONZE LOQUAT
THEVETIA THEVETIOIDES / GIANT THEVETIA

ACCENT PALMS
CHAMAEROPS EXCELSA / WINDMILL PALM
CHAMAEROPS HUMILIS / MEDITERRANEAN FAN PALM
CYCAS REVOLUTA / JAPANESE SAGO PALM

SCREENING HEDGE
LAURUS NOBILIS / SWEET BAY
LIGUSTRUM JAPONICUM 'TEXANUM' / WAX LEAF PRIVET
PODOCARPUS MACROPHYLLUS MAKI / SHRUBBY YEW
PRUNUS CAROLINIANA 'BRIGHT 'N TIGHT' / BRIGHT 'N TIGHT CAROLINA LAUREL

SHRUBS & GROUND COVER
ACHILLEA X 'MOONSHINE' / MOONSHINE YARROW
AGAVE AMERICANA / CENTURY PLANT
AGAVE ATTENUATA / AGAVE
ALOE VERA / MEDICINAL ALOE
ANIGOZANTHOS FLAVIDUS / KANGAROO PAW
BUXUS MICROPHYLLA JAPONICA / JAPANESE BOXWOOD
CALLISTEMON VIMINALIS 'LITTLE JOHN' / DWARF WEEPING BOTTLEBRUSH
CAREX BUCHANANII / LEATHER LEAF SEDGE
CISTUS X PURPUREUS / ORCHID ROCKROSE
DASYLIRION WHEELERI / GREY DESERT SPOON
DIETES BICOLOR / FORTNIGHT LILY
ECHEVERIA X 'AFTERGLOW' / AFTERGLOW ECHEVERIA
FICUS PUMILA / CREEPING FIG
HEMEROCALLIS X 'ADORABLE TIGER' / ADORABLE TIGER DAYLILY
KNIPHOFIA UVARIA / TORCHLILY
LANTANA MONTEVIDENSIS / TRAILING LANTANA
LIGUSTRUM JAPONICUM / JAPANESE PRIVET
LIMONIUM PEREZII / STATICE
MUHLENBERGIA RIGENS / DEER GRASS
MYRTUS COMPACTA / COMPACT MYRTLE
NASSELLA TENUISSIMA / TEXAS NEEDLE GRASS
PITTOSPORUM TENUIFOLIUM 'MARJORIE CHANNON' / TAWHIWHI
PITTOSPORUM TOBIRA 'VARIEGATA' / VARIEGATED MOCK ORANGE
PODOCARPUS MACROPHYLLUS MAKI / SHRUBBY YEW
PODOCARPUS X 'ICEE BLUE' / ICEE BLUE PODOCARPUS
RHAPHIOLEPIS UMBELLATA / YEDDA HAWTHORN
ROSMARINUS OFFICINALIS / ROSEMARY
SALVIA GREGGII / AUTUMN SAGE
SALVIA LEUCANTHA / MEXICAN BUSH SAGE
SALVIA X 'ALLEN CHICKERING' / SAGE
SALVIA X 'BEE'S BLISS' / SAGE
SEDUM BREVIFOLIUM / GREEN STONECROP
SENECIO MANDRALISCAE / BLUE FINGER
STRELITZIA NICOLAI / GIANT BIRD OF PARADISE
STRELITZIA REGINAE / BIRD OF PARADISE

TURF
TURF FOR RECREATIONAL AREA

REFERENCE SCHEDULE

SYMBOL	SITE AMENITIES DESCRIPTION
A-01	POOL & POOL DECK
A-02	PLAY STRUCTURE
A-03	COMMUNITY VEGETABLE GARDEN
A-04	ACCESS WALKS
A-05	6'-0" PERIMETER WALL
A-06	6'-0" PERIMETER FENCE & ACCESS GATES
A-07	PASSIVE GARDEN & SEATING
A-08	TRASH ENCLOSURE
A-09	RESIDENT PARKING
A-10	PARKING SHADE STRUCTURE
A-11	EXTERIOR BIKE RACK
A-12	VISITOR PARKING
A-13	PEDESTRIAN ENTRY
A-14	VEHICULAR ENTRY
A-15	PROPOSED TRANSFORMER

NOTES:
1. REFER TO ARBORIST FOR EXISTING TREE SURVEY AND TREE REPORTS

NORTH
1" = 40'-0"
40' 0 20' 40' 80'

CONCEPTUAL LANDSCAPE PLAN

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT17-009, A TENTATIVE PARCEL MAP (PM 19877) TO SUBDIVIDE 4.18 ACRES OF LAND INTO A SINGLE PARCEL TO FACILITATE THE CONSTRUCTION OF A 101-UNIT APARTMENT PROJECT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, AND 1048-472-04.

WHEREAS, National Community Renaissance of California ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT17-009, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.18 acres of land generally bordered by Holt Boulevard on the south, Nocta Street on the north, Virginia Avenue on the west, and residentially developed properties on the east, within the MU-2 (East Holt Mixed-Use) zoning district, and is presently unimproved; and

WHEREAS, the property to the north of the Project site, across Nocta Street, is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is developed with a mix of single-family and multiple-family uses. The property to the east is within the MU-2 (East Holt Mixed-Use) zoning district and is developed with a mix of single-family and multiple-family uses. The property to the south, across Holt Boulevard, is within the MU-2 (East Holt Mixed-Use) zoning district, and is developed with a motel and vacant property. The property to the west, across Virginia Avenue, is within the MU-2 (East Holt Mixed-Use) zoning district and includes undeveloped property and a mix of residential uses; and

WHEREAS, a Tentative Parcel Map (PM 19877) has been submitted to provide for the consolidation of 5 existing lots into a single parcel to facilitate the proposed construction of a 101-unit apartment complex. Any request to further subdivide the project into condominium units and common area will require Planning Commission approval of a Tentative Tract Map; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue a Decision recommending the Planning Commission approve the Application; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

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

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. Class 15 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 the previous 2 years, and the parcel does not have an average slope greater than 20 percent; and

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (101 dwelling units proposed) and density (26.2 dwelling units/acre) specified in the Available Land Inventory.

SECTION 3: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport

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

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

(1) ***The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the East Holt Mixed Use land use district of the Policy Plan Land Use Map, and the MU-2 (East Holt Mixed-Use) 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 East Holt Mixed Use land use district of the Policy Plan Land Use Map, and the MU-2 (East Holt Mixed-Use) 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 MU-2 (East Holt Mixed-Use) 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 24.1 DUs/acre. The project site meets the minimum lot area and dimensions of the MU-2 (East Holt Mixed-Use) 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 medium density residential improvements proposed, 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

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

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

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

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

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PMTT17-009 (PM 19877)
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: 8/21/2017

File Nos.: PMTT17-009 & PDEV17-031

Related Files: PUD17-002

Project Description: A Tentative Parcel Map (File No. PMTT17-009/PM 19877) to subdivide 4.18 acres of land into a single parcel to facilitate a Development Plan (File No. PDEV17-031) to construct a 101-unit apartment project, at a density of approximately 24.1 dwelling units per acre, on property generally bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district. (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04); **submitted by National Community Renaissance of California**

Prepared By: Charles Mercier, Senior Planner
Phone: 909.395.2425 (direct)
Email: cmercier@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel 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.

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

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Parcel Map on file with the City. Variations from the approved Tentative Parcel Map may be reviewed and approved

by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

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

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

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

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

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

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

2.4 Refuse Storage.

(a) Within each dwelling unit, systems designed to contain recyclable materials receptacles, such as under-cabinet rollout drawers within kitchens, shall be provided, to make recycling more convenient and accessible to residents.

(b) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards. Additionally, trash enclosures shall include **[i]** a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access; **[ii]** separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion; and **[iii]** a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.

(c) Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company.

(d) Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

(e) Signs clearly identifying all recycling and refuse collection, and the materials accepted for recycling, shall be posted at all trash enclosures.

(f) Trash enclosures shall be located a minimum of 10 feet from the interior project boundary/property line.

(g) Particular care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, no trash enclosure shall be located within 10 FT of the livable portion of a structure.

(h) Trash enclosures shall be bordered by a minimum 5-foot wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

2.5 Landscaping.

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

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

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

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

(e) Where the parking lot occurs parallel to the public street (at Nocta Street), a landscaped buffer element shall be constructed, which consists of a minimum 3-FT high hedge-like material to screen views of parked cars from the street. To shade pedestrians and create an attractive streetscape, shade trees shall be planted within this landscaped buffer at an average spacing of 25 to 30 FT on center. Landscaping may be combined with low walls or dense plant material to mitigate the visual effects of parking lots and loading areas.

(f) There shall be provided within each row of uncovered parking spaces, planter islands at least 5 FT in width (exclusive of curbs), which extend the full length of the abutting parking spaces, located so as to prevent no more than 10 vehicles from being parked side-by-side in an abutting configuration. Planter islands separating rows of parking spaces shall be landscaped with at least one tree, appropriate shrubs, and groundcover.

(g) Landscaped areas shall be delineated with a 6-inch wide concrete curb, except where a landscape area is parallel and adjacent to a parking stall, the curb shall be a minimum of 12-inches wide, to provide a step area for persons entering or exiting motor vehicles.

2.6 Walls and Fences.

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

(b) A 6-foot high decorative masonry block wall with decorative cap, shall be provided along all interior property lines. Within required setback areas, walls shall be reduced to a maximum of 3 feet in height.

(c) Existing and new fences and walls shall be architecturally designed to prevent monotony, and shall incorporate decorative pilasters along their length (50 to 75 feet on center), and at fence/wall corners and openings.

(d) Walls shall be designed as an integral part of the architecture for the development. If existing perimeter walls are to be utilized, changes/upgrades may be required to make them consistent with the design of new walls.

2.7 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) Parking spaces shall be 9 feet in width and 18 feet in length (excepting parking for the physically disabled provided pursuant to Condition No. 2.7(g), below). To reduce or eliminate the need for wheel stops, the standard parking space length may be reduced to 16 feet, if 2 feet of width is added to adjacent sidewalk and/or landscape areas, to accommodate motor vehicle overhang.

(c) Two way drive aisles shall be 24 feet in width, unless additional width is required by the Fire Department for fire lanes or by the Ontario Municipal Utilities Company for trash truck access.

(d) 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.

(e) 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 vehicles, materials, and/or equipment, nor shall it be used for any purpose other than parking.

(f) 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.

(g) 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).

(h) 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).

(i) A Parking Management Plan shall be submitted to the Planning Department prior to building permit issuance for the project, The Plan shall identify the number and location of resident parking spaces (existing and proposed) provided pursuant to Development Code Table 6.03-1 (Off-Street Parking and Loading Requirements), and establish the dwelling unit each required resident parking space is to be assigned.

(j) A minimum 7-FT vertical clearance shall be maintained for all off-street parking spaces, including entrances, except that the vertical clearance for the front 4 FT of a parking space serving multiple-family residents may be reduced to not less than 4.5 FT in height to accommodate hung storage facilities required pursuant to condition of approval no 2.8, below.

2.8 Storage Spaces. Pursuant to the requirements of Development Code Table 6.01-3 (Multiple-Family Residential Development Standards), each dwelling unit shall be provided with a minimum

of 240 cubic feet of private storage space. The storage space lockable, and shall be provided within a garage/carport or storage building, or a space directly accessible from the dwelling. Exterior closets accessed from patios or balconies may be used if screened from public view.

2.9 Site Lighting.

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

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

2.10 Mechanical and Rooftop Equipment.

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

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

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

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

2.13 Sound Attenuation.

(a) 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). The City's noise standards may be viewed online at http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates$fn=default.htm$3.0$vid=amlegal:ontario_ca).

(b) Pursuant to Exhibit S-3a (Future Roadway Noise Contour Map) of the Policy Plan Safety Element (may be viewed online at http://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/future-roadway-noise-map.pdf), the Project is within the 70 to 75 dBA CNEL noise contour of Holt Boulevard. An acoustical analysis shall be submitted to the Planning Department prior to building permit issuance for the project, which demonstrates project compliance with interior and exterior City noise standards.

2.14 Architecture.

(a) The design of carports shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.

2.15 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated

thereunder, pursuant to **Sections 15315 (Class 15, Minor Land Divisions)** and **15332 (Class 32, Infill Development Projects)** of the CEQA Guidelines. Class 15 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 the previous 2 years, and the parcel does not have an average slope greater than 20 percent. Class 32 consists of projects characterized as infill development, meeting the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

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

2.17 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Exemption (NOE) filing fee shall be provided to the Planning Department. The fee ($50.00) 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 applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in the statute of limitations for the filing of a CEQA lawsuit being extended 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.

2.18 Additional Requirements.

(a) A final map for File No. PMTT17-009 shall not be recorded and a building permit for File No. PDEV17-031 shall not be issued, until the effective date of the Virginia & Holt Planned Unit Development (File No. PUD17-002), 30 days following approval by the City Council.

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV17-031 & PMTT17-009

Address: NEC of Virginia Avenue & Holt

APN: 1048-472-11, 1048-472-01, 02, 03 and 04

Existing Land Use: Vacant

Proposed Land Use: Subdivide 5 parcels into 1 parcel for the construction of 101 residential apartment units

Site Acreage: 4.18 acres

Proposed Structure Height: 40 ft

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Chuck Mercier

Date: 8/17/17

CD No.: 2017-044

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
☐ Zone 1	☐ 75+ dB CNEL	☐ High Terrain Zone	☑ Avigation Easement Dedication
☐ Zone 1A	☐ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☑ Recorded Overflight Notification
☐ Zone 2	☑ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☐ Real Estate Transaction Disclosure
☐ Zone 3	☑ 60 - 65 dB CNEL	☐ Airspace Avigation Easement Area	
☐ Zone 4		Allowable Height: 100 ft	
☐ 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 provided the following conditions are met:

Airport Planner Signature: Lorena Mejia

PROJECT CONDITIONS

New Residential land uses within noise impact zones are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

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

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

CONDITIONS OF APPROVAL	
Sign Off	
Carolyn Bell	8/3/17
Carolyn Bell, Sr. Landscape Planner	Date

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

D.A.B. File No.:	Related File:	Case Planner:
PDEV17-031	PMTT17-009	Charles Mercier

Project Name and Location:

101 unit Apartment Building
NEC of Virginia Ave. and Holt Blvd.

Applicant/Representative:

National Comminity Renaissance of California – Alexa Washburn, awashburn@nationalcore.org
9421 Haven Ave
Rancho Cucamonga, Ca 91730

☒	**A Preliminary Landscape Plan (dated 10/31/16) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

CORRECTIONS REQUIRED

Civil Plans

1. Show underground infiltration chambers or dimension above ground basins and swales on plan to be no greater than 50% of the on-site landscape area to allow for ornamental landscape. Provide a level grade minimum 4' from pedestrian paving and min 5' along parking lots for landscaping.
2. Show backflows and transformers on plan, and dimension a 4' set back from paving.
3. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
4. Show corner ramp and sidewalk per city standard drawing 1213.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1. Sheet 3 Change all 2:1 slopes to max 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs, or 12" wide pavers or DG paving where parking spaces are adjacent to planters.
7. Show ADA access route from the public sidewalk, ADA path to employee break area and ADA path to adjacent industrial buildings within the same development. Include required ADA parking spaces and access aisles.
8. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
9. Show min 5' wide landscape planter areas along the perimeter including the end of the north drive aisle and east of Buidling B stair access.

Landscape Plans

10. Provide a concept plan min size 1" = 20', and all text min 1/8"
11. Provide a plan and elevation of the covered parking structures.
12. Show the existing tree inventory on the site plan or landscape plan. Include the missing tree inventory spreadsheet. Show existing heritage trees (Quercus agrifolia and Washintonia filifera) to remain or to be boxed transplanted. Add tree protection notes on construction and demo plans. Note existing native Oak and Palms to be boxed 120 days prior to construction and transplanted per the arborist report.
13. Locate backflows, transformers, and trash enclosures and provide a 4' set back from paving and screened with landscape.
14. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans

15. Show all utilities on the landscape plans. Keep utilities clear of required tree locations.
16. Show corner ramp and sidewalk per city standard drawing 1213.
17. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
18. Show parkway landscape and street trees spaced 30' apart - missing on Nocta
19. Show parking lot island planters adjacent to trash enclosures for screening.
20. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
21. Show appropriate parking lot shade trees with min 30' canopy at maturity.
22. Call out type of proposed irrigation system (dripline and stream spray bubblers for trees). Include MAWA calculations for on site landscape and show SF of off site (right of way) landscape.
23. Show landscape hydrozones to separate low water from moderate water landscape.
24. Replace thorny, short lived, high maintenance or poor performing plants: Brahea armata, washintonia robuta – use W. filifera; Schinus molle, Rhus, Cassia, Eriobtrya, Thevia, Dasylirion, Lantana, Limonium, Nassela, Rosemary, Salvia leucantha. Consider for shrubs: Dianella, Elaeagnus, Dudleya, Teucrium, Bulbine, Ilex vomitoria, Caesalpinia. Consider for trees: Callistemon citrinus, Quercus ilex, Eucalyptus torguata, Eucalyptus microtheca, Tristania laurina,
25. Street trees for this project are on Holt Blvd- Fraxinus 'Raywood' Ash; on Virginia- Ulmas parvifolia ' Drake' ; on Nocta- Jacaranda mimosifolia.
26. Note for agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase.
27. Call out all fences and walls, materials proposed and heights.
28. Show concrete mowstrips to identify property lines where fences or wall do not meet PL.
29. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
30. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, Sambucus Mexicana, etc.) in appropriate locations.
31. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
32. Provide phasing map for multi-phase projects.
33. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

    Plan Check—5 or more acres $2,326.00
    Plan Check—less than 5 acres $1,301.00
    Inspection—Construction (up to 3 inspections per phase) $278.00
    Inspection—Field - additional..... $83.00

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

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Chuck Mercier**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **July 26, 2017**

SUBJECT: **PDEV17-031 & PMTT17-009 (PM 19877)**

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

☐ No comments

☒ Report below

Conditions of Approval

1. The site address for the project will be 110 North Virginia Avenue.
2. Standard conditions of approval apply.

KS:lm

CITY OF ONTARIO
MEMORANDUM

TO: **Chuck Mercier, Planning Department**

FROM: **Douglas Sorel, Police Department**

DATE: **August 2, 2017**

SUBJECT: **PMTT17-009 (PM 19877) & PDEV17-031 – A DEVELOPMENT PLAN TO CONSTRUCT A 101 UNIT APARTMENT COMPLEX AT E. HOLT BLVD. AND N. VIRGINIA AVE.**

The "Standard Conditions of Approval" contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The development shall participate in the Crime-Free Multi Housing program offered by the Ontario Police Department COPS Division.
- Bollards shall be installed along the west side of the playground.

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

CITY OF ONTARIO
MEMORANDUM

TO: **Charles Mercier, Senior Planner**
Planning Department

FROM: **Lora L. Gearhart, Fire Protection Analyst**
Fire Department

DATE: **August 1, 2017**

SUBJECT: **PDEV17-031 – A Development Plan To Construct A 101 Unit Apartment Complex On 4.18 Acres Of Land, Located On The Northeast Corner Of Virginia Avenue And Holt Blvd., Within The MU-2 (East Holt Mixed Use) Zoning District (APNs:1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 and 1048-472-04). Related File: PMTT17-009 (PM 19877)**

☒ The plan **does** adequately address Fire Department requirements at this time.

☐ No comments.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: Unknown

B. Type of Roof Materials: Unknown

C. Ground Floor Area(s): Building 1 – 34700 Sq. Ft.
Building 2 – 7700 Sq.

D. Number of Stories: 3 Story

E. Total Square Footage: Building 1 – 97700 Sq. Ft
Building 2 – 22000 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

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

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.

☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

☒ 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

☒ 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1.3280 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1.3280 of the Ontario Municipal Code and Standard #H-003.

☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

CITY OF ONTARIO

MEMORANDUM

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

EXPEDITE

FROM: Charles Mercier, Senior Planner

DATE: July 25, 2017

SUBJECT: FILE #: PDEV17-031 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 **Tuesday, August 8, 2017**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 101 unit apartment complex on 4.18 acres of land, located on the northeast corner of Virginia Avenue and Holt Blvd., within the MU-2 (East Holt Mixed Use)Zoning District. APN's:1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 and 1048-472-04.

☐ 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.

Code | Signature | Supervisor | 7/31/17
Department | Signature | Title | Date

CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Planning Director (Copy of Memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
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Kevin Shear, Building Official
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Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director
Jimmy Chang , IT Department
David Simpson, Development/IT (Copy of memo only)

EXPEDITE

FROM: Charles Mercier, Senior Planner

DATE: July 25, 2017

SUBJECT: FILE #: PMTT17-009 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 **Tuesday, August 8, 2017**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 101 unit apartment complex on 4.18 acres of land, located on the northeast corner of Virginia Avenue and Holt Blvd., within the MU-2 (East Holt Mixed Use)Zoning District. APN's:1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 and 1048-472-04.

☐ 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.

Code Inc | Signature | Supervisor | 7/31/17
Department | Signature | Title | Date

CITY OF ONTARIO

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

☒ **DEVELOPMENT PLAN** ☐ OTHER	☒ **PARCEL MAP** ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-19877 **RELATED FILE NO(S). PDEV17-031, PUD17-002**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor, (909) 395-2108 MS

CITY PROJECT PLANNER & PHONE NO: Charles Mercier, (909) 395-2425

DAB MEETING DATE: August 21, 2017

PROJECT NAME / DESCRIPTION: A Development plan to construct a 101 unit apartment complex on 4.18 AC of land, within the MU-2 Zoning District

LOCATION: Northeast corner of Virginia Avenue and Holt Boulevard

APPLICANT: National Community Renaissnce

REVIEWED BY:
Omar Gonzalez
Sr. Associate Civil Engineer
Date: 8/14/17

APPROVED BY:
Khoi Do, P.E.
Assistant City Engineer
Date: 8-15-17

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

☒ **1.01** **Dedicate to the City of Ontario, the right-of-way, described below:** ☐

a) 29 feet along Nocta Street frontage (ultimate right of way width of 33 feet from centerline)

b) Varying width along Holt Boulevard, from 60 feet to 65 feet.

c) Property line corner cut back at the intersection of Holt Boulevard and Virginia Avenue per city Standard Number 1301

☒ **1.02** **Dedicate to the City of Ontario, the following easement(s):** ☐

a. Applicant/Developer shall be responsible to make an irrevocable offer of dedication, for a temporary construction easement. The easement area shall include a 5-foot-wide strip along the project's entire Holt Blvd. frontage; in addition to a small area along the Virginia Avenue frontage.

☐ 1.03 Restrict vehicular access to the site as follows: ☐

☐ 1.04 Vacate the following street(s) and/or easement(s): _____ ☐

☐ 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. ☐

☐ 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. ☐

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

(1) _____

(2) _____

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

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

☒ **1.10** **Provide a preliminary title report current to within 30 days.** ☐

☐ 1.11 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process. ☐

☐ 1.12 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☒ **1.13** **Other conditions:** ☐

Make the following corrections to the Virginia and Holt Planned Unit Development (PUD):

a. **Correct description of Nocta Street throughout document; 33 foot half width section with 18 foot half roadway width with 15 parkway.**

b. **Provide cross sections of Virginia Avenue and Nocta Street in Section 5, similar to the Holt Boulevard cross section provided in Exhibit 5.1.**

c. **Modify section 5.6 Infrastructure to include a discussion of water service on Virginia Avenue and proposed connection to the existing storm drain in Holt Boulevard.**

d. **Add Fiber Optics discussion in accordance to the attached Fiber Team "Plan Check Sheet", "Exhibit A", and Figure 1.0**

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

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

☒ **2.01** **Record Parcel Map No. 19877 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.** ☐

☒ **2.02** **Submit a duplicate photo mylar of the recorded map to the City Engineer's office.** ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per_____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a ☐

Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of_____.

☐ 2.05 Apply for a: ☐ Certificate of Compliance with a Record of Survey; ☐ Lot Line Adjustment ☐

☐ Make a Dedication of Easement.

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

☒ **2.07 Submit a soils/geology report.** ☐

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

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

  a. **Southern California Edison – construction of onsite improvements on SCE easement**

☐ 2.09 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 _____.

☐ 2.10 Dedicate to the City of Ontario the following easement(s): ☐

☐ 2.11 New Model Colony (NMC) Developments: ☐

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

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

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

☐ 2.12 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein 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.

☒ 2.13 **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.** ☐

☒ 2.14 **Pay all Development Impact Fees (DIF) to the Building Department.** ☐

☐ 2.15 Other conditions: ☐

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

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

Improvement	Holt Boulevard	Virginia Avenue	Nocta Street	Street 4
Curb and Gutter	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☒ **Widen to 16 ft. from C/L along frontage, including pavm't transitions**	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☐ New ☒ **Remove and replace with curb and gutter**	☒ **New** ☒ Remove and replace with curb and gutter	☒ **New** ☐ Remove and replace replace	☐ New ☐ Remove and replace replace
Sidewalk	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace

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

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

☐ 2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): _____ ☐

☐ 2.18 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan. ☐

☐ 2.19 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. ☐

☐ 2.20 Other conditions: _____ ☐

C. SEWER

☒ **2.21 A 12 inch sewer main is available for connection by this project in Holt Boulevard (Ref: Sewer plan bar code: S13120)** ☐

☐ 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.23 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. ☐

☐ 2.24 Other conditions: _____ ☐

D. WATER

☒ **2.25 A 8 and 12 inch water main is available for connection by this project in Virginia Avenue and Holt Boulevard, respectively. (Ref: Water plan bar code: Virginia Avenue unavailable; Holt Boulevard W11984)** ☐

☐ 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.27 Other conditions:** ☐

a. **Upgrade all fire hydrants fronting the project to the most current City Standard Drawing.**
b. **Master water meter the property with private sub-metering on site per Building Department requirements.**
c. **A separate water connection will be required for domestic, irrigation and fire service.**
d. **Call out all points of connection and their respective appurtenances.**

E. RECYCLED WATER

☐ 2.28 A _____inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code:_____) ☐

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

☐ 2.30 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant. ☐

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

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

☐ 2.32 Other conditions: _____ ☐

F. TRAFFIC / TRANSPORTATION

☐ 2.33 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

☒ **2.34 Other conditions:** ☐

a. **Holt Boulevard shall be signed "No Parking Anytime" along the entire project frontage. Parking will be allowed on Nocta Street and Virginia Avenue, except where precluded by sight-distance needs. Applicant/Developer's engineer shall identify the affected areas by preparing a sight-distance analysis at the project driveways, and install "No Parking" signs as necessary and to the satisfaction of the City Engineer.**

b. **Applicant/Developer shall be responsible to design and construct in-fill public street lights along the property frontages of Holt Boulevard, Nocta Street and Virginia Avenue, in accordance with City of Ontario Traffic and Transportation Design Guidelines.**

c. **Holt Boulevard is master-planned to be a divided roadway with a raised median. The intersection of Virginia Avenue and Holt Boulevard shall be restricted to right-turn access only when the median is installed.**

d. **The proposed entry gate at the Nocta Street driveway shall be located behind and as close to the property line as possible. Gate shall not swing toward the street. In addition, applicant/developer shall install traffic signs to communicate the operational intent of the driveway, e.g. egress only, to the satisfaction of the City Engineer.**

e. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting street lighting design.**

G. DRAINAGE / HYDROLOGY

☒ **2.35 A 48 inch storm drain main is available to accept flows from this project in Holt Boulevard. (Ref: Storm Drain plan bar code: D10620)** ☐

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

☐ 2.37 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. ☐

☐ 2.38 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.39 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.40 Other conditions: _____ ☐

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

☐ 2.41 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.42 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☒ **2.43 Other conditions:** ☐

a. **Consistent with the San Bernardino County WQMP Technical Guidance Manual, LID BMPs shall be installed on un-compacted subgrade, wherever possible, and only installed under compacted parking lots or loading docks where there are no other alternatives. Since the existing Site Plan for the project shows a deep underground retention/infiltration system installed near (but not directly under) compacted areas for buildings and drive aisles, I am recommending that an appropriate safety factor be utilized in sizing the underground system to account for the compaction that will occur during construction of this site or that a MaxWell Drywell unit be added to the underground system to act as a 'safety valve' to drawdown ponded water in the underground system within a 48 hr period, following storm events with a runoff volume in excess of the "Design Capture Volume", as defined in the WQMP. The Geotechnical report on the infiltration rate of the site will largely dictate the need for a MaxWell Drywell system, in this case.**

b. **As already noted on the PWQMP Site Plan drawing, the underground retention/infiltration system will require a gravity separator device for capturing fine solids, oils, spilled fuel, etc. Appropriate gravity separators include the CDS Unit by Contech, the NSBB unit by BioClean Environmental or the Vortechs unit by Contech.**

c. **A minimum 30" manhole shall be installed for inspection/maintenance access into the underground system. Additional manholes and access points are also recommended, including cleanouts/ inspection ports at the east end of the underground pipe, to enable proper annual inspection and flushing and cleaning of the system, as needed.**

d. **The Grading/Drainage Plan shall clearly show how all site drainage will be directed into the underground retention/infiltration system or drywell.**

J. SPECIAL DISTRICTS

☐ 2.45 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process. ☐

☐ 2.46 Other conditions: _____ ☐

K. FIBER OPTIC

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

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

L. Solid Waste

☒ **2.49 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:** ☐

http://www.ontarioca.gov/municipal-utilities-company/solid-waste

☒ **2.50 Other conditions:** ☐

a. **Site will require a 10 bin trash system. If a 10 bin trash system is not provided or cannot be accommodated, more frequent trash pick-ups will be required at additional service fees.**

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

☒ **3.01** **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☐ 3.02 Complete all requirements for recycled water usage. ☐

☐ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☐ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☐ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03** **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a benchmark 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, studie and reports (i.e. hydrology, traffic, WQMP, etc.).** ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV 17-031, and Parcel Map No. 19877

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

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

22. ☒ **One (1) copy of approved Tentative Map**

23. ☒ **One (1) copy of Preliminary Title Report (current within 30 days)**

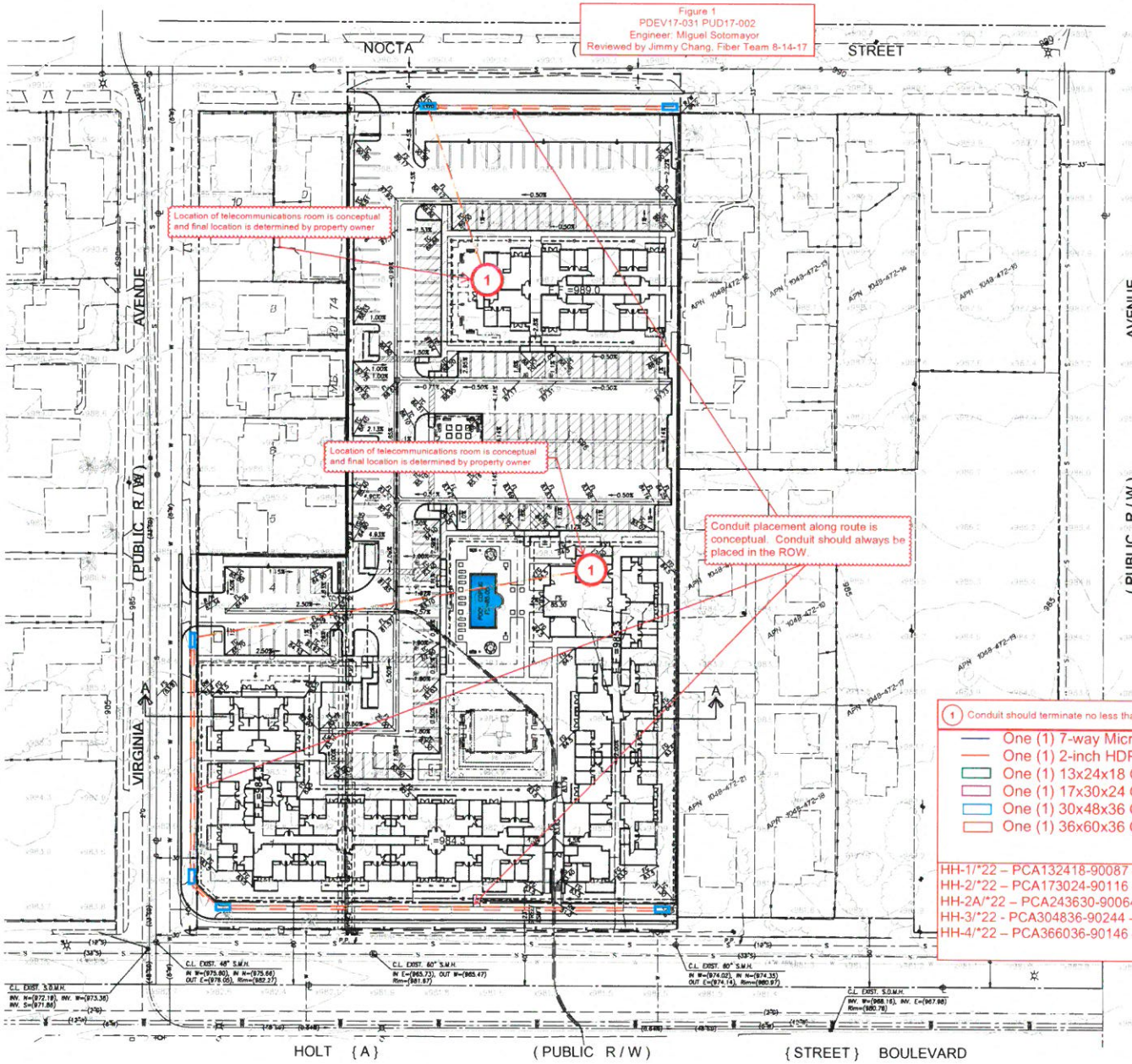
24. ☒ **One (1) copy of Traverse Closure Calculations**

25. ☒ **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**

26. ☐ Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use

27. ☐ Other: _____

Figure 1
PDEV17-031 PUD17-002
Engineer: Miguel Sotomayor
Reviewed by Jimmy Chang, Fiber Team 8-14-17



BASIS OF BEARING

Bearings shown on this map are based on the centerline of Virginia Avenue being NORTH per Tract No. 1756, M.B. 29/74.

PROJECT BENCHMARK

CITY OF ONTARIO BENCHMARK No. 1283

DESCRIPTION: NAIL AND WASHER IN EAST END CURB RETURN SOUTHEAST CORNER.

ELEVATION: 980.808

LEGEND

- CONTOUR ELEVATIONS
- P.P. POWERPOLE
- (E) OVERHEAD EDISON LINES
- (TEL) OVERHEAD TELEPHONE LINES
- (CATV) OVERHEAD CABLE TELEVISION LINES
- (G) UNDERGROUND GAS LINE
- EXISTING STREET LIGHT ON POWER POLE
- CENTERLINE
- EXISTING CURB/GUTTER
- EXISTING EDGE OF A.C. PAVEMENT
- EXISTING WATERLINE (SIZE AS NOTED)
- EXISTING SEWER LINE (SIZE AS NOTED)
- EXISTING STORM DRAIN LINE (SIZE AS NOTED)

(1) Conduit should terminate no less than 3 inches above the finished floor in the telecommunications room against the wall.

- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 17x30x24 Composite Polymer Concrete Hand Hole (HH2)
- One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

HH-1/*22 – PCA132418-90087 – Size 13" x 24" x 18"
HH-2/*22 – PCA173024-90116 – Size 17" x 30" x 24"
HH-2A/*22 – PCA243630-90064 – Size 24" x 36" x 30"
HH-3/*22 - PCA304836-90244 – Size 30" x 48" x 36"
HH-4/*22 – PCA366036-90146 – Size 36" x 60" x 36"

Exp. 3/16/19

owner / developer
Ontario Redevelopment Agency
& Ontario Housing Authority
c/o National Community Renaissance
3421 Haven Avenue
Rancho Cucamonga, CA 91730

TENTATIVE PARCEL MAP No. 19877
VIRGINIA - HOLT
CONCEPTUAL GRADING PLAN

Don Guzman & Associates
CIVIL ENGINEERING • LAND SURVEYING
9320 BASELINE ROAD, SUITE 110
RANCHO CUCAMONGA, CA 91701
Ph. (909) 987-4364 Fax (909) 941-1888
info@dguzmanassoc.com

SHEET No.
2
OF 2 SHEETS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-031, A DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 101-UNIT APARTMENT PROJECT ON 4.18 ACRES OF LAND GENERALLY BORDERED BY HOLT BOULEVARD ON THE SOUTH, NOCTA STREET ON THE NORTH, VIRGINIA AVENUE ON THE WEST, AND EXISTING RESIDENTIAL DEVELOPMENT ON THE EAST, WITHIN THE MU-2 (EAST HOLT MIXED-USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 & 1048-472-04.

WHEREAS, National Community Renaissance of California ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-031, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.18 acres of land generally bordered by Holt Boulevard on the south, Nocta Street on the north, Virginia Avenue on the west, and residentially developed properties on the east, within the MU-2 (East Holt Mixed-Use) zoning district, and is presently unimproved; and

WHEREAS, the property to the north of the Project site, across Nocta Street, is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and is developed with a mix of single-family and multiple-family uses. The property to the east is within the MU-2 (East Holt Mixed-Use) zoning district and is developed with a mix of single-family and multiple-family uses. The property to the south, across Holt Boulevard, is within the MU-2 (East Holt Mixed-Use) zoning district and is developed with a motel and vacant property. The property to the west, across Virginia Avenue, is within the MU-2 (East Holt Mixed-Use) zoning district and includes undeveloped property and a mix of residential uses; and

WHEREAS, two, three-story apartment buildings containing a total of 101 dwelling units, in a stacked-flat configuration, are proposed. Consistent with the requirements of the Virginia + Holt Planned Unit Development, the development is pedestrian friendly, designed with a larger building (Building A), containing 83 dwellings, focused along the project's Holt Boulevard frontage. The intensity of development significantly lessens moving north across the site, with a smaller a building (Building B) containing 18 dwellings proposed near the project's Nocta Street frontage. The resulting overall residential density of the project is 26.2 dwelling units per acre, based on a 3.85-acre net project area after the dedication of required street right-of-way on Holt Boulevard and Nocta Street; and

WHEREAS, the project contains a mix of two and three-bedroom units, which range from 790 to 1,120 square feet in area; and

WHEREAS, the project has provided private open space and common recreation amenities consistent with the requirements of the Development Code. Each unit has been provided with a private patio or balcony that exceeds minimum Development Code requirements (60 SF minimum). Common recreation amenities; and

WHEREAS, the project exceeds the minimum Development Code requirements for common recreation amenities and open space, which requires one major recreation facility and two minor facilities for projects with 101 to 150 dwellings, as well as a minimum of 250 square feet of common open space for each dwelling unit, or a total of 25,250 square feet. In fulfillment of these recreation and open space requirements, the project is proposing a swimming pool, recreation room with kitchen, tot lot, community garden, and passive open space areas, totaling more than 25,990 square feet; and

WHEREAS, the project provides for safe pedestrian circulation across the project site by promoting separate vehicular and pedestrian accesses. Vehicular access to the site by tenants and their guests is provided from Virginia Avenue. The Nocta Avenue entrance will remain locked and may be use for emergency vehicle access only. Pursuant to the requirements of the Virginia + Holt Planned Unit Development, use of the Nocta Street access for normal ingress and egress will first require review and approval by the Planning Director and City Engineer; and

WHEREAS, consistent with the requirements of the Virginia + Holt Planned Unit Development, the project is located along a major transportation corridor, with access to multiple bus lines, and the future West Valley Connector Bus Rapid Transit (BRT) line. For this reason, the project is proposing parking ratios that are below the standards specified in the Development Code because the project is providing affordability restrictions; and

WHEREAS, a contemporary architectural style is proposed which will blend with the existing and proposed architecture in the area. The buildings are linear in design, using changes in parapet height, wall plane, color, and materials, to differentiate units. Architectural elements proposed include a mix of cement plaster walls and fiber cement siding, clear anodized aluminum trim, metal eyebrow canopies, and metal eaves and fascias; and

WHEREAS, the project provides substantial landscaping along the Holt Boulevard, Virginia Avenue and Nocta Street frontages, throughout the off-street parking areas, and throughout the stormwater retention areas, for an overall landscape coverage of approximately 25 percent. The landscape setback along Holt Boulevard and Virginia Avenue street frontages varies from 10 feet to 15 feet in depth, measured from the street

property lines to the nearest buildings, and a 20-foot setback has been provided along the Nocta Street frontage; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on August 21, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue a Decision recommending the Planning Commission approve the Application; and

WHEREAS, on August 22, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

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

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

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

(2) 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 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. Class 32 consists of projects characterized as infill development, meeting the following conditions:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(b) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(c) The project site has no value as habitat for endangered, rare, or threatened species;

(d) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality;

(e) The Project site can be adequately served by all required utilities and public services; and

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (101 dwelling units proposed) and density (26.2 dwelling units/acre) specified in the Available Land Inventory.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the East Holt Mixed Use land use district of the Policy Plan Land Use Map, and the MU-2 (East Holt Mixed-Use) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the Virginia + Holt Planned Unit Development, the City of Ontario Development Code, and the MU-2 (East Holt Mixed-Use) zoning district, including standards relative to the particular land use proposed (multiple-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Virginia + Holt Planned Unit Development are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Virginia + Holt Planned Unit Development; and

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

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

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

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

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

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of August 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 22, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV17-031
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: 8/21/2017

File Nos.: PMTT17-009 & PDEV17-031

Related Files: PUD17-002

Project Description: A Tentative Parcel Map (File No. PMTT17-009/PM 19877) to subdivide 4.18 acres of land into a single parcel to facilitate a Development Plan (File No. PDEV17-031) to construct a 101-unit apartment project, at a density of approximately 24.1 dwelling units per acre, on property generally bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district. (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04); **submitted by National Community Renaissance of California**

Prepared By: Charles Mercier, Senior Planner
Phone: 909.395.2425 (direct)
Email: cmercier@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel 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.

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

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Parcel Map on file with the City. Variations from the approved Tentative Parcel Map may be reviewed and approved

by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

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

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

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

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

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

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

2.4 Refuse Storage.

(a) Within each dwelling unit, systems designed to contain recyclable materials receptacles, such as under-cabinet rollout drawers within kitchens, shall be provided, to make recycling more convenient and accessible to residents.

(b) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards. Additionally, trash enclosures shall include **[i]** a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access; **[ii]** separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion; and **[iii]** a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.

(c) Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company.

(d) Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

(e) Signs clearly identifying all recycling and refuse collection, and the materials accepted for recycling, shall be posted at all trash enclosures.

(f) Trash enclosures shall be located a minimum of 10 feet from the interior project boundary/property line.

(g) Particular care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, no trash enclosure shall be located within 10 FT of the livable portion of a structure.

(h) Trash enclosures shall be bordered by a minimum 5-foot wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

2.5 Landscaping.

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

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

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

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

(e) Where the parking lot occurs parallel to the public street (at Nocta Street), a landscaped buffer element shall be constructed, which consists of a minimum 3-FT high hedge-like material to screen views of parked cars from the street. To shade pedestrians and create an attractive streetscape, shade trees shall be planted within this landscaped buffer at an average spacing of 25 to 30 FT on center. Landscaping may be combined with low walls or dense plant material to mitigate the visual effects of parking lots and loading areas.

(f) There shall be provided within each row of uncovered parking spaces, planter islands at least 5 FT in width (exclusive of curbs), which extend the full length of the abutting parking spaces, located so as to prevent no more than 10 vehicles from being parked side-by-side in an abutting configuration. Planter islands separating rows of parking spaces shall be landscaped with at least one tree, appropriate shrubs, and groundcover.

(g) Landscaped areas shall be delineated with a 6-inch wide concrete curb, except where a landscape area is parallel and adjacent to a parking stall, the curb shall be a minimum of 12-inches wide, to provide a step area for persons entering or exiting motor vehicles.

2.6 Walls and Fences.

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

(b) A 6-foot high decorative masonry block wall with decorative cap, shall be provided along all interior property lines. Within required setback areas, walls shall be reduced to a maximum of 3 feet in height.

(c) Existing and new fences and walls shall be architecturally designed to prevent monotony, and shall incorporate decorative pilasters along their length (50 to 75 feet on center), and at fence/wall corners and openings.

(d) Walls shall be designed as an integral part of the architecture for the development. If existing perimeter walls are to be utilized, changes/upgrades may be required to make them consistent with the design of new walls.

2.7 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) Parking spaces shall be 9 feet in width and 18 feet in length (excepting parking for the physically disabled provided pursuant to Condition No. 2.7(g), below). To reduce or eliminate the need for wheel stops, the standard parking space length may be reduced to 16 feet, if 2 feet of width is added to adjacent sidewalk and/or landscape areas, to accommodate motor vehicle overhang.

(c) Two way drive aisles shall be 24 feet in width, unless additional width is required by the Fire Department for fire lanes or by the Ontario Municipal Utilities Company for trash truck access.

(d) 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.

(e) 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 vehicles, materials, and/or equipment, nor shall it be used for any purpose other than parking.

(f) 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.

(g) 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).

(h) 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).

(i) A Parking Management Plan shall be submitted to the Planning Department prior to building permit issuance for the project, The Plan shall identify the number and location of resident parking spaces (existing and proposed) provided pursuant to Development Code Table 6.03-1 (Off-Street Parking and Loading Requirements), and establish the dwelling unit each required resident parking space is to be assigned.

(j) A minimum 7-FT vertical clearance shall be maintained for all off-street parking spaces, including entrances, except that the vertical clearance for the front 4 FT of a parking space serving multiple-family residents may be reduced to not less than 4.5 FT in height to accommodate hung storage facilities required pursuant to condition of approval no 2.8, below.

2.8 Storage Spaces. Pursuant to the requirements of Development Code Table 6.01-3 (Multiple-Family Residential Development Standards), each dwelling unit shall be provided with a minimum

of 240 cubic feet of private storage space. The storage space lockable, and shall be provided within a garage/carport or storage building, or a space directly accessible from the dwelling. Exterior closets accessed from patios or balconies may be used if screened from public view.

2.9 Site Lighting.

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

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

2.10 Mechanical and Rooftop Equipment.

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

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

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

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

2.13 Sound Attenuation.

(a) 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). The City's noise standards may be viewed online at http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates$fn=default.htm$3.0$vid=amlegal:ontario_ca).

(b) Pursuant to Exhibit S-3a (Future Roadway Noise Contour Map) of the Policy Plan Safety Element (may be viewed online at http://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/future-roadway-noise-map.pdf), the Project is within the 70 to 75 dBA CNEL noise contour of Holt Boulevard. An acoustical analysis shall be submitted to the Planning Department prior to building permit issuance for the project, which demonstrates project compliance with interior and exterior City noise standards.

2.14 Architecture.

(a) The design of carports shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.

2.15 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated

thereunder, pursuant to **Sections 15315 (Class 15, Minor Land Divisions)** and **15332 (Class 32, Infill Development Projects)** of the CEQA Guidelines. Class 15 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 the previous 2 years, and the parcel does not have an average slope greater than 20 percent. Class 32 consists of projects characterized as infill development, meeting the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

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

2.17 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Exemption (NOE) filing fee shall be provided to the Planning Department. The fee ($50.00) 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 applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in the statute of limitations for the filing of a CEQA lawsuit being extended 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.

2.18 Additional Requirements.

(a) A final map for File No. PMTT17-009 shall not be recorded and a building permit for File No. PDEV17-031 shall not be issued, until the effective date of the Virginia & Holt Planned Unit Development (File No. PUD17-002), 30 days following approval by the City Council.

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV17-031 & PMTT17-009

Address: NEC of Virginia Avenue & Holt

APN: 1048-472-11, 1048-472-01, 02, 03 and 04

Existing Land Use: Vacant

Proposed Land Use: Subdivide 5 parcels into 1 parcel for the construction of 101 residential apartment units

Site Acreage: 4.18 acres

Proposed Structure Height: 40 ft

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Chuck Mercier

Date: 8/17/17

CD No.: 2017-044

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
☐ Zone 1	☐ 75+ dB CNEL	☐ High Terrain Zone	☑ Avigation Easement Dedication
☐ Zone 1A	☐ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☑ Recorded Overflight Notification
☐ Zone 2	☑ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☐ Real Estate Transaction Disclosure
☐ Zone 3	☑ 60 - 65 dB CNEL	☐ Airspace Avigation Easement Area	
☐ Zone 4		Allowable Height: 100 ft	
☐ 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 provided the following conditions are met:

Airport Planner Signature: Lorena Mejia

PROJECT CONDITIONS

New Residential land uses within noise impact zones are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

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

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell	8/3/17
Carolyn Bell, Sr. Landscape Planner	Date

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

D.A.B. File No.:	Related File:	Case Planner:
PDEV17-031	PMTT17-009	Charles Mercier

Project Name and Location:

101 unit Apartment Building
NEC of Virginia Ave. and Holt Blvd.

Applicant/Representative:

National Comminity Renaissance of California – Alexa Washburn, awashburn@nationalcore.org
9421 Haven Ave
Rancho Cucamonga, Ca 91730

☒	**A Preliminary Landscape Plan (dated 10/31/16) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

CORRECTIONS REQUIRED

Civil Plans

1. Show underground infiltration chambers or dimension above ground basins and swales on plan to be no greater than 50% of the on-site landscape area to allow for ornamental landscape. Provide a level grade minimum 4' from pedestrian paving and min 5' along parking lots for landscaping.
2. Show backflows and transformers on plan, and dimension a 4' set back from paving.
3. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
4. Show corner ramp and sidewalk per city standard drawing 1213.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1. Sheet 3 Change all 2:1 slopes to max 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs, or 12" wide pavers or DG paving where parking spaces are adjacent to planters.
7. Show ADA access route from the public sidewalk, ADA path to employee break area and ADA path to adjacent industrial buildings within the same development. Include required ADA parking spaces and access aisles.
8. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
9. Show min 5' wide landscape planter areas along the perimeter including the end of the north drive aisle and east of Buidling B stair access.

Landscape Plans

10. Provide a concept plan min size 1" = 20', and all text min 1/8"
11. Provide a plan and elevation of the covered parking structures.
12. Show the existing tree inventory on the site plan or landscape plan. Include the missing tree inventory spreadsheet. Show existing heritage trees (Quercus agrifolia and Washintonia filifera) to remain or to be boxed transplanted. Add tree protection notes on construction and demo plans. Note existing native Oak and Palms to be boxed 120 days prior to construction and transplanted per the arborist report.
13. Locate backflows, transformers, and trash enclosures and provide a 4' set back from paving and screened with landscape.
14. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans

15. Show all utilities on the landscape plans. Keep utilities clear of required tree locations.
16. Show corner ramp and sidewalk per city standard drawing 1213.
17. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
18. Show parkway landscape and street trees spaced 30' apart - missing on Nocta
19. Show parking lot island planters adjacent to trash enclosures for screening.
20. Show parking lot island tree planters 1 for every 10 parking spaces and at each row end.
21. Show appropriate parking lot shade trees with min 30' canopy at maturity.
22. Call out type of proposed irrigation system (dripline and stream spray bubblers for trees). Include MAWA calculations for on site landscape and show SF of off site (right of way) landscape.
23. Show landscape hydrozones to separate low water from moderate water landscape.
24. Replace thorny, short lived, high maintenance or poor performing plants: Brahea armata, washintonia robuta – use W. filifera; Schinus molle, Rhus, Cassia, Eriobtrya, Thevia, Dasylirion, Lantana, Limonium, Nassela, Rosemary, Salvia leucantha. Consider for shrubs: Dianella, Elaeagnus, Dudleya, Teucrium, Bulbine, Ilex vomitoria, Caesalpinia. Consider for trees: Callistemon citrinus, Quercus ilex, Eucalyptus torguata, Eucalyptus microtheca, Tristania laurina,
25. Street trees for this project are on Holt Blvd- Fraxinus 'Raywood' Ash; on Virginia- Ulmas parvifolia ' Drake' ; on Nocta- Jacaranda mimosifolia.
26. Note for agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase.
27. Call out all fences and walls, materials proposed and heights.
28. Show concrete mowstrips to identify property lines where fences or wall do not meet PL.
29. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
30. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, Sambucus Mexicana, etc.) in appropriate locations.
31. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
32. Provide phasing map for multi-phase projects.
33. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

    Plan Check—5 or more acres $2,326.00
    Plan Check—less than 5 acres $1,301.00
    Inspection—Construction (up to 3 inspections per phase) $278.00
    Inspection—Field - additional..... $83.00

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

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Chuck Mercier**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **July 26, 2017**

SUBJECT: **PDEV17-031 & PMTT17-009 (PM 19877)**

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

- ☐ No comments
- ☒ Report below

Conditions of Approval

1. The site address for the project will be 110 North Virginia Avenue.
2. Standard conditions of approval apply.

KS:lm

CITY OF ONTARIO
MEMORANDUM

TO: **Chuck Mercier, Planning Department**

FROM: **Douglas Sorel, Police Department**

DATE: **August 2, 2017**

SUBJECT: **PMTT17-009 (PM 19877) & PDEV17-031 – A DEVELOPMENT PLAN TO CONSTRUCT A 101 UNIT APARTMENT COMPLEX AT E. HOLT BLVD. AND N. VIRGINIA AVE.**

The "Standard Conditions of Approval" contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The development shall participate in the Crime-Free Multi Housing program offered by the Ontario Police Department COPS Division.
- Bollards shall be installed along the west side of the playground.

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

CITY OF ONTARIO
MEMORANDUM

TO: **Charles Mercier, Senior Planner**
Planning Department

FROM: **Lora L. Gearhart, Fire Protection Analyst**
Fire Department

DATE: **August 1, 2017**

SUBJECT: **PDEV17-031 – A Development Plan To Construct A 101 Unit Apartment Complex On 4.18 Acres Of Land, Located On The Northeast Corner Of Virginia Avenue And Holt Blvd., Within The MU-2 (East Holt Mixed Use) Zoning District (APNs:1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 and 1048-472-04). Related File: PMTT17-009 (PM 19877)**

☒ The plan **does** adequately address Fire Department requirements at this time.

☐ No comments.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: Unknown

B. Type of Roof Materials: Unknown

C. Ground Floor Area(s): Building 1 – 34700 Sq. Ft.
Building 2 – 7700 Sq.

D. Number of Stories: 3 Story

E. Total Square Footage: Building 1 – 97700 Sq. Ft
Building 2 – 22000 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

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

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.

☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

☒ 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

☒ 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1.3280 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1.3280 of the Ontario Municipal Code and Standard #H-003.

☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

CITY OF ONTARIO

MEMORANDUM

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

EXPEDITE

FROM: Charles Mercier, Senior Planner

DATE: July 25, 2017

SUBJECT: FILE #: PDEV17-031 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 **Tuesday, August 8, 2017**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 101 unit apartment complex on 4.18 acres of land, located on the northeast corner of Virginia Avenue and Holt Blvd., within the MU-2 (East Holt Mixed Use)Zoning District. APN's:1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 and 1048-472-04.

☐ 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.

Code | Signature | Supervisor | 7/31/17
Department | Signature | Title | Date

CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
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Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director
Jimmy Chang , IT Department
David Simpson, Development/IT (Copy of memo only)

EXPEDITE

FROM: Charles Mercier, Senior Planner

DATE: July 25, 2017

SUBJECT: FILE #: PMTT17-009 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 **Tuesday, August 8, 2017**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 101 unit apartment complex on 4.18 acres of land, located on the northeast corner of Virginia Avenue and Holt Blvd., within the MU-2 (East Holt Mixed Use)Zoning District. APN's:1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 and 1048-472-04.

☐ 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.

Code Jue Johnson Supervisor 7/31/17
Department Signature Title Date

CITY OF ONTARIO

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

☒ **DEVELOPMENT PLAN** ☐ OTHER	☒ **PARCEL MAP** ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-19877 **RELATED FILE NO(S). PDEV17-031, PUD17-002**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor, (909) 395-2108 MS

CITY PROJECT PLANNER & PHONE NO: Charles Mercier, (909) 395-2425

DAB MEETING DATE: August 21, 2017

PROJECT NAME / DESCRIPTION: A Development plan to construct a 101 unit apartment complex on 4.18 AC of land, within the MU-2 Zoning District

LOCATION: Northeast corner of Virginia Avenue and Holt Boulevard

APPLICANT: National Community Renaissnce

REVIEWED BY:
Omar Gonzalez
Sr. Associate Civil Engineer
Date: 8/14/17

APPROVED BY:
Khoi Do, P.E.
Assistant City Engineer
Date: 8-15-17

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

☒ **1.01** **Dedicate to the City of Ontario, the right-of-way, described below:** ☐

a) 29 feet along Nocta Street frontage (ultimate right of way width of 33 feet from centerline)

b) Varying width along Holt Boulevard, from 60 feet to 65 feet.

c) Property line corner cut back at the intersection of Holt Boulevard and Virginia Avenue per city Standard Number 1301

☒ **1.02** **Dedicate to the City of Ontario, the following easement(s):** ☐

a. Applicant/Developer shall be responsible to make an irrevocable offer of dedication, for a temporary construction easement. The easement area shall include a 5-foot-wide strip along the project's entire Holt Blvd. frontage; in addition to a small area along the Virginia Avenue frontage.

☐ 1.03 Restrict vehicular access to the site as follows: ☐

☐ 1.04 Vacate the following street(s) and/or easement(s): _____ ☐

☐ 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. ☐

☐ 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. ☐

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

(1) _____

(2) _____

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

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

☒ **1.10** **Provide a preliminary title report current to within 30 days.** ☐

☐ 1.11 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process. ☐

☐ 1.12 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☒ **1.13** **Other conditions:** ☐

Make the following corrections to the Virginia and Holt Planned Unit Development (PUD):

a. **Correct description of Nocta Street throughout document; 33 foot half width section with 18 foot half roadway width with 15 parkway.**

b. **Provide cross sections of Virginia Avenue and Nocta Street in Section 5, similar to the Holt Boulevard cross section provided in Exhibit 5.1.**

c. **Modify section 5.6 Infrastructure to include a discussion of water service on Virginia Avenue and proposed connection to the existing storm drain in Holt Boulevard.**

d. **Add Fiber Optics discussion in accordance to the attached Fiber Team "Plan Check Sheet", "Exhibit A", and Figure 1.0**

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

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

☒ **2.01** **Record Parcel Map No. 19877 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.** ☐

☒ **2.02** **Submit a duplicate photo mylar of the recorded map to the City Engineer's office.** ☐

☐ 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per_____. ☐

☐ 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a ☐

Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of_____.

☐ 2.05 Apply for a: ☐ Certificate of Compliance with a Record of Survey; ☐ Lot Line Adjustment ☐

☐ Make a Dedication of Easement.

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

☒ **2.07 Submit a soils/geology report.** ☐

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

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

a. **Southern California Edison – construction of onsite improvements on SCE easement**

☐ 2.09 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 _____.

☐ 2.10 Dedicate to the City of Ontario the following easement(s): ☐

☐ 2.11 New Model Colony (NMC) Developments: ☐

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

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

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

☐ 2.12 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein 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.

☒ 2.13 **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.** ☐

☒ 2.14 **Pay all Development Impact Fees (DIF) to the Building Department.** ☐

☐ 2.15 Other conditions: ☐

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

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

Improvement	Holt Boulevard	Virginia Avenue	Nocta Street	Street 4
Curb and Gutter	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☒ **New; 18 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☒ **Widen to 16 ft. from C/L along frontage, including pavm't transitions**	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☐ New ☒ **Remove and replace with curb and gutter**	☒ **New** ☒ Remove and replace with curb and gutter	☒ **New** ☐ Remove and replace replace	☐ New ☐ Remove and replace replace
Sidewalk	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace

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

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

☐ 2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): _____ ☐

☐ 2.18 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan. ☐

☐ 2.19 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. ☐

☐ 2.20 Other conditions: _____ ☐

C. SEWER

☒ **2.21 A 12 inch sewer main is available for connection by this project in Holt Boulevard (Ref: Sewer plan bar code: S13120)** ☐

☐ 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.23 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. ☐

☐ 2.24 Other conditions: _____ ☐

D. WATER

☒ **2.25 A 8 and 12 inch water main is available for connection by this project in Virginia Avenue and Holt Boulevard, respectively. (Ref: Water plan bar code: Virginia Avenue unavailable; Holt Boulevard W11984)** ☐

☐ 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.27 Other conditions:** ☐

a. **Upgrade all fire hydrants fronting the project to the most current City Standard Drawing.**
b. **Master water meter the property with private sub-metering on site per Building Department requirements.**
c. **A separate water connection will be required for domestic, irrigation and fire service.**
d. **Call out all points of connection and their respective appurtenances.**

E. RECYCLED WATER

☐ 2.28 A _____inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code:_____) ☐

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

☐ 2.30 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant. ☐

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

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

☐ 2.32 Other conditions: _____ ☐

F. TRAFFIC / TRANSPORTATION

☐ 2.33 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

☒ **2.34 Other conditions:** ☐

a. **Holt Boulevard shall be signed "No Parking Anytime" along the entire project frontage. Parking will be allowed on Nocta Street and Virginia Avenue, except where precluded by sight-distance needs. Applicant/Developer's engineer shall identify the affected areas by preparing a sight-distance analysis at the project driveways, and install "No Parking" signs as necessary and to the satisfaction of the City Engineer.**

b. **Applicant/Developer shall be responsible to design and construct in-fill public street lights along the property frontages of Holt Boulevard, Nocta Street and Virginia Avenue, in accordance with City of Ontario Traffic and Transportation Design Guidelines.**

c. **Holt Boulevard is master-planned to be a divided roadway with a raised median. The intersection of Virginia Avenue and Holt Boulevard shall be restricted to right-turn access only when the median is installed.**

d. **The proposed entry gate at the Nocta Street driveway shall be located behind and as close to the property line as possible. Gate shall not swing toward the street. In addition, applicant/developer shall install traffic signs to communicate the operational intent of the driveway, e.g. egress only, to the satisfaction of the City Engineer.**

e. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting street lighting design.**

G. DRAINAGE / HYDROLOGY

☒ **2.35 A 48 inch storm drain main is available to accept flows from this project in Holt Boulevard. (Ref: Storm Drain plan bar code: D10620)** ☐

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

☐ 2.37 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. ☐

☐ 2.38 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.39 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.40 Other conditions: _____ ☐

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

☐ 2.41 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.42 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☒ **2.43 Other conditions:** ☐

a. **Consistent with the San Bernardino County WQMP Technical Guidance Manual, LID BMPs shall be installed on un-compacted subgrade, wherever possible, and only installed under compacted parking lots or loading docks where there are no other alternatives. Since the existing Site Plan for the project shows a deep underground retention/infiltration system installed near (but not directly under) compacted areas for buildings and drive aisles, I am recommending that an appropriate safety factor be utilized in sizing the underground system to account for the compaction that will occur during construction of this site or that a MaxWell Drywell unit be added to the underground system to act as a 'safety valve' to drawdown ponded water in the underground system within a 48 hr period, following storm events with a runoff volume in excess of the "Design Capture Volume", as defined in the WQMP. The Geotechnical report on the infiltration rate of the site will largely dictate the need for a MaxWell Drywell system, in this case.**

b. **As already noted on the PWQMP Site Plan drawing, the underground retention/infiltration system will require a gravity separator device for capturing fine solids, oils, spilled fuel, etc. Appropriate gravity separators include the CDS Unit by Contech, the NSBB unit by BioClean Environmental or the Vortechs unit by Contech.**

c. **A minimum 30" manhole shall be installed for inspection/maintenance access into the underground system. Additional manholes and access points are also recommended, including cleanouts/ inspection ports at the east end of the underground pipe, to enable proper annual inspection and flushing and cleaning of the system, as needed.**

d. **The Grading/Drainage Plan shall clearly show how all site drainage will be directed into the underground retention/infiltration system or drywell.**

J. SPECIAL DISTRICTS

☐ 2.45 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process. ☐

☐ 2.46 Other conditions: _____ ☐

K. FIBER OPTIC

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

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

L. Solid Waste

☒ **2.49 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:** ☐

http://www.ontarioca.gov/municipal-utilities-company/solid-waste

☒ **2.50 Other conditions:** ☐

a. **Site will require a 10 bin trash system. If a 10 bin trash system is not provided or cannot be accommodated, more frequent trash pick-ups will be required at additional service fees.**

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

☒ **3.01** **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☐ 3.02 Complete all requirements for recycled water usage. ☐

☐ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☐ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☐ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03** **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a benchmark 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, studie and reports (i.e. hydrology, traffic, WQMP, etc.).** ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV 17-031, and Parcel Map No. 19877

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

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

22. ☒ **One (1) copy of approved Tentative Map**

23. ☒ **One (1) copy of Preliminary Title Report (current within 30 days)**

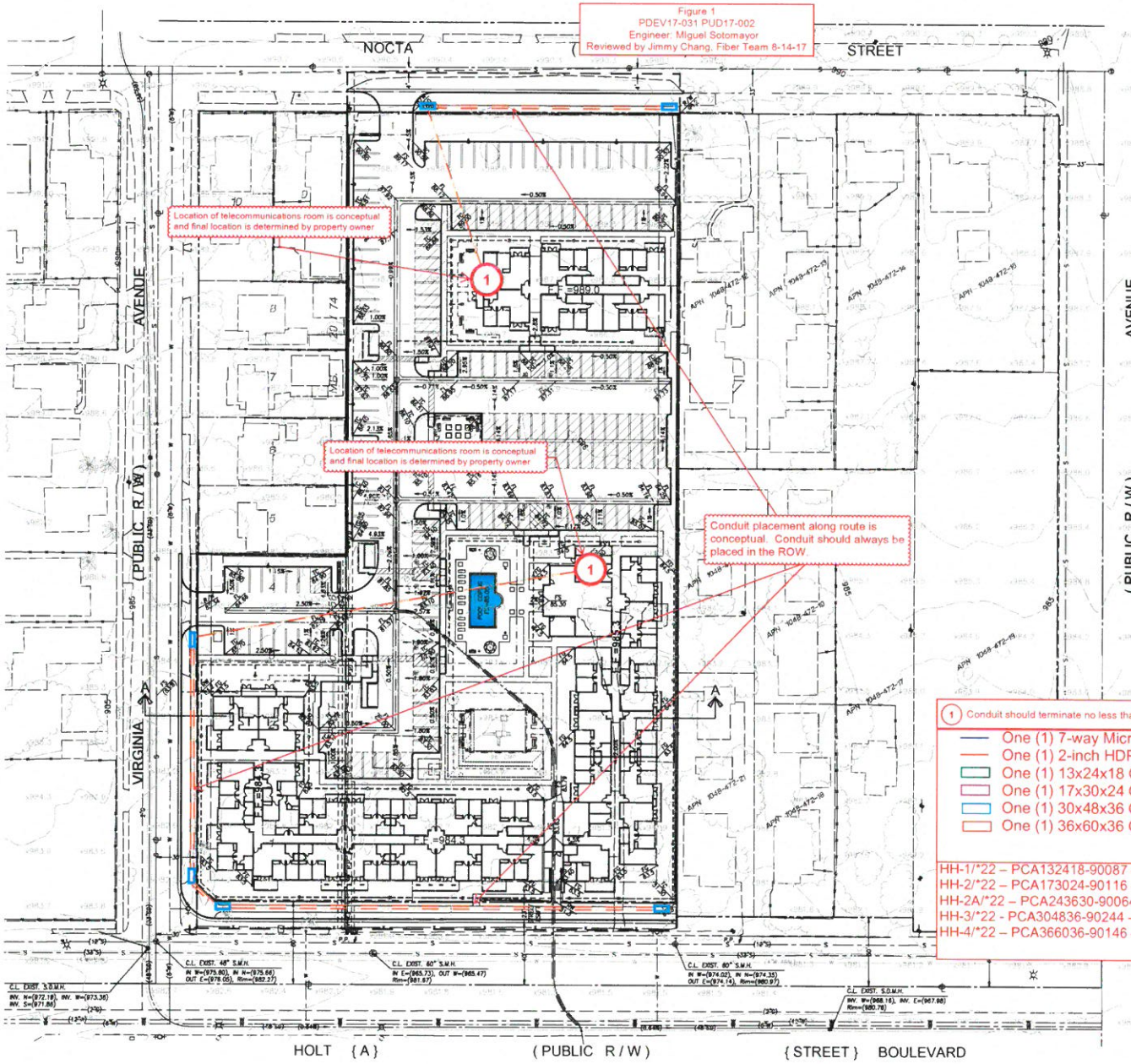
24. ☒ **One (1) copy of Traverse Closure Calculations**

25. ☒ **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**

26. ☐ Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use

27. ☐ Other: _____

Figure 1
PDEV17-031 PUD17-002
Engineer: Miguel Sotomayor
Reviewed by Jimmy Chang, Fiber Team 8-14-17



BASIS OF BEARING

Bearings shown on this map are based on the centerline of Virginia Avenue being NORTH per Tract No. 1756, M.B. 29/74.

PROJECT BENCHMARK

CITY OF ONTARIO BENCHMARK No. 1283

DESCRIPTION: NAIL AND WASHER IN EAST END CURB RETURN SOUTHEAST CORNER.

ELEVATION: 980.808

LEGEND

- CONTOUR ELEVATIONS
- P.P. POWERPOLE
- (E) OVERHEAD EDISON LINES
- (TEL) OVERHEAD TELEPHONE LINES
- (CATV) OVERHEAD CABLE TELEVISION LINES
- (G) UNDERGROUND GAS LINE
- EXISTING STREET LIGHT ON POWER POLE
- CENTERLINE
- EXISTING CURB/GUTTER
- EXISTING EDGE OF A.C. PAVEMENT
- EXISTING WATERLINE (SIZE AS NOTED)
- EXISTING SEWER LINE (SIZE AS NOTED)
- EXISTING STORM DRAIN LINE (SIZE AS NOTED)

(1) Conduit should terminate no less than 3 inches above the finished floor in the telecommunications room against the wall.

- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 17x30x24 Composite Polymer Concrete Hand Hole (HH2)
- One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

HH-1/*22 – PCA132418-90087 – Size 13" x 24" x 18"
HH-2/*22 – PCA173024-90116 – Size 17" x 30" x 24"
HH-2A/*22 – PCA243630-90064 – Size 24" x 36" x 30"
HH-3/*22 - PCA304836-90244 – Size 30" x 48" x 36"
HH-4/*22 – PCA366036-90146 – Size 36" x 60" x 36"

Exp. 3/16/19

owner / developer
Ontario Redevelopment Agency
& Ontario Housing Authority
c/o National Community Renaissance
3421 Haven Avenue
Rancho Cucamonga, CA 91730

TENTATIVE PARCEL MAP No. 19877
VIRGINIA - HOLT
CONCEPTUAL GRADING PLAN

Dan Guzman & Associates
CIVIL ENGINEERING • LAND SURVEYING
9320 BASELINE, SUITE 202
RANCHO CUCAMONGA, CA 91701
Ph. (909) 987-4363 Fax (909) 987-1580
mail@guzmanassoc.com

SHEET No. 2 OF 2 SHEETS

CITY OF ONTARIO
MEMORANDUM

TO: **Chairman and Members of the Planning Commission**

FROM: **Scott Murphy, Planning Director**

DATE: **August 22, 2017**

SUBJECT: **MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF JULY 2017**

Attached, you will find the Planning Department Monthly Activity Report for the month of July 2017. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications, and actions taken on applications may be viewed at http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions.

PCUP17-014: **Submitted by Alcoholic Beverage Consulting**
A Conditional Use Permit to establish alcoholic beverage sales, limited to beer and wine (Type 41 ABC license), for consumption on the premises, in conjunction with an existing 70,033-square foot Edwards Theater on 1.9 acres of land located at 1575 North Mountain Ave, within the Entertainment district of the Mountain Village Specific Plan (APN: 1008-271-10).

PCUP17-015: **Submitted by Raising Cane's Chicken Fingers Restaurant**
A Conditional Use Permit to establish a 3,233-square foot drive-thru restaurant (Raising Cane's Chicken Fingers) on 0.81 acres of land located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan Specific Plan (APN: 1008-431-21). Related File: PDEV17-033.

PDA-17-003: **Submitted by Ontario Land Ventures, LLC**
A Development Agreement by and between the City of Ontario and Ontario Land Ventures, LLC, for the development of up to 2,905,510 square feet of industrial and business park development on 119 acres of land, within the General Industrial and Business Park land use districts of the West Ontario Commerce Center Specific Plan (generally located south of Eucalyptus Avenue and north of Merrill Avenue, between Carpenter Avenue and Cucamonga Creek Channel) (APNs: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-08, 0218-271-13 and 0218-271-18). Related File: PSP16-002.

PDCA17-003: **Submitted by City of Ontario**
A request to amend the Agricultural Overlay ("AG") Zoning District to provide truck and automobile parking as a conditionally permitted use and establish standards, performance standards, guidelines, and development impact fees for the establishment of said use. City initiated.

PDEV17-028: **Submitted by Kirk Wallace**
A Development Plan to construct 37 apartment units on 1.13 acres of land located on the north side of Sixth Street, approximately 150 feet east of Interstate 10, at 941 East Sixth Street, within the HDR45 Zoning district (APNs: 1047-172-03 and 1047-172-19).

PDEV17-029: **Submitted by Waxie Ontario LP**
A Development Plan to construct a 121,878 square foot industrial building on 11.76 acres of land located at 905 North Wineville Avenue, within the Light Industrial land use district of the Crossroads Specific Plan (APN: 0238-021-66).

PDEV17-030: **Submitted by Taylor Morrison**
A Development Plan to construct 102 single-family dwellings on approximately 8.76 acres of land located at the northwest corner of Celebration and Merrill Avenues, within the PA25 and

PA26 land use districts of the Subarea 29 Specific Plan (APNs: 0218-033-03, 0218-033-04, 0218-033-05, 0218-033-06, 0218-033-07, 0218-033-10, 0218-033-12 and 0218-033-13).

PDEV17-031: Submitted by National Community Renaissance of California
A Development Plan to construct a 101-unit apartment complex on 4.18 acres of land located on the northeast corner of Virginia Avenue and Holt Boulevard, within the MU-2 (East Holt Mixed Use) Zoning District (APNs:1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03 and 1048-472-04).

PDEV17-032: Submitted by AT&T Mobility
A Development Plan to construct a telecommunications facility (monopine) totaling 946 SF on 124.18 acres of land located at 13568 South Hamner Avenue, within the SP (Specific Plan) and AG (Agricultural Overlay) zoning districts. APNs: 0218-171-10 and 0218-171-17.

PDEV17-033: Submitted by Raising Cane's Chicken Fingers Restaurant
A Development Plan to construct a 3,233-square foot drive-thru restaurant (Raising Cane's Chicken Fingers) on 0.81 acres of land located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan (APN: 1008-431-21). Related: PCUP17-015.

PDEV17-034: Submitted by ELBA INC.
A Development Plan to construct a 7,024-square foot commercial building on 2.6 acres of land located at the northwest corner of Grove Avenue and Holt Boulevard, within the MU-2 (East Holt Mixed-Use) zoning district. (APNs: 1048-472-16, 1048-472-17, 1048-472-18, 1048-472-19, 1048-472-20, and 1048-472-21) Related File: PUD17-003.

PDEV17-035: Submitted by Woodside Homes
A Development Plan to construct 97 single-family dwellings on 13.53 acres of land located at the southeast corner of Parkview Street and Parkplace Avenue, within Planning Areas 16 and 17 of the Subarea 29 Specific Plan (APNs: 0218-022-01 and 0218-022-03). Related Files: PMTT14-006 (TT 18977) and PMTT14-007 (TT 18978).

PDEV17-036: Submitted by Cordy Cerami
A Development Plan to construct a 36,818-square foot commercial building (new car sales) on 3.68 acres of land generally located at the southwest corner of Inland Empire Boulevard and QVC Way, within the Urban Commercial land use district of the Meredith International Centre Specific Plan (APN: 0110-321-71).

PHP-17-018: Submitted by Mark Rivas
A Local Landmark designation for a single-family residence located at 318 (addressed as 302 on tax rolls and deed) East Princeton Street, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district (APN: 1047-543-33).

PHP-17-019: **Submitted by MARK ALLEN RIVAS**
A Mills Act Contract for a single-family residence located at 318 (addressed as 302 on tax rolls and deed) East Princeton Street, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district (APN: 1047-543-05). Related File No. PHP17-018.

PHP-17-020: **Submitted by THOMAS C JR CHAVEZ**
A Plaque for the Emily Nutting House, a single-family residence and a Contributor within the College Park Historic District, located at 133 East Harvard Place, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district. (APN: 1047-541-20).

PHP-17-021: **Submitted by Amor Architectural Corp**
A Certificate of Appropriateness for a façade and storefront remodel, including demolition of existing storefront and canopy, for a 28,635-square foot commercial building located at 130 West G Street, within the MU-1 (Downtown Mixed-Use and Euclid Avenue Overlay) zoning districts (APN: 1048-271-19).

PHP-17-022: **Submitted by ANGEL HERNANDEZ**
A Mills Act Contract for a single-family residence located at 123 East H Street, a Contributor to the El Morado Court Historic District, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district (APN: 1048-271-19).

PLDG17-003: **Submitted by Victory Outreach International**
A Lodging Permit for a transitional housing program providing life skills, food preparation, and drug and alcohol training and education, located at 1434 West Philadelphia Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 DU/Acre) zoning district (APN: 1014-561-04).

PMTT17-009: **Submitted by National Community Renaissance of California**
A Tentative Parcel Map (PM 19877) to subdivide 4.18 acres of land into a single parcel to facilitate the construction of a 101-unit apartment project, at a density of approximately 24.1 dwelling units per acre, on property generally bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04). Related File: PDEV17-031.

PSGN17-072: **Submitted by Jeremy Cheng**
A Sign Plan for the installation of a wall sign for GOOXI, located at 4201 East Santa Ana Street, Suite E, within the Light Industrial land use district of the California Commerce Center Specific Plan.

PSGN17-073: **Submitted by Rent-A-Wheel**
A Sign Plan for the installation of a new wall sign (42 square feet) and the reface of an existing legal nonconforming pole sign (96 square feet) for RENT-A-WHEEL, located at 960 West Holt Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) and ICC (Interim Community Commercial) Overlay zoning districts.

PSGN17-074: **Submitted by Secoya Market**
A Sign Plan for two temporary signs for SECOYA MARKET, for a special event (Immigration Resource Fair), located at 426 North Euclid Avenue. Signs to be placed from 07/15/2017 to 07/22/2017.

PSGN17-075: **Submitted by Signum Luex**
A Sign Plan for the installation of two wall signs (7.13 square feet, each) for ZAKY MEDITERRANEAN GRILL, located at 4323 East Mills Circle, Suite 102, within the California Commerce Center North Specific Plan.

PSGN17-076: **Submitted by Wissam Alsayed**
A Sign Plan for the installation of one tenant identification wall sign for BLINK IT SOLUTIONS, located at 780 South Milliken Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan.

PSGN17-077: **Submitted by Verizon**
A Sign Plan for the installation of three new wall signs and replace one monument sign panel for VERIZON, located at 961 North Milliken Avenue, Suite 101, within the Urban Commercial land use district of the Ontario Center Specific Plan.

PSGN17-078: **Submitted by Sun Sign & Design**
A Sign Plan for the installation of a new interior illuminated channel letter sign for METRO PCS (12 square feet), located at 2411 South Grove Avenue, within the Grove Avenue Specific Plan.

PSGN17-079: **Submitted by Michael Baker International**
A Sign Plan for the installation of a wall sign for Michael Baker International (56.83 square feet), located at 3536 East Concours Street, within the Urban Commercial land use district of the Ontario Center Specific Plan.

PSGN17-080: **Submitted by EZM Signs**
A Sign Plan for the installation of a monument sign for INVAPHARM, located at 1320 West Mission Boulevard, within the IL (Light Industrial) zoning district.

PTUP17-032: **Submitted by Khosrow Yousefi**
A Temporary Use Permit for the placement of two temporary mobile modular units for six months, ending on 1/3/2018, for SOCAL TRANSPORTATION, located at 1304 South Mildred Avenue, within the IG (General Industrial) zoning district.

PTUP17-033: **Submitted by Secoya LLC**
A Temporary Use Permit for a Community Resource Fair hosted by SECOYA MARKETS, located at 426 North Euclid Avenue, within the MU-1 (Downtown Mixed-Use) zoning district. Event to be held on 7/22/2017.

PTUP17-034: **Submitted by Scandia**
A Temporary Use Permit for haunted mazes for SCANDIA AMUSEMENT PARK, located at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan. Set-Up Date: 9/11/2017. Take-Down Date: 11/01/2017. Start Date: 9/29/2017. Final Day: 10/21/2017.

PTUP17-035: **Submitted by Empowering Success Now**
A Temporary Use Permit for Empowering Success Now, to conduct a food and music festival at Guasti Regional Park, located at 800 North Archibald Avenue. Event to be held on 8/6/2017.

PTUP17-036: **Submitted by Cort Furniture**
A Temporary Use Permit for a parking lot sale for CORT FURNITURE, located at 4155 East Inland Empire Boulevard, within the Garden Commercial land use district of the Ontario Center Specific Plan. Event to be held on 8/17/2017.

PTUP17-037: **Submitted by Ontario Elks Lodge #1419**
A Temporary Use Permit for ELKS LODGE ANNUAL CAR SHOW, located at 1150 West Fourth Street (Elks Lodge parking lot), within the MDR-25 (Medium Density Residential – 18.1 to 25.0 DU/Acre) zoning district. Event to be held on 10/8/2017.

PUD-17-002: **Submitted by National Community Renaissance of California**
A Planned Unit Development establishing land use designations, and development standards and guidelines, which will govern the development of 4.18 acres of land bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district (APNs: 1048-472-11, 1048-472-01, 1048-472-02 and 1048-472-04). Related File: PDEV17-031.

PUD-17-003: **Submitted by ELBA INC.**
A Planned Unit Development establishing land use designations, and development standards and guidelines, which will govern the development of 2.6 acres of land generally located at the northwest corner of Grove Avenue and Holt Boulevard, within the MU-2 (East Holt Mixed Use) zoning district (APNs: 1048-472-16, 1048-472-17, 1048-472-18, 1048-472-19, 1048-472-20, 1048-472-21). Related File: PDEV17-034.

PVAR17-007: **Submitted by North by Northwest Capital, INC**
A Variance to deviate from the minimum Development Code standard for building setback from arterial streets (Mission Boulevard), from 30 feet to 5.75 feet, submitted in conjunction with a Development Plan to construct 31 single-family (cluster product) dwelling units and a Tentative Tract Map to subdivide the 3.47 acre site into 31 lots and common areas, located on the south side of Mission Boulevard, between San Antonio and Oakland Avenues, within the MDR-11 (Low-Medium Density Residential 5.1 to 11.0 DU/Acre) zoning district (APNs: 1049-323-06, 1049-323-07, 1049-323-08, 1049-323-12 & 1049-323-13). Related File: PDEV17-022 and PMTT17-007.

PVER17-043: **Submitted by Amanda Roe**
A Zoning Verification for 1900 South Burgundy Place (APN: 0238-152-14).

PVER17-044: **Submitted by Amanda Roe**
A Zoning Verification for 1200 South Etiwanda (APN: 0238-101-69).

PVER17-045: **Submitted by Alejandra Fernandez**
A Zoning Verification for 4371 Ontario Mills Parkway (APN: 0238-041-27).

PVER17-046: **Submitted by Sheneetra Scroggins**
A Zoning Verification for 3800 Concours Street (APNs: 0210-205-16 and 0210-205-05).

PVER17-047: **Submitted by NDDS**
A Zoning Verification for 921 North Milliken Avenue (APN: 0210-501-37).

PWIL17-002: **Submitted by County of San Bernardino**
A Williamson Act (Land Conservation Act 68) Contract nonrenewal on 36.77acres of land generally located on the south side of Schaefer Avenue, between Bon View and Grove Avenues, within the SP (Specific Plan) and AG (Agricultural Overlay) zoning districts (APN: 1053-141-01, 1053-141-02, 1053-131-01, and 1053-131-02).

PWIL17-003: **Submitted by COUNTY OF SAN BERNARDINO**
A Williamson Act (Land Conservation Act 68) Contract nonrenewal on 37.12 of land generally located on the north side of Edison Avenue, between Bon View and Grove Avenues, within the

SP (Specific Plan) and AG (Agricultural Overlay) zoning districts (APN: 1053-181-01, 1053-181-02, 1053-311-01, and 1053-311-02).

PWIL17-004: **Submitted by County of San Bernardino**
A Williamson Act (Land Conservation Act 69-137) Contract nonrenewal on 36.93 acres of land generally located on the north side of Eucalyptus Avenue, between Campus and Bon View Avenues, within the SP (Specific Plan) and AG (Agricultural Overlay) zoning districts (APN: 1053-521-01, 1053-521-02, 1053-591-01, 1053-591-02, 1053-131-01, and 1053-131-02).

PWIL17-005: **Submitted by County of San Bernardino**
A Williamson Act (Land Conservation Act 68-086) Contract nonrenewal on 9 acres of land generally located on the southeast corner of Riverside Drive and Cucamonga Avenue, within the SP (Specific Plan) and AG (Agricultural Overlay) zoning districts (APN: 1053-151-09, 1053-151-10 and 1053-151-11).

PWIL17-006: **Submitted by County of San Bernardino**
A Williamson Act (Land Conservation Act 72-360) Contract nonrenewal on 9 acres of land generally located on the northwest corner of Sultana Avenue Eucalyptus Avenue, within the SP (Specific Plan) and AG (Agricultural Overlay) zoning districts (APN: 1053-601-01).

City of Ontario Planning Department

Monthly Activity Report—Actions

Month of July 2017

DEVELOPMENT ADVISORY BOARD MEETING — July 3, 2017

Meeting Cancelled

ZONING ADMINISTRATOR MEETING — July 3, 2017

Meeting Cancelled

CITY COUNCIL MEETING — July 4, 2017

Meeting Cancelled

DEVELOPMENT ADVISORY BOARD MEETING — July 17, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-018: A Development Plan to demolish an existing 951 square-foot oil service facility and an existing 2,400 square-foot fueling station canopy, and construct a new 2,000 square-foot fueling station canopy with 4 new fueling dispensers on 8.7 acres of land, located at 2455 South Vineyard Avenue, within the CC (Community Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2—Replacement or Reconstruction) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0113-285-12) **submitted by Oil and Water Ontario, LP.**

Action: The Development Advisory Board approved the application subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT17-001: A Tentative Tract Map (TT 20076) to subdivide 7.65 acres of land into 62 numbered lots and 29 lettered lots within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue and approximately 700 feet south of Ontario Ranch Road. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-412-02) **submitted by Brookcal Ontario, LLC. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the application subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-009: A Development Plan approval to construct 330 conventional (104 units) and cluster (226 units) single-family residential dwellings on 48.82 acres of land located within the Low Density Residential district of Planning Areas 4, 5 and 6 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Turner Avenue. The environmental impacts of this project were previously analyzed in the EIR (SCH#2012061057) prepared for the Grand Park Specific Plan (File No. PSP12-001) and adopted by the City Council on January 21, 2014. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-241-37, 0218-241-38 and 0218-241-40) **submitted by Lennar Homes of California, Inc. Planning Commission Action Required.**

Action: The Development Advisory Board recommended the Planning Commission approve the application subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-024: A Development Plan approval to construct 88 single-family residential dwellings on 14.35 acres of land located within the Conventional Medium Lot Residential district of Planning Area 4 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Parkview Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-022-15) **submitted by CalAtlantic Group, Inc. Planning Commission Action Required.**

Action: The Development Advisory Board recommended the Planning Commission approve the application subject to conditions.

ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN, AND VARIANCE REVIEW FOR FILE NOS. PMTT17-007 (TT17624), PDEV17-022 & PVAR17-007: A Tentative Tract Map (File No. PMTT17-007/TT 17624) to subdivide 3.47 acres of land into 31 single family lots and common areas, in conjunction with a Development Plan (File No. PDEV17-022) to construct a 31 single family homes (Cluster Product) and a Variance (File No. PVAR17-007) to deviate from the minimum building arterial street setback, along Mission Boulevard, from 30 feet to 5 feet. The project is located on the south side of Mission Boulevard, between San Antonio and Oakland Avenues, within the MDR-11 (Low-Medium Density Residential 5.1 to 11.0 du/ac) zoning district. Staff has determined that the project is categorically exempt from the

requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5, Minor Alterations in Land Use Limitations) and 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-323-06, 1049-323-07, 1049-323-08, 1049-323-12 and 1049-323-13) **submitted by North by Northwest Capital Inc. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the application subject to conditions.

ZONING ADMINISTRATOR MEETING — July 17, 2017

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP17-006: A Conditional Use Permit request to establish and operate an e-liquid manufacturing use within an existing 21,070 square foot industrial building, on 5.41 acres of land, located at 2040 South Lynx Place, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1-Existing Facilities) of the CEQA guidelines. The 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: 0113-491-66) **submitted by Ruthless Vapor Corporation.**

Action: The Zoning Administrator conducted a public hearing regarding the proposed use. Final action on the application is pending.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP17-008: A Conditional Use Permit to establish alcoholic beverage sales for a Type 47 ABC License (On Sale General- Eating Place) and Live Entertainment (Karaoke), in conjunction with a proposed 2,400-square-foot restaurant and bar (Flair's Martinis and Wings) on 3.44 acres of land located at 4451 East Ontario Mills Parkway, Suite A, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties Specific Plan. The project is categorically exempt from requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-014-10) **submitted by Errol Brown.**

Action: The Zoning Administrator conducted a public hearing regarding the proposed use. Final action on the application is pending.

CITY COUNCIL MEETING — July 18, 2017

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA17-002: An Amendment to the Grove Avenue Specific Plan (File No. PSPA17-002) to: 1) change the land use designation from Business Park to Commercial for approximately 1-acre of land located at the northeast corner of Grove Avenue and Philadelphia Street; 2) amend the Commercial District permitted and conditionally permitted uses to allow restaurants, conditionally permit restaurants with a drive-thru facility and conditionally permit car wash facilities (full and self-service) with the exception of the Commercial corners of Grove Avenue and Philadelphia Street and Grove Avenue and Francis Street where full and self-service car wash facilities will not be permitted; and 3) update all applicable specific plan sections to reflect the proposed amendments. The Grove Avenue Specific Plan is generally located on the east and west sides of Grove Avenue and between Mission Boulevard to the north and the I-60 Freeway to the south. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010. 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: 0113-641-13) **submitted by A&E Leasing, LLC.** The Planning Commission recommended approval of this item on June 27, 2017 with a vote of 6 to 0.

Action: The City Council approved and waived further reading of a resolution approving the application.

PLANNING COMMISSION MEETING — July 25, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-009: A Development Plan approval to construct 330 single-family residential dwelling units (104 conventional units and 226 cluster units) on 48.82 acres of land located within the Low Density Residential district of Planning Areas 4, 5 and 6 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Turner Avenue. The environmental impacts of this project were previously analyzed in the EIR (SCH#2012061057) prepared for the Grand Park Specific Plan (File No. PSP12-001) and adopted by the City Council on January 21, 2014. All adopted mitigation measures shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-241-37, 0218-241-38 and 0218-241-40) **submitted by Lennar Homes of California, Inc.**

Action: The Planning Commission approved the application subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-024: A Development Plan approval to construct 88 single-family residential dwellings on 14.35 acres of land located within the Conventional Medium Lot Residential district of Planning Area 4 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Parkview Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-022-15) **submitted by CalAtlantic Group, Inc.**
Action: The Planning Commission approved the application subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT17-001: A Tentative Tract Map (TT 20076) to subdivide 7.65 acres of land into 62 numbered lots and 29 lettered lots within the Low Density Residential (LDR) district of Planning Area 11 of The Avenue Specific Plan, located on the west side of Haven Avenue, approximately 700 feet south of Ontario Ranch Road. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-412-02) **submitted by Brookcal Ontario, LLC.**
Action: The Planning Commission approved the application subject to conditions.

ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN, AND VARIANCE REVIEW FOR FILE NOS. PMTT17-007 (TT17624), PDEV17-022 & PVAR17-007: A Tentative Tract Map (File No. PMTT17-007/TT 17624) to subdivide 3.47 acres of land into 31 single family lots and common areas, in conjunction with a Development Plan (File No. PDEV17-022) to construct a 31 single family homes (Cluster Product) and a Variance (File No. PVAR17-007) to deviate from the minimum building arterial street setback, along Mission Boulevard, from 30 feet to 5 feet and 9 inches. The project is located on the south side of Mission Boulevard, between San Antonio and Oakland Avenues, within the MDR-11 (Low-Medium Density Residential 5.1 to 11.0 du/ac) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Minor Alterations 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 (ALUCP); (APNs: 1049-323-06, 1049-323-07, 1049-323-08, 1049-323-12 & 1049-323-13) **submitted by North by Northwest Capital Inc.**
Action: The Planning Commission approved the applications subject to conditions.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW FOR FILE NO. PSP15-001: A public hearing to consider certification of the Colony Commerce Center West Specific Plan Environmental Impact Report, including the adoption of a Statement of Overriding Considerations, and a Specific Plan to establish land use designations, development standards, design guidelines and infrastructure improvements on approximately 123.17 acres of land, which includes the potential development of 2,951,146 square feet of industrial development, on properties bordered by Merrill Avenue to the north, Remington Avenue to the south, Carpenter Avenue to the west, and the Cucamonga Creek Flood Control Channel to the east. 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: 0218-261-24, 0218-292-05, 0218-311-11, 0218-292-12, 0218-292-09, 0218-292-13, 0218-292-10, 0218-292-14); **submitted by Cap Rock-Partners.**
Action: The Planning Commission recommended the application be continued to the August 22, 2017 regular meeting.